



**Am. H.B. 93**

123rd General Assembly  
(As Passed by the House)

**Reps. Terwilleger, Haines, Taylor, Schuler, Pringle, Olman, Hood, Harris, Cates, Buehrer, Williams, Damschroder, Corbin, Clancy, Vesper, Tiberi, Perz, Wilson, Roman, Verich, Womer Benjamin, Core, Bateman, Allen, Sullivan, Beatty, Patton, Mead, Thomas, Young, Opfer**

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**BILL SUMMARY**

- Allows minors age 16 or 17 to work at a seasonal amusement or recreational establishment, not more than two months before the last day of the school year and not more than two months after the first day of the school year, without providing a certificate of age and schooling as a condition of employment, unless the appropriate superintendent of schools requires otherwise.
- Declares an emergency.

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**CONTENT AND OPERATION**

**Age and schooling certificate as a condition of employment**

Under existing law, minors of compulsory school age generally may not be employed unless the minor presents to the employer a proper age and schooling certificate as a condition of employment (see **COMMENT**). This general rule is subject to exceptions. Minors age 16 or 17 are not required to provide an age and schooling certificate as a condition of employment if they are employed during summer vacation months after the last day of the school term in the spring and before the first day of the school term in the fall. This same group of minors is not required to provide an age and schooling certificate if they are employed in nonagricultural and nonhazardous employment as defined by federal law and similar state statutes, or in other employment not prohibited by law to minors age 16 to 17. (R.C. 4109.02(A) and (B).)

The bill adds another category of minors age 16 or 17 to the group of minors who are not required to present a certificate of age and schooling as a condition of employment. The additional group consists of minors age 16 or 17

who are not to be employed more than two months before the last day of the school term in the spring and not more than two months after the first day of the school term in the fall by a seasonal amusement or recreational establishment, unless the superintendent of the school district in which the minor resides requires otherwise. (R.C. 4109.02(B).) Minors seeking employment under this new exemption still must provide the employer evidence of proof of age and a statement signed by their parent or guardian consenting to the proposed employment, as must minors seeking employment under the current exemptions. (R.C. 4109.02(C).)

**Seasonal amusement or recreational establishment**

As used in the bill, "seasonal amusement or recreational establishment" means that the establishment does not operate for more than seven months in any calendar year and the average receipts of the establishment for any six months during the preceding calendar year were not more than one-third of its average receipts for the other six months of that calendar year.

**COMMENT**

The superintendent of schools of the area where the child applying for the certificate resides has authority to issue an age and schooling certificate. Generally an age and schooling certificate may be issued only upon satisfactory proof that the minor to whom the certificate is issued is over 16 years old and has satisfactorily completed a vocational education or special education program adequate to prepare the student for an occupation. (R.C. 3331.01, not in this bill.) The superintendent may not issue a certificate until the superintendent reviews and approves papers that show the minor's age and fitness for employment along with a written pledge by the employer to permit the child to attend school as provided by statute and to return the certificate to the superintendent upon the minor's dismissal or withdrawal from employment (R.C. 3331.02, not in this bill). Minors age 14 and 15 are governed by other standards not at issue in this bill.

**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	01-28-99	p. 118
Reported, H. Commerce & Labor	03-03-99	p. 260
Passed House (92-3) H0093-PH.123/jc	03-17-99	p. 312

