

1 A bill to be entitled
 2 An act relating to employment; amending s. 450.081,
 3 F.S.; removing certain employment restrictions for
 4 minors 16 and 17 years of age; revising the age at
 5 which certain employment restrictions apply; providing
 6 for the waiver of a specified restriction by specified
 7 persons; restricting the amount of continuous hours
 8 certain minors may work without a break for a minimum
 9 specified time period; providing applicability;
 10 authorizing the department to grant a waiver of the
 11 restrictions imposed under the act; providing
 12 penalties; making technical changes; providing an
 13 effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Section 450.081, Florida Statutes, is amended
 18 to read:

19 450.081 Hours of work in certain occupations.—

20 (1)(a) Minors 15 years of age or younger may ~~shall~~ not be
 21 employed, permitted, or suffered to work:

22 1. Before 7 a.m. or after 7 p.m. when school is scheduled
 23 the following day. ~~or~~

24 2. For more than 15 hours in any one week when school is
 25 in session.

26 (b) On any school day, minors 15 years of age or younger
 27 who are not enrolled in a career education program may ~~shall~~ not
 28 be gainfully employed for more than 3 hours, unless there is no
 29 session of school the following day.

30 (c) ~~(b)~~ During holidays and summer vacations, minors 15
 31 years of age or younger may ~~shall~~ not be employed, permitted, or
 32 suffered to work before 7 a.m. or after 9 p.m., for more than 8
 33 hours in any one day, or for more than 40 hours in any one week.

34 (2)(a) Minors 16 and 17 years of age may ~~shall~~ not be
 35 employed, permitted, or suffered to work:

36 1. Before 6:30 a.m. or after 11 p.m. ~~11:00 p.m.~~ when
 37 school is scheduled the following day. ~~or~~

38 2. For more than 8 hours in any one day when school is
 39 scheduled the following day, except when the day of work is on a
 40 holiday or Sunday.

41 3. For more than 30 hours in any one week when school is
 42 in session, ~~minors 16 and 17 years of age shall not work more~~
 43 ~~than 30 hours in any one week.~~ However, a minor's parent or
 44 custodian, or the school superintendent or his or her designee,
 45 may waive the limitation imposed in this subparagraph on a form
 46 prescribed by the department and provided to the minor's
 47 employer.

48 (b) On any school day, minors 16 and 17 years of age who
 49 are not enrolled in a career education program may ~~shall~~ not be
 50 gainfully employed during school hours.

51 (3) Minors 15 ~~17~~ years of age or younger may ~~shall~~ not be
 52 employed, permitted, or suffered to work in any gainful
 53 occupation for more than 6 consecutive days in any one week.

54 (4) Minors 15 ~~17~~ years of age or younger may ~~shall~~ not be
 55 employed, permitted, or suffered to work for more than 4 hours
 56 continuously without an interval of at least 30 minutes for a
 57 meal period; and for the purposes of this law, a ~~no~~ period of
 58 less than 30 minutes is not ~~shall be~~ deemed to interrupt a
 59 continuous period of work. Minors 16 and 17 years of age who are
 60 employed, permitted, or suffered to work for 8 hours or more in
 61 any one day as authorized by this section may not be employed,
 62 permitted, or suffered to work for more than 4 hours
 63 continuously without an interval of at least 30 minutes for a
 64 meal period.

65 (5) ~~The provisions of~~ Subsections (1)-(4) do ~~shall~~ not
 66 apply to:

67 (a) Minors 16 and 17 years of age who have graduated from
 68 high school or received a high school equivalency diploma.

69 (b) Minors who are within the compulsory school attendance
 70 age limit and who hold a valid certificate of exemption issued
 71 by the school superintendent or his or her designee pursuant to
 72 ~~the provisions of~~ s. 1003.21(3).

73 (c) Minors enrolled in an ~~a public~~ educational institution
 74 who qualify on a hardship basis, such as economic necessity or
 75 family emergency. ~~Such determination shall be made by~~ The school

76 superintendent or his or her designee shall make such
77 determination and issue, ~~and a waiver of hours shall be issued~~
78 to the minor and the employer. The form and contents thereof
79 shall be prescribed by the department.

80 (d) Minors 16 and 17 years of age who are in a home
81 education program or are enrolled in an approved virtual
82 instruction program in which the minor is separated from the
83 teacher by time only.

84 (e) Minors ~~Children~~ in domestic service in private homes,
85 minors ~~children~~ employed by their parents, or pages in the
86 Florida Legislature.

87 (6) The department may grant a waiver of the restrictions
88 imposed by this section pursuant to s. 450.095.

89 (7) ~~(6)~~ The presence of a any minor in any place of
90 employment during working hours is ~~shall be~~ prima facie evidence
91 of his or her employment therein.

92 (8) An employer who requires, schedules, or otherwise
93 causes a minor to be employed, permitted, or suffered to work in
94 violation of this section commits a violation of the law,
95 punishable as provided in s. 450.141.

96 Section 2. This act shall take effect July 1, 2024.