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I N   S E N A T E

May 1, 2012
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Introduced  by  Sen.  LANZA  -- read twice and ordered printed, and when
  printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to work hours for lifeguards

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

 1    Section  1.  Paragraph  a of subdivision 1 of section 143 of the labor
 2  law, as amended by chapter 546 of the laws of 1992, is amended  to  read
 3  as follows:
 4    a.  (i)  More than four hours on any day preceding a school day, other
 5  than on a Sunday or holiday; (ii) except that  students  enrolled  in  a
 6  cooperative work experience program approved by the department of educa-
 7  tion  may  be employed for no more than six hours on any day preceding a
 8  school day, other than on a Sunday or holiday, if such hours of  employ-
 9  ment occur solely pursuant to such program. Any hours worked by students
10  in  such programs shall be included when calculating the number of hours
11  worked for purposes of subparagraph (i) of  this  paragraph;  AND  (III)
12  EXCEPT  THAT  STUDENTS  MAY  BE EMPLOYED FOR UP TO FIVE HOURS ON ANY DAY
13  PRECEDING A SCHOOL DAY AS A QUALIFIED LIFEGUARD OR  AQUATIC  SUPERVISORY
14  STAFF  AS  DEFINED  BY  TITLE  10  NYCRR  PART  6, PROVIDED THE EMPLOYER
15  RECEIVES AND MAINTAINS BOTH THE WRITTEN CONSENT OF THE MINOR'S PARENT OR
16  GUARDIAN AND A CERTIFICATE WHICH SHALL BE PROVIDED TO  THE  EMPLOYER  AT
17  THE  END OF EACH MARKING PERIOD BY THE MINOR'S SCHOOL WHICH SHALL ASSERT
18  THAT SUCH MINOR IS IN SATISFACTORY ACADEMIC STANDING  ACCORDING  TO  THE
19  STANDARDS  IN SUCH SCHOOL DISTRICT; WHERE SUCH STUDENT MAINTAINS A PASS-
20  ING GRADE AS DETERMINED BY THE EDUCATIONAL INSTITUTION WHERE THE STUDENT
21  IS ENROLLED, HAS WRITTEN PERMISSION FROM A PARENT OR LEGAL GUARDIAN  AND
22  WHERE  SUCH STUDENT MEETS ANY OTHER EDUCATIONAL STANDARDS OR REQUIREMENT
23  SET BY THE EMPLOYER OR HIRING AGENCY;
24    S 2. This act shall take effect immediately.


     EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
                      [ ] is old law to be omitted.
                                                          LBD00507-01-1