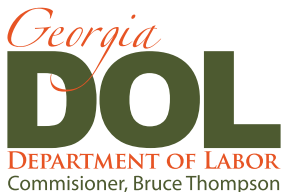


GEORGIA LAWS AND RULES

Regulating Employment of Children



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The Georgia Dept. of Labor follows the federal regulations regarding employment for youth 16-17 years of age. Employment standards for youth workers ages 16-17, including occupations defined as hazardous, are found at the following link:

<https://www.dol.gov/general/topic/youthlabor/hazardousjobs>

This booklet is for informational purposes only.

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TITLE 39 - CHAPTER 2

39-2-1. Restrictions on employment of minors under 16 years of age.

No minor under 16 years of age shall be employed by or permitted to work in or about any mill, factory, laundry, manufacturing establishment, or workshop nor in any occupation which has been designated as hazardous in accordance with Code Section 39-2-2.

39-2-2. Employment of minors under 16 years of age generally - Dangerous employment.

No minor under the age of 16 years shall be employed or permitted to work at any occupation or in any position which the Commissioner of Labor may declare by regulation dangerous to life and limb or injurious to the health or morals of such minor.

39-2-3. Employment of minors under 16 years of age generally - Hours of work generally.

Except as otherwise provided in this chapter, no minor under 16 years of age shall be permitted to work for any person, firm, or corporation between the hours of 9:00 P.M. and 6:00 A.M.

39-2-4. Employment of minors under 16 years of age generally - Employment during school hours.

No minor under 16 years of age shall be employed or permitted to work in any gainful occupation during the hours when public or private schools are in session unless said minor has completed senior high school or has been excused from attendance in school by a county or independent school system board of education in accordance with the general policies and regulations promulgated by the State Board of Education.

39-2-5. Employment of minors under 16 years of age generally - Delivery of messages.

No minor under 16 years of age shall be employed in the delivery of messages by any person, firm, or corporation engaged in the message service business or in the general work of messenger service between the hours of 9:00 P.M. and 6:00 A.M.

39-2-6. Employment of minors under 16 years of age generally - Sale or delivery of newspapers.

Minors under 16 years of age may be employed to sell or deliver newspapers in residential areas between the hours of 5:00 A.M. and 9:00 P.M. but shall not be employed to sell or deliver newspapers between the hours of 9:00 P.M. and 5:00 A.M., provided that such employment shall not be for a longer time than is provided in Code Section 39-2-7 and shall not be performed during school hours.

39-2-7. Employment of minors under 16 years of age generally - Maximum hours of employment.

No minor under 16 years of age shall be employed or permitted to work in any gainful occupation covered by this chapter for more than four hours on any day in which the school attended by said minor is in session, more than eight hours on days other than school days, or more than 40 hours in any one week.

§39-2-8. Employment of minors 15 years of age during school vacation months.

Repealed by Ga. L. 1988, p. 1629, § 1, effective July 1, 1988.

39-2-9. Employment of minors under 12 years of age generally

No minor under 12 years of age shall be employed or permitted to work in any gainful occupation at any time, provided that this Code section shall not be construed to apply to employment of a minor in agriculture, domestic service in private homes, or any specific employment permitted by this chapter or to employment by a parent or a person standing in the place of a parent.

39-2-10. Employment of minors 12 and 13 years of age in wholesale and retail stores.

Repealed by Ga. L. 1981, p. 792, § 1, effective April 7, 1981.

39-2-11. Employment certificates - Required; requirements for issuance.

- (a) Minors who are at least 12 years of age but less than 16 years of age shall not be employed by or permitted to work for any person, firm, or corporation unless an employment certificate, showing the true age of such minor and that such minor is not less than 12 years of age and is physically fit to engage in the employment sought to be obtained, is issued in writing by an appropriate issuing officer who shall be one of the following:
- (1) If enrolled in a public school, the school superintendent or some member of his or her staff authorized by him or her, in the county or city where the minor resides;
 - (2) If enrolled in a licensed private school, the principal administrative officer thereof or some member of his or her staff authorized by him or her; or
 - (3) If enrolled in a home study program, the person, parent, or guardian providing the home study program.
- (b) No employment certificate shall be issued to any minor until the minor shall have submitted to the issuing officer:
- (1) A certified copy of a birth certificate or birth registration card; and
 - (2) A statement from the prospective employer describing the type of employment offered; and indicating that if furnished with a certificate from the appropriate issuing officer as required in subsection (a) of this Code section, such prospective employer could employ the minor immediately. It shall be understood that the prospective employer, by furnishing such statement, does not

undertake to employ the minor for any specific period of time.

- (c) (1) The employment certificate provided for in subsection (a) of this Code section shall be accompanied by a letter from the appropriate issuing officer indicating that the minor is enrolled in a school or a home study program full-time and has an attendance record in good standing for the current academic year. The employer of a minor shall maintain a copy of such certificate and letter in the minor's employment file. Such letter shall be updated in January of each subsequent academic year during which the minor maintains his or her employment until such minor reaches the age of 16 years. Any employer failing to comply with this subsection shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not to exceed \$1,000.00, up to 12 months' imprisonment, or both, for each violation.
- (2) The State Board of Education shall promulgate rules and regulations to provide for the issuance of a waiver or exemption from the provisions of this subsection to a minor, upon such minor's petition, if there is clear and convincing evidence that the enforcement of the provisions of this subsection upon such minor would create an undue hardship upon the minor or the minor's family or if there is clear and convincing evidence that the enforcement of the provisions of this subsection would act as a detriment to the health or welfare of the minor.

39-2-11.1 Employment of Minors 14 years of age or older during school vacation months for care of lawns, gardens, and shrubbery.

Notwithstanding any other provision of this chapter or any rule or regulation of the Commissioner of Labor adopted pursuant to the provisions of Code Section 39-2-2 to the contrary, a minor 14 years of age or over may be employed during the months of vacation from school in the care and maintenance of lawns, gardens, and shrubbery owned or leased by the employer of such minor, including

the operation of equipment in connection therewith, provided that the minor is covered by an accident and sickness insurance plan or a workers' compensation insurance policy or plan provided by the employer; that the minor presents the employer with the employment certificate required by Code Section 39-2-11; and that the minor is permitted by the employer to care for and maintain only those lawns, gardens, and shrubbery owned or leased by the employer. The work authorized by this Code section includes the care and maintenance of lawns, gardens, and shrubbery on the grounds of mills or factories described in Code Section 39-2-1 and on the grounds of any other factory, mill, or business where employment of the minor within the factory, mill, or business might be prohibited by rules and regulations of the Commissioner of Labor.

39-2-12. Employment certificates - Contents; furnishing of blank forms; filing of duplicate copies.

