

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 32.

LABOR.

CHAPTER 2.

EMPLOYMENT OF MINORS.

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DISTRICT OF COLUMBIA OFFICIAL CODE

CHAPTER 2. EMPLOYMENT OF MINORS.

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CHAPTER 2. EMPLOYMENT OF MINORS.

SUBCHAPTER I. GENERAL.

§ 32-201. EMPLOYMENT OF MINORS UNDER 14 YEARS OF AGE; DISTRIBUTION OF NEWSPAPERS PERMITTED.

Except as provided in §§ 32-206 and 32-207, no minor under 14 years of age shall be employed, permitted, or suffered to work in the District of Columbia, in, about, or in connection with any gainful occupation, with the exemption of housework performed outside of school hours in the home of the minor's parent or legal guardian or agricultural work performed outside of school hours in connection with the minor's own home and directly for the minor's parent or legal guardian; provided, that minors 10 years of age and over may be employed outside of school hours in the distribution or sale of newspapers, subject to the provisions of §§ 32-215 to 32-221.

(May 29, 1928, 45 Stat. 998, ch. 908, § 1; June 15, 1976, D.C. Law 1-68, § 2(1), 23 DCR 512.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-501.

1973 Ed., § 36-201.

Legislative History of Laws

Law 1-68, the "Child Labor Amendments Act of 1976," was introduced in Council and assigned Bill No. 1-48, which was referred to the Committee on Education, Recreation and Youth Affairs. The Bill was adopted on first and second readings on February 24, 1976, and March 9, 1976, respectively. Signed by the Mayor on April 5, 1976, it was assigned Act No. 1-105 and transmitted to both Houses of Congress for its review.

§ 32-202. EMPLOYMENT OF MINORS UNDER 18 YEARS OF AGE; HOURS OF EMPLOYMENT; NOTICE TO BE POSTED IN PLACE OF EMPLOYMENT; LIST OF MINORS EMPLOYED.

Except as provided in § 32-206, no minor under 18 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation, except in agricultural work, or housework, or in the distribution or sale of newspapers, as prescribed in § 32-201, and except in newspaper stuffing, subject to the provisions of § 32-215, more than 6 consecutive days in any 1 week, or more than 48 hours in any 1 week, or more than 8 hours in any 1 day, nor shall any minor 16 or 17 years of age be employed, permitted, or suffered to work before 6:00 a.m. or after 10:00 p.m. of any day; nor shall any minor under 16 years of age be employed, permitted, or suffered to work before 7:00 a.m. or after 7:00 p.m. of any day, except during the summer (June 1 through Labor Day) when the evening hour shall be 9:00. Every employer shall post and keep conspicuously posted in the establishment, in or about which any minor is employed, permitted, or suffered to work, a printed notice, furnished by the official authorized to enforce this subchapter, setting forth the legal regulations governing the employment and hours of work of minors and occupations prohibited to minors in such establishments, and, in addition, shall keep accessible in the place of employment a list of minors under 18 employed, permitted, or suffered to work, and an accurate time record showing the hours of beginning and ending work each day. The presence of any such minor in the place of work for a longer time in the day or week than stated in the printed regulation hours shall be prima facie evidence of a violation of the provisions of this section.

(May 29, 1928, 45 Stat. 999, ch. 908, § 2; June 15, 1976, D.C. Law 1-68, § 2(2), 23 DCR 512.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-502.

1973 Ed., § 36-202.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-203. EMPLOYMENT DANGEROUS OR PREJUDICIAL TO LIFE PROHIBITED; BOARD OF EDUCATION TO PROHIBIT SUCH EMPLOYMENT BY GENERAL OR SPECIAL ORDER.

No minor shall be employed, permitted, or suffered to work in any place of employment, or at any employment, dangerous or prejudicial to the life, health, safety, or welfare of such minor. It shall be the duty of the Board of Education of the District of Columbia and the said board shall have the power, jurisdiction and authority, after hearing duly held, to issue general or special orders prohibiting the employment of such minors in any employment or at any place of employment dangerous or prejudicial to the life, health, safety, or welfare of such minors; provided, that no such order shall permit the employment of any minor at any employment specified in §§ 32-204 through 32-206 at a lower age than the age therein specified; provided further, that no hearing shall be necessary for the issuance of an order prohibiting employment in any occupation found by the Secretary of Labor under the authority of the Fair Labor Standards Act to be particularly hazardous for minors under 18 years of age or detrimental to their health and well-being.

(May 29, 1928, 45 Stat. 999, ch. 908, § 3; June 15, 1976, D.C. Law 1-68, § 2(3), 23 DCR 514.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-503.

1973 Ed., § 36-203.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

References in Text

The Fair Labor Standards Act, referred to near the end of this section, is the Act of June 25, 1938, 52 Stat. 1060, ch. 676, which is codified in 29 U.S.C. §§ 201 to 219.

§ 32-204. EMPLOYMENT OF MINORS UNDER 16 YEARS OF AGE IN CERTAIN OCCUPATIONS PROHIBITED; EXCEPTION.

(a) No minor under 16 years of age shall be employed, permitted, or suffered to work at any of the following occupations:

- (1) In the operation of any machinery operated by power other than hand or foot power; or
- (2) In oiling, wiping, or cleaning machinery or assisting therein.

(b) This section does not apply to any duly approved vocational education program or training under the auspices of the Board of Education or the Trustees of the University.

(May 29, 1928, 45 Stat. 999, ch. 908, § 4; June 15, 1976, D.C. Law 1-68, § 2(4), 23 DCR 514.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-504.

1973 Ed., § 36-204.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-205. EMPLOYMENT OF MINORS UNDER 18 YEARS OF AGE IN CERTAIN OCCUPATIONS PROHIBITED.

No minor under 18 years of age shall be employed, permitted, or suffered to work at operating any freight or nonautomatic elevator, or in any quarry, tunnel, or excavation.

(May 29, 1928, 45 Stat. 999, ch. 908, § 5; June 15, 1976, D.C. Law 1-68, § 2(5), 23 DCR 514.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-505.

1973 Ed., § 36-205.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-206. THEATRICAL PERMITS FOR MINORS UNDER 18 YEARS OF AGE FOR PERFORMANCES AND PROFESSIONAL SPORTS ACTIVITIES.

(a) The Board of Education may issue a theatrical employment permit to a minor under 18 years of age permitting the minor to:

- (1) Perform on the stage of a licensed theatre within the District of Columbia in a professional theatrical production;
- (2) Perform in a musical or dance recital or concert;
- (3) Participate in a radio or television program;
- (4) Participate in a motion picture;
- (5) Appear as a fashion model; or
- (6) Participate in a professional sports activity or circus.

