

CHAPTER 249
FORMERLY
HOUSE BILL NO. 300

AN ACT TO AMEND CHAPTER 5, TITLE 19 OF THE DELAWARE CODE RELATING TO PERMITTING THOSE UNDER AGE 14 TO PERFORM WORK FOR EQUINE OPERATIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Title 19, § 502 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and redesignating accordingly:

§ 502 Definitions.

As used in this chapter, the following words have the meanings indicated:

(2) "Employ," "employed," or "employment" means to suffer or permit to work, but does not include:

- a. Farm work performed on a farm in a nonhazardous occupation;
- b. Domestic work performed in or about a private home;
- c. Work performed in a business owned by a parent or one legally standing in the place of a parent in a nonhazardous occupation;
- d. Work performed by nonpaid volunteers in a charitable or non-profit organization with the written consent of a parent or one legally standing in the place of a parent;
- e. Work performed for operations primarily devoted to equine activities with the written consent of a parent or one legally standing in the place of a parent;
- f. Caddying on a golf course;
- ~~f-g.~~ Delivery of newspapers to the consumer;
- ~~g- h.~~ Employment of a graduate of an accredited school who is employed in a hazardous occupation in which a course of study has been completed but only to the extent that said hazardous occupation would otherwise be prohibited;
- ~~h- i.~~ Hazardous work performed by nonpaid volunteers of a volunteer fire department or company or volunteer rescue squad who have completed or are taking a course of study relating to firefighting or rescue and who are 14 years of age or older; or
- ~~i- j.~~ Any child over the age of 14 years who may be employed, permitted or suffered to work in any nonhazardous occupation in any facility used for the purpose of canning or preserving, or preparation for canning or preserving, perishable fruits and vegetables.

With respect to paragraphs (2)~~h-and i.~~ and j. of this section, the burden of proving a child's age to be 14 years or over shall be on the employer, who shall be required by the Department of Labor to present documentary proof of the child's age;

Approved June 07, 2016