

**RULES  
OF  
THE DEPARTMENT OF LABOR  
DIVISION OF LABOR STANDARDS**

**CHAPTER 0800-05-01  
CHILD LABOR**

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**0800-05-01-.01 PURPOSE.**

- (1) The purpose of these rules is to implement the provisions of the Child Labor Act of 1976 by providing employers and others with information regarding informal conferences, appeals of civil penalties, production of records, charges for copies of public records, and occupations particularly hazardous for the employment of minors.

**Authority:** T.C.A. §§50-5-101 et seq., 50-5-103, 50-5-112, 50-5-114 and 4-5-202. **Administrative History:** Original rule filed July 28, 1994; effective November 28, 1994. Amendment filed May 14, 2010; effective August 12, 2010.

**0800-05-01-.02 INFORMAL CONFERENCES.**

- (1) At the request of an affected employer, the Commissioner or his/her designated representative may hold an informal conference for the purpose of discussing any issues raised by an inspection, citation, notice of proposed penalty, or notice of intention to contest. If the employer requests such conference, an affected employee or his/her representative will be afforded an opportunity to participate at the discretion of the Commissioner or his/her designated representative. Counsel at such conference may represent any party. No such conference or request for such conference shall operate as a stay of any twenty (20) day period for filing a notice of appeal as prescribed in Rule 0800-05-01-.03.

**Authority:** T.C.A. §§50-5-101 et seq., 50-5-103, 50-5-110, 50-5-112, 50-5-114 and 4-5-202. **Administrative History:** Original rule filed July 28, 1994; effective November 28, 1994. Amendment filed May 14, 2010; effective August 12, 2010.

**0800-05-01-.03 APPEAL OF CIVIL PENALTY.**

- (1) A party assessed a penalty pursuant to T.C.A. §50-5-112 may appeal such decision directly to the Commissioner or his/her designated representative. Said appeal shall be submitted in writing within twenty (20) working days of receipt of the notice of proposed penalty. The Commissioner or his/her designated representative shall hear the appeal in accordance with the provisions of the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5.

**Authority:** T.C.A. §§4-5-101 et seq., 50-5-101, 50-5-103, 50-5-112, 50-5-114 and 4-5-202. **Administrative History:** Original rule filed July 28, 1994; effective November 28, 1994. Amendment filed May 14, 2010; effective August 12, 2010.

**0800-05-01-.04 PRODUCTION OF RECORDS.**

- (1) All records required by T.C.A. §50-5-111 shall be open for inspection by the Commissioner or his/her designated representative during regular working hours at any place a minor may be employed. After credentials are presented and a request to inspect the records has been made, the records shall be provided to the Commissioner or his/her designated representative within thirty (30) minutes of the request.

**Authority:** T.C.A. §§50-5-110(2), 50-5-111, and 50-5-114. **Administrative History:** Original rule filed May 14, 2010; effective August 12, 2010.

**0800-05-01-.05 CHARGES FOR COPIES OF PUBLIC RECORDS.**

- (1) The rules in Chapter 0800-08-.01 regarding charges for copies of public records are incorporated herein by reference.

**Authority:** T.C.A. §§8-4-604, 10-7-501 through 10-7-515, and 50-5-114. **Administrative History:** Original rule filed May 14, 2010; effective August 12, 2010.

**0800-05-01-.06 HAZARDOUS OCCUPATIONS.**

- (1) The Commissioner adopts and incorporates herein by reference all the sections of Part 570 of Title 29 of the Code of Federal Regulations with the exception of Code of Federal Regulations §570.52 of Subpart E.

**Authority:** T.C.A. §§50-5-106 and 50-5-114. **Administrative History:** Original rule filed May 14, 2010; effective August 12, 2010.