



### 4.3.4 Minors in the Workplace

Chapter 4 - General Personnel	Original Effective Date: November 2000
Section: 4.3 Recruitment Selection and Appointment	Date Last Reviewed: December 2020
Responsible Entity: Vice President and Chief Human Resources Officer	Date Last Revised: December 2020

#### I. Purpose

The purpose of this policy is to assure the employment of Minors is compliant with the child labor provisions of the Fair Labor Standards Act and the Texas Labor Code.

#### II. Scope

This policy applies to the employment of minors, age 16-17, by the University of Texas Health Science Center at San Antonio (University).

#### III. Policy

The University will strictly adhere to the provisions of the Fair Labor Standards Act and the Texas Labor Code when considering Minors for employment. A Minor will not be employed when the Minor's job duties, working conditions, or work schedule do not meet the criteria established by applicable laws, rules, or policies.

Only Minors who are 16 or 17 years old are eligible for employment by the University.

##### A. Working Hours and Conditions

Minors who are 16 or 17 year of age may be employed during school hours for any number of hours and during any period of time, except in occupations which have been declared hazardous by the Secretary of Labor (e.g., ionizing, radiation, known carcinogens, infectious organisms, and zoonotic diseases). If any question arises concerning the level of hazard of any position to which a minor is to be appointed, the Environmental Health and Safety Office is responsible for determining the suitability of the position.

##### B. Federal Certification of Age

Per the Department of Labor: proof of a minor's age can be ascertained by a passport, driver's license, birth certificate or State issued identification. Once completed, Human Resources forwards this certification to the United States Department of

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Labor. All employment of Minors will be tentative until an approval of the certification is received by Human Resources.

#### IV. Definitions

*When used in this document with initial capital letter(s), the following words have the meaning set forth below unless a different meaning is required by context.*

Minor – any individual who has not attained the age of eighteen (18).

Student – a minor enrolled at any other educational facility (e.g., high school).

#### V. Related References

***Relevant Policies, Procedures, and Regent’s Rules***

IHOP [8.11.1 Minors in the Research Workplace](#)

***Relevant Federal and State Statutes***

Fair Labor Standards Act

Texas Labor Code 51

Texas Workforce Commission Summary of Texas Child Labor Law

#### VI. Review and Approval History

- A. The approving authority of this policy is the University Executive Committee.
- B. The review frequency cycle is set for three years following the last review date, a time period that is not mandated by regulatory, accreditation, or other authority.

<b>Effective Date</b>	<b>Action Taken</b>	<b>Approved By:</b>	<b>Date Approved</b>
11/2000	Originated		11/2000
12/2004	Reviewed		12/2004
12/2020	Reviewed	Executive Council	12/2020