CHILD LABOR LAWS

The State of Florida and the Federal Fair Labor Standards Act (FLSA)

Protecting the Health, Education and Welfare of Minors in the Workplace

This chart summarizes the child labor laws of the State of Florida and the Federal Fair Labor Standards Act (FLSA). The stricter provisions must be observed and are denoted by bold lettering. The Federal law in italics.

Minors 16 & 17

 Floridatimes: Florida, Minors 16 17 Florida May not work during school hours unless they meet a criterion of the Hour Restrictions listed below. FLSA: No limitations.

SCHOOL ATTENDANCE

Florida: May NOT work during school hours Florida & FLSA: May not work during school hours (some exceptions apply).

PERMITS TO WORK

Florida & FLSA: Not required, except the FLSA requires the employer to maintain date of birth information for all employees under 19 years old.

HOURS OF WORK

Florida: May work up to 30 hours per week. Not before 6:30 a.m. or later than 11 p.m. and for no more than 8 hours a day when school is scheduled the following day. On days when school does not follow, there are no hour restrictions. FLSA: No limitations.

WHEN SCHOOL IS IN SESSION

Florida: No Limitations FLSA: No limitations.

Note: Hazardous occupations still apply for minors.

Restrictions

Florida: No employment permitted during school hours. May work after school in occupations not declared hazardous in agriculture. See Child Labor Bulletin 102. (Exceptions: 12 and 13 year-olds may be employed with written parental consent, or on a farm where the minor’s parent is also employed; minors under 12 may be employed in family business parent-owned agricultural businesses. Employees are exempt from the Federal minimum wage provisions.)

RESTRICTED OCCUPATIONS

The State of Florida has incorporated the 17 Hazardous Occupations (H0s) of the FLSA into the Florida law and Child Labor Rule. For more info on H0s, contact the U.S. Department of Labor, Wage and Hour Division. This poster represents a combination of those laws with an ** annotating Florida law “only.”

Minors under the age of 18 may not work in below occupations:

• Working in or around explosives or radioactive substances
• Operating Motor vehicles
• Logging or swamping
• Operating power-driven meat processing machines to include meat and vegetable slicers; slaughtering, meat packing, processing or rendering
• Working on any scaffolding, roofs or ladders above 6 feet; roofing
• Wrecking, demolition or excavation
• Mining occupations
• Operating power-driven bakery; meat-forming, punching, and shearing machines; woodworking, paper products or hoisting machines
• Manufacturing brick and tile products
• Operating circular saws, band saws, & guillotine shears
** Working with compressed gases exceeding 40 psi.
• Working in or around toxic substances, corrosives or pesticides
• Firefighting
** Working with electrical apparatus or wiring
• Operating or assisting to operate tractors over 20 PTO horsepower, forklifts, earthmoving equipment, any harvesting, planting, or plowing machinery or any moving machinery

FLSA: No limitations.

EXEMPTIONS

Hour Restrictions – (from hour restrictions only; hazard restrictions still apply)

• Minors who hold waivers from a public school or Child Labor Compliance
• Minors who have been married
• Minors who have either graduated from an accredited high school, or hold a high school equivalency diploma
• Minors who have served in the U.S. Armed Forces
• Minors who are enrolled in high school work programs

Minors 14 and 15 may not work in these occupations:

• Operating any power-driven machinery other than office machines, including all power mower
• Maintaining or repairing an establishment, machines, or equipment
• Working in freezers or meat coolers
• Operating, setting up, adjusting, or cleaning power-driven meat or vegetable slicers, grinders, food choppers, and cutters, and bakery-type mixers
• Operating motor vehicles
• Manufacturing, mining, or processing occupations where goods are manufactured, mined, or processed
• Cooking (some exceptions apply) & baking
• Working in occupations in Transportation, Warehouse & Storage, Communications, and Construction (except clerical); boiler or engine rooms
• Loading and unloading trucks
• Working in public messenger services
** Handling certain dangerous animals
• Conducting door-to-door sales of products as employment (some exceptions apply)
• Spray painting

Age Restrictions — (from age requirements; hazard restrictions still apply)

• Minors who work for their parents in occupations not declared hazardous
• Pages in the Florida legislature
• Newspaper delivery (10 year old)
• Minors in the entertainment industry registered with Child Labor Compliance

A court may authorize an exemption from age and hour restrictions.

FLSA: Maximum fines up to $11,000 per minor / per violation.

WORKERS’ COMPENSATION Florida: If an injured minor is employed in violation of any provision of the Child Labor laws of Florida, an employer may be subject to up to double the compensation otherwise payable under Florida Workers’ Compensation law.

POSTING REQUIREMENTS Florida: All employers of minors must post in a conspicuous place on the property or place of employment, where it may be easily read, a poster notifying minors of the Child Labor laws.

For information on Florida laws contact:

Floridatimes: Florida Department of Business and Professional Regulation • Child Labor Program 2601 Blair Stone Road • Tallahassee, FL 32399-2226 • Telephone 850.488.3131; Toll-Free 1.800.226.2536 • www.myfloridalicense.com For information on Federal laws contact:


Florida Department of Business and Professional Regulation and the United States Department of Labor "Working Together for Florida’s Workforce"