

HB 987

2026

A bill to be entitled
An act relating to the Department of Labor; creating
s. 20.71, F.S.; creating the Department of Labor as a
new department of state government; providing for the
secretary of the department to be appointed by the
Governor and confirmed by the Senate; authorizing the
secretary to establish divisions and regional offices
of the department; providing the purpose of the
department; authorizing the department to adopt rules;
amending s. 448.109, F.S.; revising requirements for
notifying employees of certain rights; conforming
provisions to changes made by the act; amending s.
448.110, F.S.; designating the Department of Labor as
the state Agency for Workforce Innovation for purposes
of implementing s. 24, Art. X of the State
Constitution; providing definitions; revising the
protected rights of an employee; creating a rebuttable
presumption and burden of proof for an employer;
revising the process for filing a complaint for a
violation of protected rights; prohibiting a person or
entity from entering into certain contracts;
authorizing and providing the department certain
powers to conduct investigations, issue citations,
enforce and collect judgments by certain means, and
partner with other entities for enforcement and

HB 987

2026

26 education outreach; providing for injunctive relief
27 under certain circumstances; providing a process for
28 review of a citation, levy, or stop-order issued by
29 the department; providing penalties; tolling the
30 statute of limitations during an investigation;
31 providing liability; requiring certain records be
32 maintained for a specified length of time; creating s.
33 448.112, F.S.; creating the Department of Labor
34 Community Advisory Board within the Department of
35 Labor; providing for membership, meetings, and duties
36 of the advisory board; requiring an annual report to
37 the Secretary of the Department of Labor, the
38 Governor, and the Legislature by a specified date;
39 providing an effective date.

40

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

42

43 **Section 1. Section 20.71, Florida Statutes, is created to**
read:

44

45 20.71 Department of Labor; creation; powers and duties.—
46 (1) There is created the Department of Labor.
47 (2) The head of the department is the Secretary of Labor,
48 who shall be appointed by the Governor, subject to confirmation
49 by the Senate. The secretary shall serve at the pleasure of and
50 report to the Governor.

51 (3) The secretary may create divisions within the
52 department and allocate various functions of the department
53 among such divisions.

54 (4) (a) The headquarters of the department shall be located
55 in Tallahassee. However, the department may establish regional
56 offices throughout this state as the secretary deems necessary
57 for the efficient operation of the department in accomplishing
58 its purpose.

59 (b) The purpose of the department is to enforce s. 24,
60 Art. X of the State Constitution, s. 448.110, and any other law
61 that the department has enforcement authority over as designated
62 by the Legislature.

63 (5) The department may adopt rules as necessary to carry
64 out the functions and purposes of the department.

65 **Section 2. Paragraph (a) of subsection (3) of section**
66 **448.109, Florida Statutes, is amended to read:**

67 448.109 Notification of the state minimum wage.—

68 (3) (a) Each year the Department of Labor Department of
69 Commerce shall, on or before December 1, create and make
70 available to employers a poster in English, and in Spanish, and
71 any other languages, as necessary. The poster must give notice
72 of all of the following:

73 1. The right to the minimum wage as provided by s. 24,
74 Art. X of the State Constitution and s. 448.110.

75 2. The right to be protected from retaliation for

HB 987

2026

76 exercising in good faith any right protected under s. 24, Art. X
77 of the State Constitution and s. 448.110.

78 3. The right to file a complaint with the Department of
79 Labor or bring a civil action in a court of competent
80 jurisdiction for a violation of s. 24, Art. X of the State
81 Constitution or s. 448.110. which reads substantially as
82 follows:

83 NOTICE TO EMPLOYEES

84 The Florida minimum wage is \$... (amount) ... per hour, with a
85 minimum wage of at least \$... (amount) ... per hour for tipped
86 employees, in addition to tips, for January 1, ... (year) ...,
87 through December 31, ... (year)
88 The rate of the minimum wage is recalculated yearly on September
89 30, based on the Consumer Price Index. Every year on January 1
90 the new Florida minimum wage takes effect.

91 An employer may not retaliate against an employee for exercising
92 his or her right to receive the minimum wage. Rights protected
93 by the State Constitution include the right to:

- 94 1. File a complaint about an employer's alleged
95 noncompliance with lawful minimum wage requirements.
- 96 2. Inform any person about an employer's alleged
97 noncompliance with lawful minimum wage requirements.
- 98 3. Inform any person of his or her potential rights under
99 Section 24, Article X of the State Constitution and to
100 assist him or her in asserting such rights.

