

9. ENTERTAINMENT INDUSTRY

Defined

The entertainment industry is defined in state regulations as “...any organization, or individual, using the services of any minor in: motion pictures of any type (film, videotape, etc.), using any format (theatrical, film, commercial documentary, television program, etc.), by any medium (theater, television, videocassette, etc.); photography; recording; modeling; theatrical productions; publicity; rodeos; circuses; musical performances; and any other performances; and any other performances where minors perform to entertain the public.” [8 CCR 11751]

Permits to Work and Permits to Employ

Minors aged 15 days* to 18 years employed in the entertainment industry (as defined above) must have a permit to work and employers must have a permit to employ issued by the Division of Labor Standards Enforcement. [LC 1308.5, 8 CCR 11751 (b), 11752, 11753 and 11754] These permits are also required for minors making phonographic recordings or who are employed as advertising or photographic models. [LC 1308.5 (a) (6) and (7)] Permits are required even when the entertainment is non-commercial in nature. [LC 1308.5 (a) (5)]

Permits to work or employ will not be issued if the environment is improper for the minor, the employment conditions are detrimental to the minor’s health, or if the minor’s education is hampered. [LC 1308.6] The Labor Commissioner may require school officials to investigate these employment conditions. [LC 1308.6]

The Division of Labor Standards Enforcement issues four types of entertainment work permits: Ten-day individual temporary permits, six-month individual permits, permits to employ minors, and blanket permits. A six-month individual permit is issued to the minor specifically named in the application and must be renewed in the same manner and under the same conditions as the original permit. [8 CCR 11753 (b)]

*No infant under the age of one month may be employed on any motion picture set or location unless a licensed physician who is board certified in pediatrics provides written certification that the infant is at least 15 days old and in his or her medical opinion, the infant was carried to full term, was normal birth weight, is physically capable of handling the stress of filmmaking, and the infant’s lungs, eyes, heart and immune system are sufficiently developed to with-stand the potential risks. [LC 1308.8 (a)]

PROCEDURE FOR OBTAINING AN ENTERTAINMENT WORK PERMIT

- Obtain the “Application for Permission to Work in the Entertainment Industry” from any Division of Labor Standards Enforcement office or online.
- The minor’s parent or legal guardian must complete **all** of the requested information on the application, and print and sign her or his name.
- If the minor is of **school age** (first grade and above), an authorized school official (i.e., principal, vice principal, dean, headmistress, headmaster, counselor or the minor’s teacher) must complete the “School Record” portion of the application, sign his or her name and print his or her title or position, and affix the school’s seal or stamp. (See “School Age Children” section below for details).
- If the minor is **not of school age** (15 days through kindergarten) the minor’s parent or legal guardian must provide **one** of the following:
 - A certified copy of the minor’s birth certificate;
 - The minor’s baptismal certificate;
 - A letter on the hospital’s letterhead from the hospital where the minor was born attesting to the birth of the minor; or
 - The minor’s passport.
- The completed application with original signatures and the school’s seal or stamp affixed thereto must either be mailed or presented in person to any Division of Labor Standards Enforcement office for issuance of the minor’s entertainment work permit. Faxed copies cannot be accepted.

SCHOOL AGE CHILDREN

Although school officials may not issue work permits for employment in the entertainment industry, written verification from the minor’s school demonstrating a satisfactory academic and attendance record must accompany the application for an individual permit. The verification must come from an authorized school official. Minors who attend a charter school must obtain the written verification from either the minor’s school or the authority that granted the school’s charter. Minors who are schooled in a setting other than a public school classroom must obtain the written verification from either the local school district or the county office of education where the minor lives.

Exception:

(1) Minors who attend a private full-time day school [EC 48222] must obtain the written verification from the principal or other person having charge of the private school.

(2) Minor's who are instructed by a private tutor pursuant to EC 48224 must obtain the written verification from either the local school district or the county office of education where the minor lives.

