



The Department of Business and Professional Regulation: Child Labor Program

**Chapter 450, Part I,
Florida Statutes
&
Chapter 61L-2 Florida Administrative Code**

Florida Labor Laws

Child Labor is an area that the federal government regulates for the entire country. Although the federal government is primarily responsible for enforcement of the labor laws, the State of Florida also plays an important role in regulating Child Labor within the state.





Florida's Child Labor Program

The Florida Child Labor Program is regulated by the Department of Business and Professional Regulation under the Child Labor Law Chapter 450, Part 1 Florida Statutes, and Chapter 61L-2 Florida Administrative Code.

The agency's primary goals are to:

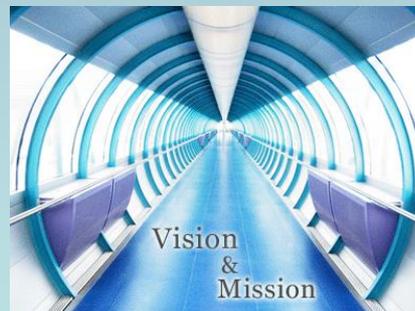
- Protect the health, education and welfare of Florida's working minors in the workplace and
- To ensure the enforcement of restrictions from harmful work situations





Program's Mission

The mission of the Child Labor Program is to provide a program of **education**, **enforcement**, and **administrative** initiatives designed to achieve full compliance in the enforcement of the Child Labor Law and ensure the health, education and welfare of Florida's working minors.



WHO CAN WORK?





14- and 15-Year Olds

When School is in Session

- May not work during school hours
- May not work before 7 A.M.
- May not work after 7 P.M.
- May not work more than 3 hours per day, when school is scheduled the following day
- May work up to 8 hrs when school is not scheduled the following day
- May not work more than 15 hours in any one week

When School is Not in Session

- May not work before 7 A.M.
- May not work after 9 P.M.
- May not work more than 40 hours in any one week





16- and 17-Year Olds

When School is in Session

- May not work during school hours
- May not work before 6:30 A.M.
- May not work after 11:00 P.M., unless no school scheduled the following day
- May not work more than 8 hours per day, unless no school is scheduled the following day
- May not work more than 30 hours in any one week

When School is Not in Session

- No limitations
- May work unlimited hours, but no more than 6 consecutive days in any one week





Requirements

- At all times, minors are required to be given a 30-minute uninterrupted break after 4 hours of work
- At all times, minors are prohibited from being employed in a hazardous occupation
- May not work no more than 6 consecutive days in any one week





Occupations Minors Under 18 May or May Not Work

Jobs 14- 15-YearOlds May Do

- Sales/Cashier
- Office and Clerical Work
- Bagging/Stocking Groceries
- Certain Restaurant Positions

Jobs 14-15 –Year Olds May **not** Do

- May not work manufacturing
- May not operate a motor vehicle
- May not work construction, or warehouse jobs, except office and clerical work
- May not load or unload goods from trucks, cars, or conveyors



No one under the age 18 may work these occupations

- Explosive occupations
- Logging or sawmilling
- Toxic substances, corrosives, or pesticides
- Firefighting
- Mining occupations
- Power-driven equipment
- Places where alcoholic beverages with limited exceptions
- Slaughtering, packing, processing, or rendering of meat
- Wrecking or demolition
- Working on any scaffolding, roofs, or ladders above 6 feet
- Working with electrical apparatus or wiring



