

A BILL FOR AN ACT

To amend title 51 of the Code of the Federated States of Micronesia by enacting a new chapter 4 entitled "Employment of Children", and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1           Section 1. Title 51 of the Code of the Federated States of  
2 Micronesia is hereby amended by enacting a new chapter 4 entitled  
3 "Employment of Children".

4           Section 2. Title 51 of the Code of the Federated States of  
5 Micronesia is hereby amended by enacting a new section 401 of chapter 4  
6 to read as follows:

7                   "Section 401. Purpose. The purpose of this chapter is to  
8                   prevent the economic exploitation of children through labor."

9           Section 3. Title 51 of the Code of the Federated States of  
10 Micronesia is hereby amended by enacting a new section 402 of chapter 4  
11 to read as follows:

12                   "Section 402. Definitions. As used in this chapter:

13                   (1) 'Child' means any person under 18 years of age.

14                   (2) 'Employee' means a person who performs services or  
15                   labor for another in an employment relationship.

16                   (3) 'Employer' means one who engages the services of others  
17                   or hires Employees in exchange for payment of their salaries,  
18                   wages, or other forms or remuneration.

19                   (4) 'Employment' means being engaged in the service of

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1 another person or entity or the performance of services under  
2 any contract of hire, express or implied, oral or written,  
3 where the Employer has the power or right to control and  
4 direct the Employee in the material details of how the work  
5 is to be performed, in return for compensation in the form of  
6 salary, wages or other forms of remuneration."

7 Section 4. Title 51 of the Code of the Federated States of  
8 Micronesia is hereby amended by enacting a new section 403 of chapter 4  
9 to read as follows:

10 "Section 403. Requirement of Parental Consent. An Employer  
11 is prohibited from engaging a Child in Employment without the  
12 written consent of the Child's parents or legal guardians."

13 Section 5. Title 51 of the Code of the Federated States of  
14 Micronesia is hereby amended by enacting a new section 404 of chapter 4  
15 to read as follows:

16 "Section 404. Hours and conditions of Employment of  
17 Children.

18 (1) From Monday to Friday, an Employer shall not engage a  
19 Child under the age of 14 years in Employment for more than  
20 two hours per day, provided that the two hours of Employment  
21 per day shall not be earlier than 3:00 o'clock in the  
22 afternoon or later than 6:00 o'clock in the evening. On  
23 Saturday and Sunday, an Employer shall not engage a Child  
24 under the age of 14 years in Employment for more than four  
25 hours per day, provided that the four hours of Employment per

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1 day shall not be earlier than 8:00 o'clock in the morning or  
2 later than 6:00 o'clock in the evening.

3 (2) From Monday to Friday, an Employer shall not engage a  
4 Child between the age of 14 and 18 years in Employment for  
5 more than three hours per day. On Saturday and Sunday, an  
6 Employer shall not engage a Child between the age of 14 and  
7 18 years in Employment for more than eight hours per day.

8 (3) An Employer who engages any Child in Employment shall  
9 not require the Child Employee to perform such work that is  
10 likely to be hazardous or interfere with the Child's  
11 education, or harmful to the Child's health."

12 Section 6. Title 51 of the Code of the Federated States of  
13 Micronesia is hereby amended by enacting a new section 405 of chapter 4  
14 to read as follows:

15 "Section 405. Enforcement of chapter; authority to  
16 promulgate regulations. The Secretary of the Department of  
17 Health, Education and Social Affairs shall be responsible for  
18 the enforcement of this chapter and is authorized to  
19 promulgate regulations to effectuate this chapter. Such  
20 regulations shall have the force and effect of law."

21 Section 7. Title 51 of the Code of the Federated States of  
22 Micronesia is hereby amended by enacting a new section 406 of chapter 4  
23 to read as follows:

24 "Section 406. Penalties for violation of chapter. A person  
25 who violates any of the provisions of this chapter, or

1 regulations issued pursuant thereto, shall be deemed guilty  
2 of a misdemeanor and upon conviction thereof shall be fined  
3 not more than \$500, or imprisoned for not more than 1 year,  
4 or both."

5 Section 8. This act shall become law upon approval by the  
6 President of the Federated States of Micronesia or upon its becoming  
7 law without such approval.

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9 Date: \_\_\_\_\_ Introduced by: \_\_\_\_\_  
10 Joseph J. Urusemal  
11 (by request)  
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