(3) Minors who participate in independent study through the local public school system [EC 51745, et seq.] must obtain the written verification from either the minor's school, the local school district or the county office of education where the minor lives. If school is not in session (i.e., school break, vacation, holiday, etc.), either the minor's most recent report card or a letter on school letterhead from the principal or other person having charge of the minor's school or a letter on district letterhead from an official of the local school district where the minor lives or a letter on the county board of education's letterhead from an official of that agency, indicating that the minor's scholastic record, attendance and health are all satisfactory or better, is required. An entertainment work permit based on the minor's report card or any of the aforementioned letters will be effective only for the particular period during which the minor's school is not in session. If a minor is from out of state, either the minor's most recent report card or a letter on school letterhead from the principal or other person having charge of the minor's school indicating that the minor's scholastic record, attendance and health are all satisfactory or better, is required.

The Division of Labor Standards Enforcement may also require a physical examination to ensure that the minor is physically able to perform the duties required. [8 CCR 11753]

Blanket permits are issued for groups of minors hired for special events or particular productions lasting a limited time. [8 CCR 11754] Employers obtain these permits after demonstrating proof of workers' compensation coverage and that a parent or guardian will accompany each group of 20 minors or fraction thereof. [8 CCR 11754] The Division of Labor Standards Enforcement requires that school verification and parental consent forms for each minor accompany the application. Minors are not individually named on the permit, but a list of the minors' names submitted by the employer is attached. Appropriate numbers of studio teachers must be supplied. [8 CCR 11754] Special arrangements must be made for groups of 100 minors or more. [8 CCR 11754] These permits expire at the end of the special event for which they are issued.

Employers in the entertainment industry must possess a Permit to Employer Minors in the Entertainment Industry issued by the Division of Labor Standards Enforcement when employing minor under either an individual or blanket permit. [8 CCR 11751 (b)] Application forms for these permits may be obtained from any Division of Labor Standards office. Employers must demonstrate proof of workers' compensation coverage. The permit is issued for an indefinite period, but the Division of Labor Standards Enforcement's policy requires that any interruption of workers' compensation coverage

requires a new application. Permits to employ may be denied, revoked or suspended for any violation of law or regulation or any discrimination against a studio teacher for performing duties authorized and required by law and regulation for the protection of their minor charges. [8 CCR 11758 and 11758.1]

Exception: Minors of any age may appear in the following venues without permits [LC 1310]:

- In any church, public or religious school or community entertainment;
- In any school entertainment or in any entertainment for charity or for children, for which no admission fee is charged;
- In any radio or television broadcasting exhibition, where the minor receives no compensation directly or indirectly therefor and where the engagement of the minor is limited to a single appearance lasting not more than one hour and where no admission fee is charge for the radio broadcasting or television exhibition;
- At any one event during a calendar year, occurring on a day on which school attendance is not required or on the day preceding such a day, lasting four hours or less, where a parent or guardian of the minor is present, for which the minor does not directly or indirectly receive any compensation.
- High school graduates and minors who have been awarded a certificate of proficiency pursuant to EC 48412 (such certificate being equivalent to a high school diploma), also do not require permits. [LC 1286 (c), 8 CCR 11750]

Excused School Absences

A school may excuse the absences of a pupil who holds an entertainment work permit or who participates with a not-for-profit arts organization in a performance for a public school audience. [EC 48225.5] The law limits the number of excused absences for a child holding an entertainment work permit to five absences per school year, each of which may consist of up to five days. A child who is absent due to participation in a non-profit public school performance is limited to five excused absences per school year.

A child who receives an excused absence for participation in a not-for-profit arts organization performance at a public school must be allowed to make-up missed assignments and receive credit for all work satisfactorily completed. A child excused from school attendance because of employment in the entertainment industry must be instructed during the absence by a studio teacher certified by the Labor Commissioner in accordance with Section 11755 of Title 8 of the California Code of Regulations.

