

§ 32-201. Employment of minors under 14 years of age; distribution of newspapers permitted

Except as provided in §§ 32-206 and 32-207, no minor under 14 years of age shall be employed, permitted, or suffered to work in the District of Columbia, in, about, or in connection with any gainful occupation, with the exemption of housework performed outside of school hours in the home of the minor's parent or legal guardian or agricultural work performed outside of school hours in connection with the minor's own home and directly for the minor's parent or legal guardian; provided, that minors 10 years of age and over may be employed outside of school hours in the distribution or sale of newspapers, subject to the provisions of §§ 32-215 to 32-221.

§ 32-202. Employment of minors under 18 years of age; hours of employment; notice to be posted in place of employment; list of minors employed

Except as provided in § 32-206, no minor under 18 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation, except in agricultural work, or housework, or in the distribution or sale of newspapers, as prescribed in § 32-201, and except in newspaper stuffing, subject to the provisions of § 32-215, more than 6 consecutive days in any 1 week, or more than 48 hours in any 1 week, or more than 8 hours in any 1 day, nor shall any minor 16 or 17 years of age be employed, permitted, or suffered to work before 6:00 a.m. or after 10:00 p.m. of any day; nor shall any minor under 16 years of age be employed, permitted, or suffered to work before 7:00 a.m. or after 7:00 p.m. of any day, except during the summer (June 1 through Labor Day) when the evening hour shall be 9:00. Every employer shall post and keep conspicuously posted in the establishment, in or about which any minor is employed, permitted, or suffered to work, a printed notice, furnished by the official authorized to enforce this subchapter, setting forth the legal regulations governing the employment and hours of work of minors and occupations prohibited to minors in such establishments, and, in addition, shall keep accessible in the place of employment a list of minors under 18 employed, permitted, or suffered to work, and an accurate time record showing the hours of beginning and ending work each day. The presence of any such minor in the place of work for a longer time in the day or week than stated in the printed regulation hours shall be prima facie evidence of a violation of the provisions of this section.

§ 32-203. Employment dangerous or prejudicial to life prohibited; Board of Education to prohibit such employment by general or special order

No minor shall be employed, permitted, or suffered to work in any place of employment, or at any employment, dangerous or prejudicial to the life, health, safety, or welfare of such minor. It shall be the duty of the Board of Education of the District of Columbia and the said board shall have the power, jurisdiction and authority, after hearing duly held, to issue general or special orders prohibiting the employment of such minors in any employment or at any place of employment dangerous or prejudicial to the life, health, safety, or welfare of such minors; provided, that no such order shall permit the employment of any minor at any employment specified in §§ 32-204 through 32-206 at a lower age than the age therein specified; provided further, that no hearing shall be necessary for the issuance of an order prohibiting employment in any occupation found by the Secretary of Labor under the authority of the Fair Labor Standards Act to be particularly hazardous for minors under 18 years of age or detrimental to their health and well-being.

§ 32-204. Employment of minors under 16 years of age in certain occupations prohibited; exception

- (a) No minor under 16 years of age shall be employed, permitted, or suffered to work at any of the following occupations:
 - (1) In the operation of any machinery operated by power other than hand or foot power; or
 - (2) In oiling, wiping, or cleaning machinery or assisting therein.
- (b) This section does not apply to any duly approved vocational education program or training under the auspices of the Board of Education or the Trustees of the University.

§ 32-205. Employment of minors under 18 years of age in certain occupations prohibited

No minor under 18 years of age shall be employed, permitted, or suffered to work at operating any freight or nonautomatic elevator, or in any quarry, tunnel, or excavation.

§ 32-206. Theatrical permits for minors under 18 years of age for performances and professional sports activities

- (a) The Board of Education may issue a theatrical employment permit to a minor under 18 years of age permitting the minor to:
 - (1) Perform on the stage of a licensed theatre within the District of Columbia in a professional theatrical production;
 - (2) Perform in a musical or dance recital or concert;
 - (3) Participate in a radio or television program;
 - (4) Participate in a motion picture;
 - (5) Appear as a fashion model; or
 - (6) Participate in a professional sports activity or circus.
- (b) An application for a theatrical permit shall be made by the parent or guardian, and by the agent if applicable, of the minor to the Board of Education. The Board of Education may issue a theatrical employment permit if the Board is satisfied that adequate provisions have been made for the educational instruction of the minor, for safeguarding the minor's health, and for the proper supervision of the minor. The Board of Education may require the employer to provide the necessary resources to satisfy the requirements of this subsection.
- (c) A minor shall not appear in more than 2 live performances in 1 day or more than 8 live performances in 1 week. A minor shall not appear in a live performance, or otherwise be required to work, before 7:00 a.m. or after 11:30 p.m. A licensed practical nurse with substantial pediatric experience, or a registered nurse who is a pediatric nurse practitioner, shall be provided for each 3 or fewer infants under the age of 30 months.
- (d) A theatrical employment permit shall limit the time during which a minor 7 years of age or younger is permitted at the place of employment within a 24-hour period according to age as follows:
 - (1) An infant under the age of 6 months may be permitted to remain at the place of employment for a maximum of 2 hours, which shall consist of not more than 20 minutes of work.
 - (2) A minor between the ages of 6 months and 30 months may be permitted at the place of employment for a maximum of 4 hours, which shall consist of not more than 2 hours of work, with the balance of the 4-hour period being rest or recreation.
 - (3) A minor between the ages of 30 months and 7 years may be permitted at the place of employment for a maximum of 6 hours, which shall consist of not more than 3 hours of work, with the balance of the 6-hour period being rest, recreation, or education.
- (e) For the purposes of this section, the term "theatrical employment permit" means an authorization to perform or appear in any of the activities listed in subsection (a) of this section for monetary remuneration, a gift, or other form of valuable consideration.

§ 32-207. Work or vacation permit – Procurement by employer

No minor under 18 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation, except in agricultural work or housework as specified in § 32-201, unless the employer procures and keeps on file and accessible to any attendance officer, inspector or other person authorized to enforce this subchapter a work or vacation permit issued as hereinafter prescribed, except that minors under 18 years of age may be employed without a permit outside of school hours in irregular or casual work usual to the home of the employer; provided, that such employment shall not be in connection with nor form a part of the business, trade, profession, or occupation of the employer; and provided further, that such employment shall not be specifically prohibited by any provision of this subchapter or by any order issued under the authority of § 32-203.

§ 32-213. Penalties

- (a) A person commits an offense under this subchapter if that person:
 - (1) Employs a minor or permits a minor to work in violation of this subchapter, of any regulation promulgated by the Board of Education pursuant to § 32-224, or of any order issued under the provisions of § 32-203; or
 - (2) Interferes with the Board of Education, its officers or agents, or any other person authorized by the District to inspect places of employment of minors.
- (b) A person convicted of a 1st offense under this section shall be fined not less than \$ 1,000 nor more than \$ 3,000, or imprisoned not less than 10 days nor more than 30 days, or both. A person convicted of a 2nd or subsequent offense under this section shall be fined not less than \$ 3,000 nor more than \$ 5,000, or imprisoned not less than 30 days nor more than 90 days, or both. Each day during which a violation of this subchapter occurs shall constitute a separate offense.
- (c) The fines set forth in this section shall not be limited by § 22-3571.01.