

**FREQUENTLY ASKED QUESTIONS
FARM LABOR CONTRACTORS**

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OUR IDENTITY, TYPES OF LICENSES, BASIC REQUIREMENTS

1. **Q. Are there any other names Farm Labor Contractors (FLCs) are commonly called?**
 - A. Yes. They are often referred to as: Contractors, Crewleaders, Crew Bosses, Crew Chiefs, and FLCs.

2. **Q. What laws govern farm labor contracting?**
 - A. Chapter 450, Part III, Florida Statutes; Chapter 61L-1, Florida Administrative Code; 29 CFR Part 500: Migrant and Seasonal Agricultural Worker Protection Act (MSPA)

3. **Q. Who must apply for a license?**
 - A. Those who:
 - Are paid to furnish, employ, recruit, hire, transport, supervise, or pay farm workers.
 - Are paid by a third party (such as an owner or another FLC) to drive workers to and from work.
 - Recruit or transport farm workers from Florida to work in another state, or to transport workers from another state to work in Florida.
 - Hire other Farm Labor Contractors or their employees to work for them.

4. **Q. What are the basic eligibility requirements?**
 - A. In addition to submitting a completed application you also must:
 - Have a valid federal contractor or employee certificate of registration or have made a timely renewal application to USDOL, Wage & Hour Division, National Certificate Team, Post Office Box 56447, Atlanta, Georgia 30347-0447.
 - Be at least 18 years of age;
 - Be a United States (US) Citizen or legally authorized for employment in the US;
 - Have no convictions of certain crimes within the last 5 years;
 - Have a valid Social Security Number;
 - Have taken and passed the Florida Farm Labor Contractor Test;
 - Pay a non-refundable \$160.00 Initial Application Fee or non-refundable \$125.00 Renewal Application Fee;
 - Have no outstanding state or federal fines unless an installment agreement has been approved;
 - Have no delinquent Florida Unemployment Compensation taxes unless an installment agreement has been approved; and
 - Have no delinquent Internal Revenue Service employment or unemployment taxes unless an installment agreement has been approved.

5. **Q. What are the crimes that would cause me to be ineligible if I was convicted within the last five years?**
 - A. Any crime relating to gambling, or to the sale, distribution or possession of alcoholic beverages, in connection with or incident to any farm labor contracting activities. Any felony involving robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, prostitution, peonage, or smuggling or harboring individuals who have entered the United States illegally.

6. **Q. How do I apply for my Farm Labor Contractor's license?**
 - A. There are Farm Labor Registration and Testing Sites throughout the state where staff is available to assist you with the application process. See listing for contact information and schedules. The application is also available online at <http://www.myfloridalicense.com/dbpr/index.html> or you may call the department at 850.487.1395.
7. **Q. What is the application fee?**
 - A. The initial licensure fee is \$160.00. This includes an application fee of \$125.00 and an examination fee of \$35.00. The certified check or money order must be made payable to the Department of Business and Professional Regulation. Personal checks will not be accepted. The renewal license fee is \$125.00 and must be submitted with the application. These fees are non-refundable.
8. **Q. Do I need to get my fingerprints done before taking the examination?**
 - A. You do not need to get fingerprinted or submit a fingerprint card to get your Florida Farm Labor Contractor's license.

EXAMINATION PROCESS

1. **Q. Where do I take the examination?**
 - A. If you are an initial applicant or if you have been advised you must retake the exam you can contact the nearest Farm Labor Registration and Testing Site to obtain a study guide and schedule to take the exam. Once you have passed the exam you will be assisted with the application process. The department has also enlisted the services of a testing vendor to administer the examination but you must first apply for your Farm Labor Contractor license, pay the fees and be approved for the exam. You can log on to the testing vendor, Pearson VUE's web site at www.pearsonvue.com and schedule for the examination or call 1.866.936.7782. Additional scheduling information is available at: http://www.myfloridalicense.com/dbpr/servop/testing/documents/prof_reg_faq.pdf
2. **Q. Will the testing vendor help me to complete and submit my application?**
 - A. The testing vendor, Pearson VUE, will not assist you with your application submission. If you need assistance with your application you should schedule an exam with the nearest Farm Labor Registration and Testing Site. They will assist you with all that is required to obtain a Farm Labor Contractor license.
3. **Q. I have never taken a computer based examination. How do I take this exam?**
 - A. Once you have scheduled for the examination, please make sure you arrive to the exam site on time, with two forms of identification, at least 15 minutes before the scheduled time. You will be given a tutorial on how to take the examination. Even if you are not familiar with the use of a computer, taking the exam is very simple. The testing vendor will help you to get oriented with the process.
4. **Q. How long will I get to complete the examination?**
 - A. You will receive 90 minutes to complete the examination.