(b) An application for a theatrical permit shall be made by the parent or guardian, and by the agent if applicable, of the minor to the Board of Education. The Board of Education may issue a theatrical employment permit if the Board is satisfied that adequate provisions have been made for the educational instruction of the minor, for safeguarding the minor's health, and for the proper supervision of the minor. The Board of Education may require the employer to provide the necessary resources to satisfy the requirements of this subsection.

(c) A minor shall not appear in more than 2 live performances in 1 day or more than 8 live performances in 1 week. A minor shall not appear in a live performance, or otherwise be required to work, before 7:00 a.m. or after 11:30 p.m. A licensed practical nurse with substantial pediatric experience, or a registered nurse who is a pediatric nurse practitioner, shall be provided for each 3 or fewer infants under the age of 30 months.

(d) A theatrical employment permit shall limit the time during which a minor 7 years of age or younger is permitted at the place of employment within a 24-hour period according to age as follows:

- (1) An infant under the age of 6 months may be permitted to remain at the place of employment for a maximum of 2 hours, which shall consist of not more than 20 minutes of work.
- (2) A minor between the ages of 6 months and 30 months may be permitted at the place of employment for a maximum of 4 hours, which shall consist of not more than 2 hours of work, with the balance of the 4-hour period being rest or recreation.
- (3) A minor between the ages of 30 months and 7 years may be permitted at the place of employment for a maximum of 6 hours, which shall consist of not more than 3 hours of work, with the balance of the 6-hour period being rest, recreation, or education.

(e) For the purposes of this section, the term "theatrical employment permit" means an authorization to perform or appear in any of the activities listed in subsection (a) of this section for monetary remuneration, a gift, or other form of valuable consideration.

(May 29, 1928, ch. 908, § 7a; Dec. 26, 1941, 55 Stat. 863, ch. 632, § 2; July 3, 1952, 66 Stat. 329, ch. 569, § 1; renumbered as § 6 and amended June 15, 1976, D.C. Law 1-68, § 2(8), 23 DCR 515; July 12, 1988, D.C. Law 7-135, § 2(a), 35 DCR 4144.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-506.

1973 Ed., § 36-207a.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

Law 7-135, the "District of Columbia Minor Theatrical Employment Permit Amendment Act of 1988," was introduced in Council and assigned Bill No. 7-397, which was referred to the Committee on Education and

Libraries. The Bill was adopted on first and second readings on April 19, 1988, and May 3, 1988, respectively. Signed by the Mayor on May 19, 1988, it was assigned Act No. 7- 185 and transmitted to both Houses of Congress for its review.

§ 32-207. WORK OR VACATION PERMIT--PROCUREMENT BY EMPLOYER.

No minor under 18 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation, except in agricultural work or housework as specified in § 32-201, unless the employer procures and keeps on file and accessible to any attendance officer, inspector or other person authorized to enforce this subchapter a work or vacation permit issued as hereinafter prescribed, except that minors under 18 years of age may be employed without a permit outside of school hours in irregular or casual work usual to the home of the employer; provided, that such employment shall not be in connection with nor form a part of the business, trade, profession, or occupation of the employer; and provided further, that such employment shall not be specifically prohibited by any provision of this subchapter or by any order issued under the authority of § 32-203.

(May 29, 1928, 45 Stat. 1000, ch. 908, § 8; renumbered as § 7 and amended June 15, 1976, D.C. Law 1-68, § 2(9), 23 DCR 516.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-507.

1973 Ed., § 36-208.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-208. WORK OR VACATION PERMIT--ISSUE BY BOARD OF EDUCATION; CONTENTS; RECORDS OF APPLICANTS.

The work or vacation permit required by this subchapter shall be issued by the Board of Education and shall state the name, sex, date, and place of birth, and place of residence of the minor, the grade last completed by said minor, and the kind of evidence of age accepted, and such other details as may be necessary for the identification of the minor. It shall certify that all the requirements for issuing a work or vacation permit under the provisions of this subchapter have been fulfilled and shall be signed by the person issuing it. It shall state the name and address of the employer for whom and the nature of the specific occupation in which the work permit authorizes the minor to be employed, and no permit shall be valid except for the employer so named and for the occupation so designated. It shall bear a number, shall show the date of its issue, and shall be signed by the minor for whom it is issued in the presence of the person issuing it, and shall be mailed or delivered to the employer. The Board shall maintain an office record for each applicant containing the minor's name, sex, date and place of birth; evidence of age, residence, name and address of the employer; and nature of the specific occupation in which the minor is employed; the grade and school last attended by the minor; the employer's statement of intention to employ; and the parent's, guardian's, or custodian's written consent if such written consent is required.

(May 29, 1928, 45 Stat. 1000, ch. 908, § 9; renumbered as § 8 and amended June 15, 1976, D.C. Law 1-68, § 2(10), 23 DCR 516.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-508.

1973 Ed., § 36-209.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-209. WORK OR VACATION PERMIT--APPLICATION REQUIREMENTS.

The Board of Education shall issue a work or vacation permit only upon application in person of the minor desiring employment, and upon submission to and approval by the Board of the following:

- (1) A statement signed by the prospective employer or the employer's authorized agent, stating that the employer expects to give such minor present employment, setting forth the specific nature of the occupation in which such minor will be employed, and the number of hours per day and of days per

week which said minor will be employed;

(2) Evidence of age as provided in § 32-210;

(3) Written consent of the parent, guardian, or custodian, if the minor is under 16 years of age, specifying permission for employment of such minor; provided, that if such minor is withdrawing from school for purposes of employment, the parent, guardian or custodian must appear in person before the issuing officer and sign the consent form;

(4) A school record, if the minor is under 16 years of age and is withdrawing from school for purposes of employment, signed by the principal of the public, private or parochial school last attended by the minor, or by a person duly authorized by said principal. The school record shall certify that the minor has completed the 8th grade or the equivalent thereof in a public school, or has regularly received, in a private or parochial school, instruction deemed equivalent by the Board of Education to that prescribed for the completion of the 8th grade in the public school of the District of Columbia. The school record shall contain also the full name, date of birth, grade last completed, and residence of the minor as shown on the records of the school; and

(5) A certificate, if the person is less than 16 years of age, of physical fitness for the employment specified in the statement submitted in accordance with paragraph (1) of this section. Such certificate shall be signed by a licensed physician.

(May 29, 1928, 45 Stat. 1001, ch. 908, § 10; renumbered as § 9 and amended June 15, 1976, D.C. Law 1-68, § 2(11), 23 DCR 517.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-509.

