January 17, 2024
The Honorable Paul Renner
Florida House of Representatives
417 House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300

SENT VIA EMAIL

Dear Speaker Renner,

We, the undersigned, urge the Legislature to **reject rollbacks to child labor protections** being considered in the 2024 session. This includes **HB 49/SB 1596, “Employment (and curfew) of minors,” and SB 460/HB 917, “Career and technical education.”** The former reverses protections for teen workers that have been in state law for decades, which would endanger the education, health, and long-term success of Florida’s youth. The latter has many promising provisions; however, we cannot support its language allowing teens in construction to work on or near roofing, ladders, or scaffolding.

**Employment (and curfew) of minors — HB 49/SB 1596**

CS/HB 49, which passed its second committee on January 10, would allow employers to schedule 16- and 17-year-olds for more than 30 hours a week, without breaks, and for more than six days in a row — whether during school months or not.

The Senate version, **SB 1596**, is a marginal improvement from the House version — unlike HB 49, it does not weaken current law that prohibits teens from working more than 30 hours per week when school is in session or remove the current eight-hour workday cap altogether. However, the legislation still includes exceptions that would allow employers to schedule teens for more than eight hours on a Sunday or a holiday, even when school is the next day. Worse, it mirrors HB 49 in allowing 16- and 17-year-olds to be scheduled more than six days per week and without breaks — whether school is in session or not. It also adds a new group of youth who would be unprotected by all these hour and curfew laws, home- and virtual school students. Thus, even though the Senate version is less concerning than House companion, we cannot support either bill.

We are concerned with the numerous harmful implications of these proposals. Florida Policy Institute’s analysis determined that HB 49/SB 1596 could **negatively impact over 80,000 16-and 17-year-olds who are employed in Florida — 76 percent of whom are also juggling school.** If employers are no longer required to consider school schedules, this will leave youth who are striving to complete school while holding down a job with an unfair choice: accept the hours their boss schedules them and put their education at risk or potentially lose their job (and the money and experience that comes with it). It is low-income and immigrant youth who are most likely to be unable to turn down
additional hours, making this legislation inequitable. Lawmakers should prioritize education for school-age teens above employment, as education provides the primary opportunity for generational economic mobility.

Additionally, extending teens’ work hours and denying them breaks can make even the safest job hazardous for teens. Working excessive hours in adolescence remains a risk factor for poor grades and dropping out of high school. This, in turn, can have lifelong economic consequences, as young adults without a high school diploma earn the least and are more likely to face later unemployment than other workers. Finally, HB 49 cuts off local governments’ power to strengthen child worker protections in their communities. There is no clear reason why communities should not be allowed to set standards appropriate for their residents, from populous Tampa Bay and Jacksonville to small towns like Apalachicola and Monticello.

Career and technical education — SB 460/HB 917

Another set of bills — SB 460/HB 917 — proposes numerous changes that would impact people working in or considering skilled trades. Several provisions are potentially positive, exposing teens to technical and skilled trade opportunities as an alternative to college and professional career routes. However, there is also a provision that would allow teens aged 16 and 17 to work in construction, including near roofs, if they earn a safety certificate and are supervised by an adult with the same training. We cannot support this.

Notably, these provisions would put Florida in direct violation of federal law, placing youth in danger and opening the state to lawsuits for which everyday Floridians would front the bill with their tax dollars. Federal law is unequivocal about prohibiting anyone under 18 from working on or near a roof (including standing or working on a ladder or scaffold at or near the roof). The only exception is if they are in a federally approved apprentice or student learner program that abides by strict U.S. Department of Labor rules for training, standards, minimal roofing work, and intense supervision. Alternatively, the 10-hour training program — Occupational Safety and Health Administration (OSHA)-10 — and supervision proposed by SB 460/HB 917 do not meet these requirements. Moreover, according Bureau of Labor Statistics data analyzed by Florida Policy Institute, there is only one direct supervisor available for every seven construction and extraction trade workers.

Construction is a dangerous industry for anyone, but especially for adolescents:

- The National Institute for Occupational Safety and Health states that youth on construction sites are more than six times as likely to be killed than youth in other jobs.
- Teens’ unique risks for injury and death are due to a variety of age-related factors, like growth spurts (which can make them more prone to musculoskeletal injury), fluctuating hormonal and behavioral changes, and pressure to perform like adults — all of which can lead teens to make riskier decisions on the job.
- Falls are the leading cause of death on construction sites, which teens would be at high risk for if on scaffolding or ladders at or above 6 feet. Furthermore, most youth construction fatalities occur in the South, so weakening standards in Florida will only make this trend worse.
Conclusion

We understand that some employers are struggling with labor shortages in select industries since the pandemic, including hospitality and construction. However, overworking teens and denying them breaks when their minds and bodies are still developing is not the answer, nor is letting them work near roofing and ladders under the guise of vague supervision and an OSHA-10 certificate that does not meet minimum federal standards.