101 ~~An employee who has not received the lawful minimum wage after~~
102 ~~notifying his or her employer and giving the employer 15 days to~~
103 ~~resolve any claims for unpaid wages may bring a civil action in~~
104 ~~a court of law against an employer to recover back wages plus~~
105 ~~damages and attorney's fees.~~

106 ~~An employer found liable for intentionally violating minimum~~
107 ~~wage requirements is subject to a fine of \$1,000 per violation,~~
108 ~~payable to the state.~~

109 ~~The Attorney General or other official designated by the~~
110 ~~Legislature may bring a civil action to enforce the minimum~~
111 ~~wage.~~

112 ~~For details see Section 24, Article X of the State Constitution.~~

113 **Section 3. Section 448.110, Florida Statutes, is amended**
114 **to read:**

115 448.110 State minimum wage; annual wage adjustment;
116 enforcement.—

117 (1) This section may be cited as the "Florida Minimum Wage
118 Act."

119 (2) The purpose of this section is to provide measures
120 appropriate for the implementation of s. 24, Art. X of the State
121 Constitution, in accordance with authority granted to the
122 Legislature under pursuant to s. 24(f), Art. X of the State
123 Constitution. To implement s. 24, Art. X of the State
124 Constitution, the Department of Labor Department of Commerce is
125 designated as the state Agency for Workforce Innovation.

126 (3) As used in this section, the term:

127 (a) "Adverse action" means the discharge, suspension,
128 transfer, or demotion of an employee; the withholding of wage,
129 bonuses, benefits, or workable hours; filing, or threatening to
130 file, a false report with a government agency or engaging in
131 unfair immigration-related practices; or any other adverse
132 action taken against an employee within the terms and conditions
133 of employment by an employer.

134 (b) "Client employer" means a business entity, regardless
135 of its form, that obtains or is provided employees to perform
136 labor within its usual course of business from a labor
137 contractor. The term does not include:

138 1. A business entity with a workforce of 25 or fewer
139 employees, including those hired directly by the client employer
140 and those obtained from or provided by a labor contractor.

141 2. A business entity with a workforce of five or fewer
142 employees supplied by a labor contractor to the client employer
143 at any given time.

144 3. This state or a political subdivision of this state.

145 (c) "Department" means the Department of Labor.

146 (d) "Employee" has the same meaning as established under
147 the federal Fair Labor Standards Act and its implementing
148 regulations in effect on July 1, 2026.

149 (e) "Employer" has the same meaning as established under
150 the federal Fair Labor Standards Act and its implementing

151 regulations in effect on July 1, 2026.

152 (f) "Judgment debtor" means each person who is liable on a
153 judgment or order to pay a sum of money that remains
154 unsatisfied.

155 (g) "Labor contractor" means a person or entity that
156 supplies, with or without a contract, a client employer with
157 employees to perform labor within the client employer's usual
158 course of business. The term does not include a bona fide
159 nonprofit, community-based organization that provides services
160 to employees or a labor organization or apprenticeship program
161 operating under a collective bargaining agreement.

162 (h) "Secretary" means the secretary of the department.

163 (i) "Usual course of business" means the regular and
164 customary work of a business performed within or upon the
165 premises or worksite of the client employer.

166 (4)-(3) Employers shall pay employees a minimum wage at an
167 hourly rate of \$6.15 for all hours worked in Florida. Only those
168 individuals entitled to receive the federal minimum wage under
169 the federal Fair Labor Standards Act, as amended, and its
170 implementing regulations shall be eligible to receive the state
171 minimum wage ~~under pursuant to~~ s. 24, Art. X of the State
172 Constitution and this section. Sections 213 and 214 The
173 provisions of ss. 213 and 214 of the federal Fair Labor
174 Standards Act, as interpreted by applicable federal regulations
175 and implemented by the Secretary of Labor, are incorporated

176 herein.

177 (5) (a) ~~(4)~~(a) Beginning September 30, 2005, and annually on
178 September 30 thereafter, the department ~~of Commerce~~ shall
179 calculate an adjusted state minimum wage rate by increasing the
180 state minimum wage by the rate of inflation for the 12 months
181 prior to September 1. In calculating the adjusted state minimum
182 wage, the department ~~of Commerce~~ shall use the Consumer Price
183 Index for Urban Wage Earners and Clerical Workers, not
184 seasonally adjusted, for the South Region or a successor index
185 as calculated by the United States Department of Labor. Each
186 adjusted state minimum wage rate shall take effect on the
187 following January 1, with the initial adjusted minimum wage rate
188 to take effect on January 1, 2006.

