



# TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

## WAGE REGULATIONS ACT

It is unlawful for any employer to employ, permit or suffer to work any person without first informing the employee of the amount of wages to be paid (T.C.A. §50-2-101). All wages or compensation of employees in private employment shall be due and payable not less frequently than once per month. Notice of regular paydays shall be posted by each employer in at least two conspicuous places.

### REGULAR PAYDAY IS POSTED AS FOLLOWS: \_\_\_\_\_ (T.C.A. §50-2-103).

Each employee must have a 30-minute unpaid rest break or meal period if scheduled to work 6 hours consecutively, except adult employees in workplace environments that by the nature of business provide for ample opportunity to rest or take an appropriate break. Such break shall not be scheduled during or before the first hour of scheduled work activity (T.C.A. §50-2-103).

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 the employer pays to any employee of opposite sex for comparable skill, effort, and responsibility, and which are performed under similar working conditions (T.C.A. §50-2-202).

### CHILD LABOR ACT

#### Minors 14 and 15 years of age may not be employed (T.C.A. §50-5-104):

1. During school hours;
2. Between 7:00 pm and 7:00 am if the next day is a school day;
3. Between 9:00 pm and 6:00 am if the next day is not a school day;
4. More than 3 hours a day on school days;
5. More than 18 hours a week during school weeks;
6. More than 8 hours a day on non-school days;
7. More than 40 hours a week during non-school weeks.
- “School hours” means that period of time during a school day when school is in session and students are required to attend class.

#### Minors 16 and 17 years of age may not be employed (T.C.A. §50-5-105):

1. During those hours when the minor is required to attend classes;
2. Between the hours of 10:00 pm and 6:00 am, Sunday through Thursday evenings preceding a school day, except with valid parental consent form kept in the minor’s personnel file. Then, the minor may work until midnight no more than 3 of the Sunday through Thursday nights.
- “School days” means any day when normal classes are in session during regular school year in the school district.

### **BREAK OR MEAL 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.

### **OCCUPATIONS PROHIBITED FOR MINORS UNDER THE AGE OF 18 (T.C.A. §50-5-106)**

- (a) A minor may not be employed in connection with the following:

1. Occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components;

2. Motor vehicle driving occupations;

3. Coal mine occupations;

4. Logging occupations and occupations in the operation of any sawmill, lath mill, shingle mill or cooperage-stock mill;

5. Occupations involved in the operation of power-driven woodworking machines;

6. Occupations involving exposure to radioactive substances and to ionizing radiations;

7. Occupations involved in the operation of elevator and other power-driven hoisting apparatus;

8. Occupations involved in the operation of power-driven metal-forming, punching and shearing machines;

9. Occupations in connection with mining elements other than coal;

10. Occupations involving slaughtering, meat-packing, processing or rendering;

11. Occupations involved in the operation of hazardous power-driven bakery machines;

12. Occupations involved in the operation of hazardous power-driven paper products machines;

13. Occupations involved in the manufacture of brick, tile and kindred products;

14. Occupations involved in the operation of circular saws, band saws and guillotine shears;
15. Occupations involved in wrecking, demolition and ship-breaking operations;

16. Occupations involved in roofing operations;

17. Occupations in excavation operations;

18. Occupations that the commissioner shall by regulation, pursuant to this part, declare to be hazardous or injurious to the life, health, safety and welfare of minors;

19. 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;

20. Occupations involved in youth peddling.
- (b)

1. If a minor is fifteen (15) years of age or younger, the minor must not be employed in a place of employment where the average monthly gross receipts from the sale of intoxicating beverages exceed twenty-five percent (25%) of the total gross receipts of the place of employment or where a minor will be permitted to take orders for or serve intoxicating beverages, regardless of the amount of intoxicating beverages sold in the place of employment.

2. If a minor is sixteen (16) or seventeen (17) years of age, the minor may be employed in a place of employment where the average monthly gross receipts from the sale of intoxicating beverages exceed twenty-five percent (25%) of the total gross receipts of the place of employment if the minor is not permitted to take orders for or serve intoxicating beverages.

### **DUTIES OF EMPLOYERS (T.C.A. §50-5-111)**

Employers of minors shall:

1. Maintain a separate file record for each minor employed which shall be kept at the minor’s place of employment and shall include the following:
  - a. Employment application;
  - b. Copy of minor’s birth certificate, driver’s license, state issued ID, or passport;
  - c. Accurate daily time record for all minors;
  - d. Any records qualifying a minor for exemption under T.C.A. §50-5-107 (8)-(13).
2. Allow the department to inspect all premises where minors are or could be employed and the contents of the individual file records;
3. Post in a conspicuous place on the business premises a printed notice of the provisions of the Child Labor Act furnished by the department; and
4. Furnish the department with records relative to the employment of minors;
  - If a minor is 16 or 17 years of age and is home schooled, the file must include documentation from the Director of the LEA, the home school, or church-related school that confirms the minor’s enrollment and authorization to work (T.C.A. §50-5-105).

For information on state laws, contact the Tennessee Department of Labor and Workforce Development – Labor Standards Unit  
Toll Free (844) 224-5818 (REGULATIONS) [www.tn.gov/workforce](http://www.tn.gov/workforce)