1973 Ed., § 36-210.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-210. EVIDENCE OF AGE.

The evidence of age required by this subchapter shall consist of 1 of the following proofs of age, which shall be required in the order herein designated:

(1) A birth certificate or attested transcript issued by a registrar of vital statistics or other officer charged with the duty of recording births;

(2) A record of age as given in the records of the school first attended by the minor, if obtainable, or in the earliest available school census;

(3) A baptismal record or duly certified transcript thereof showing the date of birth and place of baptism of the minor; or

(4) A bona fide contemporary record of the date and place of the minor's birth kept in the Bible in which the records of the births in the family of the minor are preserved, or other documentary evidence satisfactory to the Board of Education, such as a passport showing the age of the minor, a certificate of arrival in the United States issued by the United States immigration officers and showing the age of the minor, or a life insurance policy.

(May 29, 1928, 45 Stat. 1001, ch. 908, § 11; renumbered as § 10 and amended June 15, 1976, D.C. Law 1-68, § 2(12), 23 DCR 519.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-510.

1973 Ed., § 36-211.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-211. VACATION PERMITS.

The Board of Education shall have authority to issue a vacation permit to a minor between the age of 14 and 16 years, permitting employment during the regular summer vacation period of the public schools, or

during the school term at such time as the public schools are not in session, if the age of such minor has been proved according to § 32-210, and such minor has in all other respects, except as to completion of the 8th grade, fulfilled the requirements for a work permit specified in this subchapter. These permits shall be different in color from the work permit allowing employment while school is in session and shall state the periods during which its use is valid.

(May 29, 1928, 45 Stat. 1002, ch. 908, § 12; renumbered as § 11 and amended June 15, 1976, D.C. Law 1-68, § 2(13), 23 DCR 520.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-511.

1973 Ed., § 36-212.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-212. EMPLOYER TO FURNISH, ON DEMAND, PROOF OF AGE OF EMPLOYEE.

Whenever any person authorized to enforce this subchapter shall have reason to doubt that any minor employed in any occupation for which a permit is required by this subchapter, and for whom a work permit or vacation permit is not on file, has reached the age of 18 years, such person may make demand on such minor's employer that such employer shall either furnish him within 10 days the evidence required for a work permit showing that the minor is in fact 18 years of age, or shall refuse to employ or permit or suffer such minor to work. In case such evidence is not furnished to such person within 10 days after such demand, the employer shall not thereafter continue to employ such minor or permit or suffer such minor to work in such establishment. Proof of the making of such demand and of failure to deliver such proof of age shall be prima facie evidence, in any prosecution brought for violation of this subchapter, that such minor is under 18 years of age and is unlawfully employed.

(May 29, 1928, 45 Stat. 1002, ch. 908, § 14; renumbered as § 12 and amended June 15, 1976, D.C. Law 1-68, § 2(15), 23 DCR 521.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-512.

1973 Ed., § 36-214.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-213. PENALTIES.

(a) A person commits an offense under this subchapter if that person:

(1) Employs a minor or permits a minor to work in violation of this subchapter, of any regulation promulgated by the Board of Education pursuant to § 32-224, or of any order issued under the provisions of § 32-203; or

(2) Interferes with the Board of Education, its officers or agents, or any other person authorized by the District to inspect places of employment of minors.

(b) A person convicted of a 1st offense under this section shall be fined not less than \$1,000 nor more than \$3,000, or imprisoned not less than 10 days nor more than 30 days, or both. A person convicted of a 2nd or subsequent offense under this section shall be fined not less than \$3,000 nor more than \$5,000, or imprisoned not less than 30 days nor more than 90 days, or both. Each day during which a violation of this subchapter occurs shall constitute a separate offense.

(May 29, 1928, 45 Stat. 1003, ch. 908, § 15; renumbered as § 13 and amended June 15, 1976, D.C. Law 1-68, § 2(16), 23 DCR 521; July 12, 1988, D.C. Law 7-135, § 2(b), 35 DCR 4114.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-513.

1973 Ed., § 36-215.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

For legislative history of D.C. Law 7-135, see Historical and Statutory Notes following § 32-206.

§ 32-214. BOARD OF EDUCATION TO ENFORCE LAW; INSPECTION OF PLACES IN WHICH MINORS ARE EMPLOYED.

It shall be the duty of the Board of Education to cause all the provisions of this subchapter to be enforced, to make complaints against persons violating its provisions, and to prosecute violations of the same. The Board of Education, its inspectors, and agents are empowered and instructed to visit and inspect at any time, and as often as shall be necessary in order effectively to enforce the provisions of this subchapter, all places where minors are employed, and shall have authority to enter any place or establishment covered by the terms of this subchapter, and to have access to work or vacation permits kept on file by the employer and such other records as may aid in the enforcement of this subchapter.

(May 29, 1928, 45 Stat. 1003, ch. 908, § 16; renumbered as § 14 and amended June 15, 1976, D.C. Law 1-68, § 2(17), 23 DCR 521.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-514.

1973 Ed., § 36-216.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-215. LIMITATIONS ON EMPLOYMENT IN STUFFING, SALE AND DISTRIBUTION OF NEWSPAPERS; EXERCISE OF TRADES IN STREETS; EXCEPTION FOR DISTRIBUTION OF POLITICAL LITERATURE.

No minor under 16 years of age shall be employed in the stuffing of newspapers, nor shall the work of any minor 16 or 17 employed stuffing newspapers exceed 40 hours in any 1 week, nor shall such minor be employed on more than 1 night in any week. No minor under 12 years of age shall distribute, sell, expose, or offer for sale any newspapers, magazines, periodicals, or any other articles or merchandise of any description, or distribute handbills or circulars, except political literature as specified below, in any street or public place, or exercise the trade of bootblack or any other trade, in any street or public place; provided, that the provisions of this subchapter shall not apply to minors 10 years of age and over engaged in the distribution of newspapers, magazines, or periodicals on fixed routes; provided further, that no minor under 16 years of age shall be employed or permitted or suffered to work at any of the trades or occupations mentioned in this section, in any street or public place, after 7:00 p.m. or before 6:00 a.m., or, unless holding a work permit issued in accordance with the provisions of this subchapter, during the hours when such minor's school is in session. Nothing in this section shall be construed as prohibiting the distribution or circulation, by a minor, of political literature or petitions, or such other materials, for which the minor receives no pecuniary compensation.

(May 29, 1928, 45 Stat. 1003, ch. 908, § 17; renumbered as § 15 and amended June 15, 1976, D.C. Law 1-68, § 2(18), 23 DCR 522.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-515.

1973 Ed., § 36-217.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-216. STREET-TRADES BADGES--REQUIRED.

No minor under 16 years of age shall work at any time, or be employed or permitted or suffered to work at any time, in any of the trades or occupations mentioned in § 32-215, unless such minor shall have

procured and shall wear in plain sight while so working a badge as hereinafter provided, issued by the Board of Education, and unless the minor complies with all the legal requirements concerning school attendance.

