

May 2, 1949.

HON. HARRY C. HARPER, *Commissioner,*  
*Department of Labor and Industry,*  
State House,  
Trenton, N. J.

## FORMAL OPINION—1949. No. 39

*Re: Employment of Child Labor in Children's Summer Camps.*

MY DEAR COMMISSIONER:

Receipt is acknowledged of your letter of recent date in which you request an opinion concerning the application of the Child Labor Law (R. S. 34:2-21) to certain activities of minors vacationing at Y. M. C. A. and other summer camps for children. Specifically your inquiry deals with situations wherein minors pay for their vacations at these camps by performing designated services such as waiting on tables, dish washing, bugle blowing, etc.

The Child Labor Law was enacted by the Legislature of New Jersey in 1940 for the stated purpose of protecting the health and welfare of the children of the State and to prevent their exploitation at the hands of unscrupulous employers.

The Act was never designed to prevent underprivileged children from obtaining the benefits of a vacation at a summer camp under the sponsorship of a non-profit organization, which organization in order to function effectively must have certain minor services performed gratuitously by such children.

It must be understood that anything said in this Opinion is concerned only with instances where children attend non-profit summer camps such as those conducted by the Y. M. C. A., Y. W. C. A., Boy Scout, Girl Scout, and similar organizations and covers only those children who attend such camps for the purpose of recreational and vacational facilities. This Opinion does not cover any boys who attend such camps in the way of regular employment and who, except for the compensation paid, would not attend such camps.

The preamble of the Child Labor Law (L. 1940, c. 153, p. 331) clearly sets forth what we deem to be the entire scope of the legislative intent. It is clearly designed to prevent the employment of minors in occupations or pursuits wherein they are subject to exploitation or where such employment would interfere with their education or would prove a detriment to their health and for such reason would be contrary to public policy.

The Act also clearly indicates the exclusion from its coverage the employment of minors in occasional and nonrecurrent occupations during vacation periods. The Act was clearly framed around gainful employment and may not be properly applicable to cases where the object is not gainful occupation but rather to obtain the vacational or other recreational benefits which because of the financial status of the children would be unavailable to them.

For the above reasons, it is my opinion that the provisions of the Child Labor Law do not apply to the above situation.

Very truly yours,

THEODORE D. PARSONS,  
*Attorney General,*

By: GRACE J. FORD,  
*Assistant Deputy Attorney General.*