Occupations Minors May Work



Department Stores



Bag Groceries



Entertainment



Host or Receptionist



Food Server

Hazardous Machine Operated Equipments

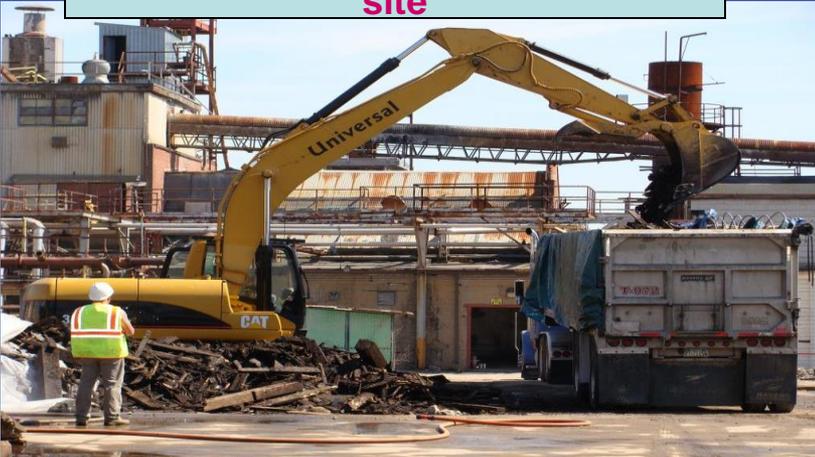


Open Flame Grills & Ovens



Hazardous Occupations

Construction work site



Roofing



Power driven lawn mower



Loading and unloading

Hazardous Occupations



Electrical work



Tree services



Dangerous animals



Documentation Employers are Required to Keep on File

Always Mandatory

- Proof of Age
- Timesheets
- Child Labor Poster:
Displayed in a
Conspicuous
Location

If Applicable

- Removal of Disability
of Nonage
- Waivers
- School Agreements





Exemptions from Time Restrictions?

- Minors who hold waivers from a public school or from the state Child Labor Compliance Program
- Minors who are or have been married and show proof of a marriage certificate
- Minors 16 and 17 years of age who have graduated from high school or received a high school equivalency diploma
- Minors who have served in the U.S. Armed Forces (Military I.D.)
- Minors who are enrolled in high school work programs (OJT/DCT)
- Children employed by their parents (except during school hours)

Hazardous occupations still apply until age 18



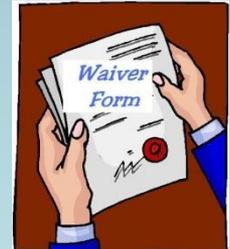
Waivers

The Child Labor Law acknowledges partial waivers that exempt minors from certain requirements. Partial waivers are granted to minors attending public school K-12 by:

- Superintendents
- Counselors
- OJT or DCT Program Leads

DBPR grants waivers to minors who are **not** enrolled in public school K-12. Waivers are granted to minors who:

- Attend Private School
- Attend Home-School
- Attend Adult ED & GED Prep Classes
- Are Expelled or Unenrolled



Partial Waiver Contd...

APPLICATION WILL NOT BE ACCEPTED UNLESS PROOF OF AGE AND DOCUMENTATION FOR BOX CHECKED IS ATTACHED
SUPPORTING DOCUMENTATION REQUIRED FOR
PARTIAL WAIVER OF THE FLORIDA CHILD LABOR LAW

SPECIAL NOTE: THIS WAIVER IS FOR MINORS WHO ARE NOT ENROLLED IN PUBLIC SCHOOL (K-12). IF THE MINOR IS ATTENDING REGULAR PUBLIC SCHOOL, A WAIVER MUST BE OBTAINED THROUGH THE SCHOOL SUPERINTENDENT OR DESIGNEE.