189 (b) The Department of Revenue and the department ~~of~~
190 ~~Commerce~~ shall annually publish the amount of the adjusted state
191 minimum wage and the effective date. Publication shall occur by
192 posting the adjusted state minimum wage rate and the effective
193 date on the Internet home pages of the department ~~of Commerce~~
194 and the Department of Revenue by October 15 of each year. In
195 addition, to the extent funded in the General Appropriations
196 Act, the department ~~of Commerce~~ shall provide written notice of
197 the adjusted rate and the effective date of the adjusted state
198 minimum wage to all employers registered in the most current
199 reemployment assistance database. Such notice shall be mailed by
200 November 15 of each year using the addresses included in the

201 database. Employers are responsible for maintaining current
202 address information in the reemployment assistance database. The
203 department ~~of Commerce~~ is not responsible for failure to provide
204 notice due to incorrect or incomplete address information in the
205 database. The department ~~of Commerce~~ shall provide the
206 Department of Revenue with the adjusted state minimum wage rate
207 information and effective date in a timely manner.

208 (6) (a) ~~(5)~~ It is ~~shall~~ be unlawful for an employer or any
209 other party to discriminate in any manner or take adverse action
210 against any person in retaliation for exercising rights
211 protected under ~~pursuant to~~ s. 24, Art. X of the State
212 Constitution or this section.

213 (b) Rights protected under s. 24, Art. X of the State
214 Constitution and this section include, but are not limited to:

215 1. The right to ~~file a complaint~~ or inform any person of
216 his or her potential rights under ~~pursuant to~~ s. 24, Art. X of
217 the State Constitution or this section and to assist him or her
218 in asserting such rights.

219 2. The right to inform a person's employer, union or other
220 similar organization, legal counsel, or any other person about
221 an alleged violation of s. 24, Art. X of the State Constitution
222 or this section.

223 3. The right to file a complaint with the department or
224 file a civil action in a court of competent jurisdiction for an
225 alleged violation of s. 24, Art. X of the State Constitution or

226 this section.

227 4. The right to cooperate with any investigation conducted
228 under this section and to testify in any proceeding or action
229 brought under this section.

230 5. The right to refuse to participate in an activity that
231 violates city, state, or federal law.

232 6. The right to oppose any policy, practice, or act that
233 violates s. 24, Art. X of the State Constitution or this
234 section.

235 (c) There is a rebuttable presumption that an employer has
236 violated s. 24, Art. X of the State Constitution or this section
237 if the employer takes adverse action against an employee within
238 90 days after the employee exercises a right under paragraph

239 (b). If an employee is a seasonal worker and his or her work
240 ended before the end of the 90-day period, the rebuttable
241 presumption applies if the employer fails to rehire the seasonal
242 worker in the same position at the next opportunity. The
243 rebuttable presumption may be overcome by clear and convincing
244 evidence.

245 (d) The protections provided under this section apply to
246 any employee who alleges a violation of s. 24, Art. X of the
247 State Constitution or this section in good faith. Any complaint
248 or other communication by an employee alleging a violation of s.
249 24, Art. X of the State Constitution or this section triggers
250 the protections under this section even if the complaint or

251 communication does not specifically reference this section.

252 (e) An employee who believes he or she has been
253 discriminated or retaliated against for exercising a right under
254 s. 24, Art. X of the State Constitution or this section may file
255 a complaint with the department or a civil action in a court of
256 competent jurisdiction within 4 years after the alleged
257 violation or, in the case of a willful violation, within 5 years
258 after the alleged violation.

259 (7) An employer has the burden of proving that a person is
260 an independent contractor and not an employee. A person who
261 receives remuneration for services provided is considered an
262 employee unless the employer proves:

263 (a) The person is free from control or direction by the
264 employer over the performance of such service.

265 (b) The service provided by the person is outside the
266 usual course of business of the employer.

267 (c) The person is customarily engaged in an independently
268 established trade, occupation, profession, or business.

269 (8) A person or entity may not enter into a contract or
270 agreement with an independent contractor for labor or services
271 if the person or entity knows or should know that the contract
272 or agreement does not include funds sufficient to allow the
273 independent contractor to comply with all applicable local,
274 state, and federal laws or regulations governing the labor or
275 services to be provided.

