

As Reported by the House Commerce and Labor Committee

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Sub. H. B. No. 402

REPRESENTATIVES Collier, Schaffer, Lendrum, Hollister, Seitz, Calvert,
Webster, Setzer, Schmidt, Gilb, Hagan, White, Sullivan, Husted, Reidelbach,
Willamowski, D. Miller, Patton, Carmichael, Flowers, Schneider, Williams,
Fedor

A B I L L

To amend sections 3331.01, 3331.02, 3331.06, 3331.07, 1
3331.08, 3331.09, 3331.11, 3331.12, 3331.13, 2
3331.14, 4109.02, 4109.03, 4109.06, 4109.08, and 3
4109.09, and to repeal sections 3331.05 and 3331.15 4
of the Revised Code, to require the electronic 5
filing of age and schooling certificates and, for 6
nonpublic schools, require the chief administrative 7
officer of a nonpublic school to issue age and 8
schooling certificates instead of the 9
superintendent of the school district, and to make 10
other changes relative to age and schooling 11
certificates. 12

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3331.01, 3331.02, 3331.06, 3331.07, 13
3331.08, 3331.09, 3331.11, 3331.12, 3331.13, 3331.14, 4109.02, 14
4109.03, 4109.06, 4109.08, and 4109.09 of the Revised Code be 15
amended to read as follows: 16

Sec. 3331.01. (A) As used in this chapter, ~~the~~ 17

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~~"superintendent":~~

(1) "Superintendent" or "superintendent of schools" of a school district ~~or an educational service center~~ means the person employed as the superintendent or that person's designee.

(2) "Chief administrative officer" means the chief administrative officer of a nonpublic or community school or that person's designee.

~~An (B)(1) Except as provided in division (B)(2) of this section, an age and schooling certificate may be issued only by the superintendent of the city, local, joint vocational, or exempted village school district or educational service center in which the child in whose name such certificate is issued resides or by the chief administrative officer of the nonpublic or community school the child attends, and only upon satisfactory proof that the child to whom the certificate is issued is at least sixteen fourteen years of age and has satisfactorily completed a vocational education or special education program adequate to prepare students for an occupation.~~

(2) A child who resides in this state shall apply for an age and schooling certificate to the superintendent of the school district in which the child resides, or to the chief administrative officer of the school that the child attends. Residents of other states who work in Ohio ~~must qualify with~~ shall apply to the proper school authority in superintendent of the school district or educational service center service area in which the establishment place of employment is located, as a condition of employment or service.

(C) Any such age and schooling certificate may be issued only upon satisfactory proof that the employment contemplated by the child is not prohibited by any law regulating the employment of such children; ~~and the employer of any minor for whom such age and schooling certificate has been issued shall keep such age and~~

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~~schooling certificate on file. Section 4113.08 of the Revised Code~~
~~does not apply to such employer in respect to such child while~~
~~engaged in an employment legal for a child of the age stated~~
~~therein.~~

(D) Age and schooling certificate forms shall be formulated
approved by the state board of education, and except in cases
otherwise specified by sections 3331.04 and 3331.05 of the Revised
Code must be printed on white paper, including forms submitted
electronically. Forms shall not display the social security numbere
of the child. Except as otherwise provided in this section, every
such application for an age and schooling certificate must be
signed in the presence of the officer issuing it by the child in
whose name it is issued.

(E) A child who resides in a local school district shall
apply for an age and schooling certificate with the superintendent
of the local school district and shall furnish the superintendent
or chief administrative officer all information required by this
chapter in support of the issuance of a certificate. ~~The local~~
~~superintendent shall forward all such information to the~~
~~educational service center superintendent. If upon receiving,~~
~~examining, approving, and filing such information the educational~~
~~service center superintendent issues a certificate, such~~
~~superintendent shall deliver it to the local superintendent. No~~
~~certificate issued in this manner shall be valid until signed in~~
~~the presence of the local superintendent by the child in whose~~
~~name it is issued. During any time the offices of the local school~~
~~district close during regular business hours, a child who resides~~
~~in the local district may apply directly to the educational~~
~~service center superintendent who may issue an age and schooling~~
~~certificate directly to the child. The educational service center~~
~~superintendent shall inform the local superintendent of each~~
~~certificate issued in this manner.~~

