

## 5.01.00.05 Employment of Minors



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#### Policy/Guideline Area

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Personnel Policies

#### Applicable Divisions

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TCATs, Community Colleges, System Office

#### Purpose

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The purpose of this policy is to establish the criteria and process for employment of minors at the System Office and institutions governed by the Tennessee Board of Regents.

#### Policy/Guideline

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##### I. Employment of Minors

- A. The Tennessee Board of Regents has adopted the following policy concerning age restrictions and conditions of employment.
- B. No person under the age of sixteen (16) may be employed by any institution or the System Office of the Tennessee Board of Regents.
- C. Minors who are sixteen (16) or seventeen (17) may be employed under the following conditions:
  1. This employment must not interfere with the minor's health or well-being.
  2. If the minor is enrolled in school, this employment may not be during those hours when the minor is required to attend class.
  3. A minor must have a 30-minute unpaid break or meal period if scheduled to work 6 hours consecutively. However, this break or meal period may not occur during or before the first hour of scheduled work activity.

D. Minors must not be employed in connection with the following:

1. Occupations in or about establishments storing explosives or articles containing explosive components or potentially hazardous chemicals;
2. Motor vehicle driving occupations;
3. Occupations involved in the operation of power-driven woodworking machines;
4. Occupations involving exposure to radioactive substances and to ionizing radiation;
5. Occupations involved in the operation of elevator and other power-driven hoisting apparatus;
6. Occupations involved in the operation of power-driven metal forming, punching, and shearing machines;
7. Occupations involved in the operation of hazardous power-driven bakery machines;
8. Occupations involved in the operation of circular saws and band saws;
9. Occupations involved in the operation of packing, processing, or rendering;
10. Occupations involved in the operations of hazardous power-driven paper products machines;
11. Occupations involved in wrecking, demolition, and ship breaking operations;
12. Occupations involved in roofing operations;
13. Occupations in excavation operations.

II. Exceptions

- A. The provisions of this policy shall not apply to any minor who:

1. Is sixteen (16) or seventeen (17) years of age and not enrolled in school, or is lawfully excused from compulsory school attendance under T.C.A. § 49-6-3005.
  - a. Copies of documents to support this exception must be in the minor's personnel record maintained by the Office of Human Resources.
- B. This is the exemption covering the JTPA program:
  1. A minor may be employed if they are an enrollee in a public employment program which is conducted or funded by the federal government, provided that the employer (JTPA director) has on file in the personnel records an unrevoked written statement from a representative of the federal agency administering that program certifying the enrollment of said minor in the program.
- C. Before any minor shall be employed, the institution or System Office shall obtain from the minor a verification of age by requiring the minor to provide the institution or System Office with a copy of the minor's birth certificate, or other available evidence such as a baptismal certificate or passport. A valid verification of age shall be conclusive evidence of the age of the minor to whom it is issued. (See Exhibit 1)
- D. Under certain official institution or System Office programs designed to attract students at an early age to the health sciences or other fields, individuals under the age of 16 may be employed in those educational programs on a term or summer basis with written approval by the President or designee.
- E. All prohibited activities specified in the Fair Labor Standards Act (FLSA) and those requirements of the State of Tennessee Child Labor Law must be observed.

## **Exhibits**

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For Exhibits, click the Attachments button at the top right of the page.

## **Sources**

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### **Authority**

T.C.A. §§ 49-8-203, 49-6-3005

### **History**

TBR Meeting, September 17, 1993; December 9, 1994