Connecticut Labor and Education Laws and Statues

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Statue Coding Key

Education	**Office of Early Childhood**	**Labor**	**Consumer Protection**
Section 10	Section 19	Section 31 Chapters 558 Wages 567 Unemployment Compensation 568 Workers' Compensation Act	Section 30

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Sec. 10-20a. Connecticut career certificate programs.

(a) Local and regional boards of education, the Technical Education and Career System, postsecondary institutions and regional educational service centers, may (1) in consultation with regional workforce development boards established pursuant to section 31-3k, local employers, labor organizations and community-based organizations establish career pathway programs leading to a Connecticut career certificate in accordance with this section, and (2) enroll students in such programs based on entry criteria determined by the establishing agency. **Such programs shall be approved by the Commissioner of Education and the Labor Commissioner**. Applications for program approval shall be submitted to the Commissioner of Education in such form and at such time as the commissioner prescribes. All programs leading to a Connecticut career certificate shall provide equal access for all students and necessary accommodations and support for students with disabilities.

(b) Programs established pursuant to this section may be offered for one or more years and shall include:

(1) Not less than eighty hours during any year of school-based instruction which focuses on the academic, technical and employability skills outlined in the skill standards established pursuant to subsection (c) of this section, workplace safety awareness and instruction in the history of the American economy and the role of labor, business and industry;

(2) Work-based instruction which includes worksite experience, including all major activities related to the career cluster. Such worksite experience shall: (A) Be paid, except as provided in subsection (c) of section 10-20b, (B) include a planned program of job training and work experiences, including training related to preemployment and employment skills to be mastered at progressively higher levels, that are coordinated with school-based instruction, (C) include instruction, to the extent practicable, in all aspects of the industry, (D) relate to the academic, technical and employability skills outlined in the skill standards established pursuant to subsection (c) of this section, (E) include, but not be limited to, on-the-job training, internships, community service and field trips, (F) be conducted in accordance with an individualized written training and mentoring plan, agreed to by the student, his parent or guardian, if the student is under eighteen years of age, the principal of the school or the chief executive officer of the agency operating the program in which the student is enrolled, or the designee of such principal or chief executive officer, and the employer, and (G) be in conformance with the requirements of section 10-20d; and

(3) Activities that ensure coordination between school-based instruction and work-based instruction, including, but not limited to, (A) career awareness and exploration opportunities, and (B) information and guidance concerning transition to postsecondary education.

(c) For purposes of this section, "career cluster" means a range of occupations which share a set of skills and knowledge organized under the federal career clusters endorsed by the Office of Vocational and Adult Education under the United States Department of Education. Such skills and knowledge include (1) academic and technical skills related to the type of employment, and (2) general employability skills. The Commissioner of Education, in consultation with other state, regional and local agencies, business and industry and labor organizations, shall maintain a list of federally recognized career clusters and skill standards for each such career cluster, along with the projected occupation growth area clusters within the state identified by labor market projections provided by the Labor Department.

Sec. 10-20b. Connecticut career certificate.

Compliance with state and federal laws and regulations. Student and employer requirements. Compensation. (a) Except for the provisions of chapter 567, all state and federal laws and regulations relating to employment, apprenticeship and occupational licensing shall apply to students in a program leading to a Connecticut career certificate pursuant to section 10-20a. Employers found to be in violation of a federal or state labor law may be prohibited from participation in the program.

(b) Students participating in such programs shall not: (1) Replace any employee or cause any reduction in hours of work, wages or employment benefits of any employee of an employer participating in the program; or (2) be employed in a job from which an employee of a participating employer has been laid off and for which he retains recall rights. No employer shall terminate the employment of any of its employees or otherwise reduce its workforce or work hours in order to fill a vacancy so created with a student participating in the program. The participation of any employer who is a party to one or more collective bargaining agreements covering work to be performed by a student participating in the program shall be conditioned on the written concurrence of each labor organization that is a party to such an agreement.

(c) The employment of students in programs established pursuant to section 10-20a shall be in compliance with sections 31-23 and 31-58 and shall be paid employment, unless the Labor Commissioner, or the commissioner's designee, in consultation with the Commissioner of Education, or the commissioner's designee, receives and approves a written request from the principal of the school or the chief executive officer of the agency operating the program in which the student is enrolled, or the designee of such principal or chief executive officer, that such employment not be paid because such employment (1) includes worksite experiences that are generally not paid employment, such as community service activities or field trips, or (2) is an internship. The terms of compensation shall be (A) negotiated between the employer and such principal or chief executive officer, or the designee of such principal or chief executive officer, (B) accepted by the student, (C) based on the nature of the work and the status of the student-worker as a student, (D) reasonable for the actual work performed, and (E) in compliance with the provisions of title 31 concerning the employment of minors.

Sec. 10-20c. Issuance of Connecticut career certification. Credit for program.

(a) The Commissioner of Education and the Labor Commissioner shall jointly issue a Connecticut career certificate to students who successfully complete a program established pursuant to section 10-20a and demonstrate satisfactory academic achievement in accordance with such standards as may be adopted by the Commissioner of Education.

(b) No more than one elective credit for purposes of section 10-221a shall be awarded for each such program of at least one hundred twenty hours of work-based instruction which is successfully completed at the secondary level. Credit for work experience at the postsecondary level shall be determined by the board of trustees or governing authority for the postsecondary institution in which the student is enrolled.

Sec. 10-20d. Grants for support of Connecticut career certificate programs.

(a) The Commissioner of Education, in consultation with the Labor Commissioner and the Commissioners of Economic and Community Development and Higher Education, shall, within the limits of available appropriations, provide grants to postsecondary institutions, regional workforce development boards, regional educational service centers and other appropriate agencies and organizations to support the development of educators administering programs leading to a Connecticut career certificate pursuant to section 10-20a.

(b) If the Commissioner of Education finds that some or all of the amount of any grant awarded pursuant to this section is used for purposes which are not in conformity with sections 10-20a to 10-20d, inclusive, or is used to reduce the local share of support for schools or to supplant a previous source of funding, the commissioner may require repayment of such grant to the state.

(c) Each grant recipient shall submit to the Commissioner of Education, at such time and in such manner as the commissioner prescribes, a biennial program evaluation report.

Sec. 10-20e. Awarding of grants.

Each state agency which provides a grant to create jobs or provide job training shall, to the maximum extent feasible, give priority in awarding such grants to employers which establish programs leading to a Connecticut career certificate pursuant to section 10-20a.

Sec. 10-20f. Retention of appropriated funds, when.

The Department of Education may retain up to one per cent of the amount appropriated for programs established pursuant to section 10-20a for purposes of administration and coordination, technical assistance, information dissemination and program evaluation.

Sec. 10-21a. Accredited courses offered by employers.

Any employer may, with the cooperation and approval of the board of education of the local or regional school district in which such employer's business is located, offer accredited high school courses or, with the cooperation and approval of the State Board of Education, offer vocational training courses, such courses to be offered on the business premises for the benefit of any employee (1) who does not have and who wishes to obtain a high school diploma or (2) who wishes to improve his or her employment status, provided that no such course or any portion thereof shall be at the expense of the State Board of Education or any local or regional board of education.

Sec. 10-21b. Programs offered jointly by boards of education and business firms; neighborhood assistance.

Local and regional boards of education are authorized to enter into agreements with business firms, as defined in section 12-631, to develop for implementation, programs to be conducted jointly by such local or regional boards of education and business firms which provide training and experience in the business activities of such business firms which, in the opinion of such local or regional board of education, would be of substantial educational benefit to the participating students. Such agreements shall be limited in duration to one school year, provided this provision shall not be construed to prohibit any such local or regional board or any such business firm from entering into subsequent one-year agreements. Nothing in this section shall be construed to prohibit one or more local or regional boards of education or one or more business firms from entering into any such valid agreement jointly. The State Board of Education shall collect information on exemplary programs and provide local and regional boards of education with such information on or before January 15, 1985, in order to encourage development and implementation of such programs. Not later than July 1, 1984, the Department of Education shall notify local and regional boards of education and municipalities of the program established pursuant to this section and the requirements for eligibility under chapter 228a.

Sec. 10-21g. “Generation Next” pilot program.

