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).

**PERMITTED TO**

**CONTACT AUTHORITIES FOR**

**RESTRICTED OCCUPATIONS**

(* denotes exceptions; contact authorities for more information)

**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.

### SCHOOL ATTENDANCE

- **Tennessee:** COMPULSORY. Must attend full-time unless a high school graduate or holds an exemption from school attendance. May not work during school hours.
- **FLSA:** May not work during school hours.

### PROOF OF AGE

- **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.
- **FLSA:** Prior to hiring, employer must obtain and keep a copy of proof of age.

### HOURS MINORS PERMITTED TO WORK

- **Tennessee:** May work 3 hours a day on school days. May work 18 hours a week when in school. May work 8 hours on a non-school day.
- **FLSA:** 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 (WEECP), 3 hours a day. weekly maximum is 23 hours. Tennessee and FLSA: The weeks when school is not in session, daily maximum is 8 hours and weekly maximum is 40 hours.

### SPREAD OF HOURS

- **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.
- **FLSA:** Work must be performed between 7 a.m. and 7 p.m. From June 1 to Labor Day may work until 9 p.m.

### BREAKS

- **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.
- **FLSA:** No limitations.

### AGRICULTURE

- **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 *occupation 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 conveyers.
- **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 and 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 legitimate entertainment productions. Minors enrolled in cooperative education programs. Deliveries 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.

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**For information on state laws contact:**
Tennessee Department of Labor & Workforce Development
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710 James Robertson Parkway, Second Floor
Nashville, TN 37243-0657
Telephone: (615) 741-2858

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Tennessee Department of Labor and Workforce Development

and

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“Working in Partnership for Tennessee’s Workers”

Authorization No. 337206 40,000 copies 800
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# CHILD LABOR LAWS

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