(May 29, 1928, 45 Stat. 1004, ch. 908, § 19; renumbered as § 16 and amended June 15, 1976, D.C. Law 1-68, § 2(20), 23 DCR 523.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-516.

1973 Ed., § 36-219.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-217. STREET-TRADES BADGES--APPLICATION REQUIREMENTS.

The Board of Education shall issue a street-trades badge only upon the application of the minor desiring it, with the written consent of the parent, guardian, or custodian of such minor, and upon proof that the minor is of the age required by § 32-215, which shall consist of the same evidence as is required for a work permit under this subchapter. A work permit issued as required by this subchapter may be accepted in lieu of any other requirements for said badge.

(May 29, 1928, 45 Stat. 1004, ch. 908, § 20; renumbered as § 17 and amended June 15, 1976, D.C. Law 1-68, § 2(21), 23 DCR 524.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-517.

1973 Ed., § 36-220.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-218. STREET-TRADES BADGES--CONTENTS; RECORD TO BE KEPT; BADGES NOT TRANSFERABLE.

Such badge shall bear a number, and every such badge on its reverse side shall be signed in the presence of the officer issuing the same by the minor in whose name it is issued and shall contain the minor's name, address and date of birth and such other information as the officer issuing the same shall deem necessary. A complete record of badges issued and refused, and of the facts relating thereto, including the name and address of the parent, guardian, or custodian, the day, year, and month of birth of the minor, the date of issuance and kind of evidence of age accepted, and school grade and name of school attended, shall be kept by the Board of Education. No minor to whom such badge is issued shall give, lend, sell, or otherwise transfer it to any other person, or be engaged in any of the trades or occupations mentioned in § 32-215 without wearing such badge, and such minor shall exhibit the same upon demand to any police or attendance officer, or to any person charged with the duty of enforcing this subchapter.

(May 29, 1928, 45 Stat. 1004, ch. 908, § 21; renumbered as § 18 and amended June 15, 1976, D.C. Law 1-68, § 2(22), 23 DCR 524.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-518.

1973 Ed., § 36-221.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-219. VIOLATION OF §§ 32-215 TO 32-221; REVOCATION OF BADGE OR WORK PERMIT.

The Board of Education shall order any minor found to be engaged in any of the trades or occupations mentioned in § 32-215, in violation of any of the provisions of §§ 32-215 through 32-221, to cease and desist from engaging in such trade or occupation, and the parent, guardian, or custodian of such minor shall be notified by the Board of its order. The Board of Education may also revoke the badge or work permit of any minor who violates any provision of this subchapter, or who fails to comply with all legal requirements concerning school attendance for such period as the Board may require. Upon revocation, the Board shall so notify the parent, guardian, or custodian of such minor, and it shall thereupon become the duty of said parent, guardian, or custodian to surrender or require said minor to surrender said badge or work permit to the Board. After notice to the minor and the parent, guardian, or custodian of the revocation of such badge or work permit, said minor shall be deemed to be in the same status as a minor without a badge. The refusal of any such minor to surrender the badge upon such revocation shall be deemed a violation of this subchapter.

(May 29, 1928, 45 Stat. 1004, ch. 908, § 22; July 29, 1970, 84 Stat. 578, Pub. L. 91-358, title I, § 159(j)(1); renumbered as § 19 and amended June 15, 1976, D.C. Law 1-68, § 2(23), 23 DCR 525.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-519.

1973 Ed., § 36-222.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-220. PERSONS SELLING MERCHANDISE TO MINOR FOR RESALE OR DISTRIBUTION TO ASCERTAIN THAT MINOR WEARS BADGE; PENALTIES; EXCEPTION.

Any person who either personally or as agent of any other person, or of any firm, corporation, or company, furnishes or sells or offers for sale to any minor under 16 any article of any description to be used for the purpose of sale or distribution in any public place shall first ascertain that said minor wears the badge issued by the Board of Education in plain sight as herein provided, and if said minor has no badge, no article shall be furnished or sold to the minor. Any person who fails to comply with the foregoing provision, or who furnishes or sells or offers for sale to any minor any article of any description, with the knowledge that the minor intends to sell or distribute such article in violation of any provision of this subchapter, or after having received written notice from any officer charged with the enforcement of this subchapter that such minor is selling such article in violation of any provision of this subchapter, or any person who procures any minor to violate any provision of this subchapter shall for a 1st offense be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment for not less than 10 nor more than 30 days, or by both such fine and imprisonment, and for any subsequent offense shall be punished by a fine of not less than \$50 nor more than \$300, or by imprisonment for not less than 30 nor more than 90 days, or by both such fine and imprisonment. Whoever, having under control or custody any minor, permits or consents to the violation by such minor of any of the provisions of §§ 32-215 to 32-220 shall for a 1st offense be punished by a fine of not less than \$5 nor more than \$100, or by imprisonment of not less than 5 nor more than 30 days, or by both such fine and imprisonment, and for any subsequent offense shall be punished by a fine of not less than \$10 nor more than \$200, or by imprisonment for not less than 10 nor more than 60 days, or by both such fine and imprisonment. Nothing in this section shall be construed as prohibiting the distribution or circulation, by a minor, of political literature or petitions, or such other materials, for which the minor receives no pecuniary compensation.

(May 29, 1928, 45 Stat. 1005, ch. 908, § 23; renumbered as § 20 and amended June 15, 1976, D.C. Law 1-68, § 2(24), 23 DCR 526.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-520.

1973 Ed., § 36-223.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-221. LOITERING AROUND BUSINESS ESTABLISHMENTS PROHIBITED DURING SCHOOL HOURS; PENALTY.

No owner or employee of a business establishment shall permit a minor under the age of 16, having reasonable grounds to believe that such minor is a truant or unlawfully absent from school, to loiter on the premises of such business establishment during those hours when school is in session. Any person violating the provisions of this section may be fined not less than \$25 nor more than \$300, or may be imprisoned for not less than 10 days or longer than 30 days.

(May 29, 1928, 45 Stat. 1006, ch. 908, § 24; renumbered as § 21 and amended June 15, 1976, D.C. Law 1-68, § 2(25), 23 DCR 527.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-521.

1973 Ed., § 36-224.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

Delegation of Authority

Delegation of authority under D.C. Law 5-88: Mayor's Order 85-28, March 11, 1985.

Delegation of authority under D.C. Law 5-88: Mayor's Order 85-28, March 11, 1985.

Miscellaneous Notes

Amendment of regulations: Section 2 of D.C. Law 5-88 amended Article 36 of the Police Regulations of the District of Columbia (Commissioner's Order No. 301, 904/1, effective Nov. 1, 1948) which provides for the regulation of video arcades and mechanical amusement machines.