The Department of Education shall establish, within available appropriations, a “Generation Next” pilot program to provide industry-based job shadowing and internship experiences to high school students and externship experiences to teachers in the public schools, including the technical education and career schools. The Commissioner of Education, for purposes of the program, may award grants to local and regional boards of education, technical education and career schools or state-wide or local business associations, in partnership with such boards of education or schools, for demonstration projects. Boards of education, technical education and career schools or business associations seeking to participate in the pilot program shall apply to the department at such time and in such form as the commissioner prescribes. The commissioner shall select a diverse group of participants based on the population, geographic location and economic characteristics of the school district or school. Local and regional boards of education, technical education and career schools or business associations awarded grants under the program shall use grant funds for developing and implementing a coordinated high school level teacher externship and student job shadowing and internship program with science or mathematics or with technology intensive businesses in the state.

Sec. 10-21j. Connecticut Apprenticeship and Education Committee.

(a) The Commissioner of Education, in collaboration with the Board of Regents for Higher Education, shall establish the Connecticut Apprenticeship and Education Committee to coordinate and identify (1) potential preapprenticeship and apprenticeship training program integration, and (2) leveraged funding identification of career technical education programs within high schools and programs within higher education institutions for careers in various industries. Such committee shall include, but not be limited to, (A) representatives from the Department of Economic and Community Development, the Labor Department, the Connecticut Center for Advanced Technology, the Connecticut Manufacturers Collaborative, the Technical Education and Career System, the advanced manufacturing centers at the regional community-technical colleges, independent institutions of higher education in the state that offer training in the field of manufacturing, the Office of Workforce Strategy, companies and employee organizations that represent manufacturing workers, and (B) teachers, guidance counselors, school counselors, principals and superintendents.

(b) The committee established pursuant to subsection (a) of this section may, in such committee's discretion, report, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to commerce, higher education and workforce development and labor and public employees an analysis of whether current apprenticeship training programs available to Connecticut residents are meeting workforce needs. The committee shall consult with members of the manufacturing industry when producing such report. In addition to consulting with manufacturing industries, the committee shall consult with members of insurance, health care, financial technology, biotechnology, STEM, construction trades and hospitality industries and any other appropriate industry to coordinate and identify potential modern preapprenticeship and apprenticeship training programs and shall review and consider European apprenticeship training programs when producing such report.

(c) The Commissioner of Education, in consultation with the committee established pursuant to subsection (a) of this section, shall introduce middle school and high school students, their parents or guardians, guidance counselors and school counselors to careers in the industries described in subsection (b) of this section. The commissioner may enter into partnerships with one or more private sector entities to further the goals of this subsection.

(d) The Department of Education, in consultation with representatives from the industries described in subsection (b) of this section, shall develop a best practices guide to help local and regional boards of education to incorporate relationships with the industries described in subsection (b) of this section in their middle school and high school curricula.

Sec. 10-21k. Pipeline for Connecticut's Future program.

The Department of Education, in collaboration with the Labor Department, shall administer the Pipeline for Connecticut's Future program. Under the program, the department shall (1) assist local and regional boards of education in enhancing existing partnerships or establishing new partnerships with providers of child care services, early childhood education programs or mental health services, as well as any additional fields such as manufacturing, computer programming or the culinary arts, and one or more local businesses, to offer a pathways program (A) that assists students in (i) obtaining occupational licenses, (ii) participating in apprenticeship opportunities, and (iii) gaining immediate job skills, (B) that provides (i) industry-specific class time and cooperative work placements, (ii) on-site and apprenticeship training, and (iii) course credit and occupational licenses to students upon completion, and (C) that may lead to a diploma, credential, certificate or license upon graduation in early child care, education or mental health services, and any additional fields, such as manufacturing, computer programming or the culinary arts, and (2) provide incentives to local and regional boards of education for establishing such partnerships.

Sec. 10-21m. Best practices for establishing pathways programs under Pipeline for Connecticut's Future program.

Not later than July 1, 2023, the Department of Education shall develop best practices that may be used by local and regional boards of education when establishing a pathways program with local businesses under the Pipeline for Connecticut's Future program, pursuant to section 10-21k. In developing such best practices, the department shall collaborate with stakeholders and boards of education that have implemented a successful pathways program. The department shall make such best practice available upon request of a local or regional board of education.

Sec. 10-21n. Aviation or aerospace apprenticeship training program.

(a) Any local or regional board of education may partner with one or more local employers that are in the aviation or aerospace industry to develop and provide an apprenticeship training program for students in the school district governed by such board. Such apprenticeship training program shall include, but need not be limited to, (1) on-site training in which students may learn immediate job skills and earn course credit, and (2) the provision of information to students concerning the programs of study offered at the CT Aero Tech School for Aviation Maintenance Technicians and assistance with the application for admission to said school.

(b) Not later than sixty days after the first student cohort completes an apprenticeship training program provided pursuant to subsection (a) of this section, and annually thereafter, the local or regional board of education that provides such program shall submit a report, in accordance with the provisions of section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to education. Such report shall include, but need not be limited to, the number of students who (1) participated in and completed such program, and (2) enrolled in the CT Aero Tech School for Aviation Maintenance Technicians after completing such program.

Sec. 10-21p. Preapprenticeship grant program.

(a) Not later than January 1, 2024, the Department of Education shall, within available appropriations, establish a preapprenticeship grant program. The department shall award grants to any local or regional board of education that incorporates a preapprenticeship program in the curriculum for grades nine to twelve, inclusive, provided such preapprenticeship program (1) is registered with the Labor Department, and (2) meets any criteria established by the Department of Education. The Department of Education shall award a grant to such board of education in an amount not less than one thousand dollars for each student that completes the preapprenticeship program.

(b) Not later than January 1, 2025, and annually thereafter, the Department of Education shall submit a report, in accordance with the provisions of section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to education. Such report shall include, but need not be limited to, (1) the amount of grants awarded during the prior year, and (2) the types of preapprenticeship programs completed by students during the prior year.

Sec. 10-21q. Plan for promotion of health care professions as career options and job shadowing and internship experiences in health care fields.

(a) The Commissioner of Education shall, in collaboration with the Chief Workforce Officer, utilize the plan required of the Office of Workforce Strategy pursuant to section 2 of special act 22-9 in (1) the promotion of the health care professions as career options to students in middle and high school, including, but not limited to, through career day presentations regarding health care career opportunities in the state, the development of partnerships with health care career education programs in the state and the creation of counseling programs directed to high school students to inform such students about, and recruit them to, the health care professions, and (2) job shadowing and internship experiences in health care fields for high school students.

(b) Not later than September 1, 2023, the Commissioner of Education shall provide each local and regional board of education with the plan described in subsection (a) of this section, and through the Governor's Workforce Council Education Committee, support implementation of such plan.

Sec. 10-21r. Department to issue request for proposals re establishment of public-private partnerships or enhancement of pathways in technology early college high school programs.

(a) As used in this section:

(1) “Alliance district” has the same meaning as provided in section 10-262u;

(2) “Private entity” means any individual, corporation, general partnership, limited partnership, limited liability partnership, joint venture, nonprofit organization or other business entity;

(3) “Public-private partnership” means the relationship established between the local or regional board of education for a town designated as an alliance district, a community college and a private entity for the purpose of implementing a pathways in technology early college high school program; and

(4) “Pathways in technology early college high school program” means a program of instruction in which students in grades nine to twelve, inclusive, complete high school and college-level coursework while simultaneously engaging in industry-guided workforce development.

(b) For the fiscal year ending June 30, 2025, and each fiscal year thereafter, the Department of Education shall annually issue a request for proposals to local and regional boards of education for towns designated as alliance districts for the establishment of a new public-private partnership or the enhancement of an existing pathways in technology early college high school program. The department shall review such proposals and award a grant to two such boards for the costs associated with the establishment of a new public-private partnership or enhancement of a pathways in technology early college high school program.

Sec. 10-64. Establishment of regional agricultural science and technology education centers.

Moratorium; exception. Tuition and transportation. (a) Any local or regional board of education may enter into agreements with other such boards of education to establish a regional agricultural science and technology education center in conjunction with its regular public school system, provided such center shall have a regional agricultural science and technology education consulting committee which shall advise the operating board of education but shall have no legal authority with respect to such center. Such agreements may include matters pertaining to the admission of students, including the establishment of a reasonable number of available program acceptances and the criteria for program acceptance. Each board of education shall appoint to said committee two representatives, who have a competent knowledge of agriculture or aquaculture, as appropriate, and who need not be members of such board.