276 (9) (a) The department may commence investigations,
277 actions, and proceedings necessary to enforce this section. The
278 department has the sole discretion whether to investigate an
279 employer to determine if a violation of this section has
280 occurred.

281 (b) In order to encourage a person or organization to
282 report a suspected violation of this section, the department:

283 1. Must keep the name and other identifying information
284 about the reporter confidential to the extent permitted by law.
285 The department may disclose the reporter's name or
286 identification with the written consent of the reporter.

287 2. Must provide a notice form to an employer being
288 investigated, which must be posted in a conspicuous and
289 accessible location at the workplace, notifying the employees
290 that the department is conducting an investigation under this
291 section. The notice form must be in English and any other
292 language that is the primary language of a majority of the
293 employees in the workplace. If display of the notice form is not
294 feasible, the employer must provide it to each employee through
295 electronic means and also provide each employee a physical copy
296 of the notice form.

297 3. May certify the eligibility of a person for a visa
298 under 8 U.S.C. s. 1184(p) and 8 U.S.C. s. 1101(a)(15)(U),
299 subject to applicable federal law and regulations, and other
300 rules issued by the department.

301 (10) (a) During an investigation under this section, the
302 department has the power to:

303 1. Enter and inspect the workplace.

304 2. Inspect and make copies of papers, books, accounts,
305 records, payroll, and other documents necessary to further its
306 investigation.

307 3. Question witnesses under oath and in a private
308 location.

309 4. Issue subpoenas to compel the attendance and testimony
310 of witnesses and the production of papers, books, accounts,
311 records, payroll, and other documents necessary to further its
312 investigation.

313 5. Take depositions and affidavits.

314 6. Investigate any facts, conditions, practices, or
315 matters as the department deems appropriate to determine whether
316 a violation of this section has occurred.

317 (b) If an employer fails to comply with a lawfully issued
318 subpoena or if a witness refuses to testify or be questioned,
319 the department may request that the court compel compliance by
320 initiating a proceeding for contempt. The court shall take
321 judicial notice under s. 90.202(13) of the department's seal,
322 "Department of Labor-State of Florida," and shall enforce any
323 subpoena issued by the secretary or his or her representative
324 under such seal.

325 (c) During an administrative or civil proceeding under

326 this section, an employer may not introduce any documentation as
327 evidence that was not provided to the department.

328 (11) (a) During the course of an investigation under this
329 section, the department or the Attorney General may seek
330 injunctive relief upon a finding of reasonable cause that a
331 violation has occurred.

332 (b) When determining whether injunctive relief is
333 appropriate, the court shall consider any direct harm to an
334 employee from a violation of this section and the chilling
335 effect on other employees attempting to assert their rights
336 under this section. Reasonable cause exists for a court to issue
337 an injunction if an employee has faced adverse action for
338 asserting his or her rights under this section.

339 (c) A temporary injunction remains in effect until the
340 department issues a citation to the employer or until the
341 completion of an administrative hearing, whichever is longer, or
342 until a time certain set by the court. A temporary injunction
343 does not prohibit an employer from taking adverse action against
344 an employee for conduct unrelated to an alleged violation of
345 this section.

346 (d) The court may issue a preliminary or permanent
347 injunction if it determines such injunction is just and proper.

348 (12) (a) If a violation of this section is found during an
349 investigation and the violation has not been remedied by the end
350 of the investigation, the department must issue a citation to

351 the employer. The citation must be in writing and describe the
352 nature of the violation and include any and all appropriate
353 relief. Appropriate relief includes requiring an employer to
354 cease and desist; to take any action necessary to remedy the
355 violation, such as rehiring or reinstating an employee,
356 reimbursing lost wages, or paying liquidated damages or other
357 fines and penalties; to take training classes relating to
358 compliance with this section; or to submit to compliance
359 monitoring by the department. The department shall serve the
360 citation in a manner provided by the Florida Rules of Civil
361 Procedure. The citation must advise the employer of his or her
362 right to an administrative hearing to have the citation
363 reviewed.

364 (b) Within 30 days after service of a citation, an
365 employer must comply with all appropriate relief specified in
366 the citation or may obtain review of the citation by providing a
367 written request for review to the office of the secretary. Upon
368 receipt of a written request for review, the secretary shall
369 assign the citation to an administrative law judge to conduct a
370 hearing and issue a written decision. Hearings conducted under
371 this subsection are governed by the department and the rules of
372 practice and procedure adopted by the department.

