



Tennessee Child Labor Law



HOURS OF WORK PERMITTED FOR MINORS 14 TO 18 YEARS OF AGE

AGE ¹	MAY NOT WORK BEFORE ^{2 & 3}	MAY NOT WORK AFTER	MAXIMUM HOURS PER DAY	MAXIMUM HOURS PER WEEK
14 & 15 YEARS	7:00 a.m.	7:00 p.m.	3 hours per day on school days	18 hours per week during a school week
		9:00pm for June 1 through Labor Day	8 hours per day on non-school days	40 hours per week on non-school weeks
16 & 17 YEARS ⁴	6:00 a.m. Monday through Friday preceding a school day <small>"School day" means any day when normal classes are in session during the regular school year in the school district.</small>	10:00 p.m. Sunday through Thursday preceding a school day	No Restrictions	No Restrictions
16 & 17 YEARS WITH PARENTAL PERMISSION ⁴	No restrictions	12:00 a.m. no more than 3 Sunday through Thursday nights	No Restrictions	No Restrictions

- Child labor laws do not apply to any minor who: (1) Has graduated from high school or has the equivalent of a high school diploma; (2) Is or has been lawfully married or is a parent; (3) Is 16 or 17 and is a student enrolled in a course of study and training in a cooperative vocational training program under a recognized state or local educational authority or in a course of study in a substantially similar program conducted by a private school; or (4) Is 16 or 17 and not enrolled in school or is lawfully excused from compulsory school attendance.
- All hours worked must be outside of school hours.
- While Tennessee law allows earlier start and later stop times under certain circumstances, we recommend compliance with the more restrictive FLSA on this point.
- The minor must submit a signed and notarized statement of consent by the minor's parents and guardians. This form can be found on the Tennessee Department of Labor and Workforce Development's website. The original of the consent must be maintained by the restaurant for the period of its effectiveness.

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MEAL AND REST BREAKS

All minors must be provided a thirty (30) minute unpaid break or meal period if scheduled to work six (6) hours consecutive hours. Such breaks must be scheduled after the first hour of the work day. Meal and rest break exemptions and waivers do not apply to minors under the age of eighteen (18).



OCCUPATIONS/DUTIES PROHIBITED FOR MINORS

- Motor vehicle driving
- Slaughtering, meat packing, processing or rendering
- Operation of power-driven bakery machines
- All Hazardous Occupations and duties under the FLSA
- In any 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 business. Applies to 14 and 15 year old employees only.
- In any place of employment where a minor will be permitted to take orders for or serve intoxicating beverages regardless of the amount of intoxicating beverages sold in the business.



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Ted Boehm is a partner in the firm's Atlanta and Nashville offices. He is a member of the Firm's Wage Hour Core Group and focuses his practice on the representation of hospitality clients in all labor and employment matters. Contact Ted with any questions or legal concerns at 404.240.4286 or tboehm@fisherphillips.com.



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