

OFFICE OF WAGE & HOUR ENFORCEMENT

Delaware Child Labor Law

Limited Theatrical Exemption: A Guide for Production Companies & Employers

Title 19, Delaware Code, Chapter 5 | Administered by the Office of Labor Law Enforcement Administration (OLLEA)

What Is a Theatrical Exemption?

Under Title 19 Delaware Code, Chapter 5, minors working in entertainment may qualify for a **Limited Theatrical Exemption Certificate**, allowing them to work outside normal child labor hour restrictions for the production types below.

- Film & Television Productions
- Modeling & Advertising
- Theater Performances
- Broadcast & Entertainment Productions

Hazardous occupations remain prohibited under the Fair Labor Standards Act (FLSA).

WHEN IS AN EXEMPTION REQUIRED?

A Limited Theatrical Exemption Permit is required when:

- A minor under 16 years old works as a performer, model, or entertainer
- Work occurs outside standard youth employment hours

Key requirements:

- Must be issued by the Delaware Department of Labor
- Requested at least 14 days prior to employment
- Issued per production or job



APPLICATION REQUIREMENTS

The Production Company must submit a written request including:

- Production name
- Rehearsal and performance schedules
- Minor and parent/guardian information
- Minor's age and date of birth
- Contact information

A Work Permit Application must also be submitted with proof of age, such as:

- Birth certificate • Passport • School record • State or government ID

REVIEW & APPROVAL PROCESS

- Production Company submits the request to the Office of Wage & Hour Enforcement
- An Administrator assigns the request to a Labor Law Enforcement Officer (LLEO)
- The LLEO reviews documentation for compliance with child labor laws
- If approved, the permit is validated as a Limited Theatrical Exemption – the employer receives an Approved Work Permit, Approval Letter & State-Embossed Certificate

EMPLOYER RESPONSIBILITIES

Production companies must:

- Maintain a copy of the approved permit
- Follow all applicable child labor laws
- Notify the minor's school if significant days will be missed
- Provide an on-set tutor when necessary

COMPLIANCE & MONITORING

The Office of Wage & Hour Enforcement:

- Tracks permits in the OLLEA system and monitors productions for compliance
- Maintains records for auditing and enforcement
- Requires a renewal request if a production extends beyond the approved timeframe

KEY TAKEAWAYS

- ✓ Theatrical exemptions allow minors to participate in entertainment productions.
- ✓ Permits must be requested at least 14 days in advance.
- ✓ Only the Delaware Department of Labor can issue the exemption.
- ✓ Safety, education, and legal compliance remain the top priority.