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(F) On and after September 1, 2002, each superintendent and 82
chief administrative officer who issues an age and schooling 83
certificate shall file electronically the certificate with the 84
director of commerce in accordance with rules adopted by the 85
director of administrative services pursuant to section 1306.21 of 86
the Revised Code. On and after September 1, 2002, only 87
electronically filed certificates are valid to satisfy the 88
requirements of Chapter 4109. of the Revised Code. 89

Sec. 3331.02. (A) The superintendent of schools or the chief 90
administrative officer, as appropriate pursuant to section 3331.01 91
of the Revised Code, shall not issue an age and schooling 92
certificate until he the superintendent or chief administrative 93
officer has received, examined, approved, and filed the following 94
papers duly executed: 95

~~(A)(1)~~ The written pledge or promise of the person, 96
partnership, or corporation to legally employ the child, and for 97
this purpose work performed by a minor, directly and exclusively 98
for the benefit of such minor's parent, in the farm home or on the 99
farm of such parent is legal employment, irrespective of any 100
contract of employment, or the absence thereof, to permit ~~him~~ the 101
child to attend school as provided in section 3321.08 of the 102
Revised Code, and ~~to return to the superintendent the age and~~ 103
~~schooling certificate of the child or~~ give notice of the nonuse 104
~~thereof of an age and schooling certificate~~ within ~~two~~ five days 105
from the date of the child's withdrawal or dismissal from the 106
service of that person, partnership, or corporation, giving the 107
reasons for such withdrawal or dismissal; 108

~~(B) The~~ (2) The child's school record or annual academic 109
assessment report that reflects the most recently completed 110
academic year. As used in this division, a "school record of the 111
child," means documents properly filled out and signed by the 112

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person in charge of the school which the child last attended⁺,
giving the recorded age of the child, ~~his~~ the child's address,
standing in studies, rating in conduct, and attendance in days
during the school year of ~~his~~ the child's last attendance, ~~and if~~
~~that was not a full year, during the preceding school year;~~
"annual academic assessment report" means the report submitted to
the superintendent by the parent of a child excused from
attendance at school pursuant to division (A)(2) of section
3321.04 of the Revised Code, as the report is required by rules
adopted by the Department of Education.

~~(C)~~(3) Evidence of the age of the child as follows:

~~(1)~~(a) A certified copy of an original birth record or a
certification of birth, issued in accordance with Chapter 3705. of
the Revised Code, or by an officer charged with the duty of
recording births in another state or country, shall be conclusive
evidence of the age of the child;

~~(2)~~(b) In the absence of such birth record or certification
of birth, a passport, or duly attested transcript thereof, showing
the date and place of birth of the child, filed with a register of
passports at a port of entry of the United States; or an attested
transcript of the certificate of birth or baptism or other
religious record, showing the date and place of birth of the
child, shall be conclusive evidence of the age of the child;

~~(3)~~(c) In case none of the above proofs of age can be
produced, other documentary evidence, except the affidavit of the
parent, guardian, or custodian, satisfactory to the superintendent
or chief administrative officer may be accepted in lieu thereof;

~~(4)~~(d) In case no documentary proof of age can be procured,
the superintendent or chief administrative officer may receive and
file an application signed by the parent, guardian, or custodian
of the child that a physician's certificate be secured to
establish the sufficiency of the age of the child, which