Hours of Work and Concurrent Requirements

Minors in the entertainment industry may not work more than eight hours in a day [LC 1308.7 and 1392] or more than 48 hours in a week. [LC 1308.7] They may only work between the hours of 5 a.m. and 10 p.m. (to 12:30 a.m. on days preceding a non-school-day). [LC 1308.7] “School day” means any day that a minor is required to attend school for 240 minutes or more. [LC 1308.7] **Exception:** Upon the Labor Commissioner’s approval following a written request (submitted 48 hours in advance); a minor aged eight to eighteen may continue his or her part past 10 p.m. up to 12 midnight preceding a school-day in a “presentation, play, or drama” which begins before 10:00 p.m. [LC 1308.5 (a) (4)] *This exception may never be construed to allow the minor to be at the place of employment more than the maximum number of hours permitted in law or regulation.* In addition, state regulation establishes minimum work hour standards for individual age groups as described below.

Infants aged 15 days to 6 months may be at the place of employment for one period of two consecutive hours, which must occur between 9:30 a.m. and 11:30 a.m. or between 2:30 p.m. and 4:30 p.m. [8 CCR 11764] Actual work may not exceed 20 minutes under any circumstances. [8 CCR 11760] Infants may not be exposed to light exceeding 100 foot-candles for more than 30 seconds at a time. A studio teacher and a nurse must be present for each three or fewer infants aged 15 days to 6 weeks. A studio teacher and a nurse must be present for each 10 or fewer infants aged 6 weeks to 6 months. [8 CCR 11755.2 and 11760] A parent or guardian must always be present. [8 CCR 11757]

Minors aged 6 months to 2 years may be at the place of employment for up to four hours and may work up to two hours. The remaining time must be reserved for the minor’s rest and recreation. [8 CCR 11760]

Minors aged 2 years to 6 years may be at the place of employment for up to six hours and may work up to three hours. The remaining time must be reserved for the minor’s rest and recreation. [8 CCR 11760]

Minors aged 6 years to 9 years when school is in session may be at the place of employment for up to eight hours, the sum of four hours work, three hours schooling and one hour of rest and recreation. When school is not in session, work time may be increased up to six hours, with one hour of rest and recreation. [8 CCR 11760]

Minors aged 9 years to 16 years when school is in session may be at the place of employment for up to nine hours, the sum of five hours work, three hours schooling and one hour of rest and recreation. When school is not in session, work time may be increased up to seven hours, with one hour of rest and recreation. [8 CCR 11760]

All minors aged 6 months to 16 years must be provided with one studio teacher for each group of ten or fewer minors when school is in session and for each group of twenty

or fewer minors on Saturdays, Sundays, holidays or during school vacations. [8 CCR 11755.1] In addition to the studio teacher, a par or guardian must always be present. [8 CCR 11757] **Exception: Minors under 16** do not require the presence of a studio teacher for up to one hour for wardrobe, make-up, hair-dressing, promotional publicity, personal appearances or audio recording if these activities are not on the set, if school is not in session *and* if the parent or guardian is present. [8 CCR 11762]

Minors aged 16 years to 18 years when school is in session may be at the place of employment for up to ten hours, the sum of six hours work, three hours schooling and one hour of rest and recreation. When school is not in session, work time may be increased up to eight hours, with one hour of rest and recreation. [8 CCR 11760] Studio teachers need only be present for the minors' schooling, if schooling is still required. [8 CCR 11760] A parent or guardian need not be present.

