

By Senator Truenow

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1 A bill to be entitled
2 An act relating to the Labor Pool Act; repealing ss.
3 448.20, 448.21, 448.22, 448.23, 448.24, 448.25, and
4 448.26, F.S., relating to short title; legislative
5 intent; definitions; exclusions; duties and rights;
6 remedies, damages, and costs; and application,
7 respectively; amending ss. 443.101 and 448.111, F.S.;
8 conforming provisions to changes made by the act;
9 providing an effective date.

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

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13 Section 1. Sections 448.20, 448.21, 448.22, 448.23, 448.24,
14 448.25, and 448.26, Florida Statutes, are repealed.

15 Section 2. Subsection (10) of section 443.101, Florida
16 Statutes, is amended to read:

17 443.101 Disqualification for benefits.—An individual shall
18 be disqualified for benefits:

19 (10) Subject to the requirements of this subsection, if the
20 claim is made based on the loss of employment as a leased
21 employee for an employee leasing company or as a temporary
22 employee for a temporary help firm.

23 (a) As used in this subsection, the term:

24 1. "Temporary help firm" means a firm that hires its own
25 employees and assigns them to clients to support or supplement
26 the client's workforce in work situations such as employee
27 absences, temporary skill shortages, seasonal workloads, and
28 special assignments and projects, ~~and includes a labor pool as~~
29 ~~defined in s. 448.22.~~ The term also includes a firm created by

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30 an entity licensed under s. 125.012(6), which hires employees
31 assigned by a union for the purpose of supplementing or
32 supporting the workforce of the temporary help firm's clients.
33 The term does not include employee leasing companies regulated
34 under part XI of chapter 468.

35 2. "Temporary employee" means an employee assigned to work
36 for the clients of a temporary help firm. ~~The term also includes~~
37 ~~a day laborer performing day labor, as defined in s. 448.22, who~~
38 ~~is employed by a labor pool as defined in s. 448.22.~~

39 3. "Leased employee" means an employee assigned to work for
40 the clients of an employee leasing company regulated under part
41 XI of chapter 468.

42 (b) A temporary or leased employee is deemed to have
43 voluntarily quit employment and is disqualified for benefits
44 under subparagraph (1)(a)1. if, upon conclusion of his or her
45 latest assignment, the temporary or leased employee, without
46 good cause, failed to contact the temporary help or employee-
47 leasing firm for reassignment, if the employer advised the
48 temporary or leased employee at the time of hire and that the
49 leased employee is notified also at the time of separation that
50 he or she must report for reassignment upon conclusion of each
51 assignment, regardless of the duration of the assignment, and
52 that reemployment assistance benefits may be denied for failure
53 to report. ~~For purposes of this section, the time of hire for a~~
54 ~~day laborer is upon his or her acceptance of the first~~
55 ~~assignment following completion of an employment application~~
56 ~~with the labor pool. The labor pool as defined in s. 448.22(1)~~
57 ~~must provide notice to the temporary employee upon conclusion of~~
58 ~~the latest assignment that work is available the next business~~

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59 ~~day and that the temporary employee must report for reassignment~~
60 ~~the next business day. The notice must be given by means of a~~
61 ~~notice printed on the paycheck, written notice included in the~~
62 ~~pay envelope, or other written notification at the conclusion of~~
63 ~~the current assignment.~~

64 Section 3. Subsection (2) of section 448.111, Florida
65 Statutes, is amended to read:

66 448.111 Evidentiary standards for actions of a business
67 during an emergency.—

68 (2) Notwithstanding any other law, the following actions of
69 a business, if taken during a public health emergency declared
70 by the State Health Officer under s. 381.00315 or a state of
71 emergency declared by the Governor under s. 252.36, may not be
72 used as evidence in a civil cause of action brought under s.
73 440.10, s. 440.192, s. 440.38, s. 440.381, s. 448.103, s.
74 448.110, ~~s. 448.25~~, chapter 532, or s. 717.115, or in a civil
75 cause of action, as provided for under general law, to recover
76 lost wages, salary, employment benefits, or other compensation,
77 because an individual has not been properly classified as an
78 employee:

79 (a) Providing financial assistance to previously engaged
80 individuals who are unable to work because of health and safety
81 concerns.

82 (b) Directly providing benefits that are related to the
83 health and safety of engaged individuals, including medical or
84 cleaning supplies, personal protective equipment, health checks,
85 or medical testing.

86 (c) Providing training or information related to the health
87 and safety of engaged individuals or the public.

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88 (d) Taking any action, including action required or
89 suggested by any federal, state, or local law, ordinance, order,
90 or directive which is intended to protect public health and
91 safety.

92 Section 4. This act shall take effect July 1, 2025.