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application shall state the alleged age of the child, the place
and date of birth, ~~his~~ the child's present residence, and such
further facts as may be of assistance in determining the age of
the child, and shall certify that the person signing the
application is unable to obtain any of the documentary proofs
specified in divisions ~~(C)~~ (1)(A)(3)(a), ~~(2)(b)~~, and ~~(3)(c)~~ of
this section; and if the superintendent or chief administrative
officer is satisfied that a reasonable effort to procure such
documentary proof has been without success such application shall
be granted and the certificate of the school physician or if there
be none, of a physician employed by the board of education, that
said physician is satisfied that the child is above the age
required for an age and schooling certificate as stated in section
3331.01 of the Revised Code, shall be accepted as sufficient
evidence of age;

~~(D)(4)~~ (4) A certificate, including an athletic certificate of
examination, from ~~the school~~ a physician licensed pursuant to
Chapter 4731. of the Revised Code or physician ~~designated by him~~
assistant licensed pursuant to Chapter 4730. of the Revised Code,
or ~~if there is no school physician~~ from the district health
~~commission, or physician designated by him~~ commissioner, showing
after a thorough examination that the child is physically fit to
be employed in such occupations as are not prohibited by law for a
boy or girl, as the case may be, under eighteen years of age; but
a certificate with "limited" written, printed, marked, or stamped
~~diagonally across its face thereon~~ may be furnished by such
physician or physician assistant and accepted by the
superintendent or chief administrative officer in issuing a
"limited" age and schooling certificate provided in section
3331.06 of the Revised Code, showing that the child is physically
fit to be employed in some particular occupation not prohibited by
law for a boy or girl of such child's age, as the case may be,
even if the child's complete physical ability to engage in such

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occupation cannot be vouched for.

(B)(1) Except as provided in division (B)(2) of this section,
a physical fitness certificate described in division (A)(4) of
this section is valid for purposes of that division while the
child remains employed in job duties of a similar nature as the
job duties for which the child last was issued an age and
schooling certificate. The superintendent or chief administrative
officer who issues an age and schooling certificate shall
determine whether job duties are similar for purposes of this
division.

(2) A "limited" physical fitness certificate described in
division (A)(4) of this section is valid for one year.

(C) The superintendent of schools or the chief administrative
officer shall require a child who resides out of this state to
file all the information required under division (A) of this
section. The superintendent of schools or the chief administrative
officer shall evaluate the information filed and determine whether
to issue the age and schooling certificate using the same
standards as those the superintendent or officer uses for in-state
children.

Sec. 3331.06. The age and schooling certificate provided in
sections 3331.01 to ~~3331.05, inclusive,~~ 3331.04 of the Revised
Code, shall be issued only with the word "limited" printed,
marked, or stamped ~~diagonally across its face~~ thereon if the
certificate of the physician provided in section 3331.02 or
3331.07 of the Revised Code, is a limited certificate, and in that
case the particular employment to which it is limited shall be
stated in the certificate, and the certificate cannot serve as the
legal age and schooling certificate for employment in another
occupation.

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Sec. 3331.07. When an age and schooling certificate, ~~returned~~ 208
~~according to section 3331.02 of the Revised Code,~~ is reissued, the 209
pledge of the new employer ~~and shall be secured and filed.~~ A 210
~~physical fitness~~ certificate from ~~the school~~ a physician or other 211
~~person in his stead~~ physician assistant as described in division 212
(A)(4) of section 3331.02 of the Revised Code shall also be 213
secured and filed if the physical fitness certificate used in the 214
issuing of the previously issued age and schooling certificate is 215
no longer valid, as determined pursuant to division (B) of section 216
3331.02 of the Revised Code. 217

Sec. 3331.08. In case a superintendent of schools refuses to 218
excuse a child from attendance at school for one of the reasons 219
stated in section 3321.04 of the Revised Code, or a superintendent 220
or a chief administrative officer refuses upon request to grant an 221
age and schooling certificate as provided in section 3331.01 of 222
the Revised Code, an appeal may be taken from such decision to the 223
juvenile judge of the county, upon the giving of bond, within ten 224
days thereafter, to the approval of such judge, to pay the costs 225
of appeal. ~~His~~ The juvenile judge's decision in the matter shall 226
be final. 227