The time minors may be permitted at the place of employment may be extended by no more than one-half hour for a duty-free meal period. [8 CCR 11761]

All travel time between the studio and a location counts as work time. Up to forty-five minutes travel from on-location overnight lodging to a worksite is generally considered work time. Travel between school, home and the studio is not work time. [8 CCR 11759]

All time spent in make-up or hair-dressing in the minor's home, with the assistance of studio personnel, is considered work time. No make-up person or hair-dresser may work on a minor in the minor's home before 8:30 a.m. Twelve hours must lapse between the time the minor is dismissed on one day and the time make-up or hair-dressing begins on the following day. [8 CCR 11763]

Twelve hours must elapse between the minor's time of dismissal and call time on the following day. If the minor's regular school starts less than twelve hours after his or her dismissal time, the minor must be schooled the following day at the employer's place of business. [8 CCR 11760 (i)]

Minors who attend regular school may not work in the entertainment industry for the same number of hours as minors tutored by studio teachers. Minors tutored by studio teachers need only be instructed for three hours a day [EC 48224; 8CCR 11760] while minors in regular school are generally required to attend school for a much longer time. Clearly, minors who attend regular school cannot assume the same work hour burden as tutored minors. Consequently, the Division of Labor Standards Enforcement adopted an enforcement policy for minors who attend regular school by subtracting six hours from the maximum number of hours that tutored minors are permitted on set when school is in session. For example, tutored minors 9 to 16 years of age are permitted to be on set for up to nine hours, therefore minors who attend regular school on a work day would be permitted to be on set for up to three hours. Such work days for minors attending regular school do not require a one hour rest and recreation period, but they may be extended one-half hour by a meal period. Finally, the Division of Labor Standards Enforcement

policy *always* assumes that the minor who attends regular school *always* attend for at least six hours. Thus, in an effort to safeguard the minor's educational interest, an artificially shortened regular school day is never allowed to result in an employer benefit of extended work hours.

Nothing in the Division of Labor Standards Enforcement policy for minors who attend regular school may be construed to allow those minors to work during regular school hours. The Division of Labor Standards Enforcement policy is specifically designed to dissuade any interruption of a minor's regular school attendance requirements. There is only one exception. A minor 14 years of age or older who attends regular school may work up to eight hours during regular school hours for each of two consecutive days upon the written permission of the minor's school. [8 CCR 11760 (h)]

No law exempts minors employed in the entertainment industry from any of the prohibited occupations listed in Chapters 7 and 8 of this digest, except those entertainment activities cited in Labor Code Section 1308.

*Neither studio teachers nor the Labor Commissioner are empowered to waive, at any time or under any circumstances, any minimum labor standard established in law or regulation. **Exception:*** The special exemption described above allowing minors aged 8 to 18 to work past 10 p.m. up to 12 midnight on a school night.

Wages

As set forth in the IWC Orders (Section 1 (B) of Orders 11 and 12), **professional actors** are exempt from the minimum wages and overtime pay requirements of the California Industrial Welfare Commission. Minors employed in the entertainment industry who are not professional actors must be paid at least the minimum wage and overtime after eight hours in a work day and forty hours in a workweek.

Out of State Locations

California employers who are bound by contractual arrangements made in California to employ minors residing within the state to work on location outside of the state, must comply with all California regulations, including the use of studio teachers. [8 CCR 11756]

Studio Teachers

Studio teachers tutor minors whose employment responsibilities in this special industry does not allow them to attend full-time regular school. Excerpts of the California Code of Regulations, Title 8 that apply to studio teachers are reproduced below:

8 CCR Section 11755. Studio Teacher; Definition and Certification

(a) A studio teacher within the meaning of these regulations must be a certificated teacher who holds one California teaching credential listed in paragraphs (1) through (4) of subsection (d) of this section and one California teaching credential listed in (5) or (6) of subsection (d) of this section must be in one of the following subject areas: English, Math, Social Science or Foreign Language.

(b) Certification by the Labor Commissioner shall be for a maximum three year period, not to exceed the earliest expiration date of any one of the qualifying teaching credentials submitted in support of certification. A written examination will be required of the studio teacher by the Labor Commissioner at the time of certification or renewal. Such examination shall be designed to ascertain the studio teacher's knowledge of the labor laws and regulations of the State of California as they apply to the employment of minors in the entertainment industry. In addition, each studio teacher applicant will be required to successfully complete a twelve hour course of instruction designed by the Labor Commissioner to instruct the applicant in the duties and responsibilities of the studio teacher. Every studio teacher, as a condition of renewal of certification by the Labor Commissioner must complete three hours of instruction in a class designed by the Labor Commissioner to ensure that the studio teacher remains abreast of any changes in the laws and regulations and duties and responsibilities of the studio teacher.