(b) No new agricultural science and technology education center shall be approved by the State Board of Education pursuant to section 10-65 during the three-year period from July 1, 1993, to June 30, 1996, except that the State Board of Education may approve such a center if it is to be operated by the board of education of a local or regional school district with fifteen thousand or more resident students, as defined in subdivision (19) of section 10-262f. If a new regional agricultural science and technology education center is established for a school district pursuant to this subsection, any resident student of such school district who, during the school year immediately preceding the initial operation of such center, was enrolled in grades 10 to 12, inclusive, in a regional agricultural science and technology education center operated by another local or regional board of education, may continue to be enrolled in such regional agricultural science and technology education center.

(c) For purposes of this section and sections 10-65 and 10-66, the term "agricultural science and technology education" includes vocational aquaculture and marine-related employment.

(d) Any local or regional board of education which does not furnish agricultural science and technology education approved by the State Board of Education shall designate a school or schools having such a course approved by the State Board of Education as the school which any person may attend who has completed an elementary school course through the eighth grade. The board of education shall pay any tuition charged under section 10-65 and the reasonable and necessary cost of transportation of any person under twenty-one years of age who is not a graduate of a high school or technical education and career school or an agricultural science and technology education center and who attends the designated school, provided transportation services may be suspended in accordance with the provisions of section 10-233c. Each such board's reimbursement percentage pursuant to section 10-266m for expenditures in excess of eight hundred dollars per pupil incurred in the fiscal year beginning July 1, 2004, and in each fiscal year thereafter, shall be increased by an additional twenty percentage points.

Sec. 10-65. Grants for constructing and operating agricultural science and technology education centers.

Tuition charges. (a) Each local or regional school district operating an agricultural science and technology education center approved by the State Board of Education for program, educational need, location and area to be served shall be eligible for the following grants: (1) In accordance with the provisions of chapter 173, through progress payments in accordance with the provisions of section 10-287i, (A) for projects for which an application was filed prior to July 1, 2011, ninety-five per cent, and (B) for projects for which an application was filed on or after July 1, 2011, eighty per cent of the net eligible costs of constructing, acquiring, renovating and equipping approved facilities to be used exclusively for such agricultural science and technology education center, for the expansion or improvement of existing facilities or for the replacement or improvement of equipment therein, and (2) subject to the provisions of section 10-65b, for the fiscal year ending June 30, 2025, a grant equal to the amount such board is entitled to receive under the provisions of section 10-252a.

(b) (1) Each local or regional board of education not maintaining an agricultural science and technology education center shall provide opportunities for its students to enroll in one or more such centers. If a local or regional board of education provided opportunities for students to enroll in more than one center for the school year commencing July 1, 2007, such board of education shall continue to provide such opportunities to students in accordance with this subsection.

(2) The board of education operating an agricultural science and technology education center may charge, subject to the provisions of section 10-65b, tuition for a school year in an amount not to exceed fifty-nine and two-tenths per cent of the foundation level pursuant to subdivision (9) of section 10-262f, per student for the fiscal year in which the tuition is paid, except that (A) such board may charge tuition for (i) students enrolled under shared-time arrangements on a pro rata basis, and (ii) special education students which shall not exceed the actual costs of educating such students minus the amounts received pursuant to subdivision (2) of subsection (a) of this section and subsection (c) of this section, and (B) for the fiscal year ending June 30, 2025, and each fiscal year thereafter, such board may charge such tuition in an amount not to exceed fifty-eight per cent of the amount such board charged during the fiscal year ending June 30, 2024. Any tuition paid by such board for special education students in excess of the tuition paid for non-special-education students shall be reimbursed pursuant to section 10-76g.

(c) For the fiscal year ending June 30, 2013, and each fiscal year thereafter, if a local or regional board of education receives an increase in funds pursuant to this section over the amount it received for the prior fiscal year such increase shall not be used to supplant local funding for educational purposes.

(d) For the fiscal year ending June 30, 2025, for the purposes of equalization aid under section 10-262h, a student enrolled in an agricultural science and technology education center shall be counted as a resident student, as defined in section 10-262f, of the town in which such student resides.

Sec. 10-65b. Provision of student's nonagricultural academic courses; shared-time arrangements.

A local or regional board of education that operates a regional agricultural science and technology education center shall provide to each student enrolled in such center all of the student's nonagricultural academic courses, provided any such board which, on or before July 1, 1993, entered into an agreement to offer shared-time arrangements and any such board that operates a regional vocational aquaculture program may offer or continue to offer such shared-time arrangements unless the Commissioner of Education determines that such shared-time arrangements are not in substantial compliance with the provisions of sections 10-64 and 10-65 and any regulations adopted pursuant to section 10-66. For purposes of this section and said section 10-65, "shared-time arrangements" means the enrollment of students in a regional agricultural science and technology education center while such students receive nonagricultural academic courses in a school district under the jurisdiction of a local or regional board of education other than the board of education operating such center.

Sec. 10-94e. Exemption of career education program students from certain labor laws while working therein.

(a) Notwithstanding the provisions of chapters 558, 567 and 568, any student enrolled in a supervised, community based career education program which is approved by the State Board of Education shall not be covered by any state wage, workers' compensation or unemployment compensation law while working in any government agency or any business or industrial establishment as part of his educational experience, provided such student shall receive no compensation or other benefit for such student's participation in such program.

(b) For purposes of this section, "career education program" means an alternative school or school without walls program designed to allow students to develop career awareness and orientation through exploration of their career interests. Such exploration includes, but is not limited to, permitting students to gain actual experience by working, without compensation but for school credit, in government agencies or in business or industrial establishments.

Sec. 10-193. Certificate of age for minors in certain occupations.

(a) The superintendent of schools of any local or regional board of education, or an agent designated by such superintendent, or the supervisory agent of a nonpublic school shall, upon application and in accordance with procedures established by the State Board of Education, furnish, to any person desiring to employ a minor under the age of eighteen years (1) in any manufacturing, mechanical or theatrical industry, restaurant or public dining room, or in any bowling alley, shoe-shining establishment or barber shop, a certificate showing that such minor is sixteen years of age or older, (2) in any mercantile establishment, as a staff member at a youth camp, as defined in section 19a-420, who will not be employed by a municipality, or as a lifeguard who will not be employed by a municipality, a certificate showing that such minor is fifteen years of age or older, and (3) at any municipal or private golf course, a certificate showing that such minor is fourteen years of age or older.

(b) Nothing in subsection (a) of this section shall be construed to apply to any person desiring to employ a minor through a youth development program of a regional workforce development board.

(c) The State Board of Education shall establish procedures governing the issuance of such certificates.

Sec. 10-194. Penalty.

(a) Any person, whether acting for himself or herself or as agent for another, who employs any minor under the age of eighteen years at any occupation described in subsection (a) of section 10-193 without having obtained a certificate as provided therein shall be fined not more than one hundred dollars.

(b) Nothing in subsection (a) of this section shall be construed to apply to any person desiring to employ a minor under the age of eighteen years through a **youth development program of a regional workforce development board.**

Sec. 10-195. Evidence of age.

Upon the trial of any person who has wilfully employed or has had in his or her employment or under his or her charge any child in violation of the provisions of this chapter and of any parent or guardian who has permitted any such child to be so employed, a certificate of the age of such child, made as provided in section 10-193, shall be conclusive evidence of his or her age.

Sec. 10-197. Penalty for employment of child under fourteen.

Any person who employs a child under fourteen years of age during the hours while the school which such child should attend is in session, and any person who authorizes or permits on premises under his or her control any such child to be so employed, shall be fined not more than twenty dollars for each week in which such child is so employed.

Sec. 10-198. False statement as to age.

Any parent or other person having control of a child, who makes any false statement concerning the age of such child with intent to deceive any registrar of vital statistics or the teacher of any school, or instructs a child to make any such false statement, shall be fined not more than twenty dollars.

Sec. 10-235a. Immunity from liability of internship providers.