§ 32-222. PROSECUTIONS.

Prosecutions for violations of any of the provisions of this subchapter, or of any regulation made by the Board of Education under authority of this subchapter, shall be on information filed in the Superior Court of the District of Columbia in the name of the District of Columbia by the Corporation Counsel or any assistants.

(May 29, 1928, 45 Stat. 1006, ch. 908, § 26; July 29, 1970, 84 Stat. 578, Pub. L. 91-358, title I, § 159(j)(2); renumbered as § 22 and amended June 15, 1976, D.C. Law 1-68, § 2(27), 23 DCR 527.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-524.

1973 Ed., § 36-228.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-223. SEVERABILITY.

If any provision of this subchapter or the application of such provision to certain circumstances be held invalid, the remainder of this subchapter and the application of such provision to circumstances other than those as to which it is held invalid shall not be affected thereby.

(May 29, 1928, 45 Stat. 1006, ch. 908, § 28; renumbered as § 24 June 15, 1976, D.C. Law 1-68, § 2(28), 23 DCR 528.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-522.

1973 Ed., § 36-226.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

§ 32-224. BOARD OF EDUCATION AUTHORIZED TO ENFORCE SUBCHAPTER, MAKE REGULATIONS, DELEGATE FUNCTIONS, AND APPOINT INSPECTORS.

The Board of Education of the District of Columbia is hereby empowered to carry out and enforce the provisions of this subchapter, and is authorized to promulgate such regulations as may be necessary to effectuate the purposes of this subchapter. The Board of Education is further authorized to delegate the performance of any of its functions and duties under this subchapter to any officer, agent, or department of the Board, and to appoint such number of child labor inspectors or other employees as may be necessary to carry out the provisions of this subchapter.

(May 29, 1928, 45 Stat. 1006, ch. 908, § 29; renumbered as § 25 and amended June 15, 1976, D.C. Law 1-68, § 2(29), 23 DCR 528.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-523.

1973 Ed., § 36-227.

Legislative History of Laws

For legislative history of D.C. Law 1-68, see Historical and Statutory Notes following § 32-201.

SUBCHAPTER II. PROGRAMS FOR YOUTH EMPLOYMENT.

§ 32-241. PROGRAMS FOR EMPLOYMENT AND TRAINING OF YOUNG DISTRICT DOMICILIARIES.

(a) The Mayor shall establish and implement programs, subject to the annual appropriation of funds, for the employment and training of young persons who are domiciliaries of the District of Columbia, as follows:

(1)(A)(i) A summer youth jobs program to provide for the employment each summer of no less than 10,000 and no more than 21,000 youth between 14 and 21 years of age on the date of enrollment in the program.

(ii) Youth between the ages of 14 and 15 years at the date of enrollment shall be compensated at the rate of \$5.25 per hour.

(iii) Youth between the ages of 16 and 21 years at the date of enrollment shall be compensated at a rate equal to the federal minimum wage rate established by section 6 of the Fair Labor Standards Act of 1938, approved June 25, 1938 (52 Stat. 1062; 29 U.S.C. § 206).

(A-i) Registration for the summer youth jobs program shall occur between the second day of January and the first day of April of each year.

(B) The weekly number of hours of employment under the summer youth jobs program shall be established according to the age of the youth to be employed and the nature and requirements of the job, but shall not be less than 20 nor more than 25 hours per week. Participants in this program shall be employed for a period of no more than 6 weeks.

(C) Employment may include an appropriate number of supervisory positions at a wage not to exceed the federal minimum wage by more than 12%; provided, that these positions shall not be subject to the requirements under this paragraph regarding the number of hours and weeks of employment.

(D) The Department of Employment Services shall implement the summer youth jobs program subject to the appropriation of funds or availability of funds through public-private partnerships between the District government and a District business that has the ability to employ youth under this program; provided, that these partnerships shall be subject to all federal and District laws, rules, and regulations relating to the procurement and award of contracts, grants, or other government assistance. For purposes of this paragraph, the term "District Business" means a corporation or any entity carrying on any trade or business in the District of Columbia that is subject to taxation under § 47-1807.02 or § 47-1808.03.

(E) The Mayor shall issue rules to implement this paragraph. The proposed rules shall be submitted by the Mayor to the Council for review and approval.

(2) *In school jobs.* -- An in school jobs program to provide for the employment throughout the school year of students aged 14 through 21 years on a part-time basis, with the minimum of 10 hours per

week, at the federal minimum wage. Priority shall be given to students who may drop out of school to seek work because they are economically disadvantaged; provided, that students who do not qualify for prioritization shall be eligible for the program.

(3) *Out of school year-round employment.* -- An out of school year-round employment program to provide for the employment of youth 16 through 24 years of age at the prevailing entry-level wage for the job being performed, not to exceed \$3.25 per hour during fiscal years 1979 and 1980, and thereafter not to exceed a wage 12% greater than the federal minimum wage. Priority for employment under this program shall be given to economically disadvantaged youth with special consideration given to public housing residents; provided, that youth who are not economically disadvantaged or public housing residents shall be eligible for the program. The program shall have special safeguards to assure that the prospect of employment under this section does not induce students to drop out of school.

(4) *On-the-job training program for adults.* -- An on-the-job training program for adults at least 18 years of age who are District of Columbia residents and unemployed. Priority for participation in the program shall be given to economically disadvantaged adults with dependents, with special consideration given to public housing residents. The District of Columbia government shall reimburse participating employers 1/2 of the prevailing wage paid for an occupation, as determined by the Mayor, for a period not to exceed 12 months. The employer shall pay all wages in excess of the allowable reimbursement and all fringe benefits. The Mayor shall require that participating private sector employers agree to hire persons who successfully complete the program. Nothing in this section shall prohibit the participation of the Council of the District of Columbia in the on-the-job training program for adults.

(5) *Training and retraining for employment.* -- A program for preemployment training and retraining for persons 16 years of age and above, who are domiciliaries of the District of Columbia. Allowances may be paid to the participants in the program. Priority should be given to persons who are economically disadvantaged. Training programs pursuant to this paragraph may be coupled with those conducted under paragraphs (3) and (4) of this subsection.

(b) Employment under the programs established pursuant to subsection (a) of this section may be provided directly with the government of the District of Columbia or with the private sector on a fully funded, partially or match-funded basis through grants to or by contract with nonprofit or profit-making organizations, associations, institutions or businesses. The Mayor shall not use more than 10% of funds for the programs for administrative and vendor costs.

(c) The programs established pursuant to subsection (a) of this section may include, but shall not be limited to, the following supportive services and activities: Transportation; orientation; counseling and training; supplies and equipment; and program promotion.

