

● **WORKERS' COMPENSATION ACT (*MINORS ILLEGALLY EMPLOYED*)**

STATUTORY CITATION: 77 Pa. Stat. § 672

GENERAL SUMMARY: The Workers' Compensation Act entitles any worker who, at the time of a compensable on-the-job injury, was under 18 years of age and was employed or permitted to work in violation of the state child labor laws, to collect 150 percent of the amount of compensation that would otherwise be payable if the minor had been legally employed. The employer and not the insurance carrier is liable for the additional compensation, and any provision in a workers' compensation policy undertaking to relieve an employer from such liability is void.

PROVISIONS APPLICABLE TO AGRICULTURE: A farm operator or other agricultural establishment which (1) pays at least \$1,200 to any one worker during the calendar year for agricultural labor, or (2) employs any one worker for at least 30 days of farm labor during the year, must protect all its employees with workers' compensation coverage and hence is liable for additional compensation for the injury or death of any minor unlawfully employed.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Bureau of Workers' Compensation, Pennsylvania Department of Labor and Industry, Harrisburg, Pennsylvania 17104 (717-886-9035; toll-free 800-482-2383).* In its administering and enforcement roles under the Act, the Department must respond to the petition of any worker (including a minor employed contrary to the child labor laws) who requests a hearing and determination regarding workers' compensation which has not been paid in accordance with the law.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*