



Work-Based Learning: Manufacturing and Construction Placements

Hazardous Occupation Exemption

Child Labor Laws in Tennessee identify Hazardous Occupations that are prohibited to minors, which are outlined in Tennessee Code Annotated (T.C.A. § 50-5-106). Historically, these occupations were most often found in manufacturing and construction environments and they limit what students can do in work-based learning (WBL). Today, exemptions exist that allow apprentices and WBL students who are over 16 and who are enrolled in a related CTE program of study to participate in placements in Hazardous Occupation areas that relate to their studies (T.C.A. § 50-5-107).

Many employers may be under the impression they are not allowed to accept student learners because of this law. To participate in these placements, the *Hazardous Occupation Exemption Form* must be completed and kept on file with the other required paperwork to allow a student to participate. You may find required documentation online at http://tn.gov/education/cte/work_based_learning.shtml.

Student Readiness

Child labor law stipulates that students must be enrolled in a CTE training program to be able to qualify for the exemption for WBL placement. A student must have completed two or more courses in the related CTE program of study and be at least 16 years of age to participate as consistent with the requirements of Tennessee Child Labor Laws (T.C.A. § 50-5-105). The state's WBL policies and paperwork help ensure all requirements are met. Placements are allowable for students in related CTE Programs of Study that include supervised participation in:

- 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 planning 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
- Work in roofing operations
- Work in excavating operations, including work in a trench as a plumber

CTE coursework includes intensive safety training, and successful passage of all safety tests must be documented on required WBL paperwork. This training ensures that students are ready for safe placement in select occupation areas deemed hazardous by law. Further, students log significant lab hours in CTE courses and gain experience working with equipment similar to that found in most placement sites.

Manufacturing Example

A senior who has completed courses in *Principles of Manufacturing*, *Principles of Machining I*, and *Principles of Machining II* may wish to earn an additional credit in a WBL setting as part of the *Manufacturing Practicum* course. As a concentrator in the *Machining Technology* program of study, this student may seek placement with an employer that would allow him or her to practice on equipment such as a CNC machine—for example, in a medical device manufacturing plant. The student may also participate in this type of placement through the *WBL: Career Practicum* course if the student has completed at least the first two courses in the *Machining Technology* program of study.

The WBL Coordinator should engage in the following activities:

- Reach out to the local employer to arrange a tour of the facility.



- ❑ Conduct a “workplace learning audit” with the employer, as described in the <WBL Implementation Guide>. The audit should ensure that safe working conditions, as well as ample connections back to curriculum, will be honored at all times throughout the placement.
- ❑ Complete the required *Hazardous Occupation Exemption Form* and keep it on file, pursuant to T.C.A. § 50-5-107 outlined above.
- ❑ In consultation with the employer and the properly endorsed teacher (i.e., the *Machining Technology* teacher), assist the student in developing the *Personalized Learning Plan*, and ensure all parties have signed agreements and are aware of the requirements. See the chapter on *TDOE General Policies* in the <WBL Policy Guide> for more information.
- ❑ Continue to monitor placement activities by conducting regular check-ins with the student and the employer, including ongoing site visits. The endorsed teacher
- ❑ Comply with all regulations outlined

Endorsed Teachers

For placements that fall within CTE Career Clusters and Programs of Study that pose additional safety concerns or have highly specialized requirements (Health Science; Construction; Advanced Manufacturing; Transportation; and Law and Public Safety, Corrections & Security), a CTE teacher with the related endorsement must participate in key processes outlined in the WBL Policy Guide including, but not limited to:

- ❑ identification of safe work sites and the development and delivery of appropriate safety trainings
- ❑ approval of appropriate student goals as they relate to technical and academic application of skills within their area of expertise and review of portfolio products as appropriate
- ❑ signoff on required documentation, including the Hazardous Occupation Exemption Form
- ❑ conducting at least one site visit per term

Liability

When WBL capstone students are in paid positions, the student is like any other employee. For unpaid internships, the student must clearly be working for educational purposes and meeting course standards to earn credit. Federal guidelines for internships may be found online at <http://www.dol.gov/whd/regs/compliance/whdfs71.htm>.

Required Documentation

All WBL students must have the following required WBL paperwork on file at the workplace for the duration of their work. This paperwork must be kept up-to-date to ensure compliance with Child Labor Laws. In the case of an accident, this documentation helps protect the student, the business, and the school by providing evidence that appropriate precautions were made to keep the student safe:

- ❑ Proof of age
- ❑ *Personalized Learning Plan Packet*, which includes:
 - *Safety Training Log* documenting safety trainings completed in the classroom AND at the worksite
 - *Training Agreement* indicating that the minor is working for educational purposes
 - *Insurance and Emergency Information* form
- ❑ *Hazardous Occupation Exemption Form* (when applicable) indicates student meets criteria for participation

In the Event of a Workplace Accident

In the event of an emergency, contact 911 immediately. Employers are required to follow Department of Labor and Workforce Development accident reporting policies as outlined at <http://www.tn.gov/labor-wfd/tosha/Accident.shtml>. The WBL Coordinator should ensure that the student’s parent/guardian is notified immediately.