

Joint committee for the entertainment industry Collective Labour Agreement of 5 May 2009

The presence of underage learners at the workplace

Art 1 Scope

This collective labour agreement applies to employers and employees who fall under the joint committee for the entertainment industry

Art 2 Definitions

Learner: any person who is present at the workplace as part of an educational programme, training, volunteer work in the context of the study choice or work experience plan for a job in the entertainment industry.

Underage learner: a learner between 16 and 18 years old and those considered to be equivalent by their institution.

Risky activities: without prejudice to the legal provisions of the Labour Act, the Welfare Act and the applicable Royal Decrees, the following activities must be considered risky:

- Hoisting and lifting
- Operating lifting equipment, in particular rigging systems, lifts, chain hoists, movable platforms, ...
- Erecting and breaking down scaffolding, among others for décors, working at heights, ...
- The use of dangerous equipment, including circular saws
- The use of explosives for special effects
- Working with animals
- Operating devices during a performance situation with an audience, whereby the tempo is determined by the performance
- Working with chemicals, including glues, polyester compounds, certain make-up products, ...
- Working at heights

Art 3 Provisions for underage learners

3.1. Night work

As an exception to the provisions prohibiting night work, underage learners may be employed until midnight if this is necessary and unavoidable for their training. In the case of activities on the road, travel time is not included in this. In the case of an overnight stay on location, the overnight location is considered the learner's home base.

3.2. Working hours

As an exception to the provisions concerning maximum working hours, underage learners may be employed for up to 10 hours per day if this is necessary and unavoidable for their training. In the case of activities on the road, travel time is not included in this. In the case of an overnight stay on location, the overnight location is considered home base for the learner.

In any case, a rest period of 12 hours must be provided between the end and resumption of work. Travel times for activities on the road are included in this.

The reference period for determining average working hours is equal to the length of the planned internship period. Study activities taking place during the internship period must be included when determining the average working hours.

3.3. Sunday work and work on public holidays

As an exception to the ban on working on Sundays and public holidays, underage learners may work 12 Sundays per year and all public holidays if this is necessary and unavoidable for their training. In the case of an overnight stay on location, the Sundays and public holidays not worked are considered to be days off.

In the case of Sunday work, the additional rest day must be allocated contiguously with the replacement rest day.

3.4. Third parties

The presence of underage learners at the workplace must be reported to all employees of the institutions and any temporary workers so that the necessary safety measures can be taken.

3.5. Risky activities

Underage learners can perform risky activities to the extent necessary for their training under the following conditions:

- A risk analysis is performed for the activities the learner carries out, taking into account the learner's experience and previous training.
- A risk analysis is performed in which the risks that the learner poses for other employees, including third parties, are identified.
- An experienced employee is present who monitors the learner and can intervene.

3.6. Remuneration

Unless otherwise agreed between the employer and the learner's educational institution, underage learners are treated as employees or volunteers for purposes of expense allowances.

Art. 4. Term

This collective labour agreement is being concluded for an indefinite period starting 18 March 2009. It may be terminated by any of the signing parties, subject to six months' notice, by registered letter addressed to the chair of the joint committee for the entertainment industry. The notice period commences on the day notice is sent.

5 May 2009