S T A T E O F N E W Y O R K

2252

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. PARMENT, SCHROEDER -- Multi-Sponsored by -- M. of A. CAMARA, CHRISTENSEN, J. RIVERA, TOWNS -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to authorizing minors fourteen years of age or older, working as part of a religious community of which they are a member, to be employed in or assist in certain activities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 131 of the labor law is amended by adding a new subdivision 7 to read as follows:

7. NOTHING IN THIS SECTION SHALL BE DEEMED TO PROHIBIT THE EMPLOYMENT OF OR ASSISTANCE IN EMPLOYMENT BY A MINOR FOURTEEN OR FIFTEEN YEARS OF AGE WHO IS THE MEMBER OF A RELIGIOUS COMMUNITY AS PROVIDED IN PARAGRAPH C OF SUBDIVISION THREE OF SECTION ONE HUNDRED THIRTY-THREE OF THIS ARTICLE.

S 2. Section 132 of the labor law is amended by adding a new subdivision 6 to read as follows:

6. NOTHING IN THIS SECTION SHALL BE DEEMED TO PROHIBIT THE EMPLOYMENT OF OR ASSISTANCE IN EMPLOYMENT BY A MINOR SIXTEEN OR SEVENTEEN YEARS OF AGE WHO IS THE MEMBER OF A RELIGIOUS COMMUNITY AS PROVIDED IN PARAGRAPH C OF SUBDIVISION THREE OF SECTION ONE HUNDRED THIRTY-THREE OF THIS ARTICLE.

S 3. Subdivision 3 of section 133 of the labor law is amended by adding a new paragraph c to read as follows:

C. THE PROVISIONS OF SUBDIVISION TWO OF THIS SECTION SHALL NOT APPLY TO ANY MINOR FOURTEEN YEARS OF AGE OR OLDER, WHEN SUCH MINOR IS EMPLOYED BY OR ASSISTS IN THE EMPLOYMENT OF A RELIGIOUS COMMUNITY, OF WHICH SUCH MINOR IS AN ACTIVE MEMBER; PROVIDED, HOWEVER, THAT AT ALL TIMES WHILE SUCH A MINOR IS ENGAGED OR ASSISTING IN OTHERWISE PROHIBITED EMPLOYMENT, HE OR SHE SHALL BE UNDER THE SUPERVISION OF A PERSON EIGHTEEN YEARS OF

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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AGE OR OLDER WHO IS AN ACTIVE MEMBER OF THE SAME RELIGIOUS COMMUNITY AS THE SUPERVISED MINOR. AN AFFIDAVIT SIGNED BY THE PARENT, PARENTS OR GUARDIAN OF SUCH A MINOR, STATING THAT SUCH PARENT, PARENTS OR GUARDIAN HOLD THE GENUINE AND SINCERE RELIGIOUS BELIEFS OF THE RELIGIOUS COMMUNITY AND THAT THE MINOR IS AN ACTIVE MEMBER OF SUCH RELIGIOUS COMMUNITY SHALL CONSTITUTE PROOF THAT SUCH MINOR MAY BE SO EMPLOYED OR ASSIST IN SUCH EMPLOYMENT. THE PARENT, PARENTS OR GUARDIAN SHALL NOT BE REQUIRED TO SPECIFY OR ELABORATE ON THE NATURE, GENUINENESS OR SINCERITY OF THE RELIGIOUS BELIEF OR BE SUBJECT TO ANY FURTHER INQUIRY.

S 4. This act shall take effect immediately.