(a) For purposes of this section:

(1) "Internship" means supervised practical training of a student intern that is comprised of curriculum and workplace standards approved by the Department of Education and the Labor Department;

(2) "Internship provider" means a person, as defined in section 1-79, who provides an internship to a student intern pursuant to an agreement with (A) a local or regional board of education that operates an agricultural science and technology education center, and (B) the local or regional board of education otherwise responsible for educating such student intern if such board of education does not maintain an agricultural science and technology education center; and

(3) "Student intern" means a student enrolled in an agricultural science and technology education center participating in an internship offered or provided by an internship provider.

(b) No internship provider shall be liable to a student intern or a parent or guardian of a student intern for civil damages for any personal injury that results from acts or omissions of such internship provider offering or providing an internship to a student intern that may constitute ordinary negligence, provided such internship provider exercised reasonable care in the provision of the internship and was in compliance with any applicable safety and health standards established under any federal, state and local laws and regulations and any industry codes. The immunity provided in this subsection does not apply to acts or omissions constituting gross, reckless, wilful or wanton negligence.

Sec. 19a-420. (Formerly Sec. 19-539). Definitions. As used in this chapter:

(1) "Youth camp" means any regularly scheduled program or organized group activity advertised as a camp or operated only during school vacations or on weekends, conducted on a parcel of land that has dwelling units or buildings intended to accommodate five or more children, by a person, partnership, corporation, association, the state or a municipal agency for recreational or educational purposes and accommodating for profit or under philanthropic or charitable auspices five or more children, who are at least three years of age and under sixteen years of age, who are (A) not bona fide personal guests in the private home of an individual, and (B) living apart from their relatives, parents or legal guardian, for a period of three days or more per week or portions of three or more days per week, provided any such relative, parent or guardian who is an employee of such camp shall not be considered to be in the position of loco parentis to such employee's child for the purposes of this chapter, but does not include (i) classroom-based summer instructional programs operated by any person, provided no activities that may pose a health risk or hazard to participating children are conducted at such programs, (ii) public schools, or private schools in compliance with section 10-188 and approved by the State Board of Education or accredited by an accrediting agency recognized by the State Board of Education, which operate a summer educational program, (iii) licensed child care centers, or (iv) drop-in programs for children who are at least six years of age administered by a nationally chartered boys' and girls' club;

(2) "Resident camp" means any youth camp which is established, conducted or maintained for at least seventy-two consecutive hours and in which the campers attending such camps eat and sleep;

(3) "Day camp" means any youth camp which is established, conducted or maintained during daylight hours for at least three days a week with the campers eating and sleeping at home, except for one meal per day, but does not include programs operated by a municipal agency;

(4) "Person" means the state or any municipal agency, individual, partnership, association, organization, limited liability company or corporation;

(5) "Commissioner" means the Commissioner of Early Childhood; and

(6) "Office" means the Office of Early Childhood.

Sec. 19a-421. (Formerly Sec. 19-540). Licensure. Background checks.

Refusal to license, suspension or revocation of license. Notification re certain criminal convictions. Maintenance and inspection of background check documentation.

(a) No person shall establish, conduct or maintain a youth camp without a license issued by the office. Applications for such license shall be made in writing at least thirty days prior to the opening of the youth camp on forms provided and in accordance with procedures established by the commissioner and shall be accompanied by a fee of eight hundred fifteen dollars or, if the applicant is a nonprofit, nonstock corporation or association, a fee of three hundred fifteen dollars or, if the applicant is a day camp affiliated with a nonprofit organization, for no more than five days duration and for which labor and materials are donated, no fee. All such licenses shall be valid for a period of one year from the date of issuance unless surrendered for cancellation or suspended or revoked by the commissioner for violation of this chapter or any regulations adopted under section 19a-428, shall be nontransferable and shall be renewable upon receipt by the commissioner of a renewal application and payment of an eight-hundred-fifteen-dollar license fee or, if the licensee is a nonprofit, nonstock corporation or association, a three-hundred-fifteen-dollar license fee or, if the applicant is a day camp affiliated with a nonprofit organization, for no more than five days duration and for which labor and materials are donated, no fee.

(b) On and after October 1, 2022, any licensee shall require any prospective employee eighteen years of age or older, who is applying for a position at a youth camp that requires the provision of care to a child or involves unsupervised access to a child, to submit to a comprehensive background check. The background check shall include, but not be limited to, a (1) (A) criminal history records check conducted (i) in accordance with section 29-17a, or (ii) by searching the electronic criminal record system maintained on the Internet web site of the Judicial Department for convictions matching the prospective employee's name and date of birth, (B) state child abuse registry established pursuant to section 17a-101k, (C) registry established and maintained pursuant to section 54-257, and (D) National Sex Offender Registry Public Website maintained by the United States Department of Justice, or (2) check by a third-party provider of national criminal history record checks that is conducted through a centralized database utilizing the prospective employee's fingerprints, provided such provider appears on a list of such providers published on the Internet web site of the Office of Early Childhood. Prior to each check of the state child abuse registry conducted pursuant to this subsection, a licensee shall submit to the office an authorization for the release of personal information signed by the prospective employee, on a form prescribed by the office, and the office shall submit such authorization to the Department of Children and Families. Any prospective employee who holds a J-1 visa, H-1B visa or R-1 visa issued by the United States Department of State shall not be required to submit to a background check under this section.

(c) Pending completion of all comprehensive background check components described in subsection (b) of this section, a prospective employee may begin work on a provisional basis, provided such prospective employee is supervised at all times by an employee who was subjected to a comprehensive background check described in subsection (b) of this section within the past five years.

(d) Each licensee shall require any employee of a youth camp holding a position that requires the provision of care to a child or involves unsupervised access to a child to submit to a comprehensive background check described in subsection (b) of this section not later than five years after the date such employee was hired, and at least once every five years thereafter. Nothing in this section prohibits a licensee from requiring any such employee to submit to a comprehensive background check more than once during a five-year period.

(e) The Commissioner of Early Childhood shall have the discretion to refuse to license under sections 19a-420 to 19a-429, inclusive, a person to establish, conduct or maintain a youth camp, as described in

section 19a-420, or to suspend or revoke the license or take any other action set forth in any regulation adopted pursuant to section 19a-428 if, the person who establishes, conducts or maintains such youth camp or a person employed therein in a position connected with the provision of care to a child or involving unsupervised access to a child, has (1) been convicted in this state or any other state of (A) a felony as defined in section 53a-25 involving the use, attempted use or threatened use of physical force against another person, (B) cruelty to persons under section 53-20, (C) injury or risk of injury to or impairing morals of children under section 53-21, (D) abandonment of children under the age of six years under section 53-23, (E) any felony where the victim of the felony is a child under eighteen years of age, or (F) a violation of section 53a-70b of the general statutes, revision of 1958, revised to January 1, 2019, 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a, (2) a criminal record in this state or any other state that the commissioner reasonably believes renders the person unsuitable to establish, conduct or maintain or be employed by a youth camp, or (3) held a license to establish, conduct or maintain a youth camp in another state that was revoked by such state's licensing authority. However, no refusal of a license shall be rendered except in accordance with the provisions of sections 46a-79 to 46a-81, inclusive.

(f) Any person who is licensed to establish, operate or maintain a youth camp shall notify the Commissioner of Early Childhood if such licensee or any person employed by such youth camp is convicted of a crime listed in subsection (e) of this section, if such licensee or person employed by such youth camp is employed in a position connected with the provision of care to a child or involving unsupervised access to a child, immediately upon obtaining knowledge of the conviction. Failure to comply with the notification requirement may result in the suspension or revocation of the license or the imposition of any action set forth in regulation, and shall subject the licensee to a civil penalty of not more than one hundred dollars per day for each day after the licensee obtained knowledge of the conviction, provided such civil penalty shall not exceed the aggregate sum of four thousand five hundred dollars.

(g) Each licensee shall maintain, and make available for inspection upon request of the Office of Early Childhood, any documentation associated with a comprehensive background check described in subsection (b) of this section, for a period of not less than five years from the date of (1) completion of such background check, if the subject of the comprehensive background check was not hired by the licensee, or (2) separation from employment, if the subject of the comprehensive background check was hired by the licensee.

