

Working With Minors (individuals under the age of 18)

There are a number of requirements to be aware of when working with minors. These have been mandated by state and federal labor laws, and by the unions. This document will give you an overview of the basic issues related to commercial productions.

Union Requirements

The Screen Actors Guild (SAG) and American Federation of Television and Radio Artists (AFTRA) have specific rules limiting the number of hours and the times of day a minor may work. For commercial productions:

- No minor over the age of 6 may work beyond an 8-hour day, or after 8pm on a school night or 10pm on a non-school night.
- No minor under the age of 6 may work beyond a 6-hour day, or after 7pm.
- No minor may have a call time earlier than 7am for a studio production or 6am for a location production.

When calculating the number of hours a minor has worked, travel time is included but meal periods are not.

The above restrictions apply regardless of any restrictions imposed by the state in which a minor may be working. But, wherever a state's rules are more stringent than those of the union, the state's rules take precedence. Restrictions for commercial productions are different than those for motion picture or television productions.

Should a Producer violate the union's rules, a written report is to be filed with the union within 12 working days of the session. The hours worked must be detailed and an explanation for the overtime provided. If the report is not filed, the union may levy the following fines:

1st Violation	\$	375.00
2nd Violation	\$	750.00
3rd Violation	\$	1,250.00

Should you wish Spotlight to submit such a report to the appropriate union office on your behalf, please be sure to provide it to us on your letterhead, along with your usual Production Report.

Minor Trust Account

All employers in the entertainment industry who engage minors who are either residents of CA or NY or who perform work in those states, are required to withhold 15% of the employee's gross wages to be placed in a trust account for the benefit of the minor. Those funds, by law, must be transferred directly to the trust account within 15 business days of receipt of the minor's trust account information. A "Minor Trust Information Form" is available on our website. The minor's parent or guardian or agent provides the necessary details. Please attach a fully completed copy to the minor performer's employment contract when you submit it for payment.

Minor Employee's Permit Requirements

Minors are required to have work permits when working in many states, including NY, NJ and CA. Obtaining these permits are the responsibility of the child's parent or guardian; however, if a child performs work without a permit, the *employer* will be in violation of the state labor laws and will be subject to penalties or *even to having the production shut down*.

Employer's Permit Requirements

California State Law requires an employer to have a current 'Permit To Employ Minors In The Entertainment Industry' in order to hire minors. The permit is issued by CA State Division of Labor Standards Enforcement, and can be held by the production company, the advertiser, the advertising agency or the union signatory.

In New York State, the employer must have a 'Certificate of Eligibility To Employ Child Performers', which is issued by the NY State Department of Labor. The certificate number is required before the state will issue any working permits to minors.

Spotlight maintains current permits for CA and NY. Our clients can use these permits, but only if Spotlight is listed as the Employer of Record on the performer's contract. Copies of our permits and certificate numbers can be obtained by contacting your Account Manager at Spotlight.

Helpful Links

CA State Minor Work Permit Application –
<http://www.dir.ca.gov/dlse/DLSE-Forms-CL.htm>

NY State Child Performer Work Permit Application –
http://www.labor.state.ny.us/formsdocs/wp/LS555_LS560%20combined.pdf#page=1

NYS Dept. of Labor Child Performer site –
http://www.labor.state.ny.us/workerprotection/laborstandards/secure/child_index.shtm

Actors Federal Credit Union/Coogan Accounts –
<http://www.actorsfcu.com/mini-divas2.html>

On Location Education –
<http://www.onlocationeducation.com>

Spotlight Business Affairs (part of Extreme Reach, Inc.)

Chicago | 20 N. Wacker Drive, Suite 2500 • Chicago, IL 60606 • tel 312.726.4404 fax 312.726.4405 • www.spotlight.net
New York | 8 West 40th Street, 20th Floor • New York, NY 10018 • tel 212.868.3820 fax 212.868.3821