We also recognize that some teens may want to work more hours during the school year. In those instances, there is already a waiver process in Florida statute to grant exceptions. Non-public school students apply through the Florida Department of Business and Professional Regulation and public-school students do so through their school districts. SB 1596 would seemingly streamline this so all students go through the department, but its enforcement language and reference to waivers are already in state law, proposing nothing new.

If granted a waiver under current state law, 16- and 17-year-olds can work:

- up to 40 hours per week when school is in session (30 is current state law),
- after 11 p.m. and before 6.30 a.m. on school nights,
- during school hours,
- without breaks, or
- in hazardous settings as part of a state or federal apprentice program.

Being home-schooled, in private school, or having financial hardship are all currently allowable reasons for such a waiver request.

Given these concerns and new polling showing that only 19 percent of Florida voters support the main provisions in HB 49, we urge you to reject HB 49 and SB 1596. We could potentially support SB 460 and HB 917 if the provisions on teens working on construction sites were removed.

Sincerely,

Florida Policy Institute
904WARD
Advocacy Partners Team
Allegany Franciscan Ministries
American Children's Campaign
Asian American Federation of Florida - South Region
Association of Farmworker Opportunity Programs (AFOP)
Beaches Activists Movement
Beyond Borders
Broward League of Women Voters
Care in Action
Catalyst Miami
Center for Law and Social Policy
Central Florida Jobs with Justice
Child Labor Coalition
Colorado Fiscal Institute
Community Foundation of Sarasota County
Community Justice Project
Corporate Accountability Lab
CREA: Center for Reflection, Education and Action, Inc.
Doctors Fighting Covid, LLC
Economic Policy Institute
Families for Strong Public Schools
Farmworker’s Self-Help
First Focus on Children
FL National Organization for Women
Florida AFL-CIO
Florida Asian Services
Florida Center for Fiscal and Economic Policy
Florida Chapter of the American Academy of Pediatrics
Florida Education Association
Florida Faith Advocacy Office
Florida For All
Florida Immigrant Coalition
Florida Impact
Florida Institute for Community Studies, Inc.
Florida Student Power Network
Florida Watch
Girls Inc. of Sarasota County
Good Jobs First
Green America
Gulf Coast Community Foundation
Haitian Neighborhood Center, Sant La Inc.
Harmon Health Group
Hispanic Services Council, Inc.
Hispanic Unity of Florida
Indivisible Mandarin
Iowa Federation of Labor, AFL-CIO
Jacksonville National Organization for Women
Kailash Satyarthi Children’s Foundation US
La Casita Boricua
La Mesa Boricua de Florida
Latino Leadership, Inc.
LatinoJustice PRLDEF
League of Women Voters Jacksonville First Coast
League of Women Voters of Citrus County
League of Women Voters of Florida
League of Women Voters of Hillsborough & Pasco Counties
League of Women Voters of Lee County, Inc.
League of Women Voters of Martin County
League of Women Voters of Orange County
League of Women Voters of Sanibel
League of Women Voters of Seminole County
League of Women Voters Pinellas County
LULAC Florida
Media Voices for Children
Miami Workers Center
Migrant Clinicians Network
Moms4Libros
MomsRising/MamásConPoder
NAACP Florida State Conference
National Council for Occupational Safety and Health
National Domestic Workers Alliance
National Employment Law Project
National Farm Worker Ministry
National Women’s Law Center
OCA South Florida Chapter
Partnership for Child Health
Pastors for Florida Children
Pax Christi Florida (Regional Branch of the Catholic Peace Movement)
PRIME International Social Enterprise
PRISM FL
P.S. 305
Reproductive Freedom Collective of Broward
Restaurant Opportunities Centers United
SEIU Florida
Social Accountability International
Southern Food Policy Advocates
State Innovation Exchange Action
Suwannee River AHEC
The Guatemalan-Maya Center
The Tendai Initiative
Together for Hope
TWU FL State COPE
UnidosUS
United Activision Media LLC
United Way Suncoast
Upper Keys League of Women Voters
Virginia Interfaith Center for Public Policy
Workplace Fairness

cc: Florida Senate President Kathleen Passidomo
     Members of the Florida Legislature