(c) For the purpose of this section:

- (1) "English" means composition, creative writing, debate, forensics, humanities, journalism, language arts, literature, public speaking, speech (oral communication), writing, and other subjects with consent related to English.
- (2) "Math" means algebra, calculus, geometry, mathematical analysis, number systems, probability and statistics, trigonometry and other subjects with content related to mathematics.
- (3) "Social Science" means American government and politics, anthropology, comparative government, economics, ethnic studies, European history, geography, government, history, humanities/cultural studies, international politics, psychology, sociology, United States history, world history and other subjects with content related to social science.
- (4) "Science" means astronomy, biology, botany, chemistry, conservation, general science, geology, physics, physiology, zoology and other subjects with content related to science.
- (5) "Foreign Language" means any language other than English.

(d) The California teaching credentials that satisfy subsection (a) are as follows:

- (1) A Multiple Subject credential issued under the provisions of the Teacher Credentialing Law of 1988 [EC 44200] *et seq.*, as amended (commonly known as the Bergeson Act) or issued under the provisions of the Teacher Preparation and Licensing Act of 1970 [EC 44200] *et seq.*, (commonly known as the Ryan Act) as amended;
- (2) An Elementary credential issued under the provisions of the Education Code in effect prior to the enactment of the Ryan Act (former EC 13101 *et seq.*, commonly known as the Fisher Act; a co-called “Standard Credential”);
- (3) An Early Childhood Education credential issued under the provisions of the Education Code in effect prior to the enactment of the Ryan Act (former EC 13101 *et seq.*, as amended; a so-called “Standard Credential”);
- (4) An Elementary credential issued under the provisions of the Education Code in effect prior to the enactment of the Fisher Act (former EC 12025 *et seq.*, as amended; a so-called “General Credential”);
- (5) A Single Subject credential issued under the provisions of the Teacher Credentialing Law of 1988 [EC 44200] *et seq.*, as amended (commonly known as the Bergeson Act), or issued under the provisions of the Teacher Preparation and Licensing Act of 1970, [EC 44200] *et seq.*, (commonly known as the Ryan Act) as amended, in one of the following subject areas: English, Math, Social Science, Science or Foreign Language;
- (6) A Secondary credential issued under the provisions of the Education Code in effect prior to the enactment of the Ryan Act (former EC 13101 *et seq.*, commonly known as the Fisher Act; a so-called “Standard Credential”), in one of the following subject areas: English, Math, Social Science, Science or Foreign Language;
- (7) A General Secondary Teaching credential or a Special Secondary Teaching Credential in Speech Arts issued under the provisions of the Education Code in effect prior to the enactment of the Fisher Act (former EC 12025 *et seq.*, as amended; a so-called “General Credential”).

(e) A studio teacher who already possesses a certification by the Labor Commissioner and who possesses only one of the credentials listed in subsections (1) through (7) of subsection (d) above may continue to be

certified by the Labor commissioner, provided that the applicant is currently in the process of obtaining a second credential to meet the requirements of subsection (a) above and such credential is obtained by the applicant no later than December 31, 2000. After December 31, 2000 no person shall be permitted to continue to be certified as a studio teacher who has not obtained two credentials of a type provided for in subsections (d) (1), (2), (3) or (4) and subsection (d) (5), (6) or (7) of this section.

