

By Senator Turner

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A bill to be entitled
An act relating to the WAGES program; amending
s. 414.065, F.S.; providing protections for
current employees with respect to the
assignment or employment of participants in the
WAGES program; prohibiting displacing or
terminating an existing employee if the
position is filled with a WAGES participant;
prohibiting the impairment of a contract or
collective bargaining agreement as a result of
the assignment or employment of a WAGES
participant; amending s. 414.105, F.S.,
relating to time limitations of temporary cash
assistance; extending the time limitations if
the local WAGES coalition determines and the
State Board of Directors certifies that the
WAGES program is not fully implemented in the
service area; providing an effective date.

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

Section 1. Subsection (12) is added to section
414.065, Florida Statutes, to read:
414.065 Work requirements.--
(12) PROTECTION FOR CURRENT EMPLOYEES.--In
establishing and contracting for work experience and community
service activities, other work experience activities,
on-the-job training, subsidized employment, and work
supplementation under the WAGES program, the following shall
apply:

1 (1) An employed worker may not be displaced,
2 completely or partially; conditions of a person's employment
3 may not be changed; and hours of nonovertime work, wages, or
4 employment benefits may not be reduced because of the
5 assignment or employment of a WAGES participant.

6 (2) A WAGES participant may not be assigned to an
7 activity or employed in a position if:

8 (a) Another person is laid off from the same or a
9 substantially equivalent job within the same organizational
10 unit.

11 (b) The position is vacant as a result of a strike,
12 lockout, or any other labor dispute.

13 (c) An employer has created a vacancy or terminated an
14 existing employee without good cause, or otherwise reduced its
15 workforce, with the effect of filling that position with a
16 WAGES participant.

17 (3) The assignment or employment of a WAGES
18 participant may not impair any contract for services or any
19 collective bargaining agreement in existence on the date of
20 the assignment or employment.

21 (4) The assignment or employment of a WAGES
22 participant may not infringe in any way upon the promotional
23 opportunities of any person employed within the same
24 organizational unit at the time of the assignment or
25 employment.

26 Section 2. Subsection (11) is added to section
27 414.105, Florida Statutes, to read:

28 414.105 Time limitations of temporary cash
29 assistance.--Unless otherwise expressly provided in this
30 chapter, an applicant or current participant shall receive
31 temporary cash assistance for episodes of not more than 24

1 cumulative months in any consecutive 60-month period that
2 begins with the first month of participation and for not more
3 than a lifetime cumulative total of 48 months as an adult.

4 (11) If a local WAGES coalition determines that the
5 WAGES program was not fully implemented in its service area
6 during any month or portion thereof, and such determination is
7 certified by the WAGES Program State Board of Directors, an
8 equal number of days shall be added to the time limitations
9 provided in this section. In making this determination, the
10 local WAGES coalition may consider whether work activities and
11 support services, including, but not limited to, child care,
12 were available to the individuals subject to the time
13 limitation during the period in which the program was not
14 fully implemented.

15 Section 3. This act shall take effect upon becoming a
16 law.

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19 SENATE SUMMARY

20 Prohibits assigning or employing a WAGES participant in
21 fulfillment of the work activity requirements of the
22 program if the result of such assignment or employment is
23 to displace or terminate the position of a current
24 employee. Requires that the local WAGES coalition extend
25 the time that a program participant is eligible to
26 receive temporary cash assistance if the coalition
27 determines and the State Board of Directors certifies
28 that the WAGES program is not fully implemented in the
29 service area.
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