



THE COMMONWEALTH OF MASSACHUSETTS
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**Instructions for Application for Waiver of Child Labor Restrictions
for Minors in Theatrical Productions**

The Attorney General's Office has the authority to issue temporary waivers of time restrictions contained in M.G.L. c. 149, § 60 for children up to 16 years old working in entertainment, theater or film (see M.G.L. c. 149, § 104.)

The issuance of a waiver is grounded in the Attorney General's Office commitment to the safety and well-being of child actors and performers, compliance with the law, and support for the film and entertainment industries.

Applications **must be received** by the Waiver Unit **at least one week** prior to commencement of the work for which the waiver is sought.

The following information is necessary to complete this application:

- name, address, telephone number, and contact person for the company/organization that will employ the child;
- name of play, movie or production;
- total number of minor(s) included on application;
- confirmation of company's valid workers' compensation insurance policy for all Massachusetts employees the name and date of birth and for each minor;
- the name(s) *and signature* of each minor's parent(s) or guardian(s),
- the name of the parent or guardian who will be on site with each minor;
- the dates and times (including start and finish time) of each performance (including rehearsals);
- the locations (full address) of rehearsals and performances (these must comply with the attached guidelines in order to be considered);
- name of on-set tutor for any minor kindergarten through 12th grade who will be working more

than 3 days¹; and

- signed physician's certification (the Physician's Certificate of Health must be signed **within 12 months** of the date the waiver application is presented to FLD).

Applicants must provide **complete** information regarding each minor for whom they are seeking a waiver and include the \$100 application processing fee (per application) in the form of a certified bank check or money order made payable to: *Commonwealth of Massachusetts*. **Incomplete applications will not be reviewed or considered; application fees are non-refundable.**

If submitting your application by **U.S. Mail**, please send the complete form and payment to:

Child Labor Waiver Unit, Fair Labor Division
Office of Attorney General Maura Healey
P.O. Box 6303
Boston, MA 02114

If submitting your application by **Federal Express**, please send the complete form and payment to:

Child Labor Waiver Unit, Fair Labor Division
Office of Attorney General Maura Healey
100 Cambridge Street, 12th Floor
Boston, MA 02108

¹ This requirement applies for minors who are home schooled. If a minor has a High School Equivalency Testing Certificate (formerly GED), this requirement is waived if copy of certificate is produced with the waiver application.

AGE GROUPS/PERMITTED TIMES AND REQUIREMENTS

0 to 15 days	Minors aged 0-15 days are not permitted to work in Massachusetts
15 days to 6 months	<ul style="list-style-type: none"> • one period of two consecutive hours in any one day, and such period must be either between 9:30 a.m. and 11:30 a.m. or between 2:30 p.m. and 4:30 p.m. • actual work must not exceed 20 minutes • a nurse must be employed for each 3 or fewer babies
6 months to 2 years	<ul style="list-style-type: none"> • may only work between the hours of 6 a.m. and 10 p.m. • may work no more than 2 hours/day • full shift(s), (including travel from the studio to the location and meal and rest breaks) may not exceed 4.5 hours/day • may work no more than 6 days/week
2 years to 5 years	<ul style="list-style-type: none"> • may only work between the hours of 6 a.m. and 10 p.m. • may work no more than 3 hours/day • full shift(s), (including travel from the studio to the location and meal and rest breaks) may not exceed 6.5 hours/day • may work no more than 6 days/week
6 years to 8 years	<ul style="list-style-type: none"> • may only work between the hours of 6 a.m. and 10 p.m. • may work no more than 5 hours/day • full shift(s), (including travel from the studio to the location and meal and rest breaks) may not exceed 8.5 hours • may work no more than 6 days/week
9 years to 15 years	<ul style="list-style-type: none"> • Hours: <ul style="list-style-type: none"> ○ Nights preceding a school day: 6am-10pm ○ Nights not preceding a school day: 6am-11:30pm • may work no more than 7 hours/day • full shift(s), (including travel from the studio to the location and meal and rest breaks) may not exceed 9 hours • may work no more than 6 days/week
16 to 17 years	<p><i>The Attorney General does not have statutory authority to waive these conditions; must comply with all Child Labor Laws</i></p> <ul style="list-style-type: none"> • Hours: <ul style="list-style-type: none"> ○ Nights preceding a school day: 6am-10pm ○ Nights not preceding a school day: 6am-11:30pm • may work no more than 9 hours/day • may work no more than 6 days/week • may work no more than 48 hours/week

RESTRICTED WORK²

<p>Workers under 18 years old may <i>not</i>:</p> <ul style="list-style-type: none"> • Drive a vehicle or forklift (except golf carts in certain circumstances) • Operate, clean, or repair power-driven meat slicers, grinders or choppers • Operate, clean, or repair power-driven bakery machines • Work 30 feet or more above ground or water • Handle, serve, or sell alcoholic beverages • Use circular or band saws, or guillotine shears • Use power-driven woodworking machines • Use hoisting machines • Operate paper balers, paper box compactors, or other power-driven paper products machines • Use power-driven metal-forming, punching, or shearing machines • Use buffing or polishing equipment • Manufacture brick, tile, or kindred products • Manufacture or store explosives • Work in excavation, wrecking, demolition, or shipbreaking • Work in logging, sawmilling, or mining • Work slaughtering, packing, or processing meat • Work in railway operations • Work in roofing or on or about a roof • Work in foundries or around blast furnaces • Work manufacturing phosphorus or phosphorus matches • Work where they are exposed to radioactive substances • Work as a firefighter or engineer on a boat • Oil or clean hazardous machinery in motion • Work in any job requiring the possession or use of a firearm 	<p>Workers under 16 may <i>not</i>:</p> <ul style="list-style-type: none"> • Operate power-driven machinery (except office machines or machines in retail or food service not otherwise prohibited) • Cook (except on electric or gas grills that do not have open flames) • Operate fryolators, rotisseries, NEICO broilers, or pressure cookers • Operate, clean, or repair power-driven food slicers, grinders or choppers • Perform any baking activities • Operate microwave ovens (except to heat food in microwave ovens with a maximum capacity of 140 degrees Fahrenheit) • Clean kitchen surfaces that are hotter than 100 degrees Fahrenheit • Filter, transport, or dispose of cooking oil or grease hotter than 100 degrees Fahrenheit • Work in freezers or meat coolers • Work in a manufacturing facility (e.g., a factory) • Work on ladders or scaffolds • Work in garages, except dispensing gas and oil • Work in brick or lumber yards • Work in amusement places (e.g., pool or billiard room, or bowling alley) • Work in barber shops • Work in construction, transportation, communications, or public utilities (except doing clerical work away from heavy machinery off the job-site) • Work in warehouses (except doing clerical work) • Load or unload trucks, railroad cars, or conveyors • Wash windows in public or commercial buildings if the window sill is more than 10 feet above the ground • Work doing laundry in a commercial laundry or dry cleaning establishment • Work as a public messenger • Work at processing operations (e.g., in meat, fish, or poultry processing or cracking nuts, bulk or mass mailing) • Work around boilers or in engine rooms • Do industrial homework • Work with dangerous electrical machinery or appliances • Work that is determined by the Massachusetts Attorney General to be dangerous to the health and well-being of minors • Work in any of the occupations or tasks prohibited for persons under age 18
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² MA/USDOL CLL