Sec. 3331.09. The superintendent of schools or chief 228
administrative officer issuing an age and schooling certificate 229
may revoke such certificate on account of noncompliance with 230
stipulations, physical condition of the child, or other sufficient 231
cause. ~~The superintendent, or other issuing authority of the~~ 232
~~district in which the child is employed may revoke the age and~~ 233
~~schooling certificate of such child~~ for failure to attend 234
part-time schools or classes as required by sections 3321.08 and 235
3321.10 of the Revised Code. 236

Sec. 3331.11. Records shall be ~~kept on file in~~ available from 237

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the office issuing the age and schooling certificate:	238
(A) Giving all the facts contained in every age and school certificate issued;	239 240
(B) The names and addresses of the children to whom certificates have been refused, together with the names of the schools and grades which such children should attend and the reasons for the refusal;	241 242 243 244
(C) All certificates returned or no longer used, as provided in sections <u>section</u> 3331.02 and 3331.05 of the Revised Code, with the reasons therefor, and the subsequent assignment of the child to a school;	245 246 247 248
(D) The conditions on which any certificates were issued;	249
(E) The pledge given in connection with the certificate;	250
(F) The special facts connected with the issuing of <u>nonstandard or</u> limited certificates. The superintendent of public instruction may prescribe methods for the filing, <u>including electronic filing</u> , of all such facts, records, and papers, for the purpose of effective reference. These records are not required in cases of certificates denied to those determined immediately at the time of inquiry to be of insufficient age.	251 252 253 254 255 256 257
No age and schooling certificate shall be valid for employment in any other school district than that in which it is issued, unless it is countersigned by the certificate-issuing authority of the district in which the child is employed, which issuing authority shall give its countersignature upon presentation of such certificate.	258 259 260 261 262 263
Sec. 3331.12. When any officer charged with the enforcement of child labor laws discovers any child who in his <u>the officer's</u> judgment is under fourteen years of age employed by a person who is not the parent or guardian of such child, the officer may cause	264 265 266 267

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such child to discontinue employment until satisfactory proof of 268
lawful age is furnished. ~~Any child over fourteen years of age~~ 269
~~employed during hours when the public school to which he is~~ 270
~~assigned is not in session in occupations not prohibited to him by~~ 271
~~Chapter 4109. of the Revised Code, may upon application receive~~ 272
~~from the certificate issuing authority of the school district in~~ 273
~~which he lives a part-time and vacation certificate under the~~ 274
~~conditions provided for such certificates.~~ 275

Sec. 3331.13. Whenever the school record or annual academic 276
assessment report of a child as specified in section 3331.02 of 277
the Revised Code, is required for the purpose of determining ~~his~~ 278
the child's eligibility to an age and schooling certificate, such 279
record shall be furnished by the superintendent, principal, 280
teacher, or other official in charge of the ~~public, private, or~~ 281
~~parochial~~ school attended by the child within two days after a 282
request for the same is made by the parent, guardian, or custodian 283
of the child. 284

Sec. 3331.14. The parent or guardian of a child of compulsory 285
school age shall secure and keep on file the proper age and 286
schooling certificate of ~~his~~ the parent's or guardian's child or 287
ward if such child or ward is employed by ~~him and shall return~~ 288
~~such certificate as provided in section 3331.02 of the Revised~~ 289
~~Code, but a~~ the parent or guardian ~~need not secure and keep on~~ 290
~~file a special or vacation certificate of his child or ward if~~ 291
~~such child or ward is to be employed by him personally when school~~ 292
~~is not in session.~~ 293

Sec. 4109.02. (A) Except as provided in division (B) of this 294
section or in section 4109.06 of the Revised Code, no minor of 295
compulsory school age shall be employed by any employer unless the 296
minor presents to the employer a proper age and schooling 297

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~~certificate as a condition of employment. The employer shall keep
the certificate on file in the establishment where the minor is
employed or in the office of the business or in the residence in
or about which the minor is employed for inspection by any
enforcement official.~~

A valid certificate constitutes conclusive evidence of the
age of the minor and of the employer's right to employ the minor
in occupations not denied by law to minors of that age under
section 4109.06 of the Revised Code or rules adopted under that
section.

