

Work-Based Learning (WBL) Child Labor Law Overview

Purpose: The purpose of the WBL Child Labor Overview is to provide WBL coordinators, school and district administrators, students, parents, and employers with the most pertinent [Child Labor Act](#) information associated with minors enrolled in WBL courses.

Disclaimer: This reference guide is intended as general information only and does not carry the force of legal opinion. For the most up-to-date information or to address specific questions related to allowable placements and requirements, please contact the Department of Labor and Workforce Development (TDLWD): (844) 224-5818, option 3 or review [Tennessee's Child Labor Act](#).

Overview of Child Labor Laws Related to WBL

Minors age 16-17, as a part of their WBL placement, may:

- Work until 10:00pm without a parental consent form, but no later
- Work until midnight 3 nights per week on a school night if a notarized [parental consent form](#) is retained in work file for one year after expiration and updated yearly
- Work any number of hours per week as long as school attendance and grades are not affected
- Work any number of hours per week when school is not in session
- Work during school hours if a written [Training Agreement](#) verifies enrollment and authorizes the student to be engaged in employment for educational purposes, renewed yearly (the department's training agreement can be found in the [WBL Personalized Learning Plan](#))

Employers are responsible for maintaining records of all of the following when employing a minor:

- An employment application:
- Time records including breaks
- [Parental Consent Form](#) (if applicable)
- A copy of one of the following items for proof of age in each minor's employee file:
 - Birth Certificate
 - Driver's License
 - State issued ID card
 - Valid Passport
 - Statement of Oath from the Court

MEAL OR BREAK PERIOD (T.C.A. §50-5-115) A minor must 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.

Discrimination (T.C.A. §50-2-202) No employer shall discriminate between employees in the same establishment on the basis of sex by paying any employee salary or wage rates less than he pays to any employee of opposite sex for comparable skill, effort, and responsibility, and which are performed under similar working conditions.

Occupations Prohibited for Minors (T.C.A. §50-5-106)

The Tennessee Department of Labor & Workforce Development has identified [twenty-one occupations that are prohibited for minors](#); most of which are related to the operation of power-driven machinery and/or hazardous work environments. However, students enrolled in WBL courses who have demonstrated the requisite knowledge, skills, and abilities associated with some of these prohibited occupations through completion of their CTE coursework may perform the following duties at their WBL placement once the [Hazardous Occupation Exemption Form](#) has been properly completed, acknowledged, and signed by the required individuals (please refer to the [Hazardous Occupation Exemption Form](#) for more specific details):

Exemptions for WBL Student Placements

- Work using power-driven woodworking machines, including the use of saws on construction sites.
- Work using power-driven metal forming, punching, and shearing machines (HO8 permits the use of large group of machine tools used on metal, including lathes, turning machines, milling machines, grinding, boring machines, and planing machines).
- Work involving slaughtering or meatpacking, processing, or rendering including the operation of power-driven meat slicers in retail stores.
- Work using power-driven paper-products machines, including the operation and loading of paper balers in grocery stores.
- Work involving the use of circular saws, band saws, and guillotine shears.
- All work in roofing operations.
- All work in excavating operations, including work in a trench as a plumber.

Index of Resources Related to Tennessee Child Labor Laws

1. [Tennessee's Child Labor Act](#) outlines the State's child labor laws.
2. [Child Labor Parental Statement of Consent](#) is a form that, when properly completed and signed, allows minors 16 or 17 years of age to work between the hours of 10:00 p.m. and 12:00 a.m.
3. [WBL Training Agreement](#) verifies enrollment in a WBL course and authorizes the student to be engaged in employment during school hours for educational purposes.
4. [Tennessee Wage Regulations Act Poster](#) details information related to the Wage Regulations Act, Child Labor Act, occupations prohibited for minors, and responsibilities of employers of minors.
5. [Hazardous Occupation Exemption Form](#), when properly completed, acknowledged, and signed by the required individuals, allows students in WBL placements to perform some occupations that would otherwise be prohibited for minors.