373 (c) An administrative hearing must commence within 90 days
374 after receipt of a timely submitted request for review. The
375 administrative law judge must render a written decision within

376 90 days after the conclusion of the hearing. The decision must
377 include a statement of findings, conclusions of law, and a
378 recommended order that specifies all appropriate relief as
379 authorized under paragraph (a), including the amount required
380 for an appeal bond should the employer choose to obtain review
381 of the order issued under this paragraph. The decision must be
382 served on all parties in a manner provided by the Florida Rules
383 of Civil Procedure. If the recommended order includes a monetary
384 remedy, the amount is due 45 days after the written decision is
385 properly served on the employer.

386 (d)1. An employer may obtain review of the written
387 decision and order issued under paragraph (c) by filing a
388 petition for a writ of mandamus to a court having jurisdiction
389 within 45 days after the written decision is properly served on
390 the employer. If a petition for a writ of mandamus is not filed
391 within the appropriate time, the recommended order in the
392 written decision becomes final.

393 2. Before an employer may obtain review of the decision,
394 he or she must post an appeal bond, in the amount specified in
395 the recommended order, issued by a licensed surety or as a cash
396 deposit with the court. The employer shall provide written
397 notice to the department and any other parties of the posting of
398 the appeal bond.

399 3. A court may overturn a decision based on abuse of
400 discretion. An employer establishes an abuse of discretion if he

401 or she alleges that the findings are not supported by the
402 evidence and the court determines that the findings are not
403 supported by substantial evidence when looking at the entire
404 record.

405 4. If the court issues an order in favor of the aggrieved
406 party or if the appeal is withdrawn or dismissed without entry
407 of judgment, the employer is liable for the relief specified in
408 the written decision from the administrative hearing, unless the
409 parties execute a settlement agreement, in which case the
410 employer is liable for the relief specified in the settlement
411 agreement. If the written decision from the administrative
412 hearing or the settlement agreement provide for monetary relief,
413 and the employer fails to pay the amount owed within 10 days
414 after entry of a judgment, dismissal or withdrawal of the
415 appeal, or the execution of a settlement agreement, a portion of
416 the appeal bond equal to the amount owed, or the entire appeal
417 bond if the amount owed exceeds the amount of the bond, must be
418 paid to the aggrieved party.

419 5. If the employer does not request review of the citation
420 under paragraph (b), file a writ of mandamus under subparagraph
421 1., or post the appeal bond as required in subparagraph 2., and
422 the time to do so has expired, or if the petition for a writ of
423 mandamus is dismissed or withdrawn without entry of judgment,
424 the clerk of the court must certify a copy of the citation or
425 written decision and order issued by the department or by the

426 administrative law judge, respectively, and enter judgment for
427 this state or an aggrieved party. The judgment has the same
428 force and effect as a judgment entered in a civil action and may
429 be enforced in the same manner as any other judgment of the
430 court. The court shall give priority to petitions to enforce a
431 judgment entered under this section.

432 6. If an employer fails to comply with a citation or final
433 order, whether issued by the department, administrative law
434 judge, or court, and has exhausted all reviews or appeals or the
435 time to file a review or appeal has expired, the department or
436 the Attorney General may commence and prosecute a civil action
437 to recover unpaid wages, including interest, fines, or
438 penalties; equitable relief; or liquidated damages owed to an
439 aggrieved person. The prevailing party is entitled to applicable
440 fines or civil penalties and reasonable attorney fees and costs.

441 ~~(6) (a) Any person aggrieved by a violation of this section~~
442 ~~may bring a civil action in a court of competent jurisdiction~~
443 ~~against an employer violating this section or a party violating~~
444 ~~subsection (5). However, prior to bringing any claim for unpaid~~
445 ~~minimum wages pursuant to this section, the person aggrieved~~
446 ~~shall notify the employer alleged to have violated this section,~~
447 ~~in writing, of an intent to initiate such an action. The notice~~
448 ~~must identify the minimum wage to which the person aggrieved~~
449 ~~claims entitlement, the actual or estimated work dates and hours~~
450 ~~for which payment is sought, and the total amount of alleged~~

451 ~~unpaid wages through the date of the notice.~~

452 (b) The employer shall have 15 calendar days after receipt
453 of the notice to pay the total amount of unpaid wages or
454 otherwise resolve the claim to the satisfaction of the person
455 aggrieved. The statute of limitations for bringing an action
456 pursuant to this section shall be tolled during this 15-day
457 period. If the employer fails to pay the total amount of unpaid
458 wages or otherwise resolve the claim to the satisfaction of the
459 person aggrieved, then the person aggrieved may bring a claim
460 for unpaid minimum wages, the terms of which must be consistent
461 with the contents of the notice.

