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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 locations (full address) of rehearsals and performances;
- name of on-set tutor for any minor kindergarten through 12<sup>th</sup> grade who will be working more than 3 days<sup>1</sup>; and

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<sup>1</sup> 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.

- 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

## PERMITTED TIMES AND REQUIREMENTS WITH AN APPROVED ENTERTAINMENT INDUSTRY WAIVER

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| <b>0 to 15 days</b>        | Minors aged 0-15 days are not permitted to work in Massachusetts   |
| <b>15 days to 6 months</b> | <ul style="list-style-type: none"> <li>● 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.</li> <li>● actual work must not exceed 20 minutes</li> <li>● a nurse must be employed for each 3 or fewer babies</li> </ul>  |
| <b>6 months to 2 years</b> | <ul style="list-style-type: none"> <li>● may only work between the hours of 6 a.m. and 10 p.m.</li> <li>● may work no more than 2 hours/day</li> <li>● full shift(s), (including travel from the studio to the location and meal and rest breaks) may not exceed 4.5 hours/day</li> <li>● may work no more than 6 days/week</li> </ul>   |
| <b>2 years to 5 years</b>  | <ul style="list-style-type: none"> <li>● may only work between the hours of 6 a.m. and 10 p.m.</li> <li>● may work no more than 3 hours/day</li> <li>● full shift(s), (including travel from the studio to the location and meal and rest breaks) may not exceed 6.5 hours/day</li> <li>● may work no more than 6 days/week</li> </ul>   |
| <b>6 years to 8 years</b>  | <ul style="list-style-type: none"> <li>● may only work between the hours of 6 a.m. and 10 p.m.</li> <li>● may work no more than 5 hours/day</li> <li>● full shift(s), (including travel from the studio to the location and meal and rest breaks) may not exceed 8.5 hours</li> <li>● may work no more than 6 days/week</li> </ul>   |
| <b>9 years to 15 years</b> | <ul style="list-style-type: none"> <li>● Hours: <ul style="list-style-type: none"> <li>○ Nights preceding a school day: 6am-10pm</li> <li>○ Nights not preceding a school day: 6am-12:30am</li> </ul> </li> <li>● may work no more than 7 hours/day</li> <li>● full shift(s), (including travel from the studio to the location and meal and rest breaks) may not exceed 9 hours</li> <li>● may work no more than 6 days/week</li> </ul>   |
| <b>16 to 17 years</b>      | <p><b>No waivers are issued for minors in this age bracket.</b></p> <p><i>The AGO does not have statutory authority to waive the time of day restrictions contained in the Massachusetts Child Labor Laws, however the AGO will not take enforcement action as a result of a 16 or 17-year-old child working on a play, movie or production between the hours of 6am and 12:30am as long as the child's parent or guardian has provided written consent to the employer that the work schedule is reasonable given the child's educational and health needs.</i></p> <p>Note that there are no exceptions or waiver options for the following daily/weekly cumulative hours for minors 16 to 17 years old:</p> <ul style="list-style-type: none"> <li>● may work no more than 9 hours/day</li> <li>● may work no more than 6 days/week</li> <li>● may work no more than 48 hours/week</li> </ul> |

## RESTRICTED WORK<sup>2</sup>

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