

GENERAL ASSEMBLY OF NORTH CAROLINA  
1991 SESSION

CHAPTER 492  
HOUSE BILL 455

AN ACT TO CONFORM CERTAIN PROVISIONS OF THE WAGE AND HOUR  
ACT TO FEDERAL LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 95-25.4 reads as rewritten:

**"§ 95-25.4. Overtime.**

(a) Every employer shall pay each employee who works longer than 45-40 hours in any workweek at a rate of not less than time and one half of the regular rate of pay of the employee for those hours in excess of 45-40 per week. provided that employers of seasonal amusement or recreational establishment employees are required to pay those employees the overtime rate only for hours in excess of 45 per workweek.

(b) Hospital and nursing home employers may elect to pay overtime after eight hours per day or 80 hours in a 14-day work period, if the employee is notified in advance and is paid not less than one and one-half times the regular rate of pay of the employee for those hours in excess of eight per day or 80 in such 14-day work period."

Sec. 2. G.S. 95-25.5(c) reads as rewritten:

"(c) No youth 14 or 15 years of age may be employed by an employer in any occupation except those determined by the United States Department of Labor to be permitted occupations under the Fair Labor Standards Act; provided, such youths may be employed by employers:

- (1) No more than three hours on a day when school is in session for the youth, ~~except that the youth may work up to six hours on the last day of the school week;~~ youth;
- (2) No more than eight hours on a day when school is not in session for the youth;
- (3) Only between 7 A.M. and 7 P.M., except to 9 P.M. ~~when there is no school for the youth the next day; and during the summer (when school is not in session);~~
- (4) ~~No more hours per week than the following:~~

<del>Days school in session for the youth</del>	<del>Weekly hours</del>
5	18
4	26
3	34
2 or less	40

- (4) No more than 40 hours in any one week when school is not in session for the youth;
- (5) No more than 18 hours in any one week when school is in session for the youth; and
- (6) Only outside school hours.

Notwithstanding the above, enrollees in high school apprenticeships or in work experience and career exploration programs as defined under the Fair Labor Standards Act may work up to 23 hours in any one week when school is in session, any portion of which may be during school hours."

Sec. 3. This act becomes effective January 1, 1992.

In the General Assembly read three times and ratified this the 2nd day of July, 1991.

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James C. Gardner  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives