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MORE WORKERS' COMPENSATION CHANGES FROM THE SESSION

In last month's edition of ISSUES, we explained the recent changes the Florida Legislature made to workers' compensation exemptions. That bill has still not been acted on by the Governor, and therefore has not yet become effective. Please watch future editions of this newsletter for updates on the exemption changes.

The Legislature also made several changes to the workers' compensation law that are intended to reduce fraud in the system. These changes will all become effective on July 1, 2002. They include:

- If the Division of Workers' Compensation finds that an employer is required to purchase workers' comp coverage for his or her employees and has failed to do so, the Division must issue a stop-work order for that business within 72 hours.
- All applications for new workers' compensation coverage will have to contain a sworn statement by the insurance agent attesting that the agent has explained to the employer about the classification codes used for premium calculations.
- When a business is audited for workers' compensation premium purposes, the employer and the auditor must print and sign their names on the audit document and attach proof of identification to the audit document.
- All employers must post a notice at their place of business stating: "Anti-Fraud Reward Program – Rewards of up to \$25,000 may be paid to persons providing information to the Department of Insurance leading to the arrest and conviction of persons committing insurance fraud, including employers who illegally fail to obtain workers' compensation coverage. Persons may report suspected fraud to the department at ...(Phone

Number).... A person is not subject to civil liability for furnishing such information, if such person acts without malice, fraud, or bad faith." [Please note: FUBA will try to provide these posters to you free of charge. Please look for more information in the next editions of this newsletter.]

ATTENTION RETAILERS: NEW LAW ON CREDIT CARD FRAUD

In an effort to prevent credit card fraud, the Legislature has passed a bill dealing with credit card information that is printed on sales receipts. The new law provides that merchants may not print more than the last 5 digits of the card number or the card's expiration date on the receipt. This applies to credit cards, charge cards and debit cards. Only electronically-printed receipts are subject to this new law. This restriction does not apply to a transaction in which the sole means of recording the card's account number or expiration date is by handwriting it or by making an imprint or copy of the card.

This new law is phased in over 2 years to give businesses time to adjust their equipment. If your business currently uses an electronic machine (either your cash register or a machine provided by the credit card company) to print out credit card receipts, you will be "grandfathered" in and will not have to begin complying with the new law restricting the numbers that can be printed on the receipt until 2005. However, if you begin using an electronic machine to print out credit card receipts on or after July 1, 2003, you will have to begin complying with this law immediately.

ATTENTION CONTRACTORS: DRUG-FREE WORKPLACE TO BE REQUIRED FOR STATE CONTRACTS

Effective October 1, 2002, all construction contractors (including electrical contractors and alarm system contractors) that perform construction work under a contract with the state of Florida on educational facilities, state correctional facilities, or public buildings will be required to become drug-free workplaces. Becoming a drug-free workplace entails giving your employees notice, educating them that they can be tested for drugs, and establishing procedural requirements for testing for drugs and alcohol pursuant to state law. Businesses with approved drug-free workplace programs are eligible for a 5% discount on your workers' compensation premium. If you have any questions, please contact your workers' compensation carrier.

ARE YOU HIRING TEENAGERS FOR SUMMER WORK?

If you will have teenagers under 18 working at your business this summer (or at any time during the year), you must be aware of the state and federal laws regulating the types of jobs they can and cannot do, their minimum pay rate, their required number of breaks, and the number of hours they can work.

- The current minimum wage is \$5.15 an hour.
- With certain exceptions, a minor must be at least 14 years old to work in Florida.
- Once a teenager reaches 18 years of age, he or she is no longer subject to the child labor law.
- Special restrictions on driving for teens: Teenagers under 18 cannot drive automobiles as part of their job. The only exception is for 17-year-olds, who may drive cars or small trucks during daylight hours and only for limited times and under very limited circumstances.
- During the summer, 14 and 15-year-olds:
 - Can work up to 8 hours a day.
 - Can work no more than 40 hours per week.
 - Can work between 7 a.m. and 9 p.m.
 - Must be given a 30-minute, uninterrupted break after 4 consecutive hours of work. The break can be unpaid.
 - Can work in most office jobs and retail and food service establishments, but may not work in processing, mining, or in any workplace

where goods are manufactured or processed.

- Cannot operate most power-driven machinery, including lawn mowers, lawn trimmers, and weed cutters.
 - May operate most office machines and certain equipment in restaurants, such as dishwashers, toasters, milk shake blenders, and coffee grinders.
 - May perform work like bagging groceries, office work, stocking shelves, cashiering, and light cooking performed in the full sight of customers.
 - Cannot bake as part of their employment.
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- During the summer, 16 and 17-year-olds:
 - Have no limit on the number of hours they may work each day and each week. [Please keep in mind, though, that they will earn overtime if they work more than 40 hours per week.]
 - Have no limit on the time of day they may work.
 - Can work only 6 consecutive days per work week.
 - Can work no more than 4 consecutive hours without a 30-minute, uninterrupted break. The break may be unpaid.
 - Cannot sell, prepare, or serve alcoholic beverages. [Exceptions to this rule are made on a case-by-case basis by the Florida Division of Alcoholic Beverages and Tobacco.]
 - Cannot drive automobiles as part of their job.
 - Cannot work on any scaffolding, roofs, or ladders above 6 feet.
 - Cannot perform electrical work.
 - Cannot work in or around toxic substances or pesticides.
 - Cannot use power-driven bakery machines or meat slicers.
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- Employers are required to keep records to prove the age of all minors they hire. To satisfy this requirement, you can do one of the following:
 - Copy the minor's birth certificate.
 - Copy the minor's driver's license.
 - Get an age certificate issued by the School Board.
 - Copy a passport or visa that lists the minor's date of birth.