Sec. 19a-422. (Formerly Sec. 19-541). Requirements for licensing of camps. License to be displayed.

To be eligible for the issuance or renewal of a youth camp license pursuant to this chapter, the camp shall satisfy the following requirements: (1) The location of the camp shall be such as to provide adequate surface drainage and afford facilities for obtaining a good water supply; (2) each dwelling unit, building and structure shall be maintained in good condition, suitable for the use to which it is put, and shall present no health or fire hazard as so certified by the office and the State Fire Marshal or local fire marshal, as indicated by a current fire marshal certificate dated within the past year and available on site when the youth camp is in operation; (3) there shall be an adequate and competent staff, which includes the camp director or assistant director, one of whom shall be on site at all times the camp is in operation, activities specialists, counselors and maintenance personnel, of good character and reputation; (4) prior to assuming responsibility for campers, staff shall be trained, at a minimum, on the camp's policies and procedures pertaining to behavioral management and supervision, emergency health and safety procedures and recognizing, preventing and reporting child abuse and neglect; (5) all hazardous activities, including, but not limited to, archery, aquatics, horseback riding and firearms instruction, shall be supervised by a qualified activities specialist who has adequate experience and training in such specialist's area of specialty; (6) the staff of a resident and nonresident camp shall at all times include an adult trained in the administration of first aid as required by the commissioner; (7) records of personal data for each camper shall be kept in any reasonable form the camp director may choose, and shall include (A) the camper's name, age and address, (B) the name, address and telephone number of the parents or guardian, (C) the dates of admission and discharge, and (D) such other information as the commissioner shall require. Any youth camp licensed under this chapter shall operate only as the type of camp authorized by such license. Such camps shall not advertise any service they are not equipped or licensed to offer. The license shall be posted in a conspicuous place at camp headquarters and failure to so post the license shall result in the presumption that the camp is being operated in violation of this chapter.

Sec. 30-90a. Employment of minors.

Any person sixteen years of age or over may be employed by an employer holding a permit issued under this chapter, except that (1) any person fifteen years of age or older may be so employed by such an employer on premises operating under a grocery store beer permit, and (2) any person under the age of eighteen who is employed on any permit premises shall not serve or sell alcoholic liquor. An employee eighteen years of age or over who is located on the grocery store beer permit premises shall approve all sales of beer on such premises. A minor performing paid or volunteer services of an emergency nature shall be deemed to be an employee subject to the provisions of this section.

Sec. 31-3k. Regional workforce development boards: Duties and responsibilities.

(a) There is established within the Labor Department a regional workforce development board for each workforce development region in the state.

(b) Each board, within its region, in accordance with the Connecticut workforce development plan approved by the Governor and developed by the Governor's Workforce Council pursuant section 31-11p, the state workforce strategy approved by the Governor and developed by the Chief Workforce Officer pursuant to section 4-124w, any guidance issued by the Chief Workforce Officer pursuant to section 4-124w and any guidance issued by the Labor Commissioner, shall:

(1) (A) Assess the needs and priorities for investing in the development of human resources within the region and shall coordinate a broad range of employment, education, training and related services that shall be focused on client-centered, lifelong learning, (B) be responsive to the needs of local business, industry, the region, its municipalities and its residents, and (C) be the lead agency for any local workforce development initiative.

(2) Within existing resources and consistent with the state employment and training information system (A) assess regional needs and identify regional priorities for employment and training programs, including, but not limited to, an assessment of the special employment needs of unskilled and low-skilled unemployed persons, including persons receiving state-administered general assistance or short-term unemployment assistance, (B) conduct planning for regional employment and training programs, (C) coordinate such programs to ensure that the programs respond to the needs of labor, business and industry, municipalities within the region, the region as a whole, and all of its citizens, (D) serve as a clearinghouse for information on all employment and training programs in the region, (E) review grant proposals and plans submitted to state agencies for employment and training programs that directly affect the region and inform the Governor's Workforce Council and each state agency concerned of the results of the review, (F) ensure the effective use of available employment and training resources in the region, and (G) allocate funds where applicable for program operations in the region.

(3) Provide information to the commissioner, Chief Workforce Officer or Governor's Workforce Council that the commissioner, Chief Workforce Officer or Governor's Workforce Council deems essential for effective state planning.

(4) Carry out the duties and responsibilities of the local workforce development board for purposes of the Workforce Innovation and Opportunity Act.

(c) Each board shall make use of grants or contracts with appropriate service providers to furnish all program services under sections 31-3j to 31-3o, inclusive, and 31-3r, unless the Governor's Workforce Council concurs with the board that direct provision of a service by the board is necessary to assure adequate availability of the service or that a service of comparable quality can be provided more economically by the board. Any board seeking to provide services directly shall submit to the commissioner, the Chief Workforce Officer and the Governor's Workforce Council a plan of service and appropriate justification for the need to provide services directly. Such plan of service shall be subject to review and approval by the Governor's Workforce Council.

(d) On October 1, 2021, and annually thereafter, each board shall submit in accordance with the Workforce Innovation and Opportunity Act, data and comprehensive performance measures detailing the results of any education, employment or job training program or activity funded by moneys allocated to the board, including, but not limited to, programs and activities specified in said act. The Labor Commissioner

and the Chief Workforce Officer may require the submission of additional data and performance measures through guidance jointly by said commissioner and officer.

Sec. 31-12. Hours of labor of minors in manufacturing or mechanical establishments.

(a) No person under the age of eighteen years who is not enrolled in and has not graduated from a secondary educational institution shall be employed in any manufacturing or mechanical establishment more than nine hours in any day or forty-eight hours in any calendar week.

(b) If the Labor Commissioner finds, upon application of an employer, that an emergency exists or that seasonal or peak demand places an unusual and temporary burden upon any manufacturing or mechanical establishment, any such person under the age of eighteen may be employed in such establishment not more than ten hours in any day and not more than fifty-five hours in any calendar week, but the total number of weeks of any such employment in any twelve consecutive months shall not exceed twelve.

(c) With respect to any group, category or class of employees for which a work week of less than five days has been established or agreed upon, the employer shall adhere to the applicable weekly limitation period prescribed but may extend the number of hours per day for each day of the shortened work week provided the number of hours shall be the same for each day of the work week.

(d) In the event of war or other national emergency, the commissioner after investigation may, with the approval of the Governor, extend the number of weeks of any such employment if such extension is necessary to meet scheduled production of war or critical material.

(e) No person under eighteen years of age who is enrolled in a secondary education institution shall be employed in any manufacturing or mechanical establishment more than (1) six hours in any regularly scheduled school day unless the regularly scheduled school day immediately precedes a nonschool day or eight hours in any other day, and (2) thirty-two hours in any calendar week during which the school in which such person is enrolled is in session, or forty-eight hours in any calendar week during which the school in which such person is enrolled is not in session. Notwithstanding any provision of this section, the number of hours such person participates in a work experience that is part of an approved educational plan, cooperative program or school-to-work program shall not be counted against the daily or weekly limits set forth in this section.

(f) The provisions of this section shall not apply to permanent salaried employees in executive, administrative or professional positions as defined by the Labor Commissioner, or to persons under eighteen years of age who have graduated from a secondary educational institution.

Sec. 31-13. Hours of labor of minors in mercantile establishments.

(a) No person under the age of eighteen years who is not enrolled in and has not graduated from a secondary educational institution shall be employed in any mercantile establishment more than eight hours in any one day, or more than six days in any one calendar week or more than forty-eight hours in any one calendar week.

(b) If the Labor Commissioner finds, upon application of an employer, that an emergency exists or that seasonal or peak demand places an unusual and temporary burden upon any mercantile establishment, any such person under the age of eighteen years may be employed in such establishment not more than ten hours in any day and not more than fifty-two hours in any calendar week, but the total number of weeks of any such employment in any twelve months shall not exceed eight.

(c) No person under eighteen years of age who is enrolled in a secondary education institution shall be employed in any mercantile establishment more than (1) six hours in any regularly scheduled school day unless the regularly scheduled school day immediately precedes a nonschool day or eight hours in any other day, and (2) thirty-two hours in any calendar week during which the school in which such person is enrolled is in session, or forty-eight hours in any other calendar week during which the school in which such person is enrolled is not is session. Notwithstanding any provision of this section, the number of hours such person participates in a work experience that is part of an approved educational plan, cooperative program or school-to-work program shall not be counted against the daily or weekly limits set forth in this section.

