

### **61L-2.005 Additional Hazardous Occupations Prohibited.**

(1) General. Rule 61L-2.005, F.A.C., lists the occupations and places of employment which the division has determined and declared are hazardous or injurious to the life, health, safety, or welfare of minors. Pursuant to Section 450.061, F.S., employers shall not require, permit, or suffer minors to work in these occupations, unless the minors' activities are limited to office, sales or stockroom work, and this employment will not place the minor in clear and present danger to life or limb.

(2) Occupations Prohibited by the United States Department of Labor. Employers of minors shall not require, permit, or suffer minors to work in the following occupations and places of employment which are declared hazardous by the United States Department of Labor. The occupations and places of employment listed in Rule 61L-2.005, F.A.C., paragraphs (2)(a) and (2)(b), are defined and described in 29 Code of Federal Regulations (C.F.R.) Part 570, Subparts C, E, and E-1 (1992), and such definitions and descriptions are adopted and incorporated by reference into this rule. Employers should obtain copies of the federal regulations which contain these definitions as provided in Rule 61L-2.012, F.A.C.

(a) Occupations Prohibited for All Minors. In addition to the hazardous occupations prohibited in subsection 450.061(2), F.S., employers shall not cause any minor to work in the following occupations or places of employment as are defined and described in 29 C.F.R. Part 570, Subpart E:

1. Occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components (29 C.F.R. § 570.51);
2. Motor-vehicle driver and outside helper (29 C.F.R. § 570.52);
3. Occupations in connection with mining (29 C.F.R. § 570.73, and 570.60);
4. Logging occupations and occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage stock mill (29 C.F.R. § 570.54);
5. Occupations involved in the operation of power-driven woodworking machines (29 C.F.R. § 570.55);
6. Occupations involving exposure to radioactive substances and to ionizing radiations (29 C.F.R. § 570.57);
7. Occupations involved in the operation of power-driven hoisting apparatus (29 C.F.R. § 570.58);
8. Occupations involved in the operation of power-driven metal forming, punching, and shearing machines (29 C.F.R. § 570.59);
9. Occupations involving slaughtering, meat packing or processing, or rendering (29 C.F.R. § 570.61);
10. Occupations involved in the operation of bakery machines (29 C.F.R. § 570.62);
11. Occupations involved in the operation of paper-products machines (29 C.F.R. § 570.63);
12. Occupations involved in the manufacture of brick, tile, and kindred products (29 C.F.R. § 570.64);
13. Occupations involved in the operations of circular saws, band saws, and guillotine shears (29 C.F.R. § 570.65);
14. Occupations involved in wrecking, demolitions, and shipbreaking operations (29 C.F.R. § 570.66);
15. Occupations in roofing operations (29 C.F.R. § 570.67); and
16. Occupations in excavation operations (29 C.F.R. § 570.68).

(b) Occupations Prohibited for Minors Under the Age of Sixteen. In addition to the hazardous occupations prohibited in subsections 450.061(1), and (2), F.S., and in Rule 61L-2.005, F.A.C., paragraph (2)(a) of this rule, employers shall not cause any minor under the age of sixteen to work in the following occupations or places of employment as are defined or described in 29 C.F.R. Part 570, Subpart C:

1. Manufacturing, mining, or processing occupations, including occupations requiring the performance of any duties in work rooms or work place where goods are manufactured, mined or otherwise processed (29 C.F.R. § 570.33);
2. Occupations which involve the operation or tending of hoisting apparatus or of any power-driven machinery other than office machines (29 C.F.R. § 570.33);
3. Operation of a motor vehicle or service as a helper on motor vehicles (29 C.F.R. § 570.33);
4. Public messenger service (29 C.F.R. § 570.33);
5. Occupations in connection with:
  - a. Transportation of persons or property by rail, highway, air, water, pipeline, or other means;

- b. Warehousing and storage;
  - c. Communications and electric utilities; and
  - d. Construction (including demolition and repair) (29 C.F.R. § 570.33);
  - 6. Work performed in or about boiler or engine rooms (29 C.F.R. § 570.34);
  - 7. Work in maintaining or repairing machines or equipment (29 C.F.R. § 570.34);
  - 8. Outside window washing that involves working from window sills, and all work requiring the use of ladders, scaffolds, or their substitutes (29 C.F.R. § 570.34);
  - 9. Cooking (except at soda fountains, lunch counters, snack bars, or cafeteria serving counters) and baking (29 C.F.R. §570.34);
  - 10. Operating, setting up, adjusting, cleaning, oiling, or repairing power-driven food slicers and grinders, food choppers, and cutters, and bakery-type mixers (29 C.F.R. § 570.34);
  - 11. Work in freezers and meat coolers and all work in the preparation of meats for sale except for wrapping, sealing, labeling, weighing, pricing and stocking in areas physically separate from freezers and coolers (29 C.F.R. § 570.34);
  - 12. Loading and unloading goods to and from trucks, railroad cars, or conveyors (29 C.F.R. § 570.34);
  - 13. All occupations in warehouses except office and clerical work (29 C.F.R. § 570.34);
  - 14. Occupations involved in agriculture as defined at 29 C.F.R. § 570.71.
- (3) Compressed Gasses. Employers shall not allow any minor to dispense, or to transport, service, modify or alter tanks, cylinders or other equipment used for storing, any inert or compound gas, including air, which has been compressed to a pressure that exceeds 40 pounds per square inch (psi), except that minors who are sixteen (16) years of age or older may fill balloons, and bicycle or car tires (but not truck or heavy equipment), if given proper instruction and the tank or cylinder containing the compressed gas is fixed and secure.
- (4) Door-to-door Sales. As provided in subsection 450.061(1)(n), F.S., door-to-door sales on behalf of nonprofit organizations are allowable for minors who are under the age of sixteen years, but the organizations shall ensure that such sales are undertaken under close supervision as defined in subsection 61L-2.002(4), F.A.C.

*Specific Authority 450.121 FS. Law Implemented 450.061 FS. History–New 10-7-93, Formerly 38H-14.005.*