

By Senator Braynon

36-00502B-15

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1                   A bill to be entitled  
2       An act relating to labor pools; amending s. 448.24,  
3       F.S.; revising methods by which a labor pool is  
4       required to compensate day laborers; requiring a labor  
5       pool to provide certain notice before a day laborer's  
6       first pay period; specifying requirements for a labor  
7       pool that selects to compensate a day laborer by  
8       payroll debit card; authorizing a labor pool to  
9       deliver a wage statement electronically upon request  
10      by the day laborer; 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. Subsection (2) of section 448.24, Florida  
15 Statutes, is amended to read:

16       448.24 Duties and rights.—

17       (2) A labor pool shall:

18       (a) Select one of the following methods of payment to  
19 compensate a day laborer ~~laborers~~ for work performed; in the  
20 ~~form of~~

21       1. Cash, ~~or~~

22       2. Commonly accepted negotiable instruments that are  
23 payable in cash, on demand at a financial institution, and  
24 without discount.

25       3. Payroll debit card.

26       4. Electronic fund transfer, which must be made to a  
27 financial institution designated by the day laborer.

28       (b) Before a day laborer's first pay period, provide notice  
29 to the day laborer of the method of payment that the labor pool

36-00502B-15

2015456\_\_

30 intends to use for payroll and the day laborer's options to  
31 elect a different method of payment, and authorize the day  
32 laborer to elect not to be paid by payroll debit card or  
33 electronic fund transfer.

34 (c) If selecting to compensate a day laborer by payroll  
35 debit card:

36 1. Offer the day laborer the option to elect payment by  
37 electronic fund transfer; and

38 2. Before selecting payroll debit card, provide the day  
39 laborer with a list, including the address, of a business that  
40 is in close proximity to the labor pool and that does not charge  
41 a fee to withdraw the contents of the payroll debit card.

42 (d) ~~(b)~~ Compensate day laborers at or above the minimum  
43 wage, in conformance with ~~the provision of~~ s. 448.01. ~~In no~~  
44 event ~~shall any~~ Deductions, other than those authorized  
45 ~~permitted~~ by federal or state law, may not bring the worker's  
46 pay below minimum wage for the hours worked.

47 (e) ~~(e)~~ Comply with all requirements of chapter 440.

48 (f) ~~(d)~~ Insure any motor vehicle owned or operated by the  
49 labor hall and used for the transportation of workers pursuant  
50 to Florida Statutes.

51 (g) ~~(e)~~ At the time of each payment of wages, furnish each  
52 worker a written itemized statement showing in detail each  
53 deduction made from such wages. A labor pool may deliver this  
54 statement electronically upon written request of the day  
55 laborer.

56 (h) ~~(f)~~ Provide each worker with an annual earnings summary  
57 within a reasonable period of time after the end of the  
58 preceding calendar year, but no later than February 1.

36-00502B-15

2015456\_\_

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Section 2. This act shall take effect July 1, 2015.