

**19 GCA PERSONAL RELATIONS
CH. 11 CHILD LABOR LAW**

**CHAPTER 11
CHILD LABOR LAW**

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NOTE: This Chapter in its entirety was added by P.L. 12-84 as Government Code §§46050-46058.

§ 11101. Title.

This Chapter may be cited as the *Child Labor Law*.

§ 11102. Administration.

This Chapter shall be administered and enforced by the Wage and Hour Commissioner described in Chapter 1 of Title XLII of the Government Code of Guam, hereinafter referred to as the *Commissioner*.

§ 11103. Construction of Chapter.

Nothing in this chapter shall be construed:

(a) To apply

(1) To the work of a minor in any occupation, which has not been defined as hazardous or detrimental to the life, health, morals, safety or well-being of minors if the work is performed directly for his or her parents or guardians; nor

(2) To the work of a minor performed in connection with the sale or distribution of newspapers to the ultimate consumer; provided, that (i) the minor is twelve (12) years of age or older, (ii) he or she delivers newspapers only in residential areas, and (iii) he or she does not stand on or near a highway selling newspapers to persons driving by; nor

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(3) To the work of a minor employed by persons holding temporary licenses to conduct carnivals, fairs, or similar festivities; nor

(4) To the work of a minor in domestic service in or about a private home; provided, that in any instance under items (1), (2), (3), or (4) of this paragraph (a), the work is performed when such a minor is not legally required to attend school and does not exceed three (3) hours of work in any school day after school hours and is not performed after 7 p.m., or after 9 p.m. from June 1st through Labor Day.

(b) To authorize the employment of any minor where forbidden by any other law of Guam; nor

(c) To prohibit minors of any age from receiving industrial education in any school.

SOURCE: Repealed and reenacted by P.L. 22-118:1.

§ 11104. Employment Certificate.

No minor under the age of sixteen (16) years of age shall be employed or permitted to work until the employer of such minor procures and keeps on file an employment certificate for such minor issued by the Commissioner pursuant to regulations. No such employment certificate shall be issued for employment in any occupation which has been defined as hazardous or detrimental to the life, health, morals, safety or well-being of minors, or for any occupation in which employment of a minor is otherwise forbidden by law.

§ 11105. Hazardous Conditions.

No minor under the age of eighteen (18) years of age shall be employed or permitted to work in any occupation which has been defined or declared by regulation, federal law or by the Commissioner of Wages and Hours or by the Administrator of Wages and Hours, as hazardous or detrimental to the life, health, morals, safety or well-being of minors.

SOURCE: Amended by P.L. 21-140:23 (10/2/92). Repealed and reenacted by P.L. 22-118:2.

§ 11106. Hours of Work.

(a) No minor aged sixteen (16) or seventeen (17) shall be employed or permitted to work more than eight (8) hours in any one (1) day or more than

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forty (40) hours per week, nor shall a minor aged sixteen (16) or seventeen (17) be employed on a school night past 10 p.m.. During non-school nights, such minors may be employed up to 12 midnight; provided, however, they may not be employed before 6 a.m. on any week day of the year.

(b) No minor aged fourteen (14) or fifteen (15) shall be employed during school hours except as provided in school work experience or career exploration programs; and not before 7 a.m. or after 7 p.m., or after 9 p.m. from June 1st through Labor Day; no minor aged fourteen (14) or fifteen (15) shall work more than three (3) hours a day on school days nor more than eighteen (18) hours a week in school weeks, nor more than eight (8) hours a day on non-school days, and not more than forty (40) hours a week in non-school weeks.

(c) A minor aged sixteen (16) or seventeen (17) who has graduated from high school or has been awarded a certificate of proficiency, or who is married or supporting dependents, or who has been declared an adult by a court, may be employed for the same hours as an adult, except such minor may not be employed past 12 midnight or not before 6 a.m. on any given day of the week.

(d) No minor under the age of eighteen (18) shall be employed or permitted to work for more than four (4) hours continuously without an interval of at least thirty (30) minutes for lunch or a rest period, and no period of less than thirty (30) minutes shall be deemed to interrupt a continuous period of work.

(e) No minor under the age of eighteen (18) shall be employed or permitted to work during the time such minor is legally required to attend school.

(f) The term 'school night' when used in this § 11106 shall mean Sunday through Thursday nights, and shall also exclude nights preceding a holiday during a school week.

SOURCE: Amended by P.L. 14-127:14. Repealed and Reenacted by P.L. 22-118:3.

§ 11107. Access to Work Premises and Records.

The Commissioner or his authorized representative shall have access to any building, place, or other premises where minors are employed or permitted to work, and to have access to, including the right to copy from, employment records of the employer. Every employer shall furnish to the Commissioner or his authorized representative such information relating to

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the employment of minors, and in such manner, as the Commissioner may prescribe. Any person denying such access, or failing to furnish such information, shall be guilty of a misdemeanor punishable by a fine not exceeding One Thousand Dollars (\$1,000) or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment.

§ 11108. Regulations.

The Commissioner may make, subject to the approval of the Governor and promulgation by the Executive Order, regulations for the implementation of this Chapter which may include but shall not be limited to the following:

(a) Definitions of occupations that are hazardous or detrimental to the life, health, morals, safety or well-being of minors;

(b) Conditions and requirements for issuance of employment certificates for minors;

(c) Working conditions and circumstances under which minors below the age of sixteen (16) years may be employed or permitted to work as dancers, singers, musicians, entertainers, motion picture or theatrical performers.

§ 11109. Penalty.

Any person, whether a parent, guardian, employer or otherwise, and any firm or corporation, as employer or otherwise, who permits a minor to work in violation of this chapter shall be guilty of a misdemeanor punishable by a fine not exceeding One Thousand Dollars (\$1,000), or by imprisonment not exceeding one (1) year, or by both such fine and imprisonment, provided, however, that in the event the court finds the violation to be flagrant and willful, the fine may be increased to up to Ten Thousand Dollars (\$10,000).

SOURCE: Repealed and reenacted by P.L. 22-118:4.
