



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

YOUTH EMPLOYMENT ACT

PLEASE NOTE

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This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the *Table of Public Acts* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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YOUTH EMPLOYMENT ACT

CHAPTER Y-2

1. Definitions

In this Act

- (a) “**construction**” has the same meaning as in clause 1(b) of the *Occupational Health and Safety Act* R.S.P.E.I. 1988, Cap. O-1;
- (b) “**Director**” means the Director of Occupational Health and Safety;
- (c) “**inspector**” means the inspector of labour standards appointed under section 62 of the *Labour Act* R.S.P.E.I. 1988, Cap. L-1;
- (c.1) “**Minister**” means the Minister of Justice and Public Safety and Attorney General;
- (d) “**school**” means a school as defined in the *Education Act* R.S.P.E.I. 1988, Cap. E-.02;
- (e) “**young person**” means a person under the age of sixteen years. *1990, c.66, s.1; 2006, c.43, s.1; 2009, c.73, s.2; 2010, c.31, s.3; 2012, c.17, s.2; 2015, c.28, s.3; 2016, c.6, s.135.*

2. Application of Act

This Act does not apply to employment

- (a) pursuant to any course of study at a trade school registered under the *Trade Schools Act* R.S.P.E.I. 1988, Cap. T-4;
- (b) in an enterprise in which only members of the employer’s family are employed;
- (c) of such descriptions as may be prescribed in the regulations. *1990, c.66, s.2.*

3. Administration

The Minister is responsible for the administration of this Act. *1990, c.66, s.3; 1993, c.29, s.4; 1997, c.20, s.3; 2000, c.5, s.3, 2006, c.43, s.2.*

4. General principle governing youth employment

No employer shall employ a young person in employment that is or is likely to be harmful to the health or safety, or moral or physical development of the young person. *1990, c.66, s.4.*

5. Construction

No employer shall employ any young person in construction. *1990, c.66, s.5.*

6. Hours of work

- (1) No employer shall employ a young person
 - (a) between the hours of 11:00 p.m. and 7:00 a.m.;

- (b) during normal school hours except pursuant to a recognized vocational training or apprenticeship program; or
- (c) for more than
 - (i) three hours on any school day,
 - (ii) eight hours on any day other than a school day,
 - (iii) forty hours in any week.

Exception

- (2) The inspector may, upon application, exempt the employment of any young person from subsection (1) if he is satisfied that the employment
 - (a) will not prejudice the attendance of the young person at school or the capacity of the young person to benefit from instruction at school; and
 - (b) has been consented to by the parent or guardian of the young person.

Idem

- (3) The inspector shall exempt the employment of any young person from subsection (1) if he has received a document in writing signed by the parent or guardian of the young person consenting to the employment. *1990, c.66, s.6.*

7. Inspection

- (1) The Director, the inspector and any occupational health and safety officer appointed under the *Occupational Health and Safety Act* may at any time enter any premises in which a young person is employed and conduct an inspection to ensure compliance with the requirements of this Act or the *Occupational Health and Safety Act*.

Order prohibiting employment in dangerous workplace

- (2) Where the Director or an occupational health and safety officer has determined that any toxic substance or machinery or equipment in use in any industrial undertaking or any plant engaged in the processing of fish, agricultural products or forest products, is potentially dangerous to young persons, he may, by order, prohibit the employment of young persons in that undertaking or plant either generally or in a location proximate to that substance, machinery or equipment. *1990, c.66, s.7.*

8. Obligations of employer

Where an employer employs a young person, he shall

- (a) act reasonably in assigning duties taking into account the age, knowledge, education and work experience of the young person;
- (b) identify any potential danger to health and safety known to him and give appropriate instruction to the young person;
- (c) personally supervise the work of the young person or ensure that at all times the work of the young person is supervised by an adult who has experience of the work;
- (d) provide adequate training and courses of instruction before authorizing the young person to perform unsupervised work. *1990, c.66, s.8.*



9. Offence

An employer who violates any provision of this Act or fails to comply with an order made under section 7 is guilty of an offence and liable on summary conviction to a fine of not less than \$200 or more than \$1,000. *1990,c.66,s.9.*

10. Regulations

The Lieutenant Governor in Council may make regulations.

11. Repeals

Repeals. *1990,c.66,s.11.*