

Working with Minors

There are several requirements to be aware of when working with minors. These are mandated by state labor laws and by the unions. This document will give you an overview of the basic issues.

Union Requirements

SAG-AFTRA has specific rules limiting the number of hours and the times of day a minor may work included in their collective bargaining agreements.

On Commercial Productions

- No minor under the age of 6 may work beyond a 6-hour day, or after 7pm.
- 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.
- Infants (15 days to 6 months) are subject to special health and safety rules
- A 15 - minute rest break every two hours is required
- A 12 - hour rest break is required between the end of the minor's workday and the commencement of their next workday
- Tutoring is required if a minor is working 3 or more school days on a production

For this purpose, working includes rest and recreation, education and travel. Meal periods may be deducted from time worked.

Please note that whenever a state's rule is more protective than the union's rule, the state's rule will take precedence.

If a minor works beyond the permitted hours, 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.

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.

Minors' Trust Accounts

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, Illinois, 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. Other states require trust accounts in the event a minor's contract is affirmed in court. Under California law, those funds must be deposited in the trust account within 15 business days of receipt of the bank documentation of the minor's trust account. The other states have similar requirements.

If the account information is not received in a timely manner, Extreme Reach is required to transfer the funds to the state or the Entertainment Community Fund (formerly Actors Fund), and they become more difficult to access.

A **Minor Trust Information Form** is available on our website. The minor's parent or guardian needs to establish the account and provide the necessary documentation. Please attach the documentation 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. 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 shutdown.

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

Minor Performer Alliance	Provides state labor laws on employing minors, including which states require children to have work permits, which states require producers to have a permit to employ minors and on-set education.
Actors Federal Credit Union	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	Provides tutors in all 50 states.

Questions? Get in touch at minortrust@extremereach.com