(d) Each employer in any such establishment shall post in a conspicuous place in each room where such persons are employed a notice, the form of which shall be furnished by the Labor Commissioner, stating specifically the hours of work required of such persons on each day of the week, and the employment of any such persons for a longer time than so stated shall be a violation of this section.

(e) The provisions of this section shall not apply to permanent salaried employees in executive, managerial or supervisory positions excepted from the provisions of part I of chapter 558 who receive a regular salary of not less than the minimum fixed for such employment in any wage order or administrative regulation issued under authority of said part, or to persons under eighteen years of age who have graduated from a secondary educational institution.

Sec. 31-14. Night work of minors regulated.

(a) No person under eighteen years of age shall be employed in any manufacturing, mechanical or mercantile establishment between the hours of ten o'clock in the evening and six o'clock in the morning, except that such persons may be employed in any manufacturing, mechanical or mercantile establishment until eleven o'clock in the evening or any supermarket until twelve o'clock midnight on any night other than a night preceding a regularly scheduled school day. No such person may be discharged or discriminated against in any manner for refusing to work later than ten o'clock in the evening.

(b) In the event of war or other serious emergency, the Governor may suspend the limitations upon evening or night work contained in this section as to any industries or occupations as he may find such emergency demands.

(c) The provisions of this section shall not apply to persons under eighteen years of age who have graduated from a secondary educational institution.

(d) For purposes of this section, "supermarket" means any retail food store occupying a total retail sales area of more than three thousand five hundred square feet.

Sec. 31-18. Hours of labor of minors in certain other establishments.

(a) No public restaurant, cafe, dining room, barber shop, hairdressing or manicuring establishment, amusement or recreational establishment, bowling alley, shoe-shining establishment, billiard or pool room or photograph gallery shall employ or permit to work any person under eighteen years of age (1) between the hours of ten o'clock in the evening and six o'clock in the morning, provided any person between sixteen and eighteen years of age may be employed in any amusement or recreational establishment, restaurant, cafe or dining room, or employed in any theater until twelve o'clock midnight unless such person is regularly attending school in which case such person may be employed until eleven o'clock in the evening on days which precede a regularly scheduled school day and until twelve o'clock midnight during any regular school vacation season and on days which do not precede a regularly scheduled school day, and (2) more than (A) six hours in any regularly scheduled school day unless the regularly scheduled school day immediately precedes a nonschool day or eight hours in any other day, and (B) thirty-two hours in any calendar week during which the school in which such person is enrolled is in session or forty-eight hours in any other calendar week during which the school in which such person is enrolled is not in session. Notwithstanding any provision of this section, the number of hours such person participates in a work experience that is part of an approved educational plan, cooperative program or school-to-work program shall not be counted against the daily or weekly limits set forth in this section.

(b) The hours of labor of such persons shall be conspicuously posted in such establishment in such form and manner as the Labor Commissioner determines.

(c) The provisions of this section shall not apply to any person under eighteen years of age who has graduated from a secondary educational institution.

Sec. 31-22m. (Formerly Sec. 31-51a). Apprenticeship. Definitions.

When used in sections 31-22m to 31-22q, inclusive, and 31-22u, "apprentice" means a person who is employed under a written agreement to work at and learn a specific trade and who is registered with the Labor Department; "apprentice agreement" means a written agreement entered into by an apprentice, or on his behalf by his parent or guardian, with an employer, or with an association of employers and an organization of employees acting as a joint apprenticeship committee, which agreement provides for not less than two thousand hours of work experience in approved trade training consistent with recognized requirements established by industry or joint labor-industry practice and for the number of hours of related and supplemental instructions prescribed by the Connecticut State Apprenticeship Council or which agreement meets requirements of the federal government for on-the-job training schedules which are essential, in the opinion of the Labor Commissioner, for the development of manpower in Connecticut industries; "council" means the Connecticut State Apprenticeship Council; and "preapprentice" means a person, student or minor employed under a written agreement with an apprenticeship sponsor for a term of training and employment not exceeding two thousand hours or twenty-four months in duration, and who is registered with the Labor Department.

Sec. 31-23. Employment of minors prohibited in certain occupations.

Exceptions. (a) No minor under sixteen years of age shall be employed or permitted to work in any manufacturing, mechanical, mercantile or theatrical industry, restaurant or public dining room, or in any bowling alley, shoe-shining establishment or barber shop, provided the Labor Commissioner may authorize such employment of any minor between the ages of fourteen and sixteen who is enrolled in (1) a public school in a work-study program as defined and approved by the Commissioner of Education and the Labor Commissioner or in a program established pursuant to section 10-20a, or (2) a summer work-recreation program sponsored by a town, city or borough or by a human resources development agency which has been approved by the Labor Commissioner, or both, and provided the prohibitions of this section shall not apply to any minor over the age of fourteen who is under vocational probation pursuant to an order of the Superior Court as provided in section 46b-140 or to any minor over the age of fourteen who has been placed on vocational parole by the Commissioner of Children and Families.

(b) (1) Notwithstanding the provisions of subsection (a) of this section, a minor who has reached the age of fourteen may be employed or permitted to work as a caddie or in a pro shop at any municipal or private golf course, and a minor who has reached the age of fifteen may be employed or permitted to work as a staff member at a youth camp, as defined in section 19a-420, as a lifeguard or in any mercantile establishment as a bagger, cashier or stock clerk, provided such employment is (A) limited to periods of school vacation during which school is not in session for five consecutive days or more except that such minor employed in a retail food store may work on any Saturday during the year; (B) for not more than forty hours in any week; (C) for not more than eight hours in any day; and (D) between the hours of seven o'clock in the morning and seven o'clock in the evening, except that from July first to the first Monday in September in any year, any such minor may be employed until nine o'clock in the evening. Any minor who has reached the age of fifteen and is employed or works as a staff member at a youth camp or as a lifeguard shall be supervised by a person of at least eighteen years of age.

(2) (A) Each person who employs a fourteen-year-old minor as a caddie or in a pro shop at any municipal or private golf course pursuant to this section shall obtain a certificate stating that such minor is fourteen years of age or older, as provided in section 10-193, and (B) each person who employs a fifteen-year-old minor as a staff member at a youth camp, as a lifeguard or in any mercantile establishment pursuant to this subsection shall obtain a certificate stating that such minor is fifteen years of age or older, as provided in section 10-193, except that no such certificate shall be required for such minor employed by a municipality as a staff member at a youth camp or as a lifeguard. Such certificate shall be kept on file at the place of employment and shall be available at all times during business hours to the inspectors of the Labor Department.

(3) The Labor Commissioner may adopt regulations, in accordance with the provisions of chapter 54, as the commissioner deems necessary to implement the provisions of this subsection.

(c) No minor under the age of eighteen years shall be employed or permitted to work in any occupation which has been or shall be pronounced hazardous to health by the Department of Public Health or pronounced hazardous in other respects by the Labor Department. This section shall **not apply** to (1) the employment or enrollment of minors sixteen years of age and over as **registered apprentices or registered preapprentices** in a bona fide registered apprenticeship program or registered preapprenticeship program *in manufacturing or mechanical establishments, technical education and career schools or public schools*, (2) the **employment of such minors who have graduated from a public or private secondary or technical education and career school in any manufacturing or mechanical establishment**, (3) the employment of such **minors** who are **participating in a manufacturing or mechanical internship**, registered apprenticeship or registered preapprenticeship in any manufacturing or mechanical establishment, or (4) the **enrollment of such minors in a cooperative work-study program approved by the Commissioner of Education and the Labor Commissioner or in a program established pursuant to section 10-20a**. No provision of this section shall apply to agricultural

employment, domestic service, street trades or the distribution of newspapers. For purposes of this subsection, (A) "internship" means supervised practical training of a high school student or recent high school graduate that is comprised of curriculum and workplace standards approved by the Department of Education and the Labor Department, **(B) "cooperative work-study program" means a program of vocational education, approved by the Commissioner of Education and the Labor Commissioner, for persons who, through a cooperative arrangement between the school and employers, receive instruction, including required academic courses and related vocational instruction by alternation of study in school with a job in any occupational field, provided these two experiences are planned and supervised by the school and employers so that each contributes to the student's education and to his employability. Work periods and school attendance may be on alternate half days, full days, weeks or other periods of time in fulfilling the cooperative work-study program,** (C) "apprentice" means a person (i) employed under a written agreement to work at and learn a specific trade, and (ii) registered with the Labor Department, and (D) "preapprentice" means a person, student or minor (i) employed under a written agreement with an apprenticeship sponsor for a term of training and employment not exceeding two thousand hours or twenty-four months in duration, and (ii) registered with the Labor Department.