(B) The following minors aged sixteen or seventeen are not
required to provide an age and schooling certificate as a
condition of employment:

(1) Those who are to be employed during summer vacation
months after the last day of the school term in the spring and
before the first day of the school term in the fall, in
nonagricultural and nonhazardous employment as defined by the
"Fair Labor Standards Act of 1938," 52 Stat. 1060, 29 U.S.C.A.
201, and similar state statutes, or in other employment not
prohibited to minors age sixteen or seventeen by law;

(2) Unless required by the superintendent of schools of the
school district where the minor resides or by the chief
administrative officer of the nonpublic or community school the
child attends, those who are to be employed not more than two
months before the last day of the school term in the spring and
not more than two months after the first day of the school term in
the fall by a seasonal amusement or recreational establishment, on
the condition that the following are satisfied:

(a) For the period prior to Memorial day and after Labor day
while school is in session, they are to be employed only for hours
that occur between the end of the school day on Friday and eleven
p.m. on Sunday.

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(b) For the period from Memorial day until the last day of the school term in the spring and from the first day of the school term in the fall until Labor day, they are to be employed only for hours that occur between the end of the school day and nine p.m. on Monday through Thursday and only for hours that occur between the end of the school day on Friday and eleven p.m. on Sunday.

(C) To be hired for the type of employment described in division (B) of this section, minors shall provide the employer with the following:

(1) Evidence of proof of age in the same manner as proof of age is provided the superintendent of schools or chief administrative officer under division ~~(C)~~(A)(3) of section 3331.02 of the Revised Code;

(2) A statement signed by the minor's parent or guardian consenting to the proposed employment. For the purposes of this section, in the absence of a parent or guardian, a person over eighteen years of age with whom the minor resides may sign the statement.

(3) An age and schooling certificate if one is required under division (B)(2) of this section by the superintendent of schools of the school district where the minor resides or by the chief administrative officer of the nonpublic or community school the child attends.

~~The employer shall retain a copy of the proof of age and the statement of consent with the employment records of the minor.~~

(D) As used in this section:

(1) "Labor day" and "Memorial day" have the same meanings as provided for those days in section 1.14 of the Revised Code.

(2) "Seasonal amusement or recreational establishment" means both of the following:

(a) An amusement or recreational establishment that does not 360
operate for more than seven months in any calendar year; 361

(b) An amusement or recreational establishment whose average 362
receipts for any six months during the preceding calendar year 363
were not more than thirty-three and one-third per cent of its 364
average receipts for the other six months of that calendar year. 365

Sec. 4109.03. No employer shall employ a minor before 366
~~exacting from such minor~~ thoroughly reviewing the minor's age and 367
schooling certificate, required by law, or fail to ~~keep such~~ 368
~~certificate on file, or fail to return~~ give notice to the 369
superintendent of schools or ~~his authorized representative~~ chief 370
administrative officer who issued such certificate ~~or give notice~~ 371
of the nonuse ~~thereof~~ of the certificate within five working days 372
from such minor's withdrawal or dismissal from ~~his~~ the employer's 373
service, or continue to employ a minor after ~~his~~ the minor's age 374
and schooling certificate is void, or refuse to permit an 375
enforcement official ~~to examine such certificate,~~ to observe the 376
conditions under which minors are employed, or to make reasonable 377
inquiry of minors or persons supposed by such official to be under 378
eighteen in regard to matters pertaining to their age, employment, 379
or schooling. 380

Sec. 4109.06. (A) This chapter does not apply to: 381

(1) Minors who are students working on any properly guarded 382
machines in the manual training department of any school when the 383
work is performed under the personal supervision of an instructor; 384

(2) Students participating in a vocational program approved 385
by the Ohio department of education; 386