- (a) Employment certificates shall state the full name, date, and place of birth of the minor; the name and address of the parents, guardian, or other person having custody of such minor; and that the minor has appeared before the issuing officer and presented the evidence of age required by Code Section 39-2-11.
- (b) Blank forms of employment certificates and identification cards shall be made available by the Commissioner of Labor to the school superintendents in the respective cities and counties, to principal administrative officers of private schools, and to persons, parents, or guardians providing home study programs.
- (c) A duplicate copy of each employment certificate shall be filed with the Commissioner of Labor within 30 days from its issuance.

39-2-13. Employment certificates - Disposition of certificates upon termination of employment, etc.; requirements as to issuance of subsequent certificates.

- (a) Upon termination of employment of any minor between 12 and 16 years of age, the employer shall return the employment certificate to the issuing officer within five days of the date of

termination of employment.

- (b) Where the employment of any minor between 12 and 16 years of age shall not have been terminated, but the minor shall have failed to appear for work for a period of 30 days, the employer shall return the employment certificate to the issuing officer within five days of the date of the expiration of the 30 day period.
- (c) Upon return to the issuing officer of an employment certificate as provided for in this Code section, a new employment certificate shall be issued to a minor only upon presentation by the minor of a new statement from the prospective employer as provided for in Code Section 39-2-11.

39-2-14. Employment certificates - Revocation of certificates by Commissioner of Labor.

The Commissioner of Labor may at any time revoke any employment certificate if in his or her judgment the employment certificate was improperly issued. The Commissioner shall be authorized to investigate the true age of any minor employed, hear evidence, and require the production of relevant books or documents. If the employment certificate of a minor is revoked, the employer of the minor at the time of the revocation shall be notified and the minor shall not be employed or permitted to work thereafter until a new and valid employment certificate shall have been obtained.

39-2-15. Maximum hours of employment of minors; effect of contracts providing longer hours.

Repealed by Ga. L. 1988, p. 1629, § 2, effective July 1, 1988.

39-2-16. Prohibition of corporal punishment of minors; actions for damages.

Repealed by Ga. L. 1988, p. 1629, § 3, effective July 1, 1988.

39-2-17. Apprenticeship, etc., of minors under 12; penalty

- (a) Any person who shall sell, apprentice, give away, let out, or otherwise dispose of any minor under 12 years of age to any

person for the vocation, occupation, or service of rope or wire walking, begging, or as a gymnast, contortionist, circus rider, acrobat, or clown, or for any indecent, obscene, or immoral exhibition, practice, or purpose shall be guilty of a misdemeanor.

- (b) Whenever a minor shall be disposed of in violation of subsection (a) of this Code section, the person who receives and uses any minor for any of the purposes condemned in said subsection shall be guilty of a misdemeanor.

39-2-18. Applicability of provisions of chapter to minors employed as actors or performers.

- (a) Notwithstanding any other provisions of this chapter to the contrary, nothing in this chapter shall apply to any minor employed as an actor or performer in motion pictures or theatrical productions, in radio or television productions, in any other performance, concert, or entertainment, or to any minor employed in the making of phonographic records or as an advertising or photographic model, provided that the written consent of the Commissioner of Labor must be first obtained.
- (b) Before the Commissioner of Labor shall give his written consent, as provided in subsection (a) of this Code section, he shall investigate and determine:
 - (1) That the environment in which the work is to be performed is proper for the minor;
 - (2) That the conditions of employment are not detrimental to the health of the minor;
 - (3) That the minor's education will not be neglected or hampered by his participation in any of the activities referred to in subsection (a); and
 - (4) That the minor will not be used for pornographic purposes.

39-2-19. Enforcement of chapter

It shall be the duty of the Department of Labor to enforce this chapter and the Commissioner of Labor shall issue rules and regulations pursuant thereto.

39-2-20. Penalty for violations of chapter

Any person, firm, or corporation or agent thereof violating any of the provisions of this chapter shall be guilty of a misdemeanor.

39-2-21. Injunctions

Any person, firm, or corporation or agent thereof violating any of the provisions of this chapter may be enjoined from employing the minor involved in such violation upon the complaint of the Commissioner of Labor in the superior court of any county in which the employer may be doing business or employing such minor; provided, however, that any court order under this Code section shall be narrowly drawn and narrowly construed so as to provide the minimum possible disruption of the ongoing business affairs of the employer.

**RULES
OF
GEORGIA DEPARTMENT OF LABOR**

**CHAPTER 300-7-1
CHILD LABOR – MINORS IN ENTERTAINMENT**

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300-7-1-.01 Intent.

- (1) **General.** These Rules shall apply to all Minors employed in the State of Georgia in the entertainment industry and to the entities that employ a Minor in a Production or who are responsible for the safety and welfare of the Minor while at a Location where the Minor is Performing.

Authority: O.C.G.A. 39-2-18, 39-2-19.

300-7-1-.02 Definitions.

- (1) As used in these Rules, the following terms shall be in effect:
 - (a) **Certification Number:** The Number issued by the Department to a specific entity indicating Department approval for a Minor to work in the entertainment industry or an Employing Unit's ability to hire a Minor.
 - (b) **Child Labor Coordinator:** An employee or contractor of the Employing Unit or an approved subcontractor of the Employing Unit's contractor at the Location who is responsible for the coordination of services and safety of the Minor during the time the Minor is at the Location.
 - (c) **Commissioner:** The Commissioner of the Georgia Department of Labor or the Commissioner's authorized designated representatives.
 - (d) **Department:** The Georgia Department of Labor and any authorized representatives thereof.
 - (e) **Employment:** An authorized association through performance or participation with or for any Employing Unit in a Production whether or not monetary remuneration is provided.
 - (f) **Employing Unit:** An entertainment industry employer who is an organization, or individual, using the services of any minor in: Motion pictures of any type (e.g. film, videotape, etc.), using any format (theatrical film, commercial, documentary, television program, internet etc.) by any medium (e.g. theater, television, videocassette, etc.); photography; recording; modeling; theatrical productions; publicity; rodeos; circuses; musical performances; and any other performances where minors perform to entertain the public. Employing Unit includes, but is not limited to, motion picture production company, theatrical

- group or association, electronic broadcasting company or photographic modeling agency, or casting company, whether or not incorporated.
- (g) **Employing Unit's Representative:** The designated representative of the Employing Unit who is responsible for providing all required information to the Department. Such individual shall be the primary contact person for the Employing Unit in all matters concerning the employment of Minors.
 - (h) **Employing Unit Certification:** The certification issued by the Department signifying approval of the application and granting the Employing Unit the ability to hire Minors to perform in Productions in the State.
 - (i) **Episodic Production:** A Production consisting of two or more episodes within a sixty (60) day period. Each episode is produced separately and shown to the public separately.
 - (j) **Exemption Certification:** A certification issued by the Department waiving certain Rule requirement(s) for an Employing Unit.
 - (k) **Incident:** An occurrence where a Minor suffers an injury to their health or well-being while at the Location.
 - (l) **Location:** The work site where the Minor is employed to perform in a Production. Location includes, but is not limited to, any facility established by the Employing Unit from which minors are at the disposal of, or subject to call by the Employing Unit to perform, whether or not physically located where that Production is occurring.
 - (m) **Location Time:** The total time the Minor is on the Location of the Employing Unit including, but not limited to, work time, meal time, tutoring time, break time, and any other time spent at the Location regardless of the reason.
 - (n) **Episodic Temporary Certification:** This Certification allows the Employing Unit whose Production is episodic to utilize more than ten (10) Minors for five (5) or less days in each Episodic Production.
 - (o) **Minor:** Anyone under the age of eighteen (18), unless documentation shows the individual is lawfully emancipated, an armed service member, or married.
 - (p) **Minor's Certification:** This is the Certification and Certification Number issued by the Department to the

registering Minor signifying approval of the application and granting the Minor the ability to perform in Productions.