- (f) The Labor Commissioner may issue a special certificate as a studio teacher for a limited purpose where it is shown that a particular child actor may benefit from a particular applicant who may hold credentials of a special nature in order to meet the particular needs of that child actor. Studio teachers holding special certificates do not count toward satisfying the studio teacher to minor ratios specified in section. [8 CCR 11755.2]

8 CCR Section 11755.2 Use of Studio Teachers

Employers shall provide a studio teacher on each call for minors from age 15 days to their sixteenth birthday and for minors from age 16 to 18 years when required for the education of the minor. One studio teacher must be provided for each group of 10 minors or fraction thereof. With respect to minor's age 15 days to 16 years, one studio teacher must be provided for each group of 20 minors or fraction thereof on Saturdays, Sundays, holidays or during school vacations.

8 CCR Section 11755.3 Studio Teacher's Authority

The studio teacher, in addition to teaching, shall also have the responsibility for caring and attending to the health, safety and morals of minors under 16 years of age for whom they have been provided by the employer, while such minors are engaged or employed in any activity pertaining to the entertainment industry and subject to these regulations. In the discharge of these responsibilities, the studio teacher shall take cognizance of such factors as working conditions, physical surroundings, signs of the minor's mental and physical fatigue and the demands placed upon the minor in relation to the minor's age, agility, strength and stamina. The studio teacher may refuse to allow the engagement of a minor on a set or location and may remove the minor there-from, if in the judgment of the studio teacher, conditions are such as to present a danger to the health, safety or morals of the minor. Any such action by the studio teacher may be immediately appealed to the Labor Commissioner who may affirm or counter-mend such action.

8 CCR Section 11755.4 Studio Teacher's Remuneration

The remuneration of the studio teacher shall be paid by the employer.

ENTERTAINMENT INDUSTRY - SUMMARY CHART

AGE	WORK TIME SCHOOL <u>IN</u> <u>SESSION</u>	WORK TIME SCHOOL <u>NOT</u> <u>IN SESSION</u>	CONCURRENT REQUIREMENTS
15 days to 6 months		20 minutes work activity 2 hrs. max at employment site	Permits to work and employ required. [8 CCR 11751] Parent or guardian must be present. [8 CCR 11757] 1 studio teacher and 1 nurse must be present for each 3 or fewer infants 15 days to 6 weeks old. [8 CCR 11760, 11755.2] 1 studio teacher and 1 nurse must be present for each 10 or fewer infants 6 weeks to 6 months old. [8 CCR 11760, 11755.2] May not be exposed to light exceeding 100 footcandles for more than 30 seconds. [8 CCR 11760]
	May only be employed between 9:30 a.m. and 11:30 a.m. or between 2:30 p.m. and 4:30 p.m. [8 CCR 11764].		
6 months to 2 years		2 hours work activity 4 hours max at employment site Balance for rest and recreation	Permits to work and employ required unless the minor is a high school graduate or equivalent. [8 CCR 11751] High School graduates may be employed as adults.
	May only be employed between 5 a.m. and 12:30 a.m. [LC 1308.7]		Parent or guardian must be present. [8 CCR 11757]
2 years to 6 years		3 hours work activity 6 hours max at employment site Balance for rest and recreation	Studio teacher must be present. [8 CCR 11751.1] 1 studio teacher required per 10 minors. [8 CCR 11755.1]
	May only be employed between 5 a.m. and 12:30 a.m. [LC 1308.7]		1 studio teacher per 20 minors on weekends, holidays, and school breaks and vacations. [8 CCR 11755.1]
6 years to 9 years	4 hours work activity 3 hours school 1 hour rest and recreation	6 hours work activity 1 hour rest and recreation	Studio teachers are responsible for the health, safety, and morals of the minor. [8CCR 11755.2]

