



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 dates and locations (**full address**) of rehearsals and performances; and
- ☐ name of on-set tutor for any minor kindergarten through 12th grade who will be working more than 3 consecutive days¹.

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.

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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| 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"> hours: <ul style="list-style-type: none"> Nights preceding a school day: 6am-10pm Nights not preceding a school day: 6am-12:30am 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-12:30am 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>No waivers are issued for minors in this age bracket.</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"> 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

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| <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