- (q) **Performance or Performing:** Participation by a Minor in a Production or exhibition that is available to the public or may be made available to the public.
- (r) **Production:** A work to be presented including, but not limited to, stage, screen, television, internet, video tape, audio tape, open air, runway modeling, or in still photographs or phonographic recording of any kind. Production shall not include any play or production produced exclusively by a state approved school or produced by a recognized church organization.
- (s) **Representative of the Minor:** The custodial parent or a court approved legal guardian.
- (t) **Rules:** The Rules of the Georgia Department of Labor – Minors in Entertainment.
- (u) **SBC:** Security Background Check for Studio Teachers and Child Labor Coordinators conducted by an Employing Unit annually in accordance with Rule 300-7-1-.04. All SBCs shall be considered valid for one (1) year from date of the background check is conducted.
- (v) **School Night:** Any time after 6:00 P.M. the night before a school day.
- (w) **State:** The State of Georgia.
- (x) **Studio:** A facility, ordinarily consisting of rooms, buildings, or a collection of buildings, where a controlled environment is developed, equipped, and maintained to produce a Production. This includes both interior spaces, such as a sound stage, and exterior spaces, such as a backlot. Ordinarily a studio is used to produce multiple Productions, often simultaneously.
- (y) **Studio Teacher:** A person certified as a teacher by the Georgia Professional Standards Commission or who possesses a valid teaching certification from another state or territory,
- (z) **Temporary Certification:** Certification issued by the Department to an Employing Unit who is utilizing more than ten (10) Minors for five (5) or less days in a Production or Episodic Production.
- (aa) **Work Time:** The total time that a Minor is participating in

anything for the Employing Unit related to the Production at the Location, excluding meal time, tutoring and any breaks for rest and recreation.

Authority: O.C.G.A. 39-2-18, 39-2-19.

300-7-1-.03 Employment of a Minor.

(1) General.

- (a) It is the responsibility of the Employing Unit to ensure compliance with the Official Code of Georgia Annotated and Official Rules and Regulations of the State of Georgia with regard to Minors in entertainment.
- (b) The Employing Unit must be issued an approved Employing Unit Certification and Certification Number by the Department before it can employ or otherwise utilize a Minor in a Production.
- (c) The Employing Unit must have an approved Location prior to having the Certified Minor perform in the Production.
- (d) No Minor may perform in a Production scene until such Minor has been issued an approved Minor Certification by the Department and the Employing Unit has verified that the Minor Certification is valid and in good standing.
- (e) Infants between birth to fifteen (15) days of age are NOT allowed to work in a Production.

(2) Hours of Performance.

- (a) The Hours of Performance for all Minors fifteen (15) days of age or older shall be in accordance with the Department Form "Schedule of Hours of Performance".
- (b) For the purposes of computing Hours of Performance, a Minor will be considered at the Location commencing with the Minor's sign-in on the Employing Unit's Hours of Performance Log at the Location until the Minor is allowed to leave the Location by the Employing Unit. In the alternative, the Employing Unit may use its time sheets maintained for the purposes of payroll. If time sheets are used in lieu of the Department's Performance Log, a copy of such time sheets must be retained at the Location.
- (c) Meal periods are not work time. Meal time may be scheduled at the end of the day as long as the first meal is within six (6) hours of start time and subsequent meals are no

more than seven (7) hours after the start of the previous meal period.

(d) No work day shall start earlier than 5:00 A.M.

(e) No Minor shall work more than six (6) consecutive days.

(3) **Travel Time for Minors Employed in the Entertainment Industry.**

(a) Except for the initial forty-five (45) minutes of travel time from lodging to Location, all time spent by the Minor in traveling to participate in the production shall count as the Minor's Location Time

(4) **Extended Hours.**

(a) A request may be made to the Commissioner for permission for the Minor to work earlier or later than approved hours. Each request shall be submitted in writing at least twenty-four (24) hours prior to the time needed along with a written consent of the Representative of the Minor. If approved, the Commissioner shall issue an Exemption Certification.

(5) **School Days.**

(a) When any Minor between ages four (4) and eighteen (18) works during school hours, twelve (12) hours must elapse between the Minor's time of dismissal and time of call on the following day; or if the Minor is not working the next day, the start of the Minor's regular school day. If the Minor is employed for the following day and the Minor's regular school day starts less than twelve (12) hours after the Minor's dismissal time, the Minor must be offered instruction by the Production Company and, if requested, such instruction must be provided to the Minor the next day

(6) **General Supervision.**

(a) No Minor may be sent to wardrobe, makeup, hairdressing or employed in any manner unless under the general supervision of the Child Labor Coordinator or Representative of the Minor.

(b) If the Minor is dismissed early and is not to be picked up at dismissal, the Minor shall be under the supervision of a Child Labor Coordinator until picked up.

(c) All Minors must have a Representative of the Minor present at all times when the Minor is at the Location,

including all times the Minor is in wardrobe, make-up, or dress.

- (d) If the Representative of the Minor is unable to be in attendance, the Minor shall not Perform; provided, however, that the Minor may perform if the Representative of the Minor provides written consent to the Child Labor Coordinator and the Child Labor Coordinator agrees in writing to assume the responsibility for the safety and well-being of the Minor.
- (e) The Employing Unit must retain the Representative of the Minor's written permission to be responsible for the Minor during the Production.

(7) **Medical Care and Safety.**

- (a) Prior to a Minor's first call, the Employing Unit must obtain the written consent of the Representative of the Minor for medical care in the case of any emergency. However, if the Representative of the Minor refuses to provide such consent due to religious beliefs, the Employing Unit must at least obtain written consent for external emergency aid, provided such consent is not contrary to the aforementioned religious beliefs.
- (b) When atmospheric smoke is utilized at the Location, the Employing Unit must comply with the standards set forth on the Department Form, "Minors and Atmospheric Smoke: Acceptable Standards", including listing compounds being used.
- (c) Medical personnel retained by the Employing Unit to provide medical care to a Minor must be licensed to provide such care by the appropriate professional licensing authority and in good standing

(8) **Hazardous, Unlawful or Unacceptable Activity.**

- (a) A Minor in any Production shall not be allowed to work in any Location deemed hazardous by the Department under Official Rules and Regulations of the State of Georgia, by the appropriate state or federal agency, or certified police, fire and rescue personnel.
- (b) No Minor shall be required to work in a situation that places the Minor in a clear and present danger to life

and/or limb.