IF YOU APPLY:

BASED ON NON-PUBLIC SCHOOL STATUS THE FOLLOWING DOCUMENTATION IS REQUIRED

| FOR PRIVATE SCHOOL | FOR HOME-SCHOOL | FOR ADULT ED. & GED PREP CLASSES | IF EXPELLED |
|---|---|---|--|
| <p>A letter on school letterhead from the private school stating:</p> <p>(a) Enrollment, (b) attendance and, (c) working additional hours will not jeopardize school progress.</p> <p>Proof of age.</p> | <p>1. Letter from public school system stating: (a) <i>Withdrawal from public school,</i> OR (b) <i>the acknowledgement from school district of your intent to establish a home school program.</i></p> <p>2. A NOTARIZED statement from parent or guardian as to which day/hours the minor receives home school instruction.</p> <p>3. Proof of age</p> | <p>1. A letter from the public school system stating: (a) <i>withdrawal from public school,</i> OR; (b) <i>authorization to obtain education through alternative means.</i></p> <p>2. A letter on letterhead from adult the education school that states the minor is (a) <i>enrolled,</i> (b) <i>attending, and</i> (c) <i>hours of attendance.</i></p> <p>3. Proof of age</p> | <p>1. A copy of expulsion letter or other document from the school that explains the time period of the expulsion. (Partial waivers will be issued for the same time period of expulsion)</p> <p>2. Proof of age.</p> |

IF YOU APPLY:

BASED ON HARDSHIP, THE FOLLOWING DOCUMENTATION IS REQUIRED

| FOR FINANCIAL HARDSHIP | FOR MEDICAL HARDSHIP | FOR "OTHER" HARDSHIP |
|--|---|--|
| <p>A NOTARIZED statement from an adult family member or adult friend EXPLAINING the financial hardship, OR proof of current receipt of public assistance.</p> <p>Proof of withdrawal from public school. Proof of age.</p> | <p>1. A letter on letterhead from a doctor, pastor, school counselor, etc., EXPLAINING the circumstances or situation, OR A NOTARIZED statement from an adult EXPLAINING the circumstances or situation.</p> <p>2. Proof of withdrawal from public school.</p> <p>3. Proof of age.</p> | <p>1. A letter on letterhead from a doctor, pastor, school counselor, etc., EXPLAINING the circumstances or situation, OR a NOTARIZED statement from an adult explaining the circumstances or situation.</p> <p>2. Proof of withdrawal from public school.</p> <p>3. Proof of age.</p> |

IF YOU APPLY

BASED ON A COURT ORDER OR CONDITION OF PROBATION THE FOLLOWING DOCUMENTATION IS REQUIRED

1. A copy of the court order that states the minor must work full time and/or pay restitution and proof of age.
OR
2. A letter of letterhead from the probation officer stating the minor must work full time and proof of age.

PROOF OF AGE IS REQUIRED WITH ALL WAIVER APPLICATIONS

A copy of a birth certificate, drivers license, age certificate, Florida identification or passport will be sufficient. Proof of age is required in addition to the documentation mentioned above for the status under which you apply.)



Other Exemptions

Marriage Certificate

Certificate
of
Matrimony

We hereby certify that on The Twenty-third day of the First month, AD 2001, John David Doe and Jane-Mary Smith have come together in the sight of God Almighty and of men and have been enjoined together in Matrimony before Witnesses and have set our seal and signature hereupon this certificate as proof that such union and ceremony did in fact take place at the location known as Fresno county of The California state Republic.

Ceremony performed by _____ Witness _____ Date _____

What God Almighty has joined together, **Let no man separate!** Witness _____ Date _____

Third Witness (Optional) _____ Date _____

Military Services

UNITED STATES UNIFORMED SERVICES

U.S. ARMY
RETIRED

PHOTO HERE

RANK/PAY GRADE: SFC / E7 EXPIRATION DATE: INDEF

SIGNATURE: _____ SOCIAL SECURITY NUMBER: _____

LAST NAME, FIRST NAME, MIDDLE INITIAL
IDENTIFICATION CARD

| | | | | |
|---|-------------|----------|------------|-----------|
| DATE OF BIRTH | WEIGHT | HEIGHT | HAIR COLOR | EYE COLOR |
| | 185 | 71 | BR | BL |
|  | | | | |
| DATE OF ISSUE | MEDICAL | CIVILIAN | EFF DATE | EXP DATE |
| | DIRECT: YES | YES | 2004JUL01 | INDEF |
|  | | | | |
| SAMPLE | | | | |



Other Exemptions

High School Diploma

High School Diploma
This certifies that
Student's Name
has completed a College Preparatory Course of Study at
Name of Homeschool
and is entitled to the rights and privileges appertaining thereunto.

