

By Representative Dawson-White

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

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

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 22           Section 1. Subsection (12) is added to section  
 23   414.065, Florida Statutes, to read:  
 24           414.065 Work requirements.--  
 25           (12) PROTECTION FOR CURRENT EMPLOYEES.--In  
 26   establishing and contracting for work experience and community  
 27   service activities, other work experience activities,  
 28   on-the-job training, subsidized employment, and work  
 29   supplementation under the WAGES program, the following shall  
 30   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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