- (c) Emergency medical personnel must be on site when there is reasonable risk of harm to the minor at the Location which may require medical attention.
- (d) No Minor between fifteen (15) days of age to six (6) months of age shall be exposed to light exceeding 100 foot-candles for more than thirty (30) seconds at a time
- (e) No minor between fifteen (15) days and two (2) years of age may be exposed to atmospheric smoke.
- (f) A Minor shall not be required, coerced, or otherwise permitted to pose nude or perform acts which are sexually explicit as defined by the Georgia Criminal Code.
- (g) No Minor shall be present on a set while adults are posing nude or performing acts which are sexually explicit as defined by the Georgia Criminal Code.
- (h) The aforementioned prohibitions shall not be waived by the Representative of the Minor.

Authority: O.C.G.A. 39-2-18, 39-2-19.

300-7-1-.04 Child Labor Coordinator.

(1) Child Labor Coordinator.

- (a) Each Employing Unit shall have a Child Labor Coordinator, who is responsible for the coordination of services and safety of all Minors in the Employment of the Employing Units at the Location. The Child Labor Coordinator shall not take on any other role or perform any other function for the Employing Unit when a Minor is at the Location.
- (b) The ratio of Child Labor Coordinator to Minors shall not exceed one (1) Child Labor Coordinator per ten (10) minors at a Location.
- (c) The Child Labor Coordinator shall:
 - 1. Be twenty-one (21) years of age or older;
 - 2. Be retained by the Employing Unit;
 - 3. Have completed a security background check (“SBC”) prior to certification to verify that the individual
 - (i) has not been convicted of a crime of moral turpitude;
 - (ii) has NO Felony convictions or “no lo contendere” or “no contest” plea within the preceding seven (7) years for crimes of moral

- (a) Any Employing Unit prior to employing or otherwise utilizing the services of a Minor in any Production must have a valid Certification Number issued by the Department.
- (2) **Certification.**
 - (a) Application.
 - 1. The Employing Unit must provide all information requested by the Application and submit the Application to the Department for approval along with a one-time administrative assessment for registration of \$500.00. Provided, however, if the Employing Unit only engages in industrial training films or commercial advertising production, then the administrative assessment for registration is \$250.00.
 - 2. If the Application is approved by the Department, the Department will issue a permanent Certification Number to the Employing Unit. This permanent Certification number shall be valid from the date issued unless otherwise set forth in these Rules.
 - (b) Renewal.
 - 1. At the end of the calendar year, the Employing Unit shall reply to a Renewal Notice from the Department to maintain the Certification. Failure to respond may result in the suspension or termination of the Certification.
 - (c) Changes in Certification Information Provided.
 - 1. After Certification has been granted by the Department, the Employing Unit shall notify the Department within five (5) business days of any changes in the information provided on the application by the Employing Unit.
- (3) **Insurance.**
 - (a) The Employing Unit shall have valid Georgia Worker's Compensation Insurance in the amounts of the statutory limits established in Title 34, Chapter 9 of the O.C.G.A. covering the Minors.
 - (b) If the Employing Unit is self-insured the Employing Unit must submit a certificate from the Georgia Board of Workers' Compensation stating that the Employing Unit qualifies to pay its employees' compensation claims.

- (c) Upon request by the Department the Employing Unit shall timely provide the Department a copy of the Worker's Compensation Insurance certificate.
- (4) **Violation of Rules.** The Employing Unit's Certification may be revoked or suspended for the violations of these Rules.
Authority: O.C.G.A. 39-2-18, 39-2-19.

300-7-1-.05 Minor's Certification Requirements.

- (1) **General.**
 - (a) For a Minor to be eligible for Employment in the entertainment industry, the Minor shall have a Representative.
 - (b) Any Minor prior to being employed or otherwise providing service utilized in any Production, shall have his or her Representative complete and submit to the Department a Minor's electronic Application for Initial or Renewal Certification. This Certification will allow a Minor to be employed by a Certified Employing Unit.
- (2) **Certification.**
 - (a) Initial.
 - 1. The Representative of the Minor must submit the completed Initial Application electronically to the Department for Approval.
 - 2. This Certification number shall be valid for one (1) calendar year ending on December 31st of the year the Initial Certification is issued.
 - (b) Renewal.
 - 1. At the end of the calendar year, the Minor's Representative may submit electronically a Renewal Application to the Department for review and approval
 - 2. After Certification has been granted, the Department shall be notified within five (5) business days of any changes in the information provided by the Representative of the Minor.
- (3) **Violation of Rules.** The Minor's Certification may be revoked or suspended violations of these Rules.
Authority: O.C.G.A. 39-2-18, 39-2-19.

300-1-.07 Representative of the Minor.

(1) General.

- (a) All Employed Minors must have a Representative.
- (b) Unless granted an exception as set forth in these Rules, the Representative shall be present at the Location at all times when the Minor is on the Location.
- (c) Upon request by the Department, the Representative of the Minor shall provide to the Department appropriate documentation establishing the basis for the individual to serve in the capacity of Representative of the Minor.
- (d) Only the Representative of the Minor registered with the Department can provide written consent to allow the Child Labor Coordinator of the Employing Unit to assume responsibility for the Minor on the Location or for additional hours.
- (e) The Representative of the Minor and the Studio Teacher shall maintain and be responsible for a log of the Minor's "Bank" of instruction hours during a Production.
- (f) Should the Commissioner determine that it is in the Minor's best interest, the consent of the Representative of the Minor may be suspended and the Minor shall be removed from the Location until such time as an Appeal hearing is concluded.

Authority: O.C.G.A. 39-2-18, 39-2-19.

300-7-1-.08 Production and Locations.

(1) General.

- (a) Prior to submitting a Location to the Department for approval, the Employing Unit must electronically register the Production with the Department.
- (b) Before a Location is authorized for Minors to work on a Production, the Employing Unit will submit a Location application electronically to the Department.
- (c) Along with the Application for the initial Location of the Production, the Employing Unit shall submit a one-time administrative assessment of \$50.00. All subsequent Location Applications for that Production shall not be subject to further assessments.

(2) Facilities for the Minors.

- (a) For all Locations in which a Minor will be required to

perform or is performing, the Employing Unit must provide adequate facilities for the Minor including dressing rooms, and for the Minor and their Representatives, rest rooms, and a rest area with appropriate hydration, seating, and protection from the weather. Such rest area may not also be used simultaneously for tutoring.

- (b) No dressing room shall be occupied simultaneously by a Minor and an adult performer or by Minor(s) of the opposite sex.