Certified, this fifteenth day of December 2005 by
Father's Signature *Mother's Signature*

GED or Diploma

Certificate of Completion

We gladly present this certificate to

In recognition of completion of the requirements for

Awarded On _____

www.Freshman.com/Forms.asp



Reasons Why You Should Hire Minors

1. Minors are great weekend workers
2. Minors are great for seasonal work
3. They are young and energetic
4. They are trainable with few bad habits
5. Minors could potentially become future managers



Inspection Checks & Record Reviews

There are easy steps to make the Child Labor Laws work for you:

- Post a Florida Child Labor Law Poster at a conspicuous place on the property
- Obtain and retain federal or state proof of age for minors: driver's license, birth certificate, passport, etc...
- Obtain and retain require documentation for working minor under 18 years of age
- Do not permit a minor to work in any hazardous occupation, during public school hours without a written waiver, more than 6 consecutive days, and without a 30- minute uninterrupted lunch break
- Understand OSHA's Material Safety Data Sheets (MSDS)
- Understand the laws when school is in session vs. when school is not in session



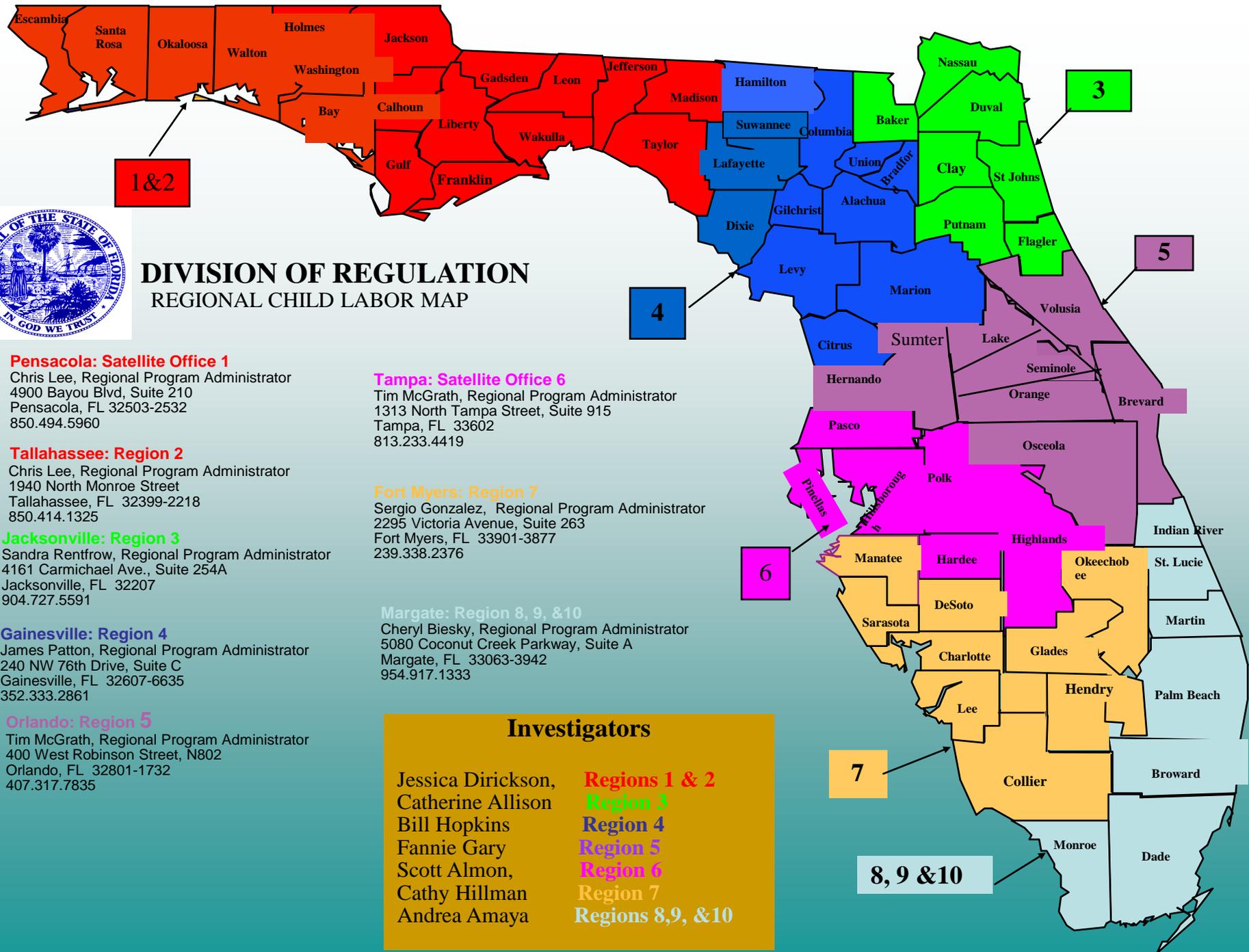
Safety Tips for Employers

1. Comply with the Child Labor Law and occupational health and safety regulations that apply to your business
2. Assess and eliminate hazardous occupations for minors
3. Train minors to use safe work practices, recognize hazards, and prepare for emergencies
4. Assure that minors are appropriately trained and supervised



DIVISION OF REGULATION

REGIONAL CHILD LABOR MAP



Pensacola: Satellite Office 1
