

Policies of the University of North Texas	Chapter 5
1.2.1 Age Limitations	Human Resources

Policy Statement.

It is the policy of the University that no person shall be denied the right to work solely because of age.¹ The University will conform to Federal regulations and restrictions regarding the employment and work of minors,² and the Federal nondiscrimination regulations regarding the employment of persons over 40 years of age.³

Application of Policy.

This policy applies to all Faculty and Staff.

Definitions.

None

Procedures and Responsibilities.

1. Minors 14 to 15 Years Old. Under Federal and State law, a minor younger than fourteen may not be employed. A minor who is fourteen or fifteen years old may be employed in any occupation except those declared hazardous by the Secretary of Labor for their age group, as long as the employment does not interfere with their schooling or their health and well-being. Examples of hazardous occupations include, but are not limited to: operation of power-driven machinery, operation of motor vehicles, work requiring the use of ladders or scaffolds, work in freezers or meat coolers, loading and unloading of goods, and work on construction sites. In addition, he or she may not be employed during school hours; between 7:00 p.m. and 7:00 a.m. except during the summer (between June 1 and Labor Day) when he or she may work until 9:00 p.m.; more than three hours a day on school days; more than eighteen hours a week during school weeks; more than eight hours a day on non-school days; or more than forty hours a week during non-school weeks.⁴

Responsible Party: Managers and Supervisors

2. Minors 16 to 17 Years Old. Minors who are sixteen or seventeen years old 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.⁵

Responsible Party: Managers and Supervisors

3. Certificates of Age and Parental Consent. To comply with the Fair Labor Standards Act, the department must obtain proof of age for all employees under the age of 18. Documents accepted as proof of age are: a birth certificate, an attested transcript of birth, a signed statement issued by the registrar of vital statistics for births in the area, a baptism record, a family bible record, a passport, a certificate of arrival in the United States, or certain school records accompanied by a physician's certificate.⁶

To comply with state employment law, consent of the parent or adult having custody of a minor under the age of 18 is required before the minor may be employed.⁷ Such consent should be requested in writing, and maintained on file by the employing department.

Responsible Party: Managers and Supervisors

4. Employee Retirement Age. There is no mandatory retirement age for faculty or staff personnel. (See Retirement Policy, Number 1.3.14 and Early Retirement of Faculty Members Policy, Number 1.3.15.)

Responsible Party: Human Resources

5. Age Discrimination. Under Federal law, persons over 40 years of age are protected from age discrimination in such matters as hiring, discharge, leave, compensation, promotions, and other areas of employment.⁸

Responsible Party: Human Resources

6. Enforcement Responsibility. The Assistant Vice President for Human Resources will ascertain that all staff personnel transactions comply with this policy. The Vice President for Academic Affairs makes this determination for faculty. Questions concerning State, Federal, and University regulations on age limitations or "hazardous occupations" should be referred to the Human Resources Department.

Responsible Party: Assistant Vice President for Human Resources and the Vice President for Academic Affairs

References and Cross-references.

Retirement, Policy No. 1.3.14

Early Retirement of Faculty Members, Policy No. 1.3.15

¹Texas Labor Code Ann., 21.051.

²Fair Labor Standards Act, Child Labor Provisions.

³1986 Amendments to the Age Discrimination in Employment Act of 1967; H.B. 684, 71st Legislature, 1989.

⁴Fair Labor Standards Act, Child Labor Provisions.

⁵Ibid.

⁶ Ibid.

⁷Texas Labor Code Ann., 51.003.

⁸1986 Amendments to the Age Discrimination in Employment Act of 1967.

Approved: 9/1/1990

Effective:

Revised: 9/96; 6/00; 11/04*

*Reviewed with non change

5/2011 format only