(3) **Location Application.**

- (a) The Employing Unit shall:
 1. Provide the physical address of the Location and specific directions to where the Location can be found at the physical address or in the alternative, provide a Department assigned Location Number.
 2. Provide a detailed description of the tasks to be performed by the Minor including anticipated length of participation by the Minor; and
 3. Be completed for each Minor employed.
- (b) If the Location application is approved, the Employing Unit can employ Minors who are certified with the Department.
- (c) Location approval will be valid for sixty (60) calendar days from date of approval.
- (d) Location Approval is valid only for the Location as described in the Location Application.
- (e) Should significant changes occur in the information or circumstances provided in 300-7-.1-.08 (3)(a)(2) after consent has been granted, the Department shall be notified by the requesting party within one (1) business day of said changes

(4) **Inspection of the Location.**

- (a) During all times in which any Minor is Employed at the Location, the Commissioner or their designee shall have the right to inspect, with or without notice, such Location in order to ascertain compliance with the Rules by the Employing Unit and/or the Representative of the Minor.
- (b) The Employing Unit shall cooperate with the Commissioner or their designee and timely provide any requested documentation and a suitable place to conduct a review

- of any documentation.
- (c) The Child Labor Coordinator shall be available to meet with the Commissioner or their designee during the inspection.
 - (d) In the event the Commissioner or their designee is denied access to the Location, the Employing Unit's Certification may be suspended.

Authority: O.C.G.A. 39-2-18, 39-2-19.

300-7-1-.09 Education Requirements.

(1) General.

- (a) When a Minor is guaranteed more than 1 day of employment during a school week, the Employing Unit shall allow time for instruction, provide a suitable facility and a Studio Teacher from the initial (first) day of such Performance when the Minor is Performing on any day the Minor's regularly attended school is in session.
- (b) When a Minor works more than one (1) school day in a school week, the Employing Unit will provide a Studio Teacher for any day the Minor's regularly attended school is in session.
- (c) Upon the request of the Representative of a Minor who works more than one (1) school day in a school week for two (2) or more Employing Units, the current Employing Unit on the second school day shall allow time for instruction; provide a suitable facility and a Studio Teacher on that day of such Performance. The Representative must give the Employing Unit twenty-four (24) hours notice to provide such tutoring.
- (d) If a Minor is homeschooled, the Employing Unit shall use the school district calendar where the Minor resides.
- (e) Teaching instruction each day shall not commence before 7:00 a.m. and shall cease at 6:00 p.m. with a minimum of twenty (20) minutes for each teaching block.
- (f) A Minor, who is a high school graduate or has a GED or its equivalent from a state education department and a letter from the Representative of the Minor stating that the Minor does not have to attend school, shall not be subject to this Rule 300-7-1.09

(2) Studio Teacher and Curriculum.

- (a) When any Minor, between the age of four (4) to the age

of eighteen (18), due to Performance responsibilities is absent from regular school curriculum, for more than one (1) calendar school day in a school week, then the Minor shall receive at least three (3) hours of instruction per school calendar day from a Studio Teacher at the Location during the Production.

- (b) A Minor between the ages of four (4) and nine (9) may “bank” one (1) hour of instruction time per school day, not to exceed a total of five (5) banked hours per week. Minors between nine (9) and eighteen (18) years of age may “bank” two hours of instruction time per school day, not to exceed a total of ten (10) banked hours per week. No more than ten (10) hours can be banked at any given time. No hours may be banked during a school night (a night that precedes a school day), past 6:00 p.m., or during non-school days. When “bank” hours are used by the Minor, the Minor may replace such hours. “Banked” hours are not valid except with the Production the Minor was Performing with when earned.
- (c) No more than two (2) banked hours may be used per school day. No more than ten (10) banked hours may be used per week. For Minors between the age of four (4) years and six (6) years, no more than eight (8) banked hours may be used per week.
- (d) The Representative of the Minor shall present a copy of the log of the “Bank” instruction hours to the Child Labor Coordinator who shall attach a copy along with any request to allow the Minor additional Performance time. Such request to be maintained by the Child Labor Coordinator at the Location during the Performance.
- (e) The Studio Teacher and Representative shall maintain a record of each Minor’s attendance, grades, and banked hours.
- (f) The record maintained by the Studio Teacher and/or Representative shall be turned over to the Minor’s local school officials within two (2) business days of the end of the Employment by the Employing Unit.
- (g) The Studio Teacher must have completed a SBC to verify that the individual has not been convicted of a crime of moral turpitude. In regard to the SBC, the Studio Teacher must meet the same criteria as the Child Labor Coordinator.

- (h) Any individual failing to meet the requirements set forth in (g) above shall not serve as a Studio Teacher.
- (i) At the request of the Department, the Studio Teacher's SBC shall be provided to the Department.
- (j) The Studio Teacher shall be provided by the Employing Unit and neither the Minor, Representative of the Minor nor the Minor's family shall incur any costs associated with the Studio Teacher.
- (k) The Studio Teacher may serve as the Child Labor Coordinator when only one Minor is on Location or the Studio Teacher is not instructing while serving as the Child Labor Coordinator.
- (l) The ratio of Studio Teacher to Minors shall not exceed one (1) Studio Teacher per ten (10) Minors

.Authority: O.C.G.A. 39-2-18, 39-2-19.

300-7-1-10 Temporary Certification.

(1) General.

- (a) The Department will only grant one (1) Temporary Certificate per Production. The Temporary Certification will allow an Employing Unit to employ or utilize for a Production, ten (10) or more Minors for a period not to exceed five (5) consecutive calendar days in a calendar year.
- (b) Should the Employing Unit engage in producing another Production, then the Employing Unit may request another Temporary Certification for that specific Production.
- (c) If the Employing Unit is engaged in an Episodic Production, the Employing Unit may request an Episodic Temporary Certification.
- (d) It is the sole and exclusive discretion of the Department that a Temporary Certificate or Episodic Temporary Certification may be issued to the applying Employing Unit.

(2) Application.

- (a) The Employing Unit wanting a Temporary Certification or an Episodic Temporary Certification to allow the utilization of ten (10) or more Minors in their Production or episodes must file an application with the Department.
- (b) If the application is approved, the Department will issue

- a Temporary Certification Number to the Employing Unit.
- (c) By accepting the Temporary Certification Number, the Employing Unit agrees to have and maintain the information set forth on the Department's Temporary Certification Log form for one (1) year.
 - (d) If at any time after the issuance of the Temporary Certification, the conditions upon which the Exemption was granted should change the Employing Unit shall notify the Department within one (1) business day.
 - (e) The Department shall only grant one (1) Temporary Certification for a Production per year or if an Episodic Temporary Certification is granted the Episodic Temporary Certification can be used once per episode.

Authority: O.C.G.A. 39-2-18, 39-2-19.

300-7-1-.11 Exemptions.

(1) General.

