

104TH CONGRESS
1ST SESSION

H. R. 1114

IN THE SENATE OF THE UNITED STATES

OCTOBER 25, 1995

Received

NOVEMBER 1, 1995

Read twice and referred to the Committee on Labor and Human Resources

AN ACT

To authorize minors who are under the child labor provisions of the Fair Labor Standards Act of 1938 and who are under 18 years of age to load materials into balers and compacters that meet appropriate American National Standards Institute design safety standards.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AUTHORITY FOR 16 AND 17 YEAR OLDS TO**
2 **LOAD MATERIALS INTO SCRAP PAPER**
3 **BALERS AND PAPER BOX COMPACTORS.**

4 (a) GENERAL RULE.—In the administration and en-
5 forcement of the child labor provisions of the Fair Labor
6 Standards Act of 1938, employees who are 16 and 17
7 years of age shall be permitted to load materials, but not
8 operate or unload materials, into scrap paper balers and
9 paper box compactors—

10 (1) that are safe for 16 and 17 year old em-
11 ployees loading the scrap paper balers or paper box
12 compactors, and

13 (2) that cannot operate while being loaded.

14 (b) DEFINITION.—For purposes of subsection (a),
15 scrap paper balers and paper box compactors shall be con-
16 sidered safe for 16 or 17 year old employees to load only
17 if—

18 (1) such scrap paper balers and paper box com-
19 pactors are in compliance with the current safety
20 standard established by the American National
21 Standards Institute;

22 (2) such scrap paper balers and paper box com-
23 pactors include an on-off switch incorporating a key-
24 lock or other system and the control of such system
25 is maintained in the custody of employees who are
26 18 years of age or older;

1 (3) the on-off switch of such scrap paper balers
2 and paper box compactors is maintained in an off
3 condition when such scrap paper balers and paper
4 box compactors are not in operation; and

5 (4) the employer of 16 and 17 year old employ-
6 ees provides notice, and posts a notice, on such
7 scrap paper balers and paper box compactors stating
8 that—

9 (A) such scrap paper balers and paper box
10 compactors meet the current safety standard
11 established by the American National Stand-
12 ards Institute;

13 (B) 16 and 17 year old employees may
14 only load such scrap paper balers and paper
15 box compactors; and

16 (C) any employee under the age of 18 may
17 not operate or unload such scrap paper balers
18 and paper box compactors.

19 **SEC. 2. CONSTRUCTION.**

20 Section 1 is not to be construed as affecting the ex-
21 emption for apprentices and student learners published at
22 29 Code of Federal Regulations 570.63.

 Passed the House of Representatives October 24,
1995.

Attest:

ROBIN H. CARLE,

Clerk.