

1 A bill to be entitled
2 An act relating to minimum wage requirements;
3 providing a short title; amending s. 448.110, F.S.;
4 exempting an employer from state minimum wage
5 requirements for specified employees; prohibiting
6 certain work-based learning opportunities from lasting
7 longer than a specified timeframe; authorizing
8 employees to voluntarily opt out of the state minimum
9 wage requirements by signing a waiver; prohibiting an
10 employer from coercing an employee into opting out of
11 the state minimum wage; providing requirements for the
12 waiver to be effective for a minor employee; requiring
13 employers to pay an employee at or above the federal
14 minimum wage; providing that an employee's waiver to
15 opt out of the state minimum wage is only valid for a
16 specified timeframe; providing an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 **Section 1.** This act may be cited as the "On-the-Job
21 Workforce Training Act."

22 **Section 2. Subsection (3) of section 448.110, Florida**
23 **Statutes, is amended to read:**

24 448.110 State minimum wage; annual wage adjustment;
25 enforcement.—

26 (3)(a) Employers shall pay employees a minimum wage at an
27 hourly rate of \$6.15 for all hours worked in Florida. Only those
28 individuals entitled to receive the federal minimum wage under
29 the federal Fair Labor Standards Act, as amended, and its
30 implementing regulations shall be eligible to receive the state
31 minimum wage pursuant to s. 24, Art. X of the State Constitution
32 and this section. The provisions of ss. 213 and 214 of the
33 federal Fair Labor Standards Act, as interpreted by applicable
34 federal regulations and implemented by the Secretary of Labor,
35 are incorporated herein.

36 (b) An employer is not subject to the state minimum wage
37 requirements of this section for an employee who is in a
38 structured work-study, internship, preapprenticeship program, or
39 other similar work-based learning opportunity and who opts out
40 of receiving the minimum wage. However, such work-based learning
41 opportunity may not last longer than 9 months or two full-time
42 semesters consisting of at least 15 credit hours each.

43 (c) An employee may opt out of receiving the state minimum
44 wage by voluntarily signing a waiver of his or her right to the
45 state minimum wage established under this subsection. The waiver
46 must state that the employee acknowledges his or her right to
47 the state minimum wage pursuant to s. 24, Art. X of the State
48 Constitution and this section and that the employee is knowingly
49 and voluntarily choosing to receive a lesser amount for his or
50 her work-based learning opportunity as described in paragraph

51 (b). An employer may not coerce an employee to opt out of
52 receiving the state minimum wage. If the employee is younger
53 than 18 years of age, in order for the waiver to be effective,
54 the employee's parent or guardian must have agreed and signed
55 the waiver on behalf of the minor employee at the minor
56 employee's request.

57 (d) Except as provided in paragraphs (b) and (c), an
58 employer must pay an employee a wage at or above the federal
59 minimum wage.

60 (e) An employee's waiver to opt out of the state minimum
61 wage under this subsection is only valid for 9 months after the
62 date his or her employment with the employer begins. Thereafter,
63 the employee must be paid at or above the state minimum wage
64 regardless of his or her position or job title with the
65 employer.

66 **Section 3.** This act shall take effect July 1, 2026.