- (a) Employing Units may file a written petition with the Commissioner for an exemption to allow the organization to utilize Minors in their Productions without the necessity of the Minors having been issued a Department Certification ("Petition") if the Employing Unit is:
 - (i) a Non-Profit or a Government Organization, who are exempted from paying federal tax; and who are making industrial (training films) or commercial advertising Productions;
 - (ii) Nonprofit theatrical organizations presenting a Production and exempt from the payment of federal taxes
- (b) The organization shall provide assurance that it has read and agrees to comply with the conditions set forth in O.C.G.A. Section 39-2-18(b).
- (c) In the sole and exclusive discretion of the Commissioner, an Exemption Certificate may be issued to the petitioning organization.
- (d) If the Exemption Certificate is granted, the petitioning organization shall be exempt from compliance of the responsibilities imposed on an Employing Unit as to only utilizing Certified Minors in its Production and any application payment for registering. The organization must comply with all other Rules.

- (e) An Exemption Certificate shall expire on December 31st of the calendar year in which it is issued.
- (f) If after the issuance of the Exemption, the conditions upon which the Exemption was granted should change, the organization shall notify the Department within two (2) business days.
- (g) After one (1) year from the date of revocation, the organization may reapply for an Exemption.

(2) **Other Exemptions.**

- (a) An Employing Unit may file a Petition with the Commissioner for an exemption of certain Rules.

Authority: O.C.G.A. 39-2-18, 39-2-19.

300-7-1-.12 Child Labor Citations and Penalties.

- (1) **General.** Pursuant to O.C.G.A. § 39-2-19 it is the duty of the Commissioner to issue rules and regulations to ensure enforcement of the law concerning the employment of Minors as actors or performers.
- (2) **Violations and Penalties.** The violations that may be cited by the Department and any penalties to be assessed by the Department arising out of such citation are set forth on the form appropriate schedule.

Authority: O.C.G.A. 39-2-18, 39-2-19

300-7-1-.13 Appeals.

(1) **General.**

- (a) In the event an Employing Unit or the Representative of a Minor is issued a citation for violation of these Rules, the cited entity may by a written appeal addressed to the Georgia Department of Labor, or by email requesting the Commissioner to review the citation and that the citation be dismissed, withdrawn or modified.
- (b) The Commissioner or the Commissioner's designated administrative adjudicator will review the matter and issue a ruling

(2) **Appeals Process.**

- (a) All appeals are heard by the Commissioner's designated administrative adjudicator.
- (b) All appeals to the Commissioner shall be made and

received by the Department within two (2) state business days from the date of issuance of the citation.

- (c) A telephone hearing will be scheduled within two (2) state business days from receipt of the appeal by the Department and the conduct of the hearing will be in accordance with GDOL- UI Appeal Tribunal Procedure.
- (d) Failure to appear for the hearing will result in a dismissal of the appeal
- (e) Failure to timely file an appeal will result in the appeal being dismissed. The appealing party may request a reconsideration of the dismissal; provided such request is received by the Department within five (5) calendar days of the dismissal.
- (f) Appeals under these Rules should be forwarded to the address provided at the time the citation is issued.
- (g) The designated administrative adjudicator will issue a final determination. This is a final administrative determination; there are no further administrative appeal rights.

Authority: O.C.G.A. 39-2-18, 39-2-19.

300-7-1-.14 Written Notices.

All written notices to the Commissioner or the Department should be sent to:

Georgia Department of Labor,
Attention Child Labor Section,
Suite 426
148 Andrew Young International Blvd. NE,
Atlanta, Georgia 30303 or by email.

Authority: O.C.G.A. 39-2-18, 39-2-19.

300-7-1-.15 Forms.

(1) Forms

- (a) The Department will maintain and make available to the public a list of forms and schedules relevant to Child Labor – Minors in Entertainment.

(2) Request for Forms.

- (a) Requests for forms may be made, in person or by mail, at the Georgia Department of Labor, 148 Andrew Young International Boulevard NE, Atlanta, Georgia or by internet by typing: <https://dol.georgia.gov/>.

Authority: O.C.G.A. 39-2-18, 39-2-19.

**RULES
OF
GEORGIA DEPARTMENT OF LABOR**

**CHAPTER 300-7-2
CHILD LABOR – HAZARDOUS OCCUPATIONS**

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300-7-2-.01 Age Limitations

(1) The following is the list of jobs the Commissioner of Labor has determined will not interfere with the schooling, health, and well-being of 14- and 15-year-olds and therefore MAY BE performed by such youth. Any job not specifically permitted for 14 and 15 year-olds by this Rule, is prohibited.

(a) Occupations connected with:

1. OFFICE and CLERICAL WORK, including operation of office machines.
2. WORK OF AN INTELLECTUAL OR ARTISTICALLY CREATIVE NATURE such as but not limited to computer programming, the writing of software, teaching or performing as a tutor, serving as a peer counselor or teacher's assistant, singing, the playing of a musical instrument and drawing, as long as such employment complies with all the other provisions contained in herein and state law.
3. COOKING with electric or gas grills that do not involve cooking over an open flame and wit deep fat fryers that are equipped with and utilize devices that automatically lower and raise the baskets into and out of the oil or grease. NOTE: this section does not permit cooking with equipment such as rotisseries, broilers, pressurized equipment including fryolators, and cooking devices that operate at extremely high temperatures such as "Neico broilers."
4. CASHIERING, SELLING, MODELING, ART WORK, WORK IN ADVERTISING DEPARTMENTS, WINDOW TRIMMING and COMPARATIVE SHOPPING.
5. PRICE MARKING and TAGGING by hand or by machine. ASSEMBLING ORDERS, PACKING and SHELVING.
6. BAGGING and CARRYING OUT CUSTOMER ORDERS.
7. ERRAND and DELIVERY WORK by foot, bicycle, and public transportation. Except such youth may not be employed by a public messenger service.
8. CLEANUP WORK, including the use of vacuum cleaners and floor waxers, and the maintenance of grounds, but not including the use of power-driven

- mowers, cutters, trimmers, edgers, or similar equipment.
9. **KITCHEN WORK** and other work involved in preparing and serving food and beverages, including operating machines and devices used in performing such work along with entering walk-in freezers or meat coolers for the purpose of retrieving food items stored therein. Examples of permitted machines and devices include, but are not limited to, dishwashers, toasters, dumbwaiters, popcorn poppers, milk shake blenders, coffee grinders, automatic coffee machines, devices used to maintain the temperature of prepared foods (such as warmers, steam tables, and heat lamps), and microwave ovens that are used only to warm prepared food and do not have the capacity to warm above 140 °F.
 10. **CLEANING KITCHEN EQUIPMENT.** Minors are permitted to clean kitchen equipment (not otherwise prohibited), remove oil or grease filters, pour oil or grease through filters, and move receptacles containing hot grease or hot oil, but only when the equipment, surfaces, containers and liquids do not exceed a temperature of 100°F.
 11. **CLEANING VEGETABLES AND FRUITS, AND THE WRAPPING, SEALING, LABELING, WEIGHING, PRICING, AND STOCKING OF ITEMS, INCLUDING VEGETABLES, FRUITS, AND MEATS,** when performed in areas physically separate from freezer or meat cooler.
 12. **LOADING ONTO MOTOR VEHICLES AND THE UNLOADING FROM** motor vehicles of the light, non-power-driven, hand tools and personal protective equipment that the minor will use as part of his or her employment at the work site; and the loading onto motor vehicles and the unloading from motor vehicles of personal items such as a back pack, a lunch box, or a coat that the minor is permitted to take to the work site. Such light tools would include, but not be limited to, rakes, hand-held clippers, shovels, and brooms. Such light tools would not

include items like trash, sales kits, promotion items or items for sale, lawn mowers, or other power-driven lawn maintenance equipment. Such minors would not be permitted to load or unload safety equipment such as barriers, cones, or signage.

