

By Senator Perry

9-01931C-23

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1 A bill to be entitled
2 An act relating to the Labor Pool Act; amending s.
3 448.24, F.S.; providing that a labor pool satisfies
4 certain requirements if its facilities meet the
5 minimum requirements in the Florida Building Code and
6 any local amendments thereto; authorizing a labor pool
7 to provide drinking water in a specified manner;
8 amending s. 448.25, F.S.; requiring an aggrieved
9 worker to provide specified notice to a labor pool
10 before bringing certain civil actions; authorizing a
11 labor pool to cure alleged violations in a specified
12 manner; requiring that a civil action be brought
13 within a certain time period; specifying that certain
14 remedies are exclusive; providing an effective date.

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

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

20 448.24 Duties and rights.—

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

24 ~~(a) restroom facilities,~~

25 ~~(b) drinking water, and~~

26 ~~(c) sufficient seating.~~ A labor pool satisfies this
27 subsection if its labor hall facilities comply with all minimum
28 requirements for public restrooms, drinking fountains, and
29 seating in the Florida Building Code and any local amendments

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30 thereto. A labor pool may also provide drinking water through a
31 water cooler dispenser, by offering bottled water, or by any
32 other similar means.

33 Section 2. Section 448.25, Florida Statutes, is amended to
34 read:

35 448.25 Remedies; damages; costs.—

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

40 (b) Before bringing a civil action pursuant to this
41 section, an aggrieved worker must give the labor pool a
42 reasonable opportunity to cure the alleged violation. The
43 aggrieved worker must serve the labor pool in accordance with s.
44 48.081 with written notice of the alleged violation. Such notice
45 must include a statement that failure by the labor pool to cure
46 the alleged violation within 60 days after receipt of the notice
47 may result in a civil action being filed against it in a court
48 of competent jurisdiction. A labor pool may cure a violation
49 relating to its labor hall facilities by modifying the alleged
50 violation to comply with s. 448.24(5).

51 (c) In any action commenced pursuant to this section part,
52 the aggrieved worker is ~~shall be~~ entitled to recover actual and
53 consequential damages, or \$1,000, whichever is greater, for each
54 violation of s. 448.24 ~~this part,~~ and costs.

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

58 (3) The remedies provided by this part are ~~not~~ exclusive

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59 and ~~shall not~~ preclude the aggrieved worker from pursuing any
60 other remedy at law or equity which the worker may have.

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