(d) Each person who employs a minor under the age of eighteen years shall obtain a certificate stating the age of such minor as provided in section 10-193. Such certificates shall be kept on file at the place of employment and shall be available at all times during business hours to the inspectors of the Labor Department.

Sec. 31-23a. Minors employed on or after October 1, 2007, deemed to have been lawfully employed.

Notwithstanding the provisions of subsections (a) and (b) of section 31-23 in effect prior to June 2, 2008, any minor who reached the age of fifteen and was employed, on or after October 1, 2007, as a bagger, cashier or stock clerk shall be deemed to have been lawfully employed, provided such employment was in accordance with the provisions of subparagraphs (A) to (D), inclusive, of subdivision (1) of subsection (b) of said section 31-23. Any person who employed such minor shall not be deemed (1) to have violated the provisions of subsection (a) of said section 31-23, or (2) subject to the penalties of section 31-15a or 31-69a.

Sec. 31-24. Hazardous employment of children forbidden.

Except in technical education and career schools or in public schools teaching manual training, no child under sixteen years of age shall be employed or permitted to work in adjusting or assisting in adjusting any belt upon any machine, or in oiling or assisting in oiling, wiping or cleaning machinery, while power is attached, or in preparing any composition in which dangerous acids are used, or in soldering, or in the manufacture or packing of paints, dry colors or red or white lead, or in the manufacture, packing or storing of gun or blasting powder, dynamite, nitroglycerine compounds, safety fuses in the raw or unvarnished state, electric fuses for blasting purposes or any other explosive, or in the manufacture or use of any dangerous or poisonous gas or dye, or composition of lye in which the quantity thereof is injurious to health, or upon any scaffolding, or in any heavy work in any building trade or in any tunnel, mine or quarry, or in operating or assisting to operate any emery, stone or buffing wheel; and, except as otherwise provided in subsection (b) of section 31-23, no child under sixteen years of age shall be employed or permitted to work in any capacity requiring such child to stand continuously.

Sec. 31-25. Operation of elevators by minors.

No person under sixteen years of age shall be employed or permitted to have the care, custody, operation or management of an elevator; any person, partnership or corporation violating this provision shall be fined not more than fifty dollars for each offense. No person under eighteen years of age shall be employed or permitted to have the care, custody, management or operation of an elevator, either for freight or passengers, running at a speed of over two hundred feet per minute; any person, whether acting for himself or as agent for another, who authorizes or permits the employment of any person in violation of this provision shall be fined not more than two hundred dollars.

Sec. 31-58. Definitions. As used in this part:

(a) "Commissioner" means the Labor Commissioner;

(b) "Fair wage" means a wage fairly and reasonably commensurate with the value of a particular service or class of service rendered, and, in establishing a minimum fair wage for such service or class of service under this part, the commissioner, without being bound by any technical rules of evidence or procedure, (1) may take into account all relevant circumstances affecting the value of the services rendered, including hours and conditions of employment affecting the health, safety and general well-being of the workers, (2) may be guided by such considerations as would guide a court in a suit for the reasonable value of services rendered where services are rendered at the request of an employer without contract as to the amount of the wage to be paid, and (3) may consider the wages, including overtime or premium rates, paid in the state for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards;

(c) "Department" means the Labor Department;

(d) "Employer" means any owner or any person, partnership, corporation, limited liability company or association of persons acting directly as, or on behalf of, or in the interest of an employer in relation to employees, including the state and any political subdivision thereof;

(e) "Employee" means any individual employed or permitted to work by an employer but shall not include any individual employed in camps or resorts which are open no more than six months of the year or in domestic service in or about a private home, except any individual in domestic service employment as defined in the regulations of the federal Fair Labor Standards Act, or an individual employed in a bona fide executive, administrative or professional capacity as defined in the regulations of the Labor Commissioner or an individual employed by the federal government, or any individual engaged in the activities of an educational, charitable, religious, scientific, historical, literary or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis, or any individual employed as a head resident or resident assistant by a college or university, or any individual engaged in baby sitting, or an outside salesman as defined in the regulations of the federal Fair Labor Standards Act, or any individual employed by a nonprofit theater, provided such theater does not operate for more than seven months in any calendar year, or a member of the armed forces of the state performing military duty, as such terms are defined in section 27-61;

(f) A resort is defined as an establishment under one management whose principal function it is to offer lodging by the day, week, month or season, or part thereof, to vacationers or those in search of recreation;

(g) "Employ" means to employ or suffer to work;

(h) "Wage" means compensation due to an employee by reason of his employment;

(i) "Minimum fair wage" in any industry or occupation in this state means:

(1) A wage of not less than six dollars and seventy cents per hour, and effective January 1, 2003, not less than six dollars and ninety cents per hour, and effective January 1, 2004, not less than seven dollars and ten cents per hour, and effective January 1, 2006, not less than seven dollars and forty cents per hour, and effective January 1, 2007, not less than seven dollars and sixty-five cents per hour, and effective January 1, 2009, not less than eight dollars per hour, and effective January 1, 2010, not less than eight dollars and twenty-five cents per hour, and effective January 1, 2014, not less than eight dollars and seventy cents per hour, and effective January 1, 2015, not less than nine dollars and fifteen cents per hour, and effective January 1, 2016, not less than nine dollars and sixty cents per hour, and effective January 1, 2017, not less than ten dollars and ten cents per hour, and effective October 1, 2019, not less than eleven dollars per

hour, and effective September 1, 2020, not less than twelve dollars per hour, and effective August 1, 2021, not less than thirteen dollars per hour, and effective July 1, 2022, not less than fourteen dollars per hour, and effective June 1, 2023, not less than fifteen dollars per hour. On October 15, 2023, and on each October fifteenth thereafter, the Labor Commissioner shall announce the adjustment in the minimum fair wage which shall become the new minimum fair wage and shall be effective on January first immediately following. On January 1, 2024, and not later than each January first thereafter, the minimum fair wage shall be adjusted by the percentage change in the employment cost index, or its successor index, for wages and salaries for all civilian workers, as calculated by the United States Department of Labor, over the twelve-month period ending on June thirtieth of the preceding year, rounded to the nearest whole cent.

(2) In no event shall the minimum fair wage be less than the amount established under subdivision (1) of this subsection, or one-half of one per cent rounded to the nearest whole cent more than the highest federal minimum wage, whichever is greater, except as may otherwise be established in accordance with the provisions of this part.

(3) All wage orders in effect on October 1, 1971, wherein a lower minimum fair wage has been established, are amended to provide for the payment of the minimum fair wage herein established except as hereinafter provided.

(4) Whenever the highest federal minimum wage is increased, the minimum fair wage established under this part shall be increased to the amount of said federal minimum wage plus one-half of one per cent more than said federal rate, rounded to the nearest whole cent, effective on the same date as the increase in the highest federal minimum wage, and shall apply to all wage orders and administrative regulations then in force.

(5) The rates for all persons under the age of eighteen years, except emancipated minors, shall be not less than eighty-five per cent of the minimum fair wage for the first ninety days of such employment, or ten dollars and ten cents per hour, whichever is greater, and shall be equal to the minimum fair wage thereafter, except in institutional training programs specifically exempted by the commissioner.

(6) After two consecutive quarters of negative growth in the state's real gross domestic product, as reported by the Bureau of Economic Analysis of the United States Department of Commerce, the Labor Commissioner shall report his or her recommendations, in writing, to the Governor regarding whether any scheduled increases in the minimum fair wage pursuant to this section should be suspended. Upon receiving the report, the Governor may submit his or her recommendations regarding the suspension of such minimum fair wage increases to the General Assembly.