13. THE OCCUPATION OF LIFEGUARD (15-year-olds but not 14-year-olds) at traditional swimming pools and water amusement parks (including such water park facilities as wave pools, lazy rivers, specialized activity areas, and baby pools, but not including the elevated areas of water slides) when properly trained and certified in aquatics and water safety by the American Red Cross or a similar certifying organization. No youth under 16 years of age may be employed as a lifeguard at a natural environment such as an ocean side beach, lake, pond, river, quarry, or pier.
14. WORK IN CONNECTION WITH CARS AND TRUCKS if confined to:
 - (i) Dispensing gasoline and oil,
 - (ii) Courtesy service on premises of gasoline service station.
 - (iii) Car cleaning, washing, and polishing by hand.
15. WORK IN CONNECTION WITH RIDING INSIDE PASSENGER COMPARTMENTS OF MOTOR VEHICLES except as prohibited by state and these regulation, when a significant reason for the minor being a passenger in the vehicle is for the purpose of performing work in connection with the transporting-or assisting in the transporting of-other persons or property. Each minor riding as a passenger in a motor vehicle must have his or her own seat in the passenger compartment; each seat must be equipped with a seat belt or similar restraining device; and the employer must instruct the minors that such belts or other devices must be used. In addition, each driver transporting the young workers must hold a valid state driver's license for the type of vehicle being driven and, if the driver is under the age of 18, his or her employment must comply with the provisions of the state's driver license.

16. Work Experience and Career Exploration Programs (WECEP)
 - (i) For 14- and 15-year-old participants in approved school-supervised and school-administered WECEPs. Enrollees in WECEP may be employed:
 - (I) During school hours.
 - (II) For as many as 3 hours on a school day, including Fridays.
 - (III) For as many as 23 hours in a school week.
 - (ii) The state educational agency must obtain approval from the Commissioner of Labor before operating a WECEP program.
17. Work-Study Program (WSP)
 - (i) 14- and 15-year-old students participating in a Federal or State Department of Education approved school-supervised and school administered WSP. Participating students must be enrolled in a college preparatory curriculum and identified by authoritative personnel of the school as being able to benefit from the WSP.
 - (ii) Employment of students in an authorized WSP shall be confined to not more than 18 hours in any one week when school is in session, a portion of which may be during school hours, in accordance with the following formula that is based upon a continuous four-week cycle. In three of the four weeks, the participant is permitted to work during school hours on only one day per week, and for no more than for eight hours on that day. During the remaining week of the four-week cycle, such minor is permitted to work during school hours on no more than two days, and for no more than for eight hours on each of those two days. The employment of such minors would still be subject to the remaining time of day and number of hours standards contained in these regulations.

300-7-2-.02 Time of Inspection and Pertinent Records

The Commissioner of Labor or the Commissioner's designee shall inspect, or cause to be inspected at a reasonable time any employer or establishment where a minor is employed. The required work certificates and pertinent records (evidencing hours worked by minor) must be available at location where work is performed.

300-7-2-.03 Place of Employment

- (1) No minor shall be allowed to work for a firm, person or corporation at any location or job deemed hazardous under Georgia Law or Department Rules.
- (2) No minor shall be employed where the atmosphere, location, or place of employment is hostile or offensive to the generally accepted standards of this State or the community in which the minor is expected to perform.

300-7-2-.04 Employment Certificates

No Minors between 12 and 16 years of age shall be employed or permitted to work, unless, pursuant to O.C.G.A. 39-2-11 certificate is issued by the school administration, or as provided under O.C.G.A. 20-2-690(c)(6) for minors in an approved home study course.

Authority: O.C.G.A. Secs. 39-2-1, 39-2-2, 39-2-11 and 39-2-19.

FORMS

GEORGIA DEPARTMENT OF LABOR MINORS IN ENTERTAINMENT

SCHEDULE OF HOURS OF PERFORMANCE

Hours of Performance.

- (a) Hours of Performance are to be computed in accordance with Rule 300-7-1-.03, Employment of a Minor.
- (b) **Infants between birth to 15 days of age: NOT** allowed to work in a Production.
- (c) **Infants 15 days of age to 6 month of age:**
 - 1. May be at the Location for 1 period per day for 2 consecutive hours which must occur either between 9:30 am and 11:30 a.m.; or between 2:30 p.m. and 4:30 p.m. or 6:00 p.m. to 8: 00 p.m.
 - 2. Actual work shall not exceed 20 minutes.
 - 3. Infants shall NOT be exposed to light exceeding 100 foot-candles for more than 30 seconds at a time.
 - 4. A Child Labor Coordinator, a child care provider, and a nurse must be provided and present for every 3 or fewer infants aged 15 days to 6 weeks of age.
 - 5. A Child Labor Coordinator, a child care provider, and a nurse must be provided and present for every 10 or fewer infants, aged 6 weeks to 6 months of age.
 - 6. The nurse, if a licensed childcare provider, may serve as the childcare provider.
 - 7. May not be exposed to Atmospheric Smoke.
- (d) **Minors between the age of 6 months to 2 years:**
 - 1. May be at the Location up to 4 hours per day and no later than 10:00 p.m.
 - 2. Shall work no longer than a total of 2 hours per day.
 - 3. All remaining time the Minor is at the Location shall be used for rest and recreation.
 - 4. May not be exposed to Atmospheric Smoke.
- (e) **Minors between the age of 2 years to 6 years:**
 - 1. May be at the Location up to 6 hours per day and no later than 10:00 p.m.
 - 2. Shall work no longer than a total of 3 hours per day.
 - 3. All remaining time the Minor is at the Location shall be

used for rest and recreation.

4. If the Minor is enrolled in school (K-12), then the Minor must have 2 hours of tutoring.

(f) Minors between the age of 6 years to 9 years:

1. May be at the Location up to 8 hours per day and no later than 10:00 p.m.
2. Shall work no longer than a total of 4 hours per day.
3. All remaining time the Minor is at the Location shall include:
 - (i) 1-hour break for meals; (or in the alternative 30-minute meal break and 30 minutes for rest and recreation);
 - (ii) 3 additional hours for tutoring (when tutoring is required); and
 - (iii) If tutoring is not required, the Minor may work an additional 2 work hours after a 1-hour break. The remaining unused tutoring hour must be used either after 1-hour of the 2 additional work hours or at the end of the 2 additional work hours.