462 (13) (a) ~~(e) 1.~~ Upon prevailing in a civil ~~an~~ action brought
463 under paragraph (6) (e) pursuant to this section, aggrieved
464 persons shall recover the full amount of any unpaid back wages,
465 plus interest, unlawfully withheld plus up to two times the
466 ~~unpaid wages~~ ~~the same amount~~ as liquidated damages and shall be
467 awarded reasonable attorney ~~attorney's~~ fees and costs.
468 Additionally, ~~As provided under the federal Fair Labor Standards~~
469 ~~Act, pursuant to s. 11 of the Portal to Portal Act of 1947, 29~~
470 ~~U.S.C. s. 260, if the employer proves by a preponderance of the~~
471 ~~evidence that the act or omission giving rise to such action was~~
472 ~~in good faith and that the employer had reasonable grounds for~~
473 ~~believing that his or her act or omission was not a violation of~~
474 ~~s. 24, Art. X of the State Constitution, the court may, in its~~
475 ~~sound discretion, award no liquidated damages or award any~~

476 amount thereof not to exceed an amount equal to the amount of
477 unpaid minimum wages. The court shall not award any economic
478 damages on a claim for unpaid minimum wages not expressly
479 authorized in this section.

480 2. Upon prevailing in an action brought pursuant to this
481 section, aggrieved persons are shall also be entitled to such
482 legal or equitable relief as may be appropriate to remedy the
483 violation, including, without limitation, reinstatement in
484 employment and injunctive relief. However, any entitlement to
485 legal or equitable relief in an action brought under s. 24, Art.
486 X of the State Constitution or this section may shall not
487 include punitive damages.

488 (b) If an employer is found to have willfully violated
489 this section, the department, administrative law judge, or court
490 may impose a fine of \$1,000 per violation payable to this state.

491 (c) Any employer or other person found to have hindered,
492 prevented, impeded, or interfered with the department or
493 administrative hearing body in the performance of their duties
494 is subject to a civil penalty of not less than \$1,000 and not
495 more than \$5,000, which may be assessed by the department,
496 administrative law judge, or court.

497 (d) If the department, administrative law judge, or court
498 finds that an employer took adverse action or retaliated against
499 an employee in violation of subsection (6):

500 1. The department, administrative law judge, or court may

HB 987

2026

501 order reinstatement of the aggrieved party, front pay in lieu of
502 reinstatement, backpay, liquidated damages up to two times the
503 amount of the unpaid wages, and other compensatory damages as
504 appropriate.

505 2. The department, administrative law judge, or court may
506 impose an administrative penalty not to exceed \$5,000 payable to
507 the aggrieved party.

508 (e) (d) Any civil action brought under s. 24, Art. X of the
509 State Constitution and this section is shall be subject to s.
510 768.79.

511 (7) The Attorney General may bring a civil action to
512 enforce this section. The Attorney General may seek injunctive
513 relief. In addition to injunctive relief, or in lieu thereof,
514 for any employer or other person found to have willfully
515 violated this section, the Attorney General may seek to impose a
516 fine of \$1,000 per violation, payable to the state.

517 (14) (8) The statute of limitations for an action brought
518 under pursuant to this section is shall be for the period of
519 time specified in s. 95.11 beginning on the date the alleged
520 violation occurred. The statute of limitations applicable to an
521 action under this section is tolled during the department's
522 investigation and any administrative enforcement under this
523 section.

524 (15) (9) Actions brought under pursuant to this section may
525 be brought as a class action pursuant to Rule 1.220, Florida

526 Rules of Civil Procedure. In any class action brought under
527 ~~pursuant to~~ this section, the plaintiffs must shall prove, by a
528 preponderance of the evidence, the individual identity of each
529 class member and the individual damages of each class member.

530 (16) ~~(+10)~~ This section is shall constitute the exclusive
531 remedy under state law for violations of s. 24, Art. X of the
532 State Constitution.

