

**THE UNIVERSITY OF THE PERMIAN BASIN
OFFICE OF HUMAN RESOURCES
POLICY AND PROCEDURES MEMORANDUM**

EMPLOYMENT OF A MINOR

DATE: February 1, 2006

1. PURPOSE

This policy provides for administration of employment of minors and for compliance with the child labor provisions of the Fair Labor Standards Act and the *Texas Labor Code*.

2. POLICY

The child labor provisions of the Fair Labor Standards Act of 1938, as amended, apply to The University of Texas of the Permian Basin and are to be strictly adhered to when considering minors for employment.

Requirements of the child labor provisions are, in general, as follows:

- Individuals must be at least 18 years of age to be employed in a nonagricultural occupation declared hazardous by the Secretary of Labor.
- Minors who are 16 and 17 years of age may be employed in any occupation other than a nonagricultural occupation declared hazardous by the Secretary of Labor.
- Minors 14 and 15 years of age may be employed outside school hours in certain non-hazardous occupations and in certain conditions that do not interfere with their school, health, or well-being.

In the case of willful violation of the child labor provisions, a fine up to \$10,000 or imprisonment, or both may be assessed.

3. PROCEDURES

The University of the Permian Basin's Office of Human Resources must review and approve the employment of any individual under 18 years of age, prior to the individual's first day on the job, in order to ensure that the individual is employed in a position that meets the requirements of the child labor provisions of the Fair Labor Standards Act and Chapter 51, *Texas Labor Code*.

An individual under 18 years of age may not be employed in a position that does not meet the standards of the child labor provisions of the Fair Labor Standards Act.

4. AUTHORITY

- The Fair Labor Standards Act of 1938
- Department of Labor Wage and Hour Publication 1330, “Child Labor Requirements in Nonagricultural Occupations”
- *Texas Labor Code* , Chapter 51

5. APPLICATION

This policy applies to The University of Texas of the Permian Basin.