(g) Minors between the age of 9 years to 16 years:

1. May be at the Location up to 10 hours per day and no later than 10:00 p.m. on a school night and 12:00 midnight on a non-school night.
2. Shall work no longer than a total of 5 hours per day.
3. All remaining time the Minor is at the Location shall include:
 - (i) 1-hour break for meals; (or in the alternative 30-minute meal break and 30 minutes for rest and recreation);
 - (ii) 1 additional hour for rest and recreation;
 - (iii) 3 additional hours for tutoring (when tutoring is required); and
 - (iv) If tutoring is not required, the Minor may work an additional 2 work hours after a 1-hour break. The remaining unused tutoring hour must be used either after 1-hour of the 2 additional work hours or at the end of the 2 additional work hours.

- (h) **Minors between the age of 16 years to 18 years:**
1. May be at the Location up to 12 hours per day, no later than 12:00 a.m. on a school night, and no later than 2:00 a.m. on a non-school night.
 2. Shall work no longer than a total of 8 hours per day.
 3. All remaining time the Minor is at the Location shall include:
 - (i) 1-hour break for meals; (or in the alternative 30-minute meal break and additional 30 minutes for rest and recreation);
 - (ii) 3 additional hours for tutoring (when tutoring is required); and
 - (iii) If tutoring is not required, the Minor may work an additional 2 work hours after a 1-hour break. The remaining unused tutoring hour must be used either after 1-hour of the 2 additional work hours or at the end of the 2 additional work hours.
- (i) **Additional Provisions Applicable to all Minors.**
1. Additional breaks as may be required to ensure the health, safety and well-being of the Minor shall be permitted.
 2. Any request for a break by a Department representative, in the interest of the Minor, must be granted.
 3. Work day shall start no earlier than 5 a.m.
 4. Minor shall not work more than six consecutive days. It is the responsibility of the Representative of Minor to ensure that the Minor does not exceed six consecutive working days.
 5. Representative of the Minor must be present at all times when the Minor is at the Location.
 6. Minors working past 9 p.m. must have a secure place on Location to rest during breaks for themselves and their Representatives.

NOTE: All other forms are available on our website.

FORMS

GEORGIA DEPARTMENT OF LABOR MINORS IN ENTERTAINMENT

SCHEDULE OF CHILD LABOR VIOLATIONS AND PENALTIES

Child Labor Violations and Penalties.

(1) Employing Unit Violations.

- (a) Level 1 Offenses - written citation, follow up inspection within thirty days.

Penalty: Warning Violation

1. **Type of Offenses:**

- (i) No certificate of employment for Minor with the Department.
- (ii) Failure to register Location with the Department.

If follow up inspection fails, any violation found at that time will be penalized as no less than a Level 2 offense.

- (b) Level 2 Offenses - written citation and follow up inspection within 15 days.

Penalty: Employer Certification Suspended 5 days, to be effective 2 state business days from date of citation. If the citation is appealed, implementation of the suspension shall be stayed until the hearing of the appeal.

1. **Type of Offenses:**

- (i) Minor exceeds work hour restrictions (by day or week).
- (ii) Minor at an unregistered Location.
- (iii) Minors at place of employment in excess of allotted time.
- (iv) Minors break, meal, rest, and recreation time not provided or documented.
- (v) Representative of Minor did not provide consent

for Minor to work beyond work hour limitations in emergency situation.

- (vi) No statement of attendance on file for Minor from Studio Teacher.

If follow up inspection fails, any violation found at that time will be penalized as no less than a Level 3 offense.

(c) Level 3 Offenses - written citation.

Penalty: Employer Certification suspended 3 weeks, but may resume once a secondary inspection occurs with no additional violations. The Employing Unit shall pay for the cost of the next inspection by the Department. The penalty shall be effective upon issuance of the citation, unless the only reason for the issuance of a citation is due to the failure to provide documentation, in which instance the suspension shall take effect at 4:30 PM on the date issued.

1. **Type of Offenses:**

- (i) Location lacks facility requirements as defined in the Rules. (Suitable restroom facilities, dressing rooms (gender specific- not shared by members of different sex), drinking/food facilities, first aid provisions)
- (ii) Licensed child care provider not documented as being present during Performance of minors aged 15 days to 6 months.
- (iii) Minor or Minors utilized in the Production but do not have a Minor Certification Number.
- (iv) Minor under the age of 6 years: Representative of Minor not documented to be present on site of production/performance.
- (v) Minors aged 6-16: years: Representative of Minor not documented to be present on site,
- (vi) Location Child Labor Coordinator not documented to be present on site with written consent of Minor's Representative.

- (vii) Studio Teacher not assigned to Minor (when applicable).
- (viii) Minor or Minor's family are required to pay for all or part of the Studio Teacher's fee.
- (ix) Minor does not receive 3 hours of tutoring per day. (when applicable).
- (x) No verification of Studio Teacher meeting the requirements of this role maintained with the Employing Unit. (when applicable).

(d) Level 4 Offenses - written citation.

Penalty: Certification is revoked immediately until and unless special consideration is made by the Department. If the Department agrees to reinstate Certification for Employing Unit, a probationary period may be initiated. If the Certification is reinstated, the Employing Unit shall pay for the cost of the next 3 inspections by the Department.

1. **Type of Offenses:**

- (i) Minor working not of legal age (Federal and State).
- (ii) Minor permitted to pose or perform nude, partially nude, in sexually explicit acts, or be present on a set while adults are engaged in such activity.
- (iii) Minor in unsafe work condition/hazardous location.
- (iv) Employing Unit does not have valid Georgia Worker's Compensation Insurance.
- (v) Local Child Labor Coordinator not assigned or not verified as meeting the requirements of this role maintained under the Department's Security Background Check ("SBC") standards as defined in the Rules
- (vi) Access denied to Department inspector.
- (vii) Falsifying applications or documents presented to the Department.

Copies of the Citation shall be provided to the following parties:

Employing Unit's Representative
Employing Unit's Child Labor Coordinator
Georgia Department of Labor – Child Labor Section
Georgia Department of Labor – Administrative Adjudicator

(2) **Representative of the Minor**

Offenses - written citation.

Penalty: Representative certification Suspended. No approval of application for certification for 6 months

1. **Type of Offenses:**

- (i) No certificate of employment for Minor with the Department.
- (ii) Falsification of documents presented to the Department establishing validity of adult to be The Representative of the Minor.
- (iii) Representative of the Minor is absent from Location without an authorized replacement and the Minor is at the Location.
- (iv) Failure to follow Department Rules.

Copies of the Citation shall be provided to the following parties:

Representative of the Minor
Georgia Department of Labor – Child Labor Section
Georgia Department of Labor – Administrative Adjudicator