	8 hrs. max at employment site		
	May only be employed between 5 a.m. and 12:30 a.m. (to 10 p.m. preceding schooldays ≥ 4 hours).[LC 1308.7]		Minors in grades one through six must be tutored between the hours of 7 a.m. and 4 p.m. Minors in grades seven through twelve must be tutored between the hours of 7 a.m. and 7 p.m. [EC 48225.5]
9 years to 16 years	5 hours work activity 3 hours school 1 hour rest and recreation 9 hrs. max at employment site	7 hours work activity 1 hour rest and recreation	Permits to work and employ required unless a high school graduate or equivalent. High school graduates may be employed as adults.
	May only be employed between 5 a.m. and 12:30 a.m. (to 10 p.m. preceding schooldays ≥ 4 hours).[LC 1308.7]		
16 years to 18 years	6 hours work activity 3 hours school 1 hour rest and recreation 10 hrs. max at employment site	8 hours work activity 1 hour rest and recreation	Studio teacher need only be present for minors' schooling if minor still required to attend school.
	May only be employed between 5 a.m. and 12:30 a.m. (to 10 p.m. preceding schooldays ≥ 4 hours).[LC 1308.7]		
Regular School Attendance and Work Hours	Compute work hours for each age group by subtracting 6 hours from the max time at employment site for tutored minors when school in session. The difference is the maximum work hours for these minors. Thus, 9 to 16 year-olds who attend regular school may only work up to 3 hours on a schoolday. The 1 hour of rest and recreation is not required, but the workday may be extended one-half hour by a meal period. No work permitted during regular school hours. Exception: Minors 14 and over may work up to 8 hours during regular school hours for each of 2 consecutive days if excused with the school's written permission. [8 CCR 11760]		
Max Day/Week	No minor may be employed over 8 hours in a day. [LC 1308.7, 1392] or over 48 hours in a week. [LC 1308.7] No exceptions.		
Meal Periods	Meal periods are not work time. Workdays extended up to one-half hour for a meal period. [8 CCR 11761] Meals must be within 6 hours of call time and/or previous meal period. Teachers may require an earlier meal period.		
Travel Time	Travel between studio and location is work time. Up to 45 minutes travel from on-location, overnight lodging to work site is not generally considered work time. Travel between school or home and studio is not work time. [8 CCR 11759]		
Day's End	12 hours must elapse between dismissal and next day's call time. No exceptions. [8 CCR 11760]		
Make-up	Make-up in minor's home by persons employed on the same project is work time, and may not begin before 8:30		

Off Set	a m. 12 hours must elapse between dismissal and the beginning of the next day's make-up/hairdressing. [8 CCR 11763]
Out of State	California employers who employ resident minors outside of California under contractual arrangements made within California, must comply with all California child labor laws and regulations. [8 CCR 11756].

Note: Daily work and school hour schedules for tutored minors of all age groups are provided in 8 CCR 11760.

10. EMPLOYER REQUIREMENTS

Recordkeeping

Employers must keep on file all Permits to Employ and Work. Records must be open at all times for inspection by school authorities and officers of the Division of Labor Standards Enforcement. [LC 1299, EC 49161, EC 49164 and EC 49181] Failure to produce Permits to Employ and Work is *prima facie* evidence of the illegal employment of minors and subjects the employer to a \$500 fine on the first offense. [LC 1304, LC 1288 and EC 49181]

Employers of minors must keep for three years a record showing the names, ages (*dates of birth*) and addresses of all minors employed as well as time and payroll records required by the applicable Industrial Welfare Commission Order. Employers must furnish this information when requested. [LC 1174 and LC 1175]

Permits to Employ and Work issued during the school year expire five days after the opening of the next succeeding school year and must be renewed [EC 49118]. **Exception:** Entertainment Work Permits issued by the Labor Commissioner have different expiration dates (See Chapter 9 of this digest).

An employer who employ student learners must keep a copy of the written agreement with the minor's other employment records. [LC 1295] (See Chapter 8 of this digest)

All employers must furnish each of his or her employees, at the time the wages are paid, a separate or detachable itemized statement of deductions. [LC 226]

Worker's Compensation Coverage

Every employer in California except the state must either carry workers' compensation insurance or have the consent of the Director of the Department of Industrial Relations to self-insure by furnishing proof that he, she or the employer has the ability to self-insure and to pay any compensation that may become due to his, her or its employees. [LC 3700] Failure on the part of an employer to secure the payment of compensation to his,