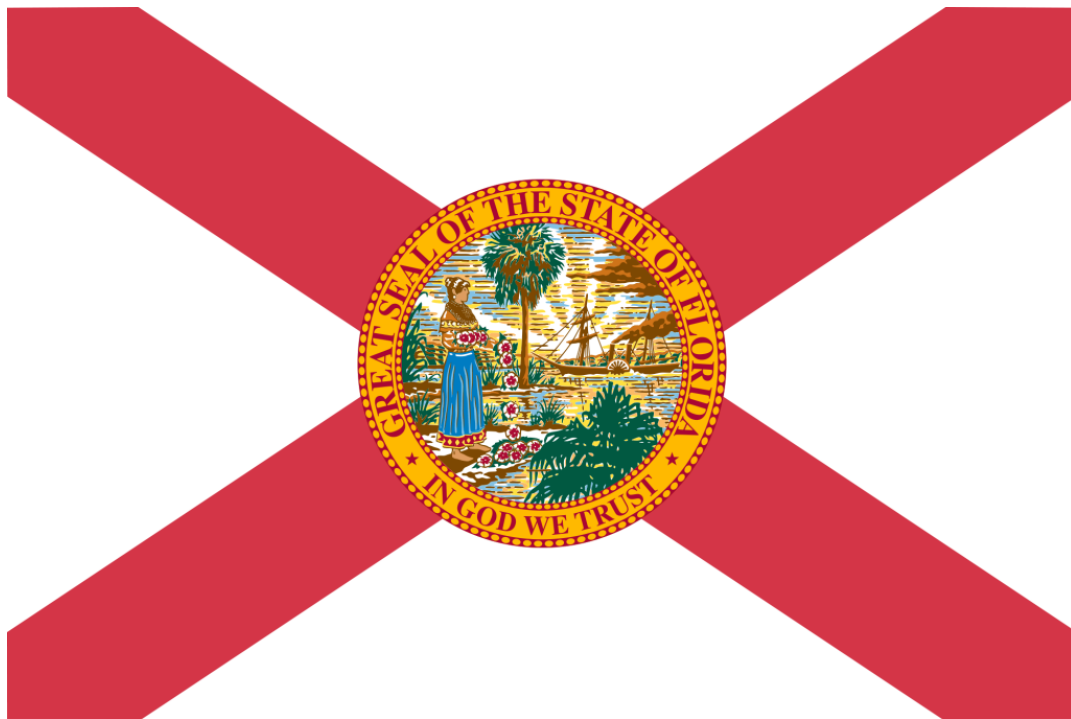


Florida Governor Signs Law Easing Hourly Work Restrictions on Minors

April 4, 2024

By Michael D. Mitchell and Zachary V. Zagger

On March 22, 2024, Florida Governor Ron DeSantis signed a bill into law that amends the state's Child Labor Law to allow minors sixteen and seventeen years of age to work more hours.



Quick Hits

- Florida enacted legislation that will ease employment restrictions for minors sixteen and seventeen years old.
- The law gives parents and school superintendents the ability to waive the limitation on minors working only thirty hours per week while school is in session.
- The changes take effect on July 1, 2024.

The enacted legislation, [House Bill \(HB\) 49](#), amends Florida's Child Labor Law to ease some of the restrictions on minors aged sixteen and seventeen and allows parents and school superintendents to waive the thirty-hours-per-week work limitation.

HB 49, which was one of a series of bills passed by the legislature near the end of the last legislative session, will take effect on July 1, 2024. Here are some key changes made by the law.

Work Hours

The law keeps in place restrictions under Florida's Child Labor Law that provide that minors aged sixteen and seventeen years old may only work eight hours in any one day and between 6:30 a.m. and 11:00 p.m., when there is school the next day. However, changes made by the new law will allow minors aged sixteen and seventeen to work more than eight hours on Sundays and holidays, even when there is school the next day.

Further, HB 49 will allow parents and school superintendents to waive the limitation that minors aged sixteen and seventeen may only work thirty hours per week when school is in session. The law will also lower the age restriction on minors working more than six consecutive days from seventeen years of age to fifteen years of age.

Additionally, minors sixteen and seventeen years of age who are scheduled to work for eight hours in one day will also be entitled to a meal break of at least thirty minutes for every four hours of continuous work.

Exclusions and Waivers

HB 49 removes the work hour restrictions for certain minors and creates opportunities for the restrictions to be waived under certain circumstances. Specifically, the law removes the work hour restrictions for minors aged sixteen and seventeen who are in a "home education program" or who are "enrolled in an approved virtual instruction program in which the minor is separated from the teacher by time only."

The law clarifies that school superintendents will be able to waive the work hour restrictions for minors "enrolled in an educational institution who qualify on a hardship basis, such as economic necessity or family emergency." The law further clarifies that the hourly restrictions will not apply to minors working "in domestic service in private homes" or "employed by their parents."

Additionally, under the changes provided by HB 49, the Florida Department of Business and Professional Regulation will be allowed to waive restrictions for minors when it is in the minor's best interest, based on "extenuating circumstances" determined on a case-by-case basis.

Penalties

HB 49 also clarifies that employers that violate the employment restrictions on minors could be subject to a misdemeanor and that each day an employee works in violation of the restrictions constitutes a separate and distinct violation under Florida law. Employers may further be required to take remedial actions.

Ogletree Deakins will continue to monitor developments and will provide updates on the [Florida](#) and [Wage and Hour](#) blogs.

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