

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SESSION LAW 2019-166
SENATE BILL 391

AN ACT TO PROVIDE A LIMITED EXCEPTION TO THE PROHIBITION ON YOUTH PARTICIPATING IN SUPERVISED, PRACTICE EXPERIENCES WITH EMPLOYERS IN OCCUPATIONS FOUND DETRIMENTAL BY THE COMMISSIONER OF LABOR UNDER CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 95-25.5 is amended by adding a new subsection to read:

"(k1) Youth, who are at least 16 years of age but less than 18 years of age, who participate in a supervised, practice experience in an occupation with an employer are exempt from the prohibition from occupations found and declared to be detrimental to the health and well-being of youth by the Commissioner of Labor pursuant to subsection (b) of this section, if the Commissioner of Labor finds all of the following conditions are met:

- (1) The youth is enrolled in a public school or a nonpublic school that meets the requirements of Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes that is partnering with the employer to offer the supervised, practice experience for the occupation.
- (2) The employer submits to the Commissioner of Labor the written agreement between the employer and the public or nonpublic school where the youth is enrolled that governs the operation of the supervised, practice experience for the occupation. The written agreement shall include at least the following:
 - a. The work is incidental to the youth's supervised, practice experience for the occupation.
 - b. The work is intermittent and for short periods of time.
 - c. The work is performed under direct and close supervision of a qualified and experienced person.
 - d. The employer shall give safety instructions and training to the youth before performing the work.
 - e. The employer has prepared a schedule of organized and progressive work processes to be performed by the youth.

The terms of the written agreement required by subdivision (2) of this subsection shall be consistent with the guidance provided in Child Labor Bulletin 101, *Child Labor Provisions for Nonagricultural Occupations under the Fair Labor Standards Act*, published by the United States Department of Labor, Wage and Hour Division, effective November 2016, and any subsequent revisions published for that document."



SECTION 2. This act is effective when it becomes law and applies to participation of youth in practical experience programs on or after that date.

In the General Assembly read three times and ratified this the 16th day of July, 2019.

s/ Ralph E. Hise
Presiding Officer of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 12:04 p.m. this 26th day of July, 2019