

HB 219

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 labor pools; amending s. 448.24, F.S.;
8 providing a limit on the amount a labor pool may charge a
9 laborer for transportation to or from a designated
10 worksite; authorizing a labor pool to provide day laborers
11 with a method of obtaining cash from a cash-dispensing
12 machine; amending s. 448.23, F.S.; conforming a cross-
13 reference; creating s. 448.26, F.S.; providing for
14 application of pt. II of ch. 448, F.S., the Labor Pool
15 Act; providing an effective date.

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

18
19 Section 1. Paragraph (b) of subsection (1) of section
20 448.24, Florida Statutes, is amended, and subsection (7) is
21 added to that section, to read:

22 448.24 Duties and rights.--

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

HB 219

2006
CS

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

28 (7) Nothing in this part precludes the labor pool from
 29 providing a day laborer with a method of obtaining cash from a
 30 cash-dispensing machine that is located on the premises of the
 31 labor pool and is operated by the labor pool, or by an
 32 affiliate, pursuant to chapter 560, if required, for a fee for
 33 each transaction which may not exceed \$1.99, provided:

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

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

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

42 Section 2. Section 448.23, Florida Statutes, is amended to
 43 read:

44 448.23 Exclusions.--Except as specified in ss. ~~s.~~
 45 448.22(1)(c) and 448.26, this part does not apply to:

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

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

49 (3) Temporary help services engaged in supplying solely
 50 white collar employees, secretarial employees, clerical
 51 employees, or skilled laborers;

HB 219

2006
CS

52 (4) Labor union hiring halls; or

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

56 Section 3. Section 448.26, Florida Statutes, is created to
57 read:

58 448.26 Application.--Nothing in this part shall exempt any
59 client of any labor pool or temporary help arrangement entity as
60 defined in s. 468.520(4)(a) or any assigned employee from any
61 other license requirements of state, local, or federal law. Any
62 employee assigned to a client who is licensed, registered, or
63 certified pursuant to law shall be deemed an employee of the
64 client for such licensure purposes but shall remain an employee
65 of the labor pool or temporary help arrangement entity for
66 purposes of chapters 440 and 443.

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