



CHILDREN'S EMPLOYMENT GUIDELINES

The following is a brief interpretation of the Oregon Administrative Rules regarding the employment of minors. The Governor's Office of Film & Television recommends contacting the Oregon Bureau of Labor and Industries (BOLI), Wage and Hour Division, for a packet containing complete information. Write to the office at 800 NE Oregon St. #1045, Portland, OR 97232, or call them at 971/673-0761, fax 971/673-0769. Oregon's Labor Commissioner is Dan Gardner. Website: www.boli.state.or.us.

DEFINITIONS

Minor: Anyone under the age of 18. Minors under the age of 15 days (babies/newborns) shall not be employed.

Workday: Fixed period of 24 consecutive hours.

Workweek: Fixed and regularly recurring period of seven consecutive workdays.

Long-term Employment: Employment lasting or contemplated to last more than five working days.

Short-term Employment: Employment lasting or contemplated to last five working days or less.

GENERAL PERMIT INFORMATION

Five days or more: Entertainment industry employers who plan to hire minors (14 to 17 years of age) for long-term employment must obtain and file an employment certificate form. Minors 14 to 17 no longer need a work permit; minors under 14 need a special under-14 permit. Necessary forms are available at all Bureau of Labor and Industries offices and State Employment Division offices.

Five days or less: In the case where an employer is hiring 10 or more minors for temporary short-term employment, a short-duration permit can be obtained through the Portland office of the Bureau of Labor and Industries.

More than one film a year: In circumstances involving the employment of minors in short-term employment, and when the employer plans to film more than once a year, application may be made for a registration certificate. All registration certificates expire on June 30th, at which time application to renew the certificate should be submitted. Registered employers are then required to notify the Wage and Hour Division no less than 24 hours prior to the employment of minors for short duration.

It should be noted that as soon as a production company makes the decision to film in Oregon, and wishes to hire minors, the wage and hour division should be contacted. Necessary paperwork could cause delays if this is not taken care of early in the production schedule.

WORKING CONDITIONS

1. HOURS

No employer shall employ minors to work more than the maximum hours listed below or more than six consecutive days, including days when the minor attends school. Exceptions may be made if a special hours variance is applied for by addressing a letter of application to the Portland BOLI office.

Work (production) hours are defined as hours when a minor is directed by any member of the production company to travel, make-up, wardrobe, rehearse, light, stand-in, etc.

2. WORKING HOURS FOR MINORS IN THE ENTERTAINMENT INDUSTRY

Ages 14–17: 11 hours a day including rest and meal breaks.

Ages 10–13: 10 hours a day including rest and meal breaks.

Ages 6–9: 9 hours a day including rest and meal breaks.

2. WORKING HOURS FOR MINORS IN THE ENTERTAINMENT INDUSTRY (CONTINUED)

Ages 4–5: 7 hours a day including rest and meal breaks. Up to 8 hours a day if the minor is transported.

Ages 2–3: 6 hours a day including 3 hours of rest and meal breaks.

Ages 1–2: 5 hours a day including 2¹/₂ hours of rest and meal breaks.

Ages 6 months to 1 year: 4 hours a day including 2 hours of rest and meal breaks.

Ages 15 days to 6 months: 2 hours a day, no more than 20 minutes of which shall be spent as work time.

Under 15 days: Cannot be employed.

3. WAGES

State minimum wage for minors is the same as that required for adults and will automatically be raised when the adult rate is raised. The present rate is \$8.40 per hour. The federal minimum wage is \$7.25 per hour.

4. SAFETY AND COMFORT

The work area provided must be sanitary and safe with room for both rest and play. It must have adequate lighting, ventilation, washrooms and toilet facilities. Other safety considerations include worker's compensation insurance coverage in accordance with laws of the state, transportation available to the nearest medical facility providing emergency services, and on-location return transportation must be provided promptly upon dismissal. The employer must also provide appropriate care and supervision of each minor at all times during the minor's employment. As a general rule, one supervisor for each nine minors employed is considered adequate.

5. MEAL PERIODS AND REST PERIODS

Except where otherwise indicated in state regulations an appropriate meal period consists of not less than 30 minutes; an appropriate rest period means a period of rest of not less than 15 minutes for every 4 hours worked.

6. EDUCATION

When school is in session and the minor is in first grade or above, an average of 3 hours of instruction must be provided. The employer must obtain a release from the Superintendent, or designee, of the school district in which the minor's school is located when the employment requires the minor's absence from school for more than five days.

The employer must provide minors under 16 years of age with no less than three hours of instruction per day, excluding Saturday and Sunday. The instruction must be provided by a teacher certified to teach in Oregon. Since neither the Wage and Hour Division nor the Bureau of Labor and Industries has authority to certify persons to teach minors, interested persons should contact the Oregon Teacher Standards and Practices Commission, 465 Commercial St. NE, Salem, OR 97301; (503) 378-3586.

REQUESTS FOR WAIVER OF STATED REGULATIONS SHOULD BE ADDRESSED IN WRITING TO THE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, SETTING FORTH THE REASONS FOR THE WAIVER REQUEST.