

CHILD LABOR LAWS

The State of Tennessee and the U. S. Department of Labor

This chart summarizes the child labor laws of the State of Tennessee and the United States Department of Labor's Fair Labor Standards Act (FLSA).

An asterisk* denotes the stricter provisions.

	MINORS 14 AND 15—Under 14 years old MAY NOT WORK	MINORS 16 AND 17
SCHOOL ATTENDANCE	<p>* Tennessee: COMPULSORY Must attend full-time unless a high school graduate or holds an exemption from school attendance. May not work during school hours.</p> <p>FLSA: <i>May not work during school hours.</i></p>	<p>* Tennessee: May NOT work during school hours unless a high school graduate, holds a GED, or enrolled in a school work experience program.</p>
PROOF OF AGE	<p>* Tennessee: Prior to hiring, employer must obtain and keep a copy of minor's birth certificate or evidence of the minor's age by statute.</p> <p>FLSA: <i>Prior to hiring, employer must obtain and keep a copy of proof of age.</i></p>	
HOURS MINORS PERMITTED TO WORK	<p>* Tennessee: May work 3 hours a day on school days. May work 18 hours a week when school is in session. May work 8 hours on a non-school day.</p> <p>FLSA: <i>When school is in session, daily maximum is 3 hours on school days, 8 hours non-school days; weekly maximum is 18 hours. When enrolled in Work Experience and Career Exploration Program (WECEP), 3 hours a day: weekly maximum is 23 hours.</i></p> <p>Tennessee and FLSA: The weeks when school is not in session, daily maximum is 8 hours and weekly maximum is 40 hours.</p>	<p>* Tennessee: No limitations.</p> <p>FLSA: <i>No limitations.</i></p>
SPREAD OF HOURS	<p>Tennessee: May work no later than 7 p.m. when school is scheduled the following day. During summer vacation may work until 9 p.m.</p> <p>* FLSA: <i>Work must be performed between 7 a.m. and 7 p.m. From June 1 to Labor Day may work until 9 p.m.</i></p>	<p>* Tennessee: When school is in session, may work between 10 p.m. and 12 midnight no more than three nights a week (Sunday through Thursday) provided the parent or guardian submits to the employer a signed and notarized statement of consent. Must be renewed each school year.</p> <p>FLSA: <i>No limitations.</i></p>
BREAKS	<p>* Tennessee: A minor shall have a 30-minute unpaid break or meal period if scheduled to work 6 hours consecutively. Such break shall not be scheduled during or before the first hour of scheduled work activity.</p> <p>FLSA: <i>No limitations.</i></p>	
AGRICULTURE	<p>Tennessee: Minors participating in farm work are exempt under T.C.A., §50-5-107(3).</p> <p>* FLSA: <i>No employment permitted during school hours unless employed by parent.</i> <i>May work after school in occupations not declared hazardous in Agriculture. See Child Labor Bulletin 102. (12 and 13 year olds may be employed on a farm where minor's parent is also employed or with written parental consent. Not during school hours.)</i></p>	<p>* Tennessee: Minors participating in farm work are exempt under T.C.A., §50-5-107(3).</p> <p>FLSA: <i>No limitations.</i></p>

RESTRICTED OCCUPATIONS

(* denotes exceptions; contact authorities for more information)

Tennessee and FLSA: No minor 14 and 15 may work in these **occupations** or use this **equipment**: Power-driven machinery, oiling or cleaning machines, work in freezers or meat coolers, using meat or vegetable slicers, power-driven laundry or dry cleaning machinery, *door-to-door sales of products as employment, spray painting, operating a motor vehicle, any manufacturing, any mining, most processing occupations, public messenger service, operating or tending of hoisting apparatus, any **occupations deemed hazardous**, occupations in connection with transportation, warehousing and storage, communications, public utilities and construction, work in boiler or engine rooms, work in maintenance or repair of machines or equipment, outside window washing using ladders or scaffolds, cooking and baking, and loading and unloading goods to and from trucks, railroad cars, or conveyors.

* **Tennessee:** Minors under 16 employed in Youth Peddling may not be transported more than 5 miles from the minor's residence. No minor under 18 may be employed in a place of employment where more than 25% of the total monthly gross receipts is from the sale of **intoxicating beverages**. No minor may be employed in **occupations** involving **posing or modeling alone or with others** while engaged in sexual conduct for the purpose of preparing a film, photograph, negative, slide or motion picture.

Tennessee and FLSA: No minor under 18 may work in these **occupations** declared to be **hazardous**: In or around explosives, motor vehicle driving occupations, mining occupations, logging or sawmilling, *operation of power-driven woodworking machines, in or around radioactive substances and ionizing radiations, operation of elevator or other power-driven hoisting apparatus, *operation of power-driven metal forming, punching and shearing machines, mining occupations, *slaughter, meat packing processing or rendering, operation of power-driven bakery machines, *operation of power-driven paper products machine, manufacture of brick, tile and kindred products, *operation of circular saws, band saws and guillotine shears, wrecking, demolition and ship-breaking operations, *roofing operations, and *excavation operations. In addition, Tennessee also restricts any **occupation** the Commissioner deems **hazardous**.

EXCEPTIONS

(contact authorities for more information)

* **Tennessee:** Minors who work for their **parents** in occupations not declared hazardous are **exempt** from restrictions on **hours**. Minors employed as actors or performers in legitimate entertainment productions. Minors 16 or 17 years old being **home schooled or enrolled in a church-related home school**.

FLSA: *Minors employed by their parents in occupations not declared hazardous when the parents are the sole owner of the business. Minors employed as actors or performers in legitimated entertainment productions. Minors enrolled in cooperative education programs. Delivery of newspapers.*

PENALTIES

* **Tennessee:** Employers of minors in **violation** of the Child Labor Act may be fined **up to \$1,000** per violation and/or guilty of a Class A Misdemeanor. **Youth Peddling:** Maximum fines **up to \$10,000** per minor/per violation.

* **FLSA:** *Maximum fines up to \$10,000 per minor/per violation.*

POST REQUIREMENTS

Tennessee: All employers of minors **must post** in a conspicuous place on the property or place of employment, where it may be easily read, this poster notifying minors of the Child Labor Act.

* **FLSA:** *Posters are required which state the Child Labor, Minimum Wage and Overtime requirements.*

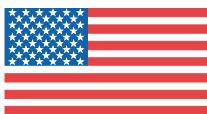
For information on state laws contact:

Tennessee Department of Labor & Workforce Development
Labor Standards Division
220 French Landing Drive
Nashville, TN 37243-0657; Telephone: (615) 741-2858



For information on federal laws contact:

U.S. Department of Labor, Wage & Hour Division
listed in the telephone directory under U.S. Government
website: <http://www.dol.gov/elaws/flsa.htm>



Tennessee Department of Labor and Workforce Development
and
United States Department of Labor
“Working in Partnership for Tennessee’s Workers”



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