

CHILD LABOR
FREQUENTLY ASKED QUESTIONS AND ANSWERS
(The answers are applications of the stricter of the federal and state law)

GENERAL

1. Do minors need a work permit or working papers to work?

No. Employers must obtain and keep proof of age on record during the employment of the minor.

2. At what age can a minor work?

A minor must be 14 years old to work. {Exemptions are children that work in a parent's business in a non-hazardous occupation, newspaper delivery (10 years old), pages in the Florida Legislature and minors approved to work in the entertainment industry.}

3. What sanctions can an employer receive for violating the child labor law?

Under Florida law an employer may be fined up to \$2,500 per offense and/or receive a criminal conviction as a second degree misdemeanor. Under federal law, an employer may receive a maximum fine of \$11,000.

4. Where can I find more information about the child labor law?

The web address is <http://www.myflorida.com/dbpr/reg/childlabor/index.html>
The phone numbers are 800.226.2536 and 850.488.3131.

5. Do you have a list of employment related posters that employers are required to post?

You can download posters from the internet at:
<http://www.floridajobs.org/workforce/posters.html>

HOURS

1. What hours can a minor 14 or 15 years work?

When public school is in session, this age group may work up to 15 hours each week (seven-day period). This includes a maximum of 3 hours per day on school days and up to 8 hours per day on Saturday and 8 hours on Sunday and 8 hours on non-school days, when a school day does not follow. They may work between the hours of 7 a.m. and 7 p.m. but may not work during public school hours.

When school is not in session, June 1st through Labor Day, 14 and 15 year old minors may work up to 8 hours each day and 40 hours per week between the hours of 7 a.m. and 9 p.m.

2. What hours can a minor 16 or 17 years work?

When public school is in session, minors 16 & 17 may **not** work before 6:30 a.m. or after 11 p.m. or for more than 8 hours per day, when school is scheduled the following day, nor during the hours that school is in session. These hour limitations do not apply on non-school days when a school day does not follow, during non-school weeks, and during summer vacation.

When school does not follow the next day, such as Friday, Saturday, and other days that precede a holiday, minors 16 and 17 may work until their shift is completed. Example: A minor begins work on Saturday at 6:00 p.m. and the shift ends at 1:00 a.m. Sunday morning. This is not considered a violation of the regulation that minors may not work before 6:30 a.m. when school is scheduled the following day, because the minor is completing his Saturday shift, and not beginning a work shift before 6:30 a.m. on Sunday.

These teens may work no more than 30 hours per week when school is in session. However, during the Summer vacation and non-school weeks they may work unlimited hours.

3. During summer vacation, can a minor work 14 days in a row as a lifeguard?

Minors can work 6 consecutive days and then they must have a day off.

4. What hour and minimum age restrictions apply for children working for their parents or guardians when the parents are owners of the business?

These minors can work in their parent's business at any age and have no hour limitations. However, they may not work during regular school hours and in jobs identified as hazardous. (*Age, hour, and hazardous restrictions still apply to minors working with their parents or guardians in a business **not** fully owned by them.*)

WAIVERS

1. If a minor is attending public school and wants to have the child labor law waived, how does he/she apply?

A public school student in the K-12 program must request a waiver from the superintendent of schools or his/her designee.

2. Can a minor 14 or 15 years of age work during hours public school is in session when participating in a home school program, alternative education (adult education or GED), or private school?

In some instances, working during public school hours may be possible if the employer is not covered by federal law. Contact the Child Labor Program at 1.800.226.2536 or 850.488.3131 for additional information.

3. When school is in session can a minor 16 or 17 years of age work during public school hours when participating in a home school program, alternative education (adult education or GED), or private school or is a school dropout?

It is possible for some minors 16 and 17 years old to work during public school hours if they request a partial waiver and meet certain criteria. Waivers are approved on a case by case basis when it is in the best interest of the minor.

4. If a minor has a child but is not legally married, can this minor get a waiver?

Waivers are approved on a case by case basis when it is in the best interest of the minor. If the minor is enrolled in high school ((k-12 programs) they should contact their school superintendent or designee. If the minor has withdrawn from the k-12 programs, they can contact the Child Labor Program.

