



AGE REQUIREMENTS

PM-14-10

Section: 14-00, EMPLOYMENT

PURPOSE & SCOPE

The minimum age for regular, full-time employment with the City of Memphis is seventeen (17) years of age. The age of eighteen (18) years is required for either contingent or regular, full-time employment in those prohibited occupations as set forth in the Child Labor Act of 1976, promulgated by the State of Tennessee Department of Labor and Workforce Development (T.C.A. 50-5-101 et seq.). The term "minor" is herein defined in accordance with Tennessee Code Annotated Section 50-5-102 as "a person of either sex under eighteen (18) years of age, unless otherwise provided."

POLICY

In accordance therewith, a minor, as defined herein, may not be employed in connection with the following:

1. Occupations in or about plants or establishments manufacturing or storing explosives or articles containing 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 mills;
5. Occupations involving exposure to radioactive substances and to ionizing radiations;
6. Occupations involved in the operation of power driven woodworking machines;
7. Occupations involved in the operation of elevator and other power-driven hoisting apparatus;
8. Occupations involved in the operation of power-driven meta-forming, punching, and shearing machines;
9. Occupation in connection with mining elements other than coals;
10. Occupation involving slaughtering, meat packing, processing or rendering;
11. Occupations involved in the operation of hazardous power-driven bakery machines;



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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, demotion, and ship-breaking operations;
16. Occupations involved in roofing operations;
17. Occupations in excavation operation;
18. Any occupation in a place of employment where the average monthly gross receipts from the sale of intoxicating beverages exceed twenty-five (25%) of the total gross receipts of the place of employment, or 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 place of employment;
19. Occupations which the commissioner shall by regulation pursuant to the provisions of this Act declare to be hazardous or injurious to the life, health, safety and welfare of minors;
20. 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. Sexual conduct means actual or simulated conduct, sexual intercourse, sodomy, sexual bestiality, masturbation, sadomasochistic abuse, excretion of the male or female genitals; and
21. Occupations involved in youth peddling.

I. Requirements of Minors for Employment by the City of Memphis

- A. The minimum age contingent employment is fourteen (14) years of age.
- B. Proof of age is required for employment or continued employment with the City of Memphis. Proof of age can be established in accordance with the following:
 1. Providing a copy of the minor's birth certificate, passport, driver's license or state issued identification before any minor



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may be employed or continue to be employed by the City of Memphis.

2. If the evidence is not available, the parent(s) or legal guardian(s) shall appear with the minor before the judge or other officer of the juvenile court of the county in which the minor resides and shall make an oath as to the age of the minor.
- C. Those employed between the ages of fourteen (14) through fifteen (15) years of age will be subject to the following restrictions:
1. Such minors may not be employed during school hours.
 2. Such minors may not be employed between the hours of seven o'clock p.m. (7:00 p.m.) and seven o'clock a.m. (7:00 a.m.), if the next day is a school day.
 3. Such minors may not be employed between the hours of nine o'clock p.m. (9:00 p.m.) and six o'clock a.m. (6:00 a.m.) .
 4. No more than three (3) hours per school day or eighteen (18) hours per school week.
 5. No more than eight (8) hours per non-school day or forty (40) hours per non-school week.
 6. Such employment shall not interfere with the minor's schooling, health or well-being.
- D. Those minors employed between the ages of sixteen (16) through seventeen (17) years of age who are enrolled in school will be subject to the following restrictions:
1. Minor employees between the ages of sixteen (16) through seventeen (17) years of age may not work more than forty (40) hours during a work week.
 2. A minor who is sixteen (16) or seventeen (17) years of age and is enrolled in school may not be employed between the hours of ten o'clock p.m. (10:00 p.m.) and six o'clock a.m. (6:00 a.m.), Sunday through Thursday evenings preceding a school day.



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3. Such minors shall not work during the hours when the minor is required to attend classes.
4. If the parents or legal guardians of the minor submit to the employer a signed and notarized statement of consent, then the minor may be employed between the hours of ten o'clock p.m. (10:00 p.m.) and twelve o'clock midnight (12:00 a.m.), Sunday through Thursday evenings preceding a school day; provided, that under no circumstances shall the minor be employed between those hours on those evenings on more than three (3) occasions during any week.
5. Each statement of consent shall be submitted to the employer on a carbonized form provided for the purpose by the Tennessee Department of Labor and Workforce Development. Upon accepting the form, the employer shall promptly mail the carbon copy of the form to the commissioner.
6. The form shall remain valid until the end of the school year during which it is submitted or until termination of the minor's employment, or until the minor reaches the age of majority, whichever occurs first; and the original copy of the form shall be maintained for the period of its effectiveness by the employer at the location of the minor's employment.
7. At any time, consent may be rescinded by submission to the employer of a statement of rescission, signed by the parents or guardians of the minor.

II. Duties of the City of Memphis as an Employer of Minors

- A. Breaks and meal periods for working minors: A minor must have a thirty (30) minute unpaid break or meal period if scheduled to work six (6) hours consecutively. This break shall not be scheduled during or before the first hour of scheduled work activity.
- B. In accordance with the Tennessee and Federal Regulations, the City of Memphis shall:
 1. Make, keep and preserve a separate and independent file record for each minor employed, which shall be kept at the location of the minor's employment and shall include:



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- a) An employment application;
 - b) A copy of the minor's birth certificate or other evidence of the minor's age as provided in *T.C.A. § 50-5-109*;
 - c) An accurate time record showing the hours of the minor's beginning and ending of work each day if the minor is one subject to *T.C.A. § 50-5-104* or *§ 50-5-105*; and
 - d) Any records required under *T.C.A. § 50-5-107(8)-(14)*.
2. Allow the Tennessee Department of Labor and Workforce Development to inspect, during regular working hours, any and all premises where minors are or could be employed and the contents of the individual file records specified in subdivision (1);
 3. Post and maintain in a conspicuous place on the business premises a printed notice, furnished by the Tennessee Department of Labor and Workforce Development, stating the regulations governing the employment and hours of work of minors and employment prohibited to minors under this part; and
 4. Furnish to the Tennessee Department of Labor and Workforce Development records relative to the employment of minors.
 5. In addition, any individual employed by City of Memphis Government shall be required to show proof of age when completing the U.S. Department of Justice Employment Eligibility Verification Form.

III. Employment as a Firefighter or Police Officer:

Applicants for the positions of Firefighter and Police Officer must be twenty-one (21) years of age at the time they enter the respective training academy. Proof of age shall be required from those who are applying for the position of Firefighter and Police Officer.