(d) For the purposes of this section, the term:

(1) "Economically disadvantaged" means a person who is either:

(A) A member of a family which receives public assistance;

(B) A member of a family whose income during the previous 6 months on an annualized basis was such that:

(i) The family would have qualified for public assistance if it had applied for such assistance;

(ii) It does not exceed the poverty level; or

(iii) It does not exceed 70% of the lower living standard income level;

(C) A foster child on whose behalf state or local government payments are made; or

(D) Where the status presents a significant barrier to employment:

(i) A client of a sheltered workshop;

(ii) An individual with a disability;

(iii) A person residing, or who once resided, in an institution or facility providing 24-hour support, such as a prison, a juvenile detention facility, a hospital, or a community care facility; or

(iv) A regular outpatient of a mental hospital rehabilitation facility or similar institution.

(2) "Priority" means a good faith effort by a program under this subchapter to fill at least 30% of the program's available positions with persons classified as economically disadvantaged.

(e) An employer required by law to pay a minimum wage higher than that specified in this section shall pay such higher wage to persons employed pursuant to this section.

(f) The Mayor of the District of Columbia shall issue regulations to implement this section. The rules and regulations issued by the Mayor for the purpose of implementing the provisions of this section shall be submitted by the Mayor to the Council of the District of Columbia for a 45 calendar-day review period, excluding days of Council recess. No such rules or regulations shall take effect until the end of the 45

calendar-day period beginning on the day such rules or regulations are transmitted by the Mayor to the Chairman of the Council, and then only if during such period the Council does not adopt a resolution disapproving such rules and regulations in whole or in part.

(Jan. 5, 1980, D.C. Law 3-46, § 2, 26 DCR 2310; July 2, 1982, D.C. Law 4-124, § 2, 29 DCR 2091; Mar. 10, 1983, D.C. Law 4-193, § 2, 30 DCR 43; Feb. 28, 1987, D.C. Law 6-211, § 2, 34 DCR 847; May 10, 1989, D.C. Law 7-231, § 45, 36 DCR 492; Oct. 18, 2005, D.C. Law 16-22, § 2, 52 DCR 8076; Apr. 24, 2007, D.C. Law 16-305, § 44, 53 DCR 6198; Sept. 11, 2008, D.C. Law 17-221, § 2, 55 DCR 8293; Sept. 11, 2008, D.C. Law 17-223, § 2, 55 DCR 8297; Mar. 3, 2010, D.C. Law 18-111, § 1071, 57 DCR 181; Sept. 24, 2010, D.C. Law 18-223, § 2232(a), 57 DCR 6242; Sept. 14, 2011, D.C. Law 19-21, § 2062, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 36-702.

Effect of Amendments

D.C. Law 16-22, rewrote subsec. (a)(1) which had read as follows:

"(1) *Summer youth jobs*. -- A summer youth jobs program to provide for the employment each summer of youths between the ages of 14 and 21 on the date of enrollment in the program, at a rate equal to the federal minimum wage as established by § 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. § 206). The weekly number of hours of such employment shall be established according to the age of the youth to be employed and the nature and requirements of the job, but shall not be less than 20 nor more than 40 hours per week. Employment under this program may include an appropriate number of supervisory positions at a wage not to exceed the federal minimum wage by more than 12%."

D.C. Law 16-305, in subsec. (d)(4)(B), substituted "An individual with a disability" for "A handicapped individual".

D.C. Law 17-221 rewrote subsec. (d) which had read as follows:

"(d) For the purpose of this section, the term 'economically disadvantaged' means a person who is either:

"(1) A member of a family which receives public assistance;

"(2) A member of a family whose income during the previous 6 months on an annualized basis was such that:

"(A) The family would have qualified for public assistance, if it had applied for such assistance;

"(B) It does not exceed the poverty level; or

"(C) It does not exceed 70% of the lower living standard income level;

"(3) A foster child on whose behalf state or local government payments are made; or

"(4) Where the status presents significant barriers to employment:

"(A) A client of a sheltered workshop;

"(B) An individual with a disability;

"(C) A person residing in an institution or facility providing 24-hour support, such as a prison, a hospital or community care facility; or

"(D) A regular outpatient of a mental hospital rehabilitation facility or similar institution."

D.C. Law 17-223, in subsec. (a)(2), substituted "basis, with the minimum of 10 hours per week," for "basis"; in subsecs. (a)(2), (3), substituted "residents; provided, that youth who are not economically disadvantaged or public housing residents shall be eligible for the program" for "residents"; and, in subsec. (b), added "The Mayor shall not use more than 10% of funds for the programs for administrative and vendor costs."

D.C. Law 18-111, in subsec. (a)(1)(A), substituted "no less than 10,000 and no more than 21,000 youth" for "10,000 youth"; added subsec. (a)(1)(A-i); and, in subsec. (a)(1)(B), substituted "period of no more than 6 weeks" for "minimum of".

D.C. Law 18-223 added a section heading; and, in subsec. (a)(1)(B), substituted "25 hours" for "40 hours".

D.C. Law 19-21 rewrote subsec. (a)(1)(A), which formerly read:

"(1)(A) *Summer youth jobs* -- A summer youth jobs program to provide for the employment each summer of no less than 10,000 and no more than 21,000 youth between 14 and 21 years of age on the date of enrollment in the program, at a rate at least equal to the federal minimum wage established by section 6 of the Fair Labor Standards Act of 1938, approved June 25, 1938 (52 Stat. 1062; 29 U.S.C. § 206)."

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 2 of the Access to Youth Employment Programs Temporary Amendment Act of 2007 (D.C. Law 17-75, January 23, 2008, law notification 55 DCR 1455).

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 2 of Access to Youth Employment Programs Emergency Amendment Act of 2007 (D.C. Act 17-170, October 26, 2007, 54 DCR 10982).

For temporary (90 day) amendment of section, see § 1071 of Fiscal Year 2010 Budget Support Second Emergency Act of 2009 (D.C. Act 18-207, October 15, 2009, 56 DCR 8234).

For temporary (90 day) addition, see § 2261 of Fiscal Year 2010 Budget Support Second Emergency Act of 2009 (D.C. Act 18-207, October 15, 2009, 56 DCR 8234).

For temporary (90 day) amendment of section, see § 1071 of Fiscal Year Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-260, January 4, 2010, 57 DCR 345).

For temporary (90 day) addition, see § 2261 of Fiscal Year Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-260, January 4, 2010, 57 DCR 345).

For temporary (90 day) amendment of section, see § 2232(a) of Fiscal Year 2011 Budget Support Emergency Act of 2010 (D.C. Act 18-463, July 2, 2010, 57 DCR 6542).