533 (17) The department shall make reasonable efforts to
534 ensure that judgments against an employer are satisfied and may
535 use any remedy that is available to a judgment creditor to
536 collect an unsatisfied judgment. The department may collect
537 wages, damages, and other monetary remedies on behalf of an
538 employee. The department acts as the trustee of any unsatisfied
539 judgment it collects and shall deposit such wages, damages, or
540 other monetary remedy in the appropriate fund as provided by
541 rule. The department shall conduct a diligent search for any
542 employee for whom it collects an unsatisfied judgment.

543 (18) (a) Beginning on the 20th day after a judgment is
544 entered by the clerk of the court under paragraph (12) (d) or
545 otherwise by a court of competent jurisdiction in favor of this
546 state or an aggrieved party, the department may issue a notice
547 of levy on all persons having in their possession or under their
548 control any credits, money, or property belonging to the
549 judgment debtor. If the levy is made on credits, money, or
550 property in the possession or under the control of a bank,

551 savings and loan association, or other financial institution as
552 defined in 42 U.S.C. s. 669a(d)(1), the notice of levy may be
553 mailed or hand-delivered to a centralized location designated by
554 the bank, savings and loan association, or other financial
555 institution.

556 (b) Any person who receives a notice of levy shall
557 surrender the credits, money, or property to the department or
558 pay to the department the amount of any debt owed within 10 days
559 after service of the levy. Any person who surrenders to the
560 department any credits, money, or property of the judgment
561 debtor is discharged from any obligation or liability to the
562 judgment debtor relating to the amount paid to the department.

563 (c) Any person who receives a notice of levy from the
564 department and fails or refuses to surrender any credits, money,
565 or property of the judgment debtor is liable to the department
566 for the amount specified in the notice of levy.

567 (d) Any fees, commissions, expenses, or costs associated
568 with the sale of property levied under this subsection are the
569 obligation of the judgment debtor and may be collected by virtue
570 of the levy or in any other manner as though the fees,
571 commissions, expenses, or costs were part of the judgment.

572 (e) The department may create a lien on any real or
573 personal property of an employer found in violation of s. 24,
574 Art. X of the State Constitution or this section. The department
575 must release the lien upon final satisfaction of any judgment

576 entered in favor of an aggrieved party or the department, or
577 upon adjudication of the claim in favor of the employer. A lien
578 created under this paragraph lasts 10 years after the date it is
579 created unless the lien is satisfied or released. A lien created
580 under this paragraph is in addition to any other rights
581 available to an aggrieved party or the department.

582 (19) (a) If a citation issued by the department, written
583 decision and order issued by an administrative law judge, or
584 final judgment awarded under this section remains unsatisfied 30
585 days after all reviews and appeals have been exhausted or the
586 time to request a review or file an appeal has expired, the
587 department may issue a stop-order prohibiting the employer from
588 conducting business in this state using employee labor,
589 including conducting business using the labor of another
590 business, contractor, or subcontractor instead of the labor of
591 an employee, until the judgment is satisfied. The stop-order is
592 effective upon receipt of the order and the employer must pay
593 employees up to 10 days of lost wages due to the stop-order.

594 (b) An employer may appeal the stop-order by filing,
595 within 20 days after receipt of the stop-order, a written
596 request with the department for an administrative hearing. The
597 hearing must be held within 5 days after receipt of the written
598 request, at which time the stop-order must be affirmed or
599 dismissed and the department shall mail a written notice of
600 findings by United States mail to all parties within 24 hours

601 after the conclusion of the hearing. A party may appeal the
602 written notice of findings to a court of competent jurisdiction
603 within 45 days after the notice is mailed. The department may
604 seek injunctive or other appropriate relief to enforce the stop-
605 order and is entitled to attorney fees and costs if the
606 department prevails.

607 (c) An employer, an owner, a director, an officer, or a
608 managing agent of an employer who fails to comply with a stop-
609 order issued under this subsection is guilty of a misdemeanor of
610 the second degree, punishable as provided in s. 775.082 or s.
611 775.083.

612 (d) This subsection does not apply if the stop-order would
613 compromise public safety or the life, health, and care of a
614 vulnerable person as defined in s. 435.02.

615 (20) If a citation issued by the department, written
616 decision and order issued by an administrative law judge, or
617 final judgment awarded under this section remains unsatisfied 30
618 days after all reviews or appeals have been exhausted or the
619 time to request a review or file an appeal has expired, the
620 department may request that the appropriate state agency, and
621 the state agency is authorized to, deny, suspend, or revoke any
622 license held by the employer until such time as the judgment is
623 satisfied.

