

HB 1211

2006  
CS

CHAMBER ACTION

1 The Economic Development, Trade & Banking Committee recommends  
2 the following:

3  
4 **Council/Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to notification regarding the state  
8 minimum wage; creating s. 448.109, F.S.; providing  
9 definitions; requiring an employer to display posters at  
10 worksites to provide employees notice about the state  
11 minimum wage; requiring the Agency for Workforce  
12 Innovation to make available an updated poster each year;  
13 providing for the size and contents of the posters;  
14 providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. Section 448.109, Florida Statutes, is created  
19 to read:

20 448.109 Notification of the state minimum wage.--

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



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

53 1. File a complaint about an employer's alleged  
54 noncompliance with lawful minimum-wage requirements.

55 2. Inform any person about an employer's alleged  
56 noncompliance with lawful minimum-wage requirements.

57 3. Inform any person of his or her potential  
58 rights under Section 24, Article X of the State  
59 Constitution and to assist him or her in asserting  
60 such rights.

61  
62 An employee who has not received the lawful minimum  
63 wage after notifying his or her employer and giving  
64 the employer 15 days to resolve any claims for unpaid  
65 wages may bring a civil action in a court of law  
66 against an employer to recover back wages plus damages  
67 and attorney's fees.

68  
69 An employer found liable for intentionally violating  
70 minimum-wage requirements is subject to a fine of  
71 \$1,000 per violation, payable to the state.

72  
73 The Attorney General or other official designated by  
74 the Legislature may bring a civil action to enforce  
75 the minimum wage.

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

79  
80 (b) The poster must be at least 8.5 inches by 11 inches  
81 and in a format easily seen by employees. The text in the poster  
82 must be of a conspicuous size. The text in the first line must  
83 be larger than the text of any other line and the text of the  
84 first sentence must be in bold type and larger than the text in  
85 the remaining lines.

86 Section 2. This act shall take effect July 1, 2007.