



FUBA
FLORIDA UNITED BUSINESSES ASSOCIATION

ISSUES

OUR BUSINESS IS SMALL BUSINESS

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NEW IMMIGRATION REQUIREMENTS FOR FLORIDA EMPLOYERS

Effective July 1, 2023, a new law recently approved by the Florida Legislature requires Florida businesses with 25 or more employees to use the E-verify system to verify that all new employees are eligible to work in the United States.

E-verify is a US government database that allows employers to search their employees' names to see if they are legally allowed to work in the United States. Pre-enrollment is required at [e-verify.gov](https://www.dhs.gov/e-verify).

The employment verification must be done within three business days after the employee begins working. Employers must certify on their Florida reemployment tax returns that they are in compliance with this requirement.

Only new hires must be verified through E-verify; the mandate does not apply to current employees.

Employers that hire workers without verifying their employment eligibility through the E-verify system can be fined \$1,000 a day and have their licenses suspended.

This new mandate is in addition to the long-standing requirement that all employers, regardless of size, complete an I-9 form for new hires to verify their work eligibility. The I-9 form requirement is not new, but the E-verify mandate is.

NEW LAW EXTENDS WORKPLACE PROTECTIONS FOR NURSING EMPLOYEES

In an effort to get nursing mothers back to work, a new law called the PUMP Act requires employers to provide all employees who are nursing with reasonable time and a private space to express breast milk. (PUMP stands for Providing Urgent Maternal Protections for Nursing Mothers.)

Employees needing to express breast milk must be provided reasonable break time and space to express milk as frequently as needed for up to one year following the birth of the employee's child. Employees are entitled to break time every time they need to pump.

The space provided by the employer cannot be a bathroom and must be shielded from coworkers and the public. The space does not have to be permanent and does not have to be a separate room. Privacy screens can be used. The space must be functional, meaning there must be a place for the employee to sit and a flat surface other than the floor to place the pump on.

Employees using break time to express breast milk must either be completely relieved from duty or be paid for the break. If an employer routinely provides paid breaks to its employees, an employee who uses break time to pump breast milk must be paid the same as other employees are paid for break time.

All employers covered by the Fair Labor Standards Act must comply with the PUMP Act, regardless of their size. Employers with fewer than 50 employees may be exempt if they can establish that complying with the law is an undue hardship that would cause significant difficulty or expense.

The federal Minimum Wage poster on employee rights under the Fair Labor Standards Act has been updated to reflect this new law. FUBA is in the process of updating our All-in-One labor law posters to reflect this change and will be mailing them to FUBA members when they have been printed. If you would like us to mail you a new federal Minimum Wage poster before then, please email FUBA@FUBA.org or call 800-262-4483 and ask for Mallory or Karen.

DOES YOUR BUSINESS HIRE TEENS FOR THE SUMMER?

If your business will hire a teenager under the age of 18 for the summer, here is what you need to know:

1. Teens **must be at least 14 years old** to work in Florida (there are exceptions for children working in a parent's business in a non-hazardous occupation and for newspaper delivery).
2. **No special documentation or permission is required** for your business to hire a teenager. Parents do not have to give permission for their child to work for your business, nor do you need to get a special work permit.
3. **Keep a copy of the minor's driver's license or birth certificate** as proof of their age.
4. A **Child Labor poster must be posted** at your workplace. This poster explains in detail what types of work is prohibited for teens under 18 and the restrictions on their work hours.

This poster is available free for FUBA members. Call us at 800-262-4483 or email us at FUBA@FUBA.org for a free Child Labor poster.

5. Here are the general rules on how much minors can work during the summer:

During the summer, 14 and 15-year-olds:

- Can work up to 8 hours a day and up to 40 hours a week. Cannot work more than 40 hours a week.
- Can work between 7 a.m. and 9 p.m.
- Cannot work more than 6 days in a row.
- Must be given a 30-minute break after working 4 consecutive hours. The break can be unpaid.

During the summer, 16 and 17-year-olds:

- Can work any time of day and can work unlimited hours. If they work more than 40 hours in a week, they must be paid overtime pay (time and a half).
- Cannot work more than 6 days in a row.
- Must be given a 30-minute break after working 4 consecutive hours. The break can be unpaid.

Only 18-year-olds can prepare or serve alcoholic beverages. Only 17- and 18-year-olds may drive during the day to run occasional errands. They cannot make time-sensitive deliveries (like pizzas).

No one under 18 can work on roofs, scaffolding, or ladders above 6 feet. They cannot work in demolitions, wrecking, or excavation. They cannot install or service TV/cable/satellite equipment and cannot service HVAC equipment attached to roofs. They also cannot work around toxic substances including pesticides or herbicides.

If you have any questions about hiring a teenager, you can call the FUBA experts at 800-262-4483 or email us at FUBA@FUBA.org.