624 (21) Any person acting on behalf of an employer may be
625 held liable as the employer for a violation of s. 24, Art. X of

626 the State Constitution or this section. A client employer is
627 jointly and severally liable with a labor contractor for the
628 payment of unpaid wages, interest, liquidated damages, fines, or
629 penalties awarded under this section.

630 (22) All employers, client employers, and labor
631 contractors shall create records documenting compliance with s.
632 24, Art. X of the State Constitution and this section in
633 accordance with department rules. Records must be maintained for
634 a minimum of 5 years after an employee leaves the employment of
635 the employer or client employer, or is no longer working with a
636 labor contractor. An employer, client employer, or labor
637 contractor must allow the department reasonable access to the
638 records when requested. If an employee, or other authorized
639 person or entity, alleges a violation of s. 24, Art. X of the
640 State Constitution or this section and the employer, client
641 employer, or labor contractor has not created and maintained
642 records as required under this subsection, there is a rebuttable
643 presumption that the employer, client employer, or labor
644 contractor is in violation of the law. The employer, client
645 employer, or labor contractor can overcome this presumption with
646 clear and convincing evidence.

647 (23) The department may enter into agreements with local,
648 state, or federal agencies to assist in the administration and
649 enforcement of this section.

650 (24) Subject to appropriation of funds by the Legislature,

651 the department shall establish and maintain an outreach and
652 education partnership program to promote awareness of, and
653 compliance with, s. 24, Art. X of the State Constitution and
654 this section. The department shall pursue partnerships with
655 community-based organizations and unions through a competitive
656 request for proposals. Duties of the outreach and education
657 partnership program may include:

658 (a) Disseminating information and conducting outreach and
659 training to educate employees about their rights.

660 (b) Conducting educational training for employers about
661 their obligations.

662 (c) Assisting employees with filing a claim for a
663 violation under s. 24, Art. X of the State Constitution or this
664 section.

665 (d) Assisting the department in conducting investigations
666 under this section, including the collection of evidence and
667 enforcement of a judgment.

668 (e) Monitoring compliance with s. 24, Art. X of the State
669 Constitution and this section.

670 (f) Establishing networks for education, communication,
671 and participation in the workplace and community.

672 (g) Producing and disseminating training materials to
673 employers and employees.

674 (25)(+11) Except for calculating the adjusted state minimum
675 wage and publishing the initial state minimum wage and any

676 annual adjustments thereto, the authority of the department of
677 Commerce in implementing s. 24, Art. X of the State
678 Constitution, pursuant to this section, ~~is shall be~~ limited to
679 that authority expressly granted by the Legislature.

680 **Section 4. Section 448.112, Florida Statutes, is created**
681 **to read:**

682 448.112 Department of Labor Community Advisory Board.—The
683 Department of Labor Community Advisory Board is established
684 within the Department of Labor.

685 (1) The advisory board shall consist of the following
686 members who must be approved by the Secretary of the Department
687 of Labor:

688 (a) A representative from the Department of Labor.
689 (b) A representative from the Department of Commerce.
690 (c) A representative from the Department of Education.
691 (d) A representative from the Florida Chamber of Commerce.
692 (e) A representative from a small business as defined in
693 s. 288.703.

694 (f) Four representatives from labor organizations as
695 defined in s. 447.02(1) throughout this state.

696 (2) Members of the advisory board shall be appointed for
697 2-year terms, which shall be staggered.

698 (3) Members of the advisory board shall serve without
699 compensation and are not entitled to receive reimbursement for
700 per diem or travel expenses.

701 (4) The advisory board shall meet at least three times a
702 year in order to review reports and projects of the Department
703 of Labor. Meetings of the advisory board must be open to the
704 public and provide the opportunity for public comment.

705 (5) The advisory board shall submit an annual report to
706 the Secretary of the Department of Labor recommending changes to
707 existing state policies and programs to ensure worker safety and
708 equity, with particular emphasis on racial equity and low-wage
709 and migrant workers.

710 (6) By January 1, 2027, and annually thereafter, the
711 Secretary of the Department of Labor shall submit the annual
712 report to the Governor, the President of the Senate, and the
713 Speaker of the House of Representatives.

714 **Section 5.** This act shall take effect July 1, 2026.