
ELIGIBILITY REQUIREMENTS

- Must be eighteen years of age.
- Must be a United States (US) citizen or legally authorized for employment in the US.
- Must have not been convicted of the following crimes within the last five years: 1) Any crime relating to gambling or to the sale, distribution or possession of alcoholic beverages; in connection with or incidental to any farm labor contracting activities; or 2) 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 US illegally.
- Must have no delinquent Unemployment Compensation (UC) or Internal Revenue Service (IRS) taxes.
- Must have no unpaid federal or state civil money penalties.
- Must possess a current Federal Farm Labor Contractor/Employee License or have submitted a timely federal renewal application.
- Must have taken and passed the Florida Farm Labor Contractor Test.

FLORIDA FARM LABOR CONTRACTOR TEST

You must take and pass the state exam before you can obtain a Florida Farm Labor Contractor Certificate of Registration. The test can be taken either written or orally in English, Spanish, or Haitian-Creole. There is a \$35 fee for taking each test. The test consists of 60 true or false questions.

HOW TO REGISTER

To register, submit a completed application along with supporting documents to this agency. There is a \$125 non-refundable application fee for the Florida license. You must also name a Registered Agent on your state application. This is someone who agrees to accept legal documents on your behalf. This person must be available during normal business hours Monday through Friday. Assistance with the application process can be obtained from various offices within the state. Call the Farm Labor Program for more information.

PENALTIES

A minor violation of the Florida Farm Labor Registration Law is a second degree misdemeanor and may be punishable by sixty days in jail and a major violation is a third degree felony and may be punishable by five years in prison. You could be fined by the department up to \$2,500 for each violation. In addition, this agency can revoke or refuse to issue/renew your license.



FLORIDA FARM LABOR CONTRACTORS

For More Information Contact:

Florida Department of
Business & Professional Regulation
Farm Labor Program
2601 Blair Stone Road
Tallahassee, FL 32399-0783
850.488.3131



www.myfloralicense.com

AUTHORITY

Farm Labor Registration Law, Chapter 450, Part III,
Florida Statutes
Migrant and Seasonal Agricultural Worker
Protection Act (MSPA)

WHAT IS A FARM LABOR CONTRACTOR?

Any person who, for a fee or other valuable consideration, recruits, transports into or within the state, supplies, or hires at any one time in any calendar year one or more farm workers to work for or under the direction, supervision, or control of, a third person; or any person who recruits, transports into or within the state, supplies or hires at any one time in any calendar year one or more farm workers and who, for a fee or other valuable consideration, directs, supervises, or controls all or any part of the work of such workers.

RESPONSIBILITIES

Responsibilities of a farm labor contractor include, but are not limited to:

- **Obtaining a certificate of registration.** Prior to performing any farm labor contracting activities, a person must obtain a license from this agency. To work in Florida, farm labor contractors must obtain both a state and federal license.
- **Disclosing working conditions and posting requirements.** Workers must be informed in writing on issues regarding pay, crop, transportation and housing

arrangements, contractor and grower information, and rights of farmworkers.

- **Paying wages to workers when due.** Workers must be paid at least twice a month and no less than the minimum wage. A federal employer identification number is needed if the farm labor contractor is responsible for the payroll.
- **Ensuring safe transportation of workers.** Whenever a farm labor contractor is involved in the transportation of workers, each vehicle utilized must be authorized by this agency and display a sticker. Proof of automobile liability insurance coverage, Workers' Compensation coverage, and a vehicle safety inspection must be submitted. The driver(s) of the vehicle must also register as a farm labor contractor and be authorized by this agency to drive workers. For those individuals, a doctor's certificate showing they are physically able to drive and proof of a valid driver's license of the proper class must also be submitted. Drivers must be at least 21 years old.
- **Providing field sanitation.** Workers must have access to toilets. Water fit for drinking and for washing hands must be available.
- **Workers' Compensation coverage.** The contractor or employer must provide this coverage when liability requirements are met.
- **Unemployment compensation taxes.** The contractor or employer must pay these taxes when liability requirements are met.

- **Obey Child Labor Laws.** Employers who hire workers who are not yet 18 years old must abide by Child Labor Laws which are designed to aid in their protection.
- **Maintain proper records.** Wage and payment records must be retained for three years. Daily field records for each employee must show amount paid, hours worked and, if applicable, number of units harvested and amount paid per unit.

As a farm labor contractor you CANNOT:

- Require workers to buy goods or services solely from you or your agent;
- Charge workers more than cost for goods or services;
- Retaliate against a farmworker for filing a complaint or assisting in an investigation

BEST PRACTICES INCENTIVE PROGRAM

Licensed Florida Farm Labor Contractors who demonstrate firm commitment to responsible and safe labor practices may request the division to be designated as a Best Practices Farm Labor Contractor.

Please see Rule Chapter 61L-1.010, Florida Administrative Code for designation guidelines. Visit our website to submit your request to determine your eligibility.

www.myfloridalicense.com