

March 17, 2014

Re: Montana Child Labor Laws

To whom it may concern:

In response to your inquiry, Montana's child labor laws (Title 41, chapter 2, Mont. Code Ann.) provide a blanket exception for a minor who is employed as "an actor, model, or performer." See § 41-2-104(5), Mont. Code Ann. Because the exemption applies to "this part" [referring to Title 41, chapter 2, part 1, Mont. Code Ann.], the exemption means that the provisions of § 41-1-115, Mont. Code Ann. (pertaining to allowable working hours for persons age 14 to 15) do not apply to a minor employed as "an actor, model, or performer" while such an individual is working in that capacity. An on-line version of the Montana child labor laws is available at http://leg.mt.gov/bills/mca_toc/41_2_1.htm.

The Montana Department of Labor and Industry, which has enforcement responsibility for state child labor laws in Montana, does not issue any documents that are analogous to the "child labor exemption permits" issued by other states and their labor supervisory agencies. Unlike those states, Montana's law does not require the exercise of discretion by a state agency in order for the exemption to be effective.

If you have questions concerning the interaction or application of cited provisions of Montana law, please do not hesitate to contact either Pam McDaniel, bureau chief of the Labor Standards Bureau, Employment Relations Division, Montana Department of Labor and Industry (406.444.1376; pmcdaniel@mt.gov) or Judy Bovington, Chief Legal Counsel, Montana Department of Labor and Industry (406.444.3255; jbovington@mt.gov).

Sincerely,



Deny Staggs
Film Commissioner
Montana Film Office
Montana Department of Commerce