Sec. 31-58a. Minimum wage for minors in government or agricultural employment.

Notwithstanding the provisions of subsection (i) of section 31-58, minors between the ages of sixteen and eighteen years who are employees of the state or any political subdivision thereof shall be paid a minimum wage of not less than eighty-five per cent of the minimum fair wage as defined in said subsection, and notwithstanding the provisions of said subsection, minors between the ages of fourteen and eighteen who are agricultural employees shall be paid a minimum wage of not less than eighty-five per cent of the minimum fair wage as defined in said section except agricultural employees between the ages of fourteen and eighteen who are employed by employers who did not, during the preceding calendar year, employ eight or more workers at the same time shall be paid a minimum wage of not less than seventy per cent of the minimum wage, as defined in said section 31-58.

US-DOL - Fact Sheet #71: Internship Programs Under The Fair Labor Standards Act

Updated January 2018

This fact sheet provides general information to help determine whether interns and students working for "for-profit" employers are entitled to minimum wages and overtime pay under the Fair Labor Standards Act (FLSA).[1]

Background

The FLSA requires "for-profit" employers to pay employees for their work. Interns and students, however, may not be "employees" under the FLSA—in which case the FLSA does not require compensation for their work.

The Test for Unpaid Interns and Students

Courts have used the "primary beneficiary test" to determine whether an intern or student is, in fact, an employee under the FLSA.[2] In short, this test allows courts to examine the "economic reality" of the intern-employer relationship to determine which party is the "primary beneficiary" of the relationship. Courts have identified the following seven factors as part of the test:

1. The extent to which the intern and the employer clearly understand that there is no expectation of compensation. Any promise of compensation, express or implied, suggests that the intern is an employee—and vice versa.
2. The extent to which the internship provides training that would be similar to that which would be given in an educational environment, including the clinical and other hands-on training provided by educational institutions.
3. The extent to which the internship is tied to the intern's formal education program by integrated coursework or the receipt of academic credit.
4. The extent to which the internship accommodates the intern's academic commitments by corresponding to the academic calendar.
5. The extent to which the internship's duration is limited to the period in which the internship provides the intern with beneficial learning.
6. The extent to which the intern's work complements, rather than displaces, the work of paid employees while providing significant educational benefits to the intern.
7. The extent to which the intern and the employer understand that the internship is conducted without entitlement to a paid job at the conclusion of the internship.

Courts have described the "primary beneficiary test" as a flexible test, and no single factor is determinative. Accordingly, whether an intern or student is an employee under the FLSA necessarily depends on the unique circumstances of each case.

If analysis of these circumstances reveals that an intern or student is actually an employee, then he or she is entitled to both minimum wage and overtime pay under the FLSA. On the other hand, if the analysis confirms that the intern or student is not an employee, then he or she is not entitled to either minimum wage or overtime pay under the FLSA.

USDOL - Fact Sheet #40: Overview of Youth Employment (Child Labor) Provisions of the Fair Labor Standards Act (FLSA) for Agricultural Occupations

Updated December 2016

The Fair Labor Standards Act of 1938 (FLSA) as amended, sets standards for youth employment in agriculture. These standards differ from those for nonfarm jobs.

To Which Agricultural Workers does the FLSA Apply?
The FLSA covers employees whose work involves production of agricultural goods which will leave the state directly or indirectly and become a part of interstate commerce.

What are the Minimum Age Standards for Agricultural Employment?
Youths ages 16 and above may work in any farm job at any time.

Youths aged 14 and 15 may work outside school hours in jobs not declared hazardous by the Secretary of Labor.

Youths 12 and 13 years of age may work outside of school hours in non-hazardous jobs on farms that also employ their parent(s) or with written parental consent.

Youths under 12 years of age may work outside of school hours in non-hazardous jobs with parental consent, but **only** on farms where none of the employees are subject to the minimum wage requirements of the FLSA.

Local youths 10 and 11 may hand harvest short-season crops outside school hours for no more than 8 weeks between June 1 and October 15 if their employers have obtained special waivers from the Secretary of Labor.

Youths of any age may work at any time in any job on a farm owned or operated by their parents.

What are the Hazardous Occupations in Agriculture?
Minors under 16 may not work in the following occupations declared hazardous by the Secretary of Labor:

- operating a tractor of over 20 PTO horsepower, or connecting or disconnecting an implement or any of its parts to or from such a tractor;
- operating or working with a corn picker, cotton picker, grain combine, hay mower, forage harvester, hay baler, potato digger, mobile pea viner, feed grinder, crop dryer, forage blower, auger conveyor, unloading mechanism of a nongravity-type self-unloading wagon or trailer, power post-hole digger, power post driver, or nonwalking-type rotary tiller;
- operating or working with a trencher or earthmoving equipment, fork lift, potato combine, or power-driven circular, band or chain saw;
- working in a yard, pen, or stall occupied by a bull, boar, or stud horse maintained for breeding purposes; a sow with suckling pigs; or a cow with a newborn calf (with umbilical cord present);
- felling, buckling, skidding, loading, or unloading timber with a butt diameter or more than 6 inches;
- working from a ladder or scaffold at a height of over 20 feet;
- driving a bus, truck or automobile to transport passengers, or riding on a tractor as a passenger or helper;
- working inside: a fruit, forage, or grain storage designed to retain an oxygen-deficient or toxic atmosphere; an upright silo within 2 weeks after silage has been added or when a top unloading device is in operating position; a manure pit; or a horizontal silo while operating a tractor for packing purposes;

- handling or applying toxic agricultural chemical identified by the words "danger," "poison," or "warning or a skull and crossbones on the label;
- handling or using explosives; and
- transporting, transferring, or applying anhydrous ammonia.

The prohibition of employment in hazardous occupations does not apply to youths employed on farms **owned or operated** by their parents. In addition, there are some exemptions from the prohibitions:

- 14 and 15-year old student learners enrolled in vocational agricultural programs are exempt from certain hazardous occupations when certain requirements are met; and
- minors aged 14 and 15 who hold certificates of completion of training under a 4-H or vocational agriculture training program may work outside school hours on certain equipment for which they have been trained.

What if state youth employment standards differ from federal standards?

Many states have laws setting standards for youth employment in agriculture. When both state and federal youth employment laws apply, the law setting the most stringent standard must be observed.

Who enforces the federal youth employment laws, and what are the penalties for violations?
Enforcement and Penalties

Investigators of the Wage and Hour Division who are stationed across the U.S. enforce the youth employment provisions of the FLSA. As the Secretary of Labor's representatives, they have the authority to conduct investigations and gather data on wages, hours, and other employment conditions or practices in order to assess compliance with all the provisions of the FLSA.

An employer that violates the youth employment provisions may be subject to civil money penalties (CMPs). The amount of the CMP assessment, which may not exceed a cap set by statute, depends upon the application of statutory and regulatory factors to the specific circumstances of the case.

- As a general matter, child labor CMP assessments will be higher if the violation contributed to the injury or death of the youth involved in the violation. The severity of any such injury will be taken into account in determining the amount of a CMP.
- CMP assessments may be decreased based on the size of the business.
- CMP assessments will reflect the gravity of the violation and may be doubled if the violation is determined to be willful or repeated.

A CMP assessment for a violation that causes the death or serious injury of a minor is subject to a higher statutory cap.

- An injury qualifies as a “serious injury” for this purpose if it involves permanent or substantial harm. Both the significance of the injury and the duration of recovery are relevant in determining whether an injury is serious.
- If more than one violation caused a single death or serious injury, more than one CMP may be assessed.
- CMP assessments based on the death or serious injury of a minor may be doubled up to a higher statutory cap if the violation is determined to be willful or repeated.

For current maximum CMP amounts, please visit https://www.dol.gov/agencies/whd/flsa.

The FLSA prohibits the shipment in interstate commerce of goods that were produced in violation of the Act's minimum wage, overtime, or youth employment provisions. The FLSA authorizes the Department of Labor to seek a court order enjoining the movement of such “hot goods.” The FLSA also authorizes the Department to obtain injunctions against violators of the youth employment provisions to compel their compliance with the law. Further violations could result in sanctions against such persons for contempt of court. Willful youth employment violators may face criminal prosecution and be fined up to $10,000. Under current law, a second conviction may result in imprisonment.