COMMERCE

Re: 2020 Montana Child Labor Laws

To Whom It May Concern:

In response to your inquiry, Montana's child labor laws (MCA, Title 41, Chapter 2) provides a blanket exception for a minor who is employed as "an actor, model, or performer." See MCA, 41-2-104(5). Because the exemption applies to "this part" (referring to MCA, 41-2, part 1) the exemption means that the provisions of MCA, 41-1-115 (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.

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 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 the Montana Department of Labor and Industry, Employment Relations Division at 406.444.6543 or email DLIERDWage@mt.gov, or the Montana Department of Labor and Industry at 406.444.4493 or DLI Legal Office.

Sincerely,



Allison Whitmer, Film Commissioner
Montana Department of Commerce Film Office