

Bill No. SB 18-B

Barcode 434544

CHAMBER ACTION

Senate

House

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Comm: WD
12/07/2005 10:24 AM

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The Committee on Commerce and Consumer Services (Margolis)
recommended the following amendment:

Senate Amendment (with title amendment)

On page 7, between lines 25 and 26,

insert:

(12) Notification of the state minimum wage.--

(a) Each employer who must pay an employee the Florida
minimum wage shall prominently display a poster made available
pursuant to subsection (2) in a conspicuous and accessible
place at each worksite.

(b) Each year the Agency for Workforce Innovation
shall, on or before December 1, create and make available to
employers a poster in English and in Spanish which reads
substantially as follows:

NOTICE TO EMPLOYEES

The Florida minimum wage is \$ (amount) per
hour and \$ (amount) per hour for tipped workers

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1 for January 1, (year), through December 31,
2 (year).

3
4 The rate of the minimum wage is
5 recalculated yearly on September 30, based on
6 the Consumer Price Index. Every year on January
7 1 the new Florida minimum wage takes effect.

8
9 An employer may not retaliate against an
10 employee for exercising his or her right to
11 receive the minimum wage. Rights protected by
12 the State Constitution include the right to:

13 1. File a complaint about an employer's
14 alleged noncompliance with lawful minimum-wage
15 requirements.

16 2. Inform any person about an employer's
17 alleged noncompliance with lawful minimum-wage
18 requirements.

19 3. Inform any person of his or her
20 potential rights under Section 24, Article X of
21 the State Constitution and to assist him or her
22 in asserting such rights.

23
24 An employee who has not received the
25 lawful minimum wage may bring a civil action in
26 a court of law against an employer to recover
27 back wages plus damages and attorney's fees.
28 Before filing an action, an employee must
29 notify the employer in writing of his or her
30 intention and give the employer 15 days to
31 respond.

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An employer found liable for intentionally violating minimum-wage requirements is subject to a fine of \$1,000 per violation, payable to the state.

The Attorney General or other official designated by the Legislature may bring a civil action to enforce the minimum wage.

For details, see Section 24, Article X of the State Constitution.

(c) The poster must be at least 12 inches in height by 16 inches in width and in a format easily seen by employees. The letters in the poster must be of a conspicuous size. The letters in the first line must be larger than the letters of any other line and the letters of the first sentence must be in bold type and larger than the letters in the remaining lines.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

On page 2, line 26, after the semicolon

insert:

requiring the Agency for Workforce Innovation to provide posters to employers which state employee rights regarding the minimum wage; requiring employers to post minimum wage information;