

Should Teen Working Hours Be Restricted?

"It's about time that restrictions are put on the hours that teenagers are allowed to work. A lot of kids put too much time and effort into making a buck and let their studies slide."

The Issue in Question

The comments above were made by Tracy Nalewalski, a resident of Rochester, New York. She was writing to her local newspaper in support of a proposal to change the state's labor law for minors between 14 and 17 years old. The proposal was stirring strong feelings on both sides of the issue.

The issue, in a nutshell, was this: Is it reasonable or unreasonable for a state to limit the hours that a teenager works before and after school? All states regulate working conditions and hours for minors to some degree. In an effort to ban distractions from a teen's schoolwork and family needs, how far can a state go? Where does regulation end and government interference begin? These have been the key questions in New York. They are also some of the latest questions to arise in the history of employment of minors, more commonly known as child labor.

Child Labor in History Child labor had come a long way when New York faced its child labor dilemma. Just how far shows the level of concern given to the practice of hiring minors today. Until the early 1900s, young children were used as a source of cheap labor in the mines, factories, and mills of America. Working conditions were often brutal. Children as young as ten worked in coal mines and tended cotton looms in prison-like factories. Safety measures were practically unheard of, and pay was just pennies an hour.

With time, state and federal legislators passed laws to protect minors from harsh and dangerous working conditions. These laws were part of an effort to extend the benefits of health, recreation, and free public education to the country's youngest citizens. Most abuses of child labor have been eliminated

through such laws. Public debate still rages, however, over what represents a reasonable balance of work and schoolroom hours.

Background on the Case

In May, 1989, New York state Governor Mario Cuomo introduced a proposal to revise his state's labor law for minors between the ages of 14 and 17. The proposal was designed to limit the time New York's high school students can be on the job—whether stacking cans in supermarkets, serving burgers, or smiling at customers across department store counters. The purpose of the legislation was to create more time and energy for school.

Minors Age 16 and 17 The new plan set up labor regulations for two age groups—minors age 16 and 17 and minors age 14 and 15. Under current New York state law, minors aged 16 and 17 may work six days a week, between 6 A.M. and midnight, for a total of 48 hours per week. This total applies for the 17-year-olds at all times. Currently, 16-year-olds in New York may work no more than 28 hours per week when school is in session.

Governor Cuomo's new proposal asks that 17-year-olds also be limited to a 28-hour work week during school time, and that neither 16- nor 17-year-olds be allowed to work past 10 P.M. The new regulations go even further: students in this age range would be held to a four-hour workday on days preceding school days. On other days, they could work no more than eight hours.

Minors Age 14 and 15 The proposed law puts tighter restrictions on minors age 14 and 15. Under current law, 14- and 15-year-old teens may work six days a week, between 7 A.M. and 7 P.M., for a total of 23 hours when school is in session, and a total of 40 hours when school is out. Proposed changes in the law would limit 14- and 15-year-olds to three hours of work on days prior to school days, and to eight hours on other days.

At the same time, to help open up job opportunities for this age group, it is

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proposed that they be allowed to work from 7 A.M. to 9 P.M. during summer vacation. (Current law requires them to quit work at 7 P.M.)

If approved by the state legislature, New York's proposal would rank as the most protective child labor law in the nation. Employers found in violation of the law would be fined \$1,000 for their first offense and \$2,000 for any repeated offenses. The law would apply to about 248,000 teens between the ages of 14 and 17 working in New York state.

Support for the Change Governor Cuomo's proposed bill quickly drew strong support. New York state Labor Commissioner Thomas Hartnett issued a report that echoed the concerns of those working for reform.

"We're not saying it's bad for young people to work," said Hartnett. "We're trying to reinforce that the primary obligation for a young person is to get a good education. We know the ones who work after school; they're the ones who sit in the back of the classroom and put their heads down on the desk."

Commissioner Hartnett's report said that research showed that teens with outside jobs do less homework and miss more school than their classmates who do not work. Among the drawbacks of working long hours, the report said, are a drop in grades, increased absenteeism, and lingering fatigue. The commissioner's report also said that students who apply themselves to their jobs have less time to spend with their families and to join in after-school activities.

The Labor Commissioner's report concluded that excessive work can jeopardize the social development, health, and safety of minors. The report pointed out that long-term success in the job market

calls for communications, technical, and thinking skills that are best mastered in school.

Contrary Views The proposal to strengthen child labor laws also drew sharp criticism. Some educators argued that the work environment has a positive effect on the young because it builds character and sharpens future employment skills. Some critics claimed that the proposal would force lower-income students to drop out of school so that they could work longer hours.

Other opponents of the proposal argued that it infringes on the rights of the parent and child to set appropriate work schedules. These critics added that teen working hours are not the business of the state, but of the teens themselves and their parents.

Changing economic conditions in the United States played a role in the debate. The number of potential teenage workers has dropped in recent years because of a declining birth rate. Many employers who rely on teenagers to run their businesses are already forced to offer higher wages to fill job openings. These employers fear that restricting teen working hours would make an already difficult situation worse. One New York state employer, Burger King's Laurence Kessler, described the new proposal as "simply disastrous."

Kessler, president of a company that operates 16 Burger King restaurants in upstate New York, said, "As it is, you don't have enough people to staff businesses in the service sector. If you're going to cut in half the number of hours they work, you essentially have to double the work force."

Restrictions on late hours also would hurt, according to Kessler. "Typically, fast-food restaurants here are open until 11 o'clock," he said. "We couldn't staff then, so we'd have to close (at 10 P.M.)."

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The Arguments For the Proposal

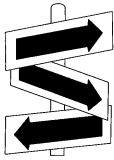
1. The state has the power to regulate working conditions and hours for minors.
2. Research shows that excessive work schedules have a harmful effect on academic growth.
3. To best prepare for the future, students should focus on school, not work.

The Arguments Against the Proposal

1. Work helps build character and employment skills students will need for their future careers.
2. Many teens need the opportunity to work and earn money. A law that limits their working hours could mean decreased income for their families.
3. The proposed law interferes in the affairs of students, parents, teachers, and employers.

The Decision-Making Checklist

✓	Clarify the problem. (What is the issue or conflict?)
✓	Create a list of possible solutions. (How might you resolve the problem?)
✓	Compare the pros and cons of each solution. (What are the strengths and weaknesses of each solution?)
✓	Consider your values and goals. (What is important to you in choosing a course of action, and why?)
✓	Choose a course of action and evaluate the results. (What would you decide, and how would you judge the outcome?)



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Objective Answer the following questions based on your understanding of the issues in this case.

A. Comprehension

1. How will the proposed law affect working hours for 14- and 15-year-olds?

2. If the proposal is approved, how many hours will 16- and 17-year-olds be allowed to work on days preceding a school day?

3. In what age category will working hours be increased by the proposed law?

B. Critical Thinking

Write your answers to the following questions on a separate sheet of paper.

- 1. Identifying Central Issues** Who should determine the appropriate work hours for teens—the teens themselves, their parents, their school, their employer, or the state? Write a paragraph defending your view.
- 2. Predicting Consequences** In what ways might work have a positive or negative effect on students? Write a paragraph explaining your answer.
- 3. Demonstrating Reasoned Judgment** If you were a New York state legislator voting on this proposal, what position would you take? Why would you take that position? Use the Arguments For, the Arguments Against, and the Decision-Making Checklist in *Should Teen Working Hours Be Restricted?* to help you make your decision and develop your answer.