(3) A minor participating in a play, pageant, or concert 387
produced by an outdoor historical drama corporation, a 388
professional traveling theatrical production, a professional 389

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concert tour, or a personal appearance tour as a professional
motion picture star, or as an actor or performer in motion
pictures or in radio or television productions in accordance with
the rules adopted pursuant to division (A) of section 4109.05 of
the Revised Code;

(4) The participation without remuneration of a minor with
the consent of a parent or guardian, in a performance given by a
church, school, or academy, or at a concert or entertainment given
solely for charitable purposes, or by a charitable or religious
institution;

(5) To minors who are employed by their parents in
occupations other than occupations prohibited by rule adopted
under this chapter;

(6) Minors engaged in the delivery of newspapers to the
consumer;

(7) Minors who have received a high school diploma or a
certificate of attendance from an accredited secondary school or a
certificate of high school equivalence;

(8) Minors who are currently heads of households or are
parents contributing to the support of their children;

(9) Minors engaged in lawn mowing, snow shoveling, and other
related employment;

(10) Minors employed in agricultural employment in connection
with farms operated by their parents, grandparents, or guardians
where they are members of the guardians' household. Minors are not
exempt from this chapter if they reside in agricultural labor
camps as defined in section 3733.41 of the Revised Code.

(B) Sections 4109.02, 4109.08, 4109.09, and 4109.11 of the
Revised Code do not apply to:

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(1) Minors who work in a sheltered workshop operated by a county board of mental retardation;

(2) Minors performing services for a nonprofit organization where the minor receives no compensation, except for any expenses incurred by the minor or except for meals provided to the minor;

(3) Minors employed in agricultural employment and who do not reside in agricultural labor camps.

(C) Division (D) of section 4109.07 of the Revised Code does not apply to minors who have their employment hours established as follows:

(1) A minor adjudicated to be an unruly child or delinquent child who, as a result of the adjudication is placed on probation may either file a petition in the juvenile court in whose jurisdiction the minor resides, or apply to the superintendent of the school district or to the chief administrative officer who issued the minor's age and schooling certificate pursuant to section 3331.01 of the Revised Code alleging the restrictions on the hours of employment described in division (D) of section 4109.07 of the Revised Code will cause a substantial hardship or are not in the minor's best interests. Upon receipt of a petition or application, the court ~~or~~, the superintendent, or the chief administrative officer, as appropriate, shall consult with the person required to supervise the minor on probation. If after such consultation the court ~~or~~, the superintendent, or the chief administrative officer finds the minor has failed to show the restrictions will result in a substantial hardship or that the restrictions are not in the minor's best interests, the court ~~or~~, the superintendent, or the chief administrative officer shall uphold the restrictions. If after such consultation the court ~~or~~, the superintendent, or the chief administrative officer finds the minor has shown the restricted hours will cause a substantial hardship or are not in the minor's best interests, the court ~~or~~,

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the superintendent, or the chief administrative officer shall 452
establish differing hours of employment for the minor and notify 453
the minor and the minor's employer of such hours, which shall be 454
binding in lieu of the restrictions on the hours of employment 455
described in division (D) of section 4109.07 of the Revised Code. 456

(2) Any minor to whom division (C)(1) of this section does 457
not apply may either file a petition in the juvenile court in 458
whose jurisdiction the person resides, or apply to the 459
superintendent of the school district or to the chief 460
administrative officer who issued the minor's age and schooling 461
certificate pursuant to section 3331.01 of the Revised Code 462
alleging the restrictions on the hours of employment described in 463
division (D) of section 4109.07 of the Revised Code will cause a 464
substantial hardship or are not in the minor's best interests. 465

If, as a result of a petition or application, the court ~~or,~~ 466
the superintendent, or the chief administrative officer, as 467
appropriate, finds the minor has failed to show such restrictions 468
will result in a substantial hardship or that the restrictions are 469
not in the minor's best interests, the court ~~or,~~ the 470
superintendent, or the chief administrative officer shall uphold 471
the restrictions. If the court ~~or,~~ superintendent, or chief 472
administrative officer finds the minor has shown the restricted 473
hours will cause a substantial hardship or are not in the minor's 474
best interests, the court ~~or,~~ superintendent, or chief 475
administrative officer shall establish the hours of employment for 476
the minor and shall notify the minor and the minor's employer of 477
such hours. 478

