

1 A bill to be entitled
 2 An act relating to notification regarding the state
 3 minimum wage; providing definitions; requiring an employer
 4 to display posters at worksites to provide employees
 5 notice about the state minimum wage; requiring the Agency
 6 for Workforce Innovation to make available an updated
 7 poster each year; providing for the size and contents of
 8 the posters; providing an effective date.

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

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 12 Section 1. Notification of the state minimum wage.--

13 (1) As used in this section, the terms:

14 (a) "Employer," "employee," and "wage" have the meanings
 15 as established under the federal Fair Labor Standards Act and
 16 its implementing regulations.

17 (b) "Florida minimum wage" means the wage that an employer
 18 must, at a minimum, pay an employee pursuant to Section 24,
 19 Article X of the State Constitution and implementing law.

20 (2) Each employer who must pay an employee the Florida
 21 minimum wage shall prominently display a poster made available
 22 pursuant to subsection (3) in a conspicuous and accessible place
 23 at each worksite.

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

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NOTICE TO EMPLOYEES

The Florida minimum wage is \$ (amount) per hour and \$ (amount) per hour for tipped workers for January 1, (year), through December 31, (year).

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

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

1. File a complaint with the Agency for Workforce Innovation about an employer's alleged noncompliance with lawful minimum-wage requirements.
2. Inform any person about an employer's alleged noncompliance with lawful minimum-wage requirements.
3. Inform any person of his or her potential rights under Section 24, Article X of the State Constitution and to assist him or her in asserting such rights.

An employee who has not received the lawful minimum wage may bring a civil action in a court of law against an employer to recover back wages plus

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57 damages and attorney's fees.

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

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

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

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

76 Section 2. This act shall take effect July 1, 2006.