5. **Q. Can I ask questions during the examination?**
 - A. You can only ask questions if there is a technical issue. The test administrator cannot assist you with answering the questions.
6. **Q. Can I bring a friend or a family member to the exam site?**
 - A. No. Only the applicant will be allowed into the examination room.
7. **Q. Can I bring my Study Guide to the exam?**
 - A. No. The examination is a closed book exam and you cannot use any reference or study material during the examination.
8. **Q. If I fail, can I retake the examination?**
 - A. Yes, you have two options:
 - Option 1: If you would like to take the retest at one of our Farm Labor Registration and Testing Sites, you will not need to apply to retake the exam but you will need to call for an appointment. The re-exam fee is \$35.00.
 - Option 2: If you would like to have the computer-based testing, you must apply to the department and be approved to retake the examination before contacting Pearson VUE to schedule for the test. The re-exam fee of \$35.00 must be submitted with the application.
9. **Q. Can I take the test in any language other than English?**
 - A. Yes. The examination is also offered in Spanish at the Farm Labor Registration and Testing Sites and at Pearson VUE. The examination is also offered in Haitian/Creole at select Farm Labor Registration and Testing Sites.
10. **Q. Can the test be read to me?**
 - A. Yes. An oral English, Spanish, or Haitian/Creole test can be administered at one of the Farm Labor Registration and Testing Sites. However, the oral exam will not be offered by the vendor as a computer-based examination.
11. **Q. How do I check on the status of my license?**
 - A. Contact the Department's Customer Contact Center at 850.487.1395 or visit us online at <https://www.myfloridalicense.com/dbpr/index.html>
12. **Q. How can I get special accommodation due to a disability?**
 - A. The department will provide special accommodations to applicants who qualify under the Americans with Disabilities Act. Please visit our web site at <http://www.myfloridalicense.com/dbpr/servop/testing/ADA.html> for additional information.

The Testing Vendor's Telephone Number for Scheduling a Computer-Based Examination is 1.866.936.7782.

LICENSURE INFORMATION

1. **Q. When can I start working?**

A. You can perform the duties of a Farm Labor Contractor only after receipt of your license.

2. **Q. When will my license expire?**

A. The normal expiration for a license is the licensee's next birthday on the last day of that month or the month of incorporation, if registered as a company.

No license is issued for less than 90 days, if there are no other factors affecting expiration. In those cases where expiration would be less than 90 days the expiration date is taken to the following year. No licenses are issued with an expiration date greater than 15 months from date of issue.

Example: License is issued January 1, 2010 and applicant's birth month is February. License will expire February 28, 2011.

If you have an authorization to work in the US and it expires before what would be the normal expiration of your license, the employment authorization expiration will be your license expiration date.

3. **Q. Do I have to provide any other documents with my application?**

A. Yes. The following items may be required:

- Fingerprints – **Required by USDOL only.**
- Alien Documentation – Applicants born outside of the US must provide proof that they are eligible to work in the United States.
- Form 8821 Tax Information Authorization (If responsible for payroll.) Form available at <http://www.myflorida.com/dbpr/reg/forms>

DRIVING AND TRANSPORTATION AUTHORIZATIONS

1. **Q. What is the difference between a Driving Authorization (DA) and a Transportation Authorization (TA)?**

A. A driving authorization is granted to an individual to certify that he/she meets the requirements needed to safely drive a vehicle authorized to transport farm workers. A transportation authorization is granted on a vehicle(s) which meets the requirements needed to safely transport workers.

2. **Q. What is required to obtain a Driving Authorization?**

A. The Farm Labor Contractor must:

- Be at least 21 years old.
- Have a valid driver's license of the proper class.
- Have passed a physical examination. Evidence must be in the form of a Doctor's Certificate (Form WH-515) or Medical Examiners Certificate. Florida accepts copies of the Doctor's Certificate.

3. **Q. What is the proper class of driver's license?**

A. In order to drive a vehicle that is designed to carry 15 or fewer passengers (including the driver), a regular driver's license is required. In order to drive a vehicle that is designed to carry 16 or more passengers (including the driver) you must have a Commercial Driver's License (CDL) with a Passenger (P) endorsement.

4. Q. What is required to obtain a Transportation Authorization?

A. Florida accepts copies of all transportation forms.

- A Certificate of Insurance or Auto Liability Declaration Page. Automobile liability insurance limits MUST be: \$100,000 per seat (passenger capacity) in the vehicle (Passenger Hazard included), not to exceed \$5,000,000; or insurance that includes \$50,000 property damage and supplemental Workers' Compensation Insurance. Insurance is good for policy period only.
- If supplementing auto liability insurance with Workers' Compensation, the appropriate form must be completed as proof of Workers' Compensation Insurance:
 - If an employer provides your coverage, your employer must complete Form 3111 and the insurance agent must certify the policy information. Worker's Compensation coverage is good for employment period or policy expiration, whichever occurs first.
 - If you purchase your own coverage, Form 3100A is required and must be completed by your insurance agent. Worker's Compensation coverage is good for policy period only.
- An Insurance Cancellation Agreement Form must be signed and forwarded to the state office. This is not required when the insurance company agrees to provide thirty days written notice of cancellation and list the Department of Business and Professional Regulation (DBPR) as certificate holder. Cancellation agreement is good for only one year from date of licensee's signature.
- Vehicle Inspections (Form WH-514) must be submitted on each vehicle used for transporting workers. Vehicle inspections from other states which require annual inspections are acceptable. Vehicle inspection is good for only one year from date of inspection.

Additionally, each vehicle authorized by the department to transport workers must display a vehicle sticker.

Forms are available by calling the Customer Contact Center at 850.487.1395.

5. Q. Where do I obtain the sticker for my vehicle?

A. The sticker will be sent to you automatically by the program office when you add a vehicle to your fleet that has not been previously authorized.

6. Q. What if my sticker is lost or stolen?

A. You may obtain a replacement sticker upon written request, with a brief explanation of why you need a replacement. Request can be faxed to 850.488.0512 or mailed to DBPR, Farm Labor, 1940 North Monroe, Tallahassee, Florida 32399-1041.

FEDERAL CONTACT INFORMATION

1. Q. Who do I talk to about a federal license?

A. United States Department of Labor (USDOL)
Wage & Hour Division
National Certificate Team
Post Office Box 56447
Atlanta, Georgia 30347-0447
1.404.893.6030