Legislative History of Laws

Law 3-46, the "Youth Employment Act of 1979," was introduced in Council and assigned Bill No. 3-138, which was referred to the Committee on Housing and Economic Development. The Bill was adopted on first and second readings on September 25, 1979, and October 23, 1979, respectively. Signed by the Mayor on November 9, 1979, it was assigned Act No. 3-124 and transmitted to both Houses of Congress for its review.

Law 4-124, the "Youth Employment Act of 1979 Amendment Act of 1982," was introduced in Council and assigned Bill No. 4-401, which was referred to the Committee on Housing and Economic Affairs. The Bill was adopted on first and second readings on April 6, 1982, and April 27, 1982, respectively. Signed by the Mayor on May 11, 1982, it was assigned Act No. 4-189 and transmitted to both Houses of Congress for its review.

Law 4-193, the "Youth Employment Act of 1979 Amendments /Job Skills and Placement Programs for Public Housing Residents Act of 1982," was introduced in Council and assigned Bill No. 4-331, which was referred to the Committee on Housing and Economic Development. The Bill was adopted on first and second readings on November 16, 1982, and December 14, 1982, respectively. Signed by the Mayor on December 28, 1982, it was assigned Act No. 4-277 and transmitted to both Houses of Congress for its review.

Law 6-211, the "Employment Amendment Act of 1986," was introduced in Council and assigned Bill No. 6-111, which was referred to the Committee on Housing and Economic Development. The bill was adopted on first and second readings on November 25, 1986, and December 16, 1986, respectively. Signed by the Mayor on January 8, 1987, it was assigned Act No. 6-271 and transmitted to both Houses of Congress for its review.

Law 7-231, the "Technical Amendments Act of 1988," was introduced in Council and assigned Bill No. 7-586, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 29, 1988, and December 13, 1988, respectively. Signed by the Mayor on January 6, 1989, it was assigned Act No. 7-285 and transmitted to both Houses of Congress for its review.

Law 16-22, the "Summer Youth Employment Act of 2005", was introduced in Council and assigned Bill No. 16-23 which was referred to the Committee on Government Operations. The Bill was adopted on first and second readings on June 7, 2005, and July 6, 2005, respectively. Signed by the Mayor on July 14, 2005, it was assigned Act No. 16-131 and transmitted to both Houses of Congress for its review. D.C. Law 16-22 became effective on October 18, 2005.

Law 16-305, the "People First Respectful Language Modernization Act of 2006", was introduced in Council and assigned Bill No. 16-664, which was referred to Committee on the Whole. The Bill was adopted on first and second readings on June 20, 2006, and July 11, 2006, respectively. Signed by the Mayor on July 17, 2006, it was assigned Act No. 16-437 and transmitted to both Houses of Congress for its review. D.C. Law 16-305 became effective on April 24, 2007.

Law 17-221, the "Priority Employment for Economically Disadvantaged Youth in the Youth Employment Program Amendment Act of 2008", was introduced in Council and assigned Bill No. 17-481, which was referred to the Committee of Workforce Development and Government Operations. The Bill was adopted on first and second readings on June 3, 2008, and July 1, 2008, respectively. Signed by the Mayor on July 16, 2008, it was assigned Act No. 17-441 and transmitted to both Houses of Congress for its review. D.C. Law 17-221 became effective on September 11, 2008.

Law 17-223, the "Access to Youth Employment Programs Amendment Act of 2008", was introduced in Council and assigned Bill No. 17-442, which was referred to the Committee of Workforce Development and Government Operations. The Bill was adopted on first and second readings on June 3, 2008, and July 1, 2008, respectively. Signed by the Mayor on July 16, 2008, it was assigned Act No. 17-443 and transmitted to both Houses of Congress for its review. D.C. Law 17-223 became effective on September 11, 2008.

Law 18-111, the "Fiscal Year 2010 Budget Support Act of 2009", was introduced in Council and assigned Bill No. 18-203, which was referred to the Committee on the Whole. The bill was adopted on first and second readings on May 12, 2009, and September 22, 2009, respectively. Signed by the Mayor on December 18,

2009, it was assigned Act No. 18-255 and transmitted to both Houses of Congress for its review. D.C. Law 18-111 became effective on March 3, 2010.

Law 18-223, the "Fiscal Year 2011 Budget Support Act of 2010", was introduced in Council and assigned Bill No. 18-731, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 26, 2010, and June 15, 2010, respectively. Signed by the Mayor on July 2, 2010, it was assigned Act No. 18-462 and transmitted to both Houses of Congress for its review. D.C. Law 18-223 became effective on September 24, 2010.

Law 19-21, the "Fiscal Year 2012 Budget Support Act of 2011", was introduced in Council and assigned Bill No. 19-203, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 25, 2011, and June 14, 2011, respectively. Signed by the Mayor on July 22, 2011, it was assigned Act No. 19-98 and transmitted to both Houses of Congress for its review. D.C. Law 19-21 became effective on September 14, 2011.

Miscellaneous Notes

Authorization of funds for contract with D.C. Street Academy: Section 3 of D.C. Law 4-124 provided that during the fiscal year ending September 30, 1983, the expenditure of funds is authorized for a direct contract with the D.C. Street Academy, a nonprofit, certified, and accredited secondary school specifically designed and established to serve the target population identified in § 36-702(a)(5) [§ 32-241, 2001 Ed.].

Short title: Section 1070 of D.C. Law 18-111 provided that subtitle H of title I of the act may be cited as the "Summer Youth Employment Amendment Act of 2009".

Short title: Section 2231 of D.C. Law 18-223 provided that subtitle T of title II of the act may be cited as the "Youth Workforce Development Planning and Evaluation Amendment Act of 2010".

Short title: Section 2061 of D.C. Law 19-21 provided that subtitle G of title II of the act may be cited as "Summer Youth Employment Compensation Amendment Act of 2011".

§ 32-242. TRAINING AND WORK EXPERIENCE IN PERSISTENT PROBLEM AREAS OF THE DISTRICT.

(a) Commencing 30 days after October 20, 2005, and subject to the annual appropriation of funds, the Mayor shall establish and operate a year round program to provide domiciliaries of the District of Columbia between the ages of 14 and 24 years with training and work experience in both the public and private sectors of the economy. The Mayor shall target the services of this program to those youth residing in persistent problem areas of the District where such factors as crime, lack of economic development, and high unemployment create a particular need for the services of this program.

(b) Youth participants shall be certified by the Department of Employment Services as to residence and income. Priority in the selection of participants shall be given to hard-to-serve youth residing in persistent problem areas of the District that the Mayor may further identify by executive order.

(c) Youth participants shall be assessed for work experience placement suitability at the time of entry into the program and shall receive case management services during their period of participation in the program.

