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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/20/2023	.	
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The Committee on Rules (Perry) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (5) of section 448.24, Florida
Statutes, is amended to read:

448.24 Duties and rights.—

(5) A labor pool that operates a labor hall must provide
facilities for a worker waiting at the labor hall for a job
assignment that include:

~~(a) restroom facilities.~~



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12 ~~(b)~~ drinking water, and-

13 ~~(e)~~ sufficient seating. A labor pool satisfies requirements
14 for providing restroom facilities and drinking water if its
15 labor hall facilities comply with all minimum requirements for
16 public restrooms and drinking fountains in the Florida Building
17 Code and any local amendments thereto. A labor pool may also
18 provide drinking water through a water cooler dispenser, by
19 offering bottled water, or by any other similar means.

20 Section 2. Section 448.25, Florida Statutes, is amended to
21 read:

22 448.25 Remedies; damages; costs.-

23 (1) (a) Any worker aggrieved by a violation of s. 448.24 has
24 ~~shall have~~ the right to bring a civil action in a court of
25 competent jurisdiction against the labor pool responsible for
26 such violation.

27 (b) Before bringing a civil action pursuant to this
28 section, an aggrieved worker must give the labor pool a
29 reasonable opportunity to cure the alleged violation. The
30 aggrieved worker must serve the labor pool in accordance with s.
31 48.081 with written notice of the alleged violation. Such notice
32 must include a statement that failure by the labor pool to cure
33 the alleged violation within 60 days after receipt of the notice
34 may result in a civil action being filed against it in a court
35 of competent jurisdiction. A labor pool may cure a violation
36 relating to its labor hall facilities by modifying the alleged
37 violation to comply with s. 448.24(5).

38 (c) In any action commenced pursuant to this section part,
39 the aggrieved worker is ~~shall be~~ entitled to recover actual and
40 consequential damages, or \$1,000, whichever is greater, for each



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41 violation of s. 448.24 ~~this part~~, and costs.

42 (2) A civil action brought under s. 448.24 must be filed
43 within 1 year after the date the aggrieved worker serves written
44 notice of the alleged violation on the labor pool.

45 (3) ~~(2)~~ The remedies provided by this part for a violation
46 of s. 448.24 are ~~not~~ exclusive and ~~shall not~~ preclude the
47 aggrieved worker from pursuing any other remedy at law or equity
48 which the worker may have.

49 Section 3. This act shall take effect July 1, 2023.

50
51 ===== T I T L E A M E N D M E N T =====

52 And the title is amended as follows:

53 Delete everything before the enacting clause
54 and insert:

55 A bill to be entitled
56 An act relating to the Labor Pool Act; amending s.
57 448.24, F.S.; providing that a labor pool satisfies
58 certain requirements if its facilities meet the
59 minimum requirements in the Florida Building Code and
60 any local amendments thereto; authorizing labor pools
61 to provide drinking water through certain alternative
62 means; amending s. 448.25, F.S.; requiring an
63 aggrieved worker to provide specified notice to a
64 labor pool before bringing a civil action; authorizing
65 a labor pool to cure alleged violations in a specified
66 manner; requiring that a civil action be brought
67 within a certain time period; providing exclusive
68 remedies; providing an effective date.