

CHAPTER 2024-25

Committee Substitute for Committee Substitute for House Bill No. 49

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.

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

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

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

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

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

3. For more than 30 hours in any one week when school is in session; ~~minors 16 and 17 years of age shall not work more than 30 hours in any one week. However, a minor's parent or custodian, or the school superintendent~~

or his or her designee, may waive the limitation imposed in this subparagraph on a form prescribed by the department and provided to the minor's employer.

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

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

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

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

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

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

(c) Minors enrolled in an ~~a~~ public educational institution who qualify on a hardship basis, such as economic necessity or family emergency. ~~Such determination shall be made by The school superintendent or his or her designee shall make such determination and issue, and a waiver of hours shall be issued to the minor and the employer. The form and contents thereof shall be prescribed by the department.~~

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

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

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

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

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

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

Approved by the Governor March 22, 2024.

Filed in Office Secretary of State March 22, 2024.