

Working with Minors

GUIDELINES FOR WORKING WITH 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 labor laws and by the unions. This document will give you an overview of the basic issues.

Union Requirements

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

For SAG-AFTRA 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.

NOTE: Restrictions for commercial productions are different than those for motion picture or television productions—consult the union contract or your Extreme Reach account representative if you need more information on those restrictions.

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:

Violation 1: \$375.00

Violation 2: \$750.00

Violation 3: \$1,250.00

If you wish Extreme Reach to submit this 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 residents of the states of California or New York (even if working elsewhere); or who perform work in the states of California, Louisiana, New Mexico, New York, North Carolina, Pennsylvania or Tennessee; 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 CA law, must be transferred directly to the trust within 15 business days of receipt of the minor's trust account information. (The other states have similar requirements.) If the account information is not received in a timely manner, Extreme Reach is required to deposit the 15% with the state, and it becomes more difficult to access. A [Minor Trust Information Form](#) is available on our website. The minor's parent or guardian or representative should provide the necessary details. Please attach a fully completed copy of this form to the minor performer's employment contract when you submit it for payment. Please note that in most states, the Minor Trust Account must be a Blocked Trust or 'Coogan' Account. NY State also accepts UTMA and UGMA accounts.

TIP: [The Actors Federal Credit Union](#) can provide trust accounts for any child performer with no minimum deposit required.

Minor Employee's Permit Requirements

Minors are required to have work permits when working in many states, including, California, New Jersey, New Mexico, New York, North Carolina and Pennsylvania. 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 could even result in a production shut-down.

Employer's Permit Requirements

Many state laws require employers to obtain a special "Permit to Employ Minors" before allowing the producers to hire minor performers for use in a production. Rules regarding the requirements to obtain these special permits vary from state to state – it's recommended to access the Department of Labor website in the state where the production is to take place well in advance of the production date to avoid any delays. Some states with such a requirement include California, Louisiana, New Jersey, New Mexico and New York.

NOTE: Proof of Workers Compensation Insurance coverage is often required for these applications. Extreme Reach carries this insurance for performers we pay and can provide a certificate of coverage. Contact workerscompensation@extremereach.com.

Teacher-On-Set Requirements

Many state laws require the producer to provide a certified teacher on the set for all school-age minors, when work is performed during hours when school would normally be in session. The rules regarding education on the set vary greatly and it's advised to check the Department of Labor website for the state where your production is to take place.

Helpful Links

Children In Film

<https://www.childreninfilm.com/rules-laws>

Provides links to each of the 50 states' labor laws regarding employment of minors in general, and also regarding minors working in the entertainment industry. In addition, it clarifies which states require children to have work permits, which state require producers to have a permit to employ minors and what, if any, requirements the state has regarding education on the set. It's a one-stop shopping tool and incredibly efficient and useful for our clients.

Actors Federal Credit Union

<https://www.actorsfcu.com/youth-accounts/coogan-accounts>

Provides minor trust accounts with no minimum deposits required, which means a parent can open an account prior to a child working.

On Location Education

<http://www.onlocationeducation.com>

Provides tutors in all 50 states.

Any questions? Get in touch at minortrust@extremereach.com

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