5. If a minor under the age of 18 is married, is that minor exempt from child labor law?

Yes. All hourly restrictions, including breaks, are lifted for married minors; however, the limits regarding hazardous occupations still apply until they turn 18. The employer will need to keep a copy of the marriage license on file.

6. Can a high school graduate under the age of 18, work during hours that public school is in session or over 30 hours a week?

Yes. All hourly restrictions, including breaks, are lifted for high school graduates; however, the limits regarding hazardous occupations still apply until they turn 18. The employer will need to keep a copy of the diploma on file or a letter from the school stating the minor has completed his/her educational requirements.

HAZARDOUS OCCUPATIONS

1. What kind of work can a minor do or not do?

A minor can work in any occupation that has not been declared hazardous by state or federal law. Visit our website at:

<http://www.myflorida.com/dbpr/reg/childlabor/index.html>

or the Child Labor Program at 1.800.226.2536 or 850.488.3131 for additional information.

2. Can a minor work on a golf course?

At the age of 16 and 17, minors can use mowers under 20 PTO including riding mowers, and trimmers such as string weed eaters. Safety features on such equipment must be intact. Ensure that the minor does not work with the toxic chemicals.

3. Is there any rule barring a minor from driving a golf cart on a golf course while on the job?

A minor 16 and 17 can drive a golf cart as part of their job as long as it is not used on a public roadway.

4. Can a minor be a delivery driver?

No. No one under 18 can be a delivery driver or operate a motor vehicle as a regular part of their job. For information relating to 17 year olds driving on an occasional and incidental basis, contact the Child Labor Program at 1.800.226.2536 or 850.488.3131.

5. At what age can a minor work on a construction site?

The minor must be 16 or 17 years old. Operating certain power tools or heavy equipment, being on a ladder over 6 feet, or scaffolding and in excavation operations more than 4 feet deep is prohibited.

6. Is a 14 or 15 year old allowed to work in manufacturing or in a warehouse as long as he/she doesn't use power tools or dangerous equipment or machinery?

No. Minors at this age cannot work in a manufacturing or warehousing environment. However, they can do office/clerical work as long as the work is separate and apart from the warehouse and manufacturing areas.

7. If the parents or guardians are the sole owners of a business do the hazards restrictions apply to their children?

Yes.

8. If a minor is employed in a pool cleaning service, what steps should the employer take in regard to the usage of chemicals?

Ensure that the minor does not work with the toxic chemicals.

9. Can a minor work in a machine shop?

It depends on what tasks are assigned. For more information on what machines a minor can operate contact the Child Labor Program at 1.800.226.2536 or 850.488.3131.

10. At what age can a minor "close" the business or work alone in a retail outlet, convenience store, or fast food store?

The Florida child labor law does not prohibit minors from working alone or "closing" the store.

11. At what age can minors work in the lawn care business using lawn mowers, weed eaters (string)?

At the age of 16 and 17 minors can use mowers under 20 PTO including riding mowers, trimmers such as string weed eaters. Safety features on such equipment must be intact. Minors should not use wood chippers.

ALCOHOLIC BEVERAGES

1. Can a minor work in a convenience store or other retail establishments that sells alcoholic beverages.

Minors can work in convenience stores and other retail stores that sell alcohol as long as the alcohol is not sold for consumption on the premises. (Contact the Child Labor Program at 1.800.226.2536 or 850.488.3131, or Division of Alcoholic Beverages and Tobacco at 850.488.3227 for information.)

2. Can a minor work in a restaurant that serves alcoholic beverages or in a bar?

Contact the Child Labor Program at 1.800.226.2536 or 850.488.3131, or Division of Alcoholic Beverages and Tobacco at 850.488.3227 for information.

ENTERTAINMENT INDUSTRY

1. What does a parent need to do, so that a child can work as a model, actor or a performer in the entertainment industry?

Nothing is required by the child labor law. The **employer** must apply to the Child Labor Program for a Permit to Hire Minors in the Entertainment Industry. For additional information the employer should contact the Child Labor Program at 1.800.226.2536 or 850.488.3131.

2. Who do you talk to if you see what appears to be a violation of child labor law in the entertainment industry?

Contact the Child Labor Program at 1.800.226.2536 or 850.488.3131.

3. Does a minor need some sort of certification or permit to work in the entertainment industry?

No. The **employer** must have a Permit to Hire Minors in the Entertainment Industry and proof of age on file for each minor.