

Theatrical Production Requirements for Employment of Child Actors

As stipulated in the New Jersey Child Labor Law, N.J.S.A. 34:2-21.57 through N.J.S.A. 34:2-21.64, inclusive, all minors working in Theatrical Productions in New Jersey, whether paid or unpaid, are required to provide their employer with Theatrical permit, up to age 16 years old, or an Employment Certificate, from age 16 to 18 years old. All of the attached documents must be completed and sent to this office prior to rehearsal, production or performance. The following required forms must be completed by the designated participants or interested parties.

Production Company must complete the following:

1. Theatrical Production Application Form – detailing the minor's performance and the location, dates and times of performance.
Please provide information detailing what the minor will be doing and the dates and the times each minor will be performing or rehearsing. Attach script pages that pertain to the minor's performance and call sheet.

Parent/Minor must complete the following:

1. Theatrical Permit for Minor Form (A-310) up to age 16.
Employment Certificate Form (A300), age 16-18 years old.
2. Child performer needs to visit New Jersey State School Issuing Officer in person.
Residents --- Acquire Special Permit or Employment Certificate at School District where resides
Out of State --- Acquire Special Permit or Employment Certificate at the School Districts where performance takes place. School District locations can be found at www.nj.gov/education.
3. Bring to School Issuing Officer the following documentation.
 - a. Proof of Age
 - b. Proof of Recent Physical
 - c. Under age 8 – Visual Acuity Test
 - d. Social Security Card
 - e. Non-Citizen – Permit to work in this Country
 - f. Parental Permission letter
 - 1) authorizing minor to work on production
 - 2) designating by name the adult parent, guardian or company representative who will be responsible for the direct care of the minor and responsible for the supervision of the minor at all times on set or while the minor is living away from home as an incident of such employment.
 - g. Letter signed by School Principal stating that the parent and school have discussed the "equivalent education" for the time period that the minor is required to attend school, and the parent is aware of school work required to make-up the school lessons or that the school is requiring a tutor on the production site for the continued educational progress of the minor.
NOTE: If the school advises the parent that a tutor is necessary, then the production company must supply the tutor from the date required by the school principal.
 - h. Instruct the school issuing officer to contact the Department of Labor & Workforce Development, Division of Wage and Hour Compliance, School To Careers/Child Labor Unit at 609-292-8228

Production Company must perform the following duties:

1. Maintain copies of all documentation listed under the above section "Parent/Minor."
2. Must forward all copies to the New Jersey Department of Labor and Workforce Development prior to production. This information can be faxed to 609-984-1279. However, it is preferred that all information is mailed prior to production or rehearsal in order to protect the confidential nature of the information.
3. Mail a copy of each Theatrical Permit to the New Jersey Department of Labor and Workforce Development.
4. Maintain a copy of each Theatrical Permit A-310 for each minor on the set for the entire production.
5. Maintain Time Records In/Out times for each minor and payroll records.

Production Company must comply with the Child Labor Laws regarding the hours of performance:

1. A minor can be on the set for 8 hours per day.
The 8 hours is composed of 5 hours of work, including rehearsal, and 3 hours of rest, meals and education if attendance at school is required.
2. A minor under 16 years old who attends school that day can only work 3 hours after school that day.
3. A minor in a stage performance can perform 2 shows per day, but no more than 8 shows or productions a week.
4. A minor can only work a total of 24 hours in a week.
5. A minor can only work a total of 6 days in any week.
6. A minor can be on a set for a continuous 8 hours between 7 a.m. and 11:30 p.m.
If the filming of a minor creates a safety hazard to the minor, a special waiver permission to work after the prescribed time must be requested in writing, addresses to the Director of the Division of Wage and Hour Compliance. This is done of the film sets must be utilized after a site is closed to normal day traffic or if streets must be closed. Waivers are not granted for working more than 8 hours in any day.
7. A minor is not permitted to participate in any prohibited performance as described in N.J.S.A. 34:2-21,57c or in any indecent or immoral exhibition. In addition, minors are not permitted to work in, on or about power-driven machinery as described in N.J.S.A 34:2-21.17 et seq., or in, on, or about explosives, flammable liquids, pyrophoric liquids, combustible liquids, corrosive materials, radioactive substances and ionizing radiation, carcinogenic substances, toxic or hazardous substances as described in the Code of Federal Regulations, Section 1910.1000 of Subpart Z of 29 CFR part 1910, and in, on, or about all other hazards listed in the New Jersey Child Labor Regulations, N.J.A.C 12-:58-2.1 through 4.17, inclusive.

Mailing Address:

**New Jersey Department of Labor and Workforce Development
Division of Wage and Hour Compliance
School to Careers/Child Labor Unit
P.O. Box 389
Trenton, New Jersey 08625-0389
Telephone: 609-292-8228 or 609-292-8168
Fax: 609-984-1279**