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WORKER RIGHTS · FLORIDA

Your Rights as a Worker in Florida

What every hospitality worker should know, in plain language. No legal jargon.

This guide is general information only — not legal advice, as of October 2026. It is not a substitute for talking to a licensed attorney about your situation.

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You Can Be Fired for Almost Any Reason, but Not an Illegal One

- Florida is an "at-will" state. Your employer can let you go for a good reason, a bad reason, or no reason at all.
- But they cannot fire you for: your race, color, religion, sex, national origin, age, disability, or marital status (Florida Civil Rights Act); filing a workers' comp claim; complaining about unpaid wages or unsafe working conditions; refusing to break the law.

If you were fired for one of these reasons, consider talking to an employment lawyer.

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Your Paycheck Is Protected

- Minimum wage: $15.00/hour as of September 30, 2026 — Florida’s minimum wage rose $1 every year since 2021 and now adjusts with inflation each year. Overtime: 1.5x your rate for hours past 40 in a week (federal law; Florida has no state overtime law).
- Final paycheck: Florida has no state deadline — but you must be paid everything you’re owed by the next regular payday. Florida has no state wage-enforcement agency, so unpaid-wage claims go to the U.S. Department of Labor or through a private lawsuit.
- Deductions: your employer generally cannot dock your pay without your agreement. If a deduction showed up you never agreed to, document it.

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If You Earn Tips

- Your employer can pay a cash wage of $11.98/hour, but your tips must bring you to $15.00/hour for every hour worked. If they don’t, your employer owes you the difference.
- Your employer must tell you in advance about the tip credit arrangement — without that notice, they can’t claim the credit at all.
- Managers and supervisors cannot take a share of pooled tips. Neither can the business itself.

Vacation and PTO

- Florida does not require employers to offer vacation, sick leave, or holidays — and state law blocks cities and counties from creating their own paid-leave mandates.
- But once your employer promises paid time off, it becomes part of your compensation — they owe it to you.

Breaks

- Florida does not require meal or rest breaks for adult workers. Workers under 18 must get a 30-minute break after every 4 hours of work.

If You’re Under 21 and Serve Alcohol

- You must be 18 to sell or serve alcoholic beverages.

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Non-Compete Agreements

- Florida is one of the most employer-friendly states in the country on non-competes. Under Florida law, agreements must protect a legitimate business interest and be reasonable in time and geographic scope — but if a court finds an agreement overbroad, it must rewrite it to make it enforceable rather than throwing it out. Florida courts routinely enforce multi-year restrictions.

Every agreement is different — talk to an employment lawyer before you sign one or act against one.

Discrimination: Where to Go

- Florida’s Civil Rights Act covers employers with 15 or more employees and is enforced by the Florida Commission on Human Relations (FCHR) — or you can go to the federal EEOC. Florida also requires employers with 25 or more employees to use E-Verify for new hires.

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What Florida Does Not Require

- No state pay transparency law. No state paid sick leave — and local governments are prohibited from creating one. No state deadline for your final paycheck (federal next-payday rule applies). No state wage-enforcement agency — wage claims go federal or to court. Florida is a right-to-work state — it’s in the state constitution. You can’t be forced to join a union as a condition of employment.

If Your Rights Were Violated

- Wage issues (unpaid wages, missing overtime): U.S. Department of Labor, Wage and Hour Division — or a private lawsuit under the Florida Minimum Wage Act.
- Discrimination: Florida Commission on Human Relations (FCHR) or the EEOC.
- Child labor issues: Florida Department of Business and Professional Regulation (DBPR).
- Unsafe working conditions: Federal OSHA.

Deadlines apply to many claims, so don’t wait. And when in doubt, consider talking to an employment lawyer — many offer free consultations.

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