

**PROPOSED REGULATION OF THE
LABOR COMMISSIONER**

LCB File No. R106-03

September 11, 2003

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 607.160 and 609.221; §2, NRS 609.221; §3, NRS 607.160.

Section 1. Chapter 609 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. 1. *Except as otherwise provided in this section and NRS 609.221, a person shall not employ a child under the age of 16 years in connection with the solicitation for sale or selling of any product, good or service at any time or place or in any manner that the Labor Commissioner determines, pursuant to subsection 2, to be dangerous to the health or welfare of such a child.*

2. The Labor Commissioner hereby determines that, except as otherwise provided in subsections 3 and 4, the employment of a child under the age of 16 years in connection with the solicitation for sale or selling of any product, good or service at any time or in any manner is dangerous to the health or welfare of such a child if the solicitation for sale or selling takes place:

- (a) At the residence or place of business of the customer;*
- (b) In a public place; or*
- (c) From a vehicle.*

3. A person may apply to the Labor Commissioner for authorization to employ a child under the age of 16 years in connection with the solicitation for sale or selling of any product, good or service at any time or place or in any manner that the Labor Commissioner has, pursuant to subsection 2, determined to be dangerous to the health or welfare of such a child. The Labor Commissioner may, by order, authorize such employment if the person demonstrates that under the facts and circumstances specific to him such employment is not dangerous to the health or welfare of such a child.

4. This section does not prohibit the employment of a child under the age of 16 years in connection with:

(a) The solicitation for sale or selling of a product, good or service on behalf of a bona fide nonprofit organization if the child is:

(1) A volunteer who receives no compensation; and

(2) Under the direct supervision of an adult.

(b) The distribution of literature or advertising material related to a political campaign or election.

(c) The delivery of newspapers to the residence or place of business of the customer.

5. As used in this section:

(a) "Nonprofit organization" includes, without limitation, a charitable, civic, educational, eleemosynary, fraternal, humanitarian, patriotic, political, religious or veterans' organization that is not operated for profit.

(b) "Public place" includes, without limitation, a street corner, parking lot, median of a roadway, or facility for public transportation, sporting events or the performing arts.

Sec. 3. If the Labor Commissioner determines, pursuant to NRS 609.200, that any particular trade, process of manufacture or occupation, or any particular method of carrying on such trade, process of manufacture or occupation is sufficiently dangerous to the lives or limbs, or injurious to the health or morals, of minors under 16 years of age employed therein to justify their exclusion therefrom, the Labor Commissioner will make his determination available for public review and inspection:

- 1. At each office of the Labor Commissioner during regular business hours; and*
- 2. On the Internet or its successor, if any.*