 Chris Lee, Regional Program Administrator
 4900 Bayou Blvd, Suite 210
 Pensacola, FL 32503-2532
 850.494.5960

Tallahassee: Region 2
 Chris Lee, Regional Program Administrator
 1940 North Monroe Street
 Tallahassee, FL 32399-2218
 850.414.1325

Jacksonville: Region 3
 Sandra Rentfrow, Regional Program Administrator
 4161 Carmichael Ave., Suite 254A
 Jacksonville, FL 32207
 904.727.5591

Gainesville: Region 4
 James Patton, Regional Program Administrator
 240 NW 76th Drive, Suite C
 Gainesville, FL 32607-6635
 352.333.2861

Orlando: Region 5
 Tim McGrath, Regional Program Administrator
 400 West Robinson Street, N802
 Orlando, FL 32801-1732
 407.317.7835

Tampa: Satellite Office 6
 Tim McGrath, Regional Program Administrator
 1313 North Tampa Street, Suite 915
 Tampa, FL 33602
 813.233.4419

Fort Myers: Region 7
 Sergio Gonzalez, Regional Program Administrator
 2295 Victoria Avenue, Suite 263
 Fort Myers, FL 33901-3877
 239.338.2376

Margate: Region 8, 9, & 10
 Cheryl Biesky, Regional Program Administrator
 5080 Coconut Creek Parkway, Suite A
 Margate, FL 33063-3942
 954.917.1333

Investigators

| | |
|--------------------|------------------------------|
| Jessica Dirickson, | Regions 1 & 2 |
| Catherine Allison | Region 3 |
| Bill Hopkins | Region 4 |
| Fannie Gary | Region 5 |
| Scott Almon, | Region 6 |
| Cathy Hillman | Region 7 |
| Andrea Amaya | Regions 8,9, & 10 |

Penalties



Employment of minors in violation of Florida Child Labor Laws may result in fines up to \$2,500 per offense and/or be guilty of a second degree misdemeanor.



Department of Business & Professional Regulation



Thank you!

myfloridalicense.com/dbpr/reg/childlabor
800.226.2536 Ext. 1