

House Bill No. 219

An act relating to labor pools; amending s. 448.24, F.S.; providing a limit on the amount a labor pool may charge a laborer for transportation to or from a designated worksite; authorizing a labor pool to provide day laborers with a method of obtaining cash from a cash-dispensing machine; amending s. 448.23, F.S.; conforming a cross-reference; creating s. 448.26, F.S.; providing for application of pt. II of ch. 448, F.S., the Labor Pool Act; providing an effective date.

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

Section 1. Paragraph (b) of subsection (1) of section 448.24, Florida Statutes, is amended, and subsection (7) is added to that section, to read:

448.24 Duties and rights.—

(1) No labor pool shall charge a day laborer:

(b) More than a reasonable amount to transport a worker to or from the designated worksite, but in no event shall the amount exceed \$1.50 each way ~~the prevailing rate for public transportation in the geographic area;~~ or

(7) Nothing in this part precludes the labor pool from providing a day laborer with a method of obtaining cash from a cash-dispensing machine that is located on the premises of the labor pool and is operated by the labor pool, or by an affiliate, pursuant to chapter 560, if required, for a fee for each transaction which may not exceed \$1.99, provided:

(a) The labor pool offers payment in compliance with the provisions of paragraph (2)(a).

(b) The day laborer voluntarily elects to accept payment in cash after disclosure of the fee.

(c) The cash-dispensing machine requires affirmative action by the day laborer with respect to imposition of the fee and allows the day laborer to negate the transaction in lieu of payment in compliance with paragraph (2)(a).

Section 2. Section 448.23, Florida Statutes, is amended to read:

448.23 Exclusions.—~~Except as specified in ss. s. 448.22(1)(c) and 448.26,~~ this part does not apply to:

(1) Business entities duly registered as farm labor contractors pursuant to part III of chapter 450;

(2) Employee leasing companies, as defined in s. 468.520;

(3) Temporary help services engaged in supplying solely white collar employees, secretarial employees, clerical employees, or skilled laborers;

(4) Labor union hiring halls; or

(5) Labor bureau or employment offices operated by a business entity for the sole purpose of employing an individual for its own use.

Section 3. Section 448.26, Florida Statutes, is created to read:

448.26 Application.—Nothing in this part shall exempt any client of any labor pool or temporary help arrangement entity as defined in s. 468.520(4)(a) or any assigned employee from any other license requirements of state, local, or federal law. Any employee assigned to a client who is licensed, registered, or certified pursuant to law shall be deemed an employee of the client for such licensure purposes but shall remain an employee of the labor pool or temporary help arrangement entity for purposes of chapters 440 and 443.

Section 4. This act shall take effect July 1, 2006.

Approved by the Governor May 11, 2006.

Filed in Office Secretary of State May 11, 2006.