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

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

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14 Section 1. Section 448.109, Florida Statutes, is
15 created to read:

16 448.109 Notification of the state minimum wage.--

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

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

21 (b) "Florida minimum wage" means the wage that an
22 employer must, at a minimum, pay an employee pursuant to s.
23 24, Art. X of the State Constitution and implementing law.

24 (2) Each employer who must pay an employee the Florida
25 minimum wage shall prominently display a poster substantially
26 similar to the one made available pursuant to subsection (3)
27 in a conspicuous and accessible place in each establishment
28 where such employees are employed.

29 (3)(a) Each year the Agency for Workforce Innovation
30 shall, on or before December 1, create and make available to

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1 employers a poster in English and in Spanish which reads
2 substantially as follows:

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4 NOTICE TO EMPLOYEES

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6 The Florida minimum wage is \$ (amount) per
7 hour, with a minimum wage of at least \$
8 (amount) per hour for tipped employees, in
9 addition to tips, for January 1, (year),
10 through December 31, (year).

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

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

21 1. File a complaint about an employer's
22 alleged noncompliance with lawful minimum-wage
23 requirements.

24 2. Inform any person about an employer's
25 alleged noncompliance with lawful minimum-wage
26 requirements.

27 3. Inform any person of his or her
28 potential rights under Section 24, Article X of
29 the State Constitution and to assist him or her
30 in asserting such rights.

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1 An employee who has not received the lawful
2 minimum wage after notifying his or her
3 employer and giving the employer 15 days to
4 resolve any claims for unpaid wages may bring a
5 civil action in a court of law against an
6 employer to recover back wages plus damages and
7 attorney's fees.

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

13
14 The Attorney General or other official
15 designated by the Legislature may bring a civil
16 action to enforce the minimum wage.

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18 For details see Section 24, Article X of the
19 State Constitution.

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21 (b) The poster must be at least 8.5 inches by 11
22 inches and in a format easily seen by employees. The text in
23 the poster must be of a conspicuous size. The text in the
24 first line must be larger than the text of any other line and
25 the text of the first sentence must be in bold type and larger
26 than the text in the remaining lines.

27 Section 2. This act shall take effect January 1, 2007.
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