

CHAMBER ACTION

1 The Commerce Council recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

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

14
15 Be It Enacted by the Legislature of the State of Florida:

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

19 448.109 Notification of the state minimum wage.--

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

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

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.
76
77 For details see Section 24, Article X of the State
78 Constitution.

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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 January 1, 2007.