

# New York State Requirements For Employment of Child Performers

The New York Department of Labor has revised the law regarding employment of minor performers effective **April 1, 2013**. New forms are required effective April 15, 2013. You can access the complete law on the NY Department of Labor <http://www.labor.ny.gov>

These regulations establish new responsibilities for both employers and parents/guardians of child performers. The Employer is required to submit forms and follow the guidelines listed below:

## Certificate of Eligibility to Employ Child Performers

**Form (LS550)** <http://www.labor.ny.gov/formsdocs/wp/LS550.pdf>

The Employer must obtain this certificate prior to employing child performers. The certificate is valid for 3 years following the date of issue and must be kept on file.

Renewals must be submitted to the NY Department of Labor no later than 30 days prior to the expiration of the certificate.

**Initial Certificate Fee:** \$350.00  
**Renewal:** \$ 200.00

## Certificate of Group Eligibility (New)

**Form (LS553)** <http://www.labor.ny.gov/formsdocs/wp/LS553.pdf>

Employers may employ a group of children to establish a background scene or to perform as a group. This Certificate of Group Eligibility is valid only for the period of performance and permits child performers to work no more than 2 days (which do not have to be consecutive).

**Fee:** \$200.00

## Notice of Use of Child Performers (New)

**Form (LS556)** <http://www.labor.ny.gov/formsdocs/wp/LS556.pdf>

Employers must notify the NY Department of Labor of their intent to employ child performers by filing a [Notice of Use](#). This must be provided at least 2 business days before the child performer begins work and may be updated during production as necessary.

**Note:** The Notice of Use of Child Performers does not have to be submitted when employing groups of child performers and a Certificate of Eligibility to Employ Group Child Performers has been obtained.

## Application for Variance from the Child Performance Regulation (New)

**Form (LS557)** <http://www.labor.ny.gov/formsdocs/wp/LS557.pdf>

Employers who experience a hardship in complying with child performance regulations must submit this form to the NY Department of Labor. Applications must be sent no later than 2 business days prior to the day requested changes would take effect. Applications are also processed free of charge.

## Health and Safety Information

**Form (LS563)** <http://www.labor.ny.gov/formsdocs/wp/LS563.pdf>

Employers must provide safety information to performers, parents/guardians and responsible persons. Employers must also obtain emergency contact information and authorization to perform emergency medical treatment from the Parent/Guardian of the child performer (see form [LS563](#)).

## Additional Requirements and Information (New)

- The Parent/Guardian must provide the Employer with a copy of the [Child Performer Permit](#) and the [Minor Trust Form](#). Both must be available at the workplace for inspection.
- The Employer must send the [Minor Trust Form](#) to Extreme Reach.
- The Parent/Guardian must also provide the employer with current emergency contact information and authorization to provide emergency medical treatment for the child performer.
- The Employer must retain all records for at least 6 years, including copies of Child Work Permits, Parental Consent Forms, Minor Trust Account Information, Education Hours, Trust Account Transfers and Time Sheets.
- Penalties for violation of the Child Performer regulations are as follows:
  - \$1,000 for first violation
  - \$2,000 for second violation
  - \$3,000 for the third and subsequent violations.

The NY Department of Labor may suspend or revoke the Certificate of Eligibility to Employ Child Performers for any violations.

## Working Conditions (New)

- The Employer must adhere to the Child Performer Permitted Working Hours on the NY Department of Labor [website](#), including working conditions such as meal and rest periods.
- The Employer must also adhere to safety provisions, including the designation of a responsible person(s) to supervise performers under age 16 and providing a nurse(s) for infants when required.
- The Employer also needs to adhere to Education Requirements as defined by the NY Department of Labor.

## Parent/Guardian Requirements (New)

The Parent/Guardian must obtain the [Child Performer Permit](#) and provide a copy to each Employer before production starts. The Child Permit is valid for 12 months. When a permit is renewed, it must be done within 30 days of expiration.

The Parent/Guardian must also provide all required documentation with the 1 year permit application. This includes:

- Proof of satisfactory academic performance
- Certification of physical fitness
- Information regarding the establishment of a trust fund ([Minor Trust Form](#))

## Extreme Reach Will Provide the Following Forms and Services:

- Extreme Reach is the Employer of Record for Unemployment, Worker's Compensation and Payroll Tax purposes. The Producer is responsible for adhering to the employment laws outlined above, and for submitting completed documents to Extreme Reach with payroll requests.
- Our team will provide the insurance documents listed in the Application for a Certificate of Eligibility to Employ Child Performers.
- The Extreme Reach team will also provide form L551 Verification of Workers' Compensation/Disability Insurance Coverage.
- Extreme Reach will maintain Trust Fund information via the [Minor Trust Form](#).
- Our team will send funds to the performer's trust within 15 days of receiving paperwork.
- We will also send funds to the NY Department of Labor escrow if proof of trust is not obtained.

If hiring child performers, please attach copies of the appropriate NY State work permits, Parental Consent Forms, the [Minor Trust Form](#) and time sheets for all minors to their SAG-AFTRA contracts, as well as non-union and other talent releases.

**Remember that the guidelines for the employment of minors applies to ALL employment, including on-camera and off-camera work, whether union or non-union and to print models.**

**Questions?** Please feel free to contact your Extreme Reach Account Manager or our [Talent team](#).



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