§ 143. Hours of work for minors sixteen and seventeen years of age. 1. When school is in session, no minor sixteen or seventeen years of age enrolled in a daytime school, other than a part-time or continuation school, shall be employed:

a. (i) More than four hours on any day preceding a school day, other than on a Sunday or holiday; (ii) except that students enrolled in a cooperative work experience program approved by the department of education may be employed for no more than six hours on any day preceding a school day, other than on a Sunday or holiday, if such hours of employment occur solely pursuant to such program. Any hours worked by students in such programs shall be included when calculating the number of hours worked for purposes of subparagraph (i) of this paragraph;

b. More than eight hours on a Friday, Saturday, Sunday or holiday;

c. More than twenty-eight hours a week;

d. More than six days a week;

e. After ten o'clock at night on any day preceding a school day, or after midnight on any day preceding a school day provided the employer receives and maintains both the written consent of the minor's parent or guardian and a certificate which shall be provided to the employer at the end of each marking period by the minor's school which shall assert that such minor is in satisfactory academic standing according to the standards in such school district;

f. After ten o'clock at night on any day preceding a non-school day or, if the employer receives and maintains the written consent of the minor's parent or guardian, after midnight; or

g. Before six o'clock in the morning.

2. When school is not in session, no minor sixteen or seventeen years of age shall be employed:

a. More than eight hours a day, except that for the purpose of making one or more shorter work days or a holiday in a week, such persons may be employed up to ten hours on any one day of the week, and nine hours on any of four other days, but not in excess of forty-eight hours in any such week;

b. More than forty-eight hours a week;

c. More than six days a week; or

d. After twelve midnight or before six o'clock in the morning.

3. A minor sixteen or seventeen years of age who is not enrolled in a daytime school when school is in session shall be covered under subdivision two of this section.

4. This section shall not apply to a newspaper carrier as defined in section thirty-two hundred twenty-eight of the education law whose hours of work are governed by such section, a farm laborer, a child performer whose employment is governed by section 35.01 of the arts and cultural affairs law and article four-A of this chapter, a child model whose employment is governed by section 35.05 of the arts and cultural affairs law, a bridge caddie at a bridge tournament or a baby sitter as defined in section one hundred thirty-one of this chapter or a seventeen year old minor employed as a counselor, junior counselor or counselor-in-training at a camp for children during the months of June, July and August.

5. a. The provisions of paragraphs b, c and d of subdivision one and paragraphs a, b and c of subdivision two of this section shall not apply to (i) employment solely as a singer or performer in a hotel or restaurant; (ii) employment in a resort or seasonal hotel or restaurant in a rural community and in a city and village having a population of less than fifteen thousand inhabitants, excluding that portion of the population of a third class city residing outside of its corporation tax district where such city embraces the entire area of a former township. As used in this subdivision, the term "resort" applies to such hotel or

restaurant which operates for not more than four calendar months and fifteen days in each year, and the term "seasonal" applies to such hotel or restaurant in which the number of employees is increased by at least one hundred percent from the slack to the busiest season; (iii) employment in or in connection with a beauty parlor in cities and villages having a population of less than fifteen thousand; (iv) employment in or in connection with a mercantile establishment during the following periods: (A) from the eighteenth day of December to the following twenty-fourth day of December, inclusive; or (B) for any seven consecutive days during the period from the fourth day of December to the following twenty-third day of December, inclusive, selected by an employer by filing written notice with the commissioner on or before the first day of December designating the days selected. An employer may make such selection for the employer's establishment, or if there is more than one establishment, for any one or more of such establishments; and (C) for two additional periods each year, for the purpose of taking inventory, each period not to be more than one week's duration. Each period shall not exceed a total of six hours if the minor is employed on an eight-hour-day basis, or five hours if employed ten hours on one day and nine hours on any of four other days of the week, in addition to the hours permitted in this section;

b. The provisions of paragraph d of subdivision one and paragraph c of subdivision two of this section shall not apply to (i) employment as a writer or reporter in a newspaper office or (ii) employment by a duly recognized florist on the day before Easter Sunday, on Easter Sunday morning, and on the twenty-third day of December of each year;

c. The provisions of paragraph e of subdivision one and paragraph d of subdivision two of this section shall not apply to those employments listed in subparagraphs (i) and (ii) of paragraph a of this subdivision and subparagraphs (i) and (ii) of paragraph b of this subdivision nor to employment by a duly licensed airline in the maintenance of aircraft through a work study or job trainee program, under recognized state or local educational authority, or through a course of study in a substantially similar program conducted by a private school or through a training program which is publicly funded in whole or in part nor to

employment as a junior counselor, counselor in training or counselor at a camp for children during the months of June, July and August.

6. The provisions of this section shall not apply to the employment of a minor seventeen years of age as an election inspector or poll clerk pursuant to section 3-400 of the election law.