

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 455

Short Title: Labor Law/Conforming Changes.

(Public)

Sponsors: Representative Michaux.

Referred to: Economic Expansion.

April 1, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO CONFORM CERTAIN PROVISIONS OF THE WAGE AND HOUR
3 ACT TO FEDERAL LAW.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 95-25.4 reads as rewritten:

6 "**§ 95-25.4. Overtime.**

7 (a) Every employer shall pay each employee who works longer than ~~45~~40 hours
8 in any workweek at a rate of not less than time and one half of the regular rate of pay of
9 the employee for those hours in excess of ~~45~~40 per week.

10 (b) Hospital and nursing home employers may elect to pay overtime after eight
11 hours per day or 80 hours in a 14-day work period, if the employee is notified in
12 advance and is paid not less than one and one-half times the regular rate of pay of the
13 employee for those hours in excess of eight per day or 80 in such 14-day work period."

14 Sec. 2. G.S. 95-25.5(c) reads as rewritten:

15 "(c) No youth 14 or 15 years of age may be employed by an employer in any
16 occupation except those determined by the United States Department of Labor to be
17 permitted occupations under the Fair Labor Standards Act; provided, such youths may
18 be employed by employers:

19 (1) No more than three hours on a day when school is in session for the
20 youth, ~~except that the youth may work up to six hours on the last day~~
21 ~~of the school week;~~ youth;

22 (2) No more than eight hours on a day when school is not in session for
23 the youth;

1 (3) Only between 7 A.M. and 7 P.M., except to 9 P.M. ~~when there is no~~
 2 school for the youth the next day; and during the summer (when school is
 3 not in session);

4 (4) ~~No more hours per week than the following:~~

5	—Days school	
6	in-session for the	Weekly hours
7	youth	
8	5-	18
9	4	26
10	3	34
11	2 or less	40

12 (4) No more than 40 hours in any one week when school is not in session
 13 for the youth;

14 (5) No more than 18 hours in any one week when school is in session for
 15 the youth; and

16 (6) Only outside school hours.

17 Notwithstanding the above, enrollees in high school apprenticeships or in work
 18 experience and career exploration programs as defined under the Fair Labor Standards
 19 Act may work up to 23 hours in any one week when school is in session, any portion of
 20 which may be during school hours."

21 Sec. 3. This act is effective upon ratification.