(D) As used in this section, "certificate of high school 479
equivalence" means a statement issued by the state board of 480
education or an equivalent agency of another state that the holder 481
thereof has achieved the equivalent of a high school education as 482
measured by scores obtained on the tests of general educational 483

development published by the American council on education.

Sec. 4109.08. (A) No minor shall be employed unless the employer keeps on the premises a complete list of all minors employed by the employer at a particular establishment and a printed abstract to be furnished by the director of commerce summarizing the provisions of this chapter.

The list and abstract shall be posted in plain view in a conspicuous place which is frequented by the largest number of minor employees, and to which all minor employees have access.

(B) An enforcement official may require any employer, in or about whose establishment an employee apparently under eighteen years of age is employed and whose age and schooling certificate is not ~~filed on file with the director of commerce~~ as required by section ~~4109.02~~ 3331.01 of the Revised Code, to furnish the enforcement official satisfactory evidence that the employee is in fact eighteen years of age or older. The enforcement official shall require from the employer, ~~unless an over-age certificate issued in accordance with section 3331.15 of the Revised Code is held by the employee,~~ the same evidence of age of the employee as is required by section 3331.02 of the Revised Code upon the issuance of an age and schooling certificate. No employer shall fail to produce the evidence.

(C) Any employee apparently under eighteen years of age, working in any occupation or establishment with respect to which there are restrictions by rule or law governing the employment of minors, with respect to whom the employer has not furnished satisfactory evidence that the person is at or above the age required for performance of employment with the employer after being requested to do so, and who refuses to give to an enforcement official the employee's name, age, and place of residence may be taken into custody and charged with being an

unruly child or other appropriate charge under Chapter 2151. or
2152. of the Revised Code.

(D) No person shall, with the intent to assist a minor to
procure employment, make a false statement by any means, including
by submitting falsified forms electronically, to any employer or
to any person authorized to issue an age and schooling
certificate.

Sec. 4109.09. (A) After a minor employee has made a written
request that an employer ~~return his~~ give notice of the nonuse of
the minor's age and schooling certificate, should the employer
fail to mail the document to the issuing authority within three
days of receipt of the request, the minor shall be entitled to
recover from the employer an amount equal to the wages which ~~he~~
would have been earned had ~~he~~ the minor continued in employment
for the period between the receipt of the request by the employer
and the initiation of the suit or compliance with the request by
the employer.

(B) If any minor fails to appear for work without explanation
for three days, an employer shall consider the employment
terminated, and shall ~~return~~ give notice of the nonuse of the age
and schooling certificate to the issuing authority.

Section 2. That existing sections 3331.01, 3331.02, 3331.06,
3331.07, 3331.08, 3331.09, 3331.11, 3331.12, 3331.13, 3331.14,
4109.02, 4109.03, 4109.06, 4109.08, and 4109.09 and sections
3331.05 and 3331.15 of the Revised Code are hereby repealed.

Section 3. On and before August 31, 2001, an employer who
employs minors of compulsory school age shall do all of the
following:

(A) Before employing a minor, extract from the minor the

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minor's age and schooling certificate and keep the certificate of 544
each minor the employer employs on file in the establishment where 545
the minor is employed or in the office of the business or in the 546
residence in or about which the minor is employed for inspection 547
by any enforcement official; 548

(B) Return a minor's age and schooling certificate to the 549
superintendent of schools or the superintendent's authorized 550
representative, or give notice of the nonuse of the certificate 551
within five working days after the minor's withdrawal or dismissal 552
from the employer's service; 553

(C) Permit an enforcement official to examine the age and 554
schooling certificate of each minor employed by the employer. 555