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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4302

03/09/2020 Authored by Theis, Demuth, O'Driscoll, Heintzeman, Heinrich and others
The bill was read for the first time and referred to the Committee on Labor

1.1 A bill for an act
1.2 relating to youth employment; modifying requirements for 16- and 17-year-olds
1.3 working in or around a construction or building project; requiring rulemaking.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. TITLE.

1.6 This act shall be known as the "Paid Youth Trades Employment Opportunity Act."

1.7 Sec. 2. 16- AND 17-YEAR-OLDS PERMITTED TO WORK IN OR AROUND
1.8 CONSTRUCTION OR BUILDING PROJECTS.

1.9 (a) Notwithstanding anything to the contrary, 16- and 17-year-olds may lawfully work
1.10 in or around a construction or building project.

1.11 (b) The commissioner of labor and industry must amend Minnesota Rules, part 5200.0910,
1.12 to remove the prohibition of employment of 16- and 17-year-olds in or around a construction
1.13 or building project under Minnesota Rules, part 5200.0910, item F. The commissioner must
1.14 also amend Minnesota Rules, part 5200.0920, to clarify that employment of individuals
1.15 under age 16 years in or around construction sites remains prohibited. The commissioner
1.16 must use the good cause exemption under Minnesota Statutes, section 14.388, subdivision
1.17 1, to amend Minnesota Rules, parts 5200.0910 and 5200.0920.

1.18 (c) Nothing in this section shall be construed to affect any existing law or rule regarding
1.19 work by 16- and 17-year-olds other than the general prohibition under Minnesota Rules,
1.20 part 5200.0910, item F. These existing rules include but are not limited to the remainder of

2.1 Minnesota Rules, part 5200.0910, and the Code of Federal Regulations, title 29, sections  
2.2 570.50 to 570.68.

2.3 (d) A 16- or 17-year-old must:

2.4 (1) at a minimum, satisfactorily complete OSHA 10 training before beginning  
2.5 employment in or around a construction or building project; and

2.6 (2) wear personal protective equipment, including but not limited to a hard hat, safety  
2.7 glasses, hearing protection, and work boots, as necessary at all times when working in or  
2.8 around a construction or building project.

2.9 (e) A 16- or 17-year-old working in or around a construction or building project is  
2.10 prohibited from conducting the following work in or around a construction or building  
2.11 project:

2.12 (1) scaffold erection or dismantling;

2.13 (2) trench work, where a confined space permit is required;

2.14 (3) roof work;

2.15 (4) structural steel erection or dismantling;

2.16 (5) heavy demolition;

2.17 (6) work on scaffolding above 20 feet high;

2.18 (7) heavy equipment operation; and

2.19 (8) work where a personal fall protection safety harness is required by OSHA standards.

2.20 (f) An employer that employs a 16- or 17-year-old working in or around a construction  
2.21 or building project must:

2.22 (1) have an experience modification rating of 1.00 or under;

2.23 (2) certify that a supervisor of a 16- or 17-year-old working in or around a construction  
2.24 or building project has completed OSHA 30 training; and

2.25 (3) provide a maximum worker ratio of one 16- or 17-year-old employee to ten crew  
2.26 employees.