

# Employment of Young People in the B.C. Entertainment Industry

For the purposes of this factsheet, the entertainment industry includes the film, radio, video and television industry, and the television and radio commercials industry.

In British Columbia, minimum standards for wages and working conditions for children working in the entertainment industry are set under the *Employment Standards Act* and the *Employment Standards Regulation*.

## Consent of parent or guardian

The Act requires that any person who employs a young person under the age of 15 obtain written consent from the child's parent or guardian. The Regulation sets conditions of work for any young person under the age of 15 if employed as an actor, background performer or extra in the entertainment industry.

The parent or guardian must determine whether the employment situation meets the best interests of the child taking into account the child's social, physical or educational needs.

The production must have written consent on record to indicate the young person's date of birth and that the parent or guardian knows where the young person is working, the hours of work and the type of work.

## Minimum age

An infant less than 15 days old may not be employed in the entertainment industry.

## Limits on daily hours

Unless the employer receives prior written approval from the Director of Employment Standards, the following limits apply to the number of hours young people under the age of 15 can work:

- Children under the age of 12 must not be required to be in attendance at work for more than eight hours from the time they report to work until the end of their shift;
- Children ages 12 to 14 must not be required to be in attendance at work for more than 10 hours from the time they report to work until the end of their shift;
- Children cannot be required to report to work earlier than 5:00 a.m.;
- If school is in session, children cannot work later than 10:00 p.m. if the next day is a school day and 12:30 p.m. if the next day is not a school day;
- If school is not in session, children cannot work later than 2:00 a.m.;
- Children are not be required or allowed to work a split shift; and
- Meal breaks are not to be longer than one hour.

The requirement that a child have 12 hours free from work before the child is scheduled to attend school (see "Hours free from work" below) may place additional limits on the child's daily hours of work.

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## Time before recording devices and breaks

Children must not be before a recording device for longer than specified in the following table, to be followed by a break not shorter than specified:

Age	Time working	Break
Less than 3 years old	15 consecutive minutes	20 consecutive minutes
Between 3 – 5 years old	30 consecutive minutes	15 consecutive minutes
Between 6 – 11 years old	45 consecutive minutes	10 consecutive minutes
Between 12 – 14 years old	60 consecutive minutes	10 consecutive minutes

## Hours free from work

Children must receive at least 48 consecutive hours free from work each week, or be paid at least 1½ times the regular wage for hours worked during that 48 hours.

Children must receive at least 12 consecutive hours free from work:

- Between each shift worked; and
- Before the child is scheduled to attend school.

## Work week

Children must not work more than five days in a week unless the Director of Employment Standards gives written permission in advance for the child to work six days per week.

## Chaperones

Employers must make sure that every child on the production set has a chaperone. The chaperone must be:

- The child's parent or guardian, if the parent or guardian has reached the age of 19 and is not working as an actor in the production, except as a background performer or an extra; or
- A person who has reached the age of 19, is designated chaperone by the child's parent or

guardian, and is not the child's employer or tutor or an employee of either.

The chaperone cannot be chaperone for more than the number of children specified in the following table:

Age of Child	Number of Children per Chaperone
15 days to age 5	1
Between 6 – 11 years old	3
Between 12 – 14 years old	5

If the child is between 12 – 14 years old, and the child's chaperone is the child's parent or guardian and is working as a background performer or extra on the same production, the chaperone cannot also be chaperone for more than two other children on the production set.

## Income protection

If a child employed in the entertainment industry earns more than \$2,000 on a production, the employer must remit 25% of any earnings over \$2,000 to the Public Guardian and Trustee to hold in trust for the child. For more information, please see the *Public Guardian and Trustee* factsheet.

## More information

More information on regulations, best practices and forms relating to young people under the age of 15 working in the entertainment industry can be found on the Employment Standards Branch website at:

<http://www.labour.gov.bc.ca/esb/chldfilm/>.