

ENROLLED

CS/CS/HB 49, Engrossed 1

2024 Legislature

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An act relating to employment; amending s. 450.081, F.S.; removing certain employment restrictions for minors 16 and 17 years of age; revising the age at which certain employment restrictions apply; providing for the waiver of a specified restriction by specified persons; restricting the amount of continuous hours certain minors may work without a break for a minimum specified time period; providing applicability; authorizing the department to grant a waiver of the restrictions imposed under the act; providing penalties; making technical changes; providing an effective date.

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

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

450.081 Hours of work in certain occupations.—

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

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

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

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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.

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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

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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.