5220

2015-2016 Regular Sessions

I N   A S S E M B L Y

February 13, 2015
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Introduced by M. of A. CUSICK, PERRY -- Multi-Sponsored by -- M. of A.
  CLARK -- read once and referred 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 PART SIX OF TITLE TEN OF THE NEW YORK STATE CODES,
15 RULES AND REGULATIONS, PROVIDED THE EMPLOYER RECEIVES AND MAINTAINS BOTH
16 THE WRITTEN CONSENT OF THE MINOR'S PARENT OR GUARDIAN AND A CERTIFICATE
17 WHICH SHALL BE PROVIDED TO THE EMPLOYER AT THE END OF EACH MARKING PERI-
18 OD BY THE MINOR'S SCHOOL WHICH SHALL ASSERT THAT SUCH MINOR IS IN SATIS-
19 FACTORY ACADEMIC STANDING ACCORDING TO THE STANDARDS IN SUCH SCHOOL
20 DISTRICT; WHERE SUCH STUDENT MAINTAINS A PASSING GRADE AS DETERMINED BY
21 THE EDUCATIONAL INSTITUTION WHERE THE STUDENT IS ENROLLED, HAS WRITTEN
22 PERMISSION FROM A PARENT OR LEGAL GUARDIAN AND WHERE SUCH STUDENT MEETS
23 ANY OTHER EDUCATIONAL STANDARDS OR REQUIREMENT SET BY THE EMPLOYER OR
24 HIRING AGENCY;
25   S 2. This act shall take effect immediately.

     EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
                      [ ] is old law to be omitted.
                                                            LBD01127-01-5