

1                                   A bill to be entitled  
 2           An act relating to labor pools; amending s. 448.24,  
 3           F.S.; revising methods by which a labor pool is  
 4           required to compensate day laborers; requiring a labor  
 5           pool to provide certain notice before a day laborer's  
 6           first pay period; specifying requirements for a labor  
 7           pool that selects to compensate a day laborer by  
 8           payroll debit card; authorizing a labor pool to  
 9           deliver a wage statement electronically upon request  
 10          by the day laborer; providing an effective date.

11  
 12   Be It Enacted by the Legislature of the State of Florida:

13  
 14          Section 1. Subsection (2) of section 448.24, Florida  
 15   Statutes, is amended to read:

16          448.24 Duties and rights.—

17          (2) A labor pool shall:

18          (a) Select one of the following methods of payment to  
 19   compensate a day laborer ~~laborers~~ for work performed: ~~in the~~  
 20   ~~form of~~

21          1. Cash, ~~or~~

22          2. Commonly accepted negotiable instruments that are  
 23   payable in cash, on demand at a financial institution, and  
 24   without discount.

25          3. Payroll debit card.

26          4. Electronic funds transfer, which must be made to a

27 financial institution designated by the day laborer.

28 (b) Before a day laborer's first pay period, provide  
 29 notice to the day laborer of the method of payment that the  
 30 labor pool intends to use for payroll and the day laborer's  
 31 options to elect a different method of payment, and authorize  
 32 the day laborer to elect not to be paid by payroll debit card or  
 33 electronic funds transfer.

34 (c) If selecting to compensate a day laborer by payroll  
 35 debit card:

36 1. Offer the day laborer the option to elect payment by  
 37 electronic funds transfer; and

38 2. Before selecting payroll debit card, provide the day  
 39 laborer with a list, including the address, of a business that  
 40 is in close proximity to the labor pool and that does not charge  
 41 a fee to withdraw the contents of the payroll debit card.

42 (d)~~(b)~~ Compensate day laborers at or above the minimum  
 43 wage, in conformance with the provision of s. 448.01. In no  
 44 event shall any Deductions, other than those authorized  
 45 permitted by federal or state law, may not bring the worker's  
 46 pay below minimum wage for the hours worked.

47 (e)~~(e)~~ Comply with all requirements of chapter 440.

48 (f)~~(d)~~ Insure any motor vehicle owned or operated by the  
 49 labor hall and used for the transportation of workers pursuant  
 50 to Florida Statutes.

51 (g)~~(e)~~ At the time of each payment of wages, furnish each  
 52 worker a written itemized statement showing in detail each

HB 325

2015

53 | deduction made from such wages. A labor pool may deliver this  
54 | statement electronically upon written request of the day  
55 | laborer.

56 | (h)~~(f)~~ Provide each worker with an annual earnings summary  
57 | within a reasonable period of time after the end of the  
58 | preceding calendar year, but no later than February 1.

59 | Section 2. This act shall take effect July 1, 2015.