

Bill No. SB 1166

Barcode 482668

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

.
. .
. .
. .
. .
. .

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Paragraph (b) of subsection (1) of section 448.24, Florida Statutes, is amended, and subsection (7) is added to that section, to read:

448.24 Duties and rights.--

(1) No labor pool shall charge a day laborer:

(b) More than a reasonable amount to transport a worker to or from the designated worksite, but in no event shall the amount exceed \$1.50 each way ~~the prevailing rate for public transportation in the geographic area;~~ or

(7) Nothing in this part precludes the labor pool from providing a day laborer with a method of obtaining cash from a cash-dispensing machine that is located on the premises of the labor pool and is operated by the labor pool, or by an affiliate, pursuant to chapter 560, if required, for a fee for

Bill No. SB 1166

Barcode 482668

1 each transaction which may not exceed \$1.99, provided:

2 (a) The labor pool offers payment in compliance with
3 the provisions of paragraph (2)(a).

4 (b) The day laborer voluntarily elects to accept
5 payment in cash after disclosure of the fee.

6 (c) The cash-dispensing machine requires affirmative
7 action by the day laborer with respect to imposition of the
8 fee and allows the day laborer to negate the transaction in
9 lieu of payment in compliance with paragraph (2)(a).

10 Section 2. Section 448.23, Florida Statutes, is
11 amended to read:

12 448.23 Exclusions.--Except as specified in ~~ss. §.~~
13 448.22(1)(c) and 448.26, this part does not apply to:

14 (1) Business entities duly registered as farm labor
15 contractors pursuant to part III of chapter 450;

16 (2) Employee leasing companies, as defined in s.
17 468.520;

18 (3) Temporary help services engaged in supplying
19 solely white collar employees, secretarial employees, clerical
20 employees, or skilled laborers;

21 (4) Labor union hiring halls; or

22 (5) Labor bureau or employment offices operated by a
23 business entity for the sole purpose of employing an
24 individual for its own use.

25 Section 3. Section 448.26, Florida Statutes, is
26 created to read:

27 448.26 Application.--Nothing in this part shall exempt
28 any client of any labor pool or temporary help arrangement
29 entity as defined in s. 468.520(4)(a) or any assigned employee
30 from any other license requirements of state, local, or
31 federal law. Any employee assigned to a client who is

Bill No. SB 1166

Barcode 482668

1 licensed, registered, or certified pursuant to law shall be
 2 deemed an employee of the client for such licensure purposes
 3 but shall remain an employee of the labor pool or temporary
 4 help arrangement entity for purposes of chapters 440 and 443.

5 Section 4. This act shall take effect July 1, 2006.

6

7

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

9 And the title is amended as follows:

10 Delete everything before the enacting clause

11

12 and insert:

13

A bill to be entitled

14

An act relating to labor pools; amending s.

15

448.24, F.S.; providing a limit on the amount a

16

labor pool may charge a laborer for

17

transportation to or from a designated

18

worksite; authorizing a labor pool to provide

19

day laborers with a method of obtaining cash

20

from a cash-dispensing machine; amending s.

21

448.23, F.S.; conforming a cross-reference;

22

creating s. 448.26, F.S.; providing for

23

application of pt. II of ch. 448, F.S., the

24

Labor Pool Act; providing an effective date.

25

26

27

28

29

30

31