(d) Based upon the initial assessment, youth participants may be referred to and shall successfully complete employment counseling, leadership and life skills training, pre-employment training, or occupational skills training in demand occupations prior to placement in paid work.

(e) After participants have been assessed and determined to be ready for placement in work experience, they shall be placed in available work positions that pay stipends, training wages or wages in such amounts as the Mayor may determine to be appropriate for the work position and participant.

(f) The Mayor shall also provide participants with job development services, job retention counseling, and unsubsidized job placement assistance.

(Jan. 5, 1980, D.C. Law 3-46, § 2a, formerly § 3, as added Oct. 20, 2005, D.C. Law 16-33, § 2052, 52 DCR 7503; renumbered Mar. 2, 2007, D.C. Law 16-191, § 5(k), 53 DCR 6794; Sept. 18, 2007, D.C. Law 17-20, § 2032, 54 DCR 7052.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 16-191 validated previously made technical corrections in subsec. (a) and (b).

D.C. Law 17-20, in subsec. (a), substituted "ages of 14" for "ages of 16".

Emergency Act Amendments

For temporary (90 day) addition, see § 2052 of Fiscal Year 2006 Budget Support Emergency Act of 2005 (D.C. Act 16-168, July 26, 2005, 52 DCR 7667).

For temporary (90 day) amendment of section, see § 3(d) of Finance and Revenue Technical Amendments Second Emergency Amendment Act of 2006 (D.C. Act 16-585, December 28, 2006, 54 DCR 340).

For temporary (90 day) amendment of section, see § 2032 of Fiscal Year 2008 Budget Support Emergency Act of 2007 (D.C. Act 17-74, July 25, 2007, 54 DCR 7549).

Legislative History of Laws

Law 16-33, the "Fiscal Year 2006 Budget Support Act of 2005", was introduced in Council and assigned Bill No. 16-200 which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 10, 2005, and June 21, 2005, respectively. Signed by the Mayor on July 26, 2005, it was assigned Act No. 16-166 and transmitted to both Houses of Congress for its review. D.C. Law 16-33 became effective on October 20, 2005.

Law 16-191, the "Technical Amendments Act of 2006", was introduced in Council and assigned Bill No. 16-760, which was referred to the Committee of the whole. The Bill was adopted on first and second readings on June 20, 2006, and July 11, 2006, respectively. Signed by the Mayor on July 31, 2006, it was assigned Act No. 16-475 and transmitted to both Houses of Congress for its review. D.C. Law 16-191 became effective on March 2, 2007.

Law 17-20, the "Fiscal Year 2008 Budget Support Act of 2007", was introduced in Council and assigned Bill No. 17-148 which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 15, 2007, and June 5, 2007, respectively. Signed by the Mayor on June 28, 2007, it was assigned Act No. 17-63 and transmitted to both Houses of Congress for its review. D.C. Law 17-20 became effective on September 18, 2007.

Miscellaneous Notes

Short title: Section 2031 of D.C. Law 17-20 provided that subtitle D of title II of the act may be cited as the "Youth Employment Amendment Act of 2007".

§ 32-243. DEVELOPMENT OF PLANS FOR THE DELIVERY OF WORKFORCE DEVELOPMENT SERVICES.

- (a) The Mayor shall develop a plan for the delivery of workforce development services for the summer youth jobs program required by § 32-241(a)(1).
- (b) The Mayor shall develop a plan for the delivery of workforce development services for the out-of-school year-round employment program required by § 32-241(a)(3).
- (c) The plans required by this section shall include the following components:
 - (1) Stated objectives of the program;
 - (2) Quantitative and qualitative output and outcome measurements and the proposed evaluation mechanisms;
 - (3) A review of the previous year's programmatic implementation and an analysis of what strategies have worked and what strategies have not worked with regards to achieving the programmatic goals;
 - (4) A full budget narrative, including a delineation of funding for youth connected to traditional academic institutions and youth who are disconnected from any academic institution;
 - (5) A delineation of the specific roles that the nonprofit sectors and government sectors play as they relate to policies, procedures, and specific services to be offered to youth requesting workforce development services;
 - (6) A strategy to link workforce development programming with academic objectives;
 - (7) A strategy to link youth workforce development programming with local employers' current and projected workforce needs; and
 - (8) A strategy to identify all potential obstacles to employment success for participating youth and connect the youth to additional support services as needed.
- (d) In the development of the plans required by this section, the Mayor shall consult with youth workforce development stakeholders, experts, and providers.
- (e) Within 120 days of September 24, 2010, the Mayor shall submit the plans required by this section to the Council for its approval. Upon approval by the Council, the Mayor shall implement the plans.

(Jan. 5, 1980, D.C. Law 3-46, § 2b, as added Sept. 24, 2010, D.C. Law 18- 223, § 2232(b), 57 DCR 6242.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 2232(b) of Fiscal Year 2011 Budget Support Emergency Act of 2010

(D.C. Act 18-463, July 2, 2010, 57 DCR 6542).

Legislative History of Laws

For Law 18-223, see notes following § 32-241.

§ 32-244. EVALUATION OF THE SUMMER YOUTH EMPLOYMENT PROGRAM.

(a) By June 1, 2011, and every year thereafter, the Mayor shall hire an independent contractor to evaluate the summer youth employment program. The contractor shall conduct the evaluation according to nationally accepted standards. The evaluation criteria shall include a pre-program and post-program survey of participating youth and employers. The contractor shall interview local youth workforce development stakeholders, experts, and providers when preparing the evaluation.

(b) The evaluation shall include an assessment of the following:

- (1) Client satisfaction from participating youth and employers;
- (2) Job responsibilities of participating youth;
- (3) Support mechanisms for participating youth and employers;
- (4) Sense of progress as it relates to job readiness and specific work skills gained for participating youth;
- (5) An estimation of the percentage of youth participating in each of the various types of activities provided through the summer youth employment program (for example, work experience, academic, and youth enrichment); and
- (6) An assessment of the steps taken to address shortcomings identified in previous program evaluations and an analysis of the effectiveness of these corrective measures.

(c) By December 30, 2011, and every year thereafter, the contractor shall present the results of the evaluation to the Council and the Department of Employment Services. The department shall place the evaluation on its website.

(Jan. 5, 1980, D.C. Law 3-46, § 2c, as added Sept. 24, 2010, D.C. Law 18- 223, § 2232(b), 57 DCR 6242.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition, see § 2232(b) of Fiscal Year 2011 Budget Support Emergency Act of 2010 (D.C. Act 18-463, July 2, 2010, 57 DCR 6542).

Legislative History of Laws

For Law 18-223, see notes following § 32-241.