

CHAPTER 2015-20

Senate Bill No. 456

An act relating to labor pools; amending s. 448.24, F.S.; revising methods by which a labor pool is required to compensate day laborers; requiring a labor pool to provide certain notice before a day laborer's first pay period; specifying requirements for a labor pool that selects to compensate a day laborer by payroll debit card; authorizing a labor pool to deliver a wage statement electronically upon request by the day laborer; providing an effective date.

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

Section 1. Subsection (2) of section 448.24, Florida Statutes, is amended to read:

448.24 Duties and rights.—

(2) A labor pool shall:

(a) Select one of the following methods of payment to compensate a day laborer ~~laborers~~ for work performed; ~~in the form of~~

1. Cash, ~~or~~

2. Commonly accepted negotiable instruments that are payable in cash, on demand at a financial institution, and without discount.

3. Payroll debit card.

4. Electronic fund transfer, which must be made to a financial institution designated by the day laborer.

(b) Before a day laborer's first pay period, provide notice to the day laborer of the method of payment that the labor pool intends to use for payroll and the day laborer's options to elect a different method of payment, and authorize the day laborer to elect not to be paid by payroll debit card or electronic fund transfer.

(c) If selecting to compensate a day laborer by payroll debit card:

1. Offer the day laborer the option to elect payment by electronic fund transfer; and

2. Before selecting payroll debit card, provide the day laborer with a list, including the address, of a business that is in close proximity to the labor pool and that does not charge a fee to withdraw the contents of the payroll debit card.

~~(d)(b)~~ Compensate day laborers at or above the minimum wage, in conformance with the ~~provision~~ of s. 448.01. ~~In no event shall any~~ Deductions, other than those authorized permitted by federal or state law, may not bring the worker’s pay below minimum wage for the hours worked.

~~(e)(e)~~ Comply with all requirements of chapter 440.

~~(f)(d)~~ Insure any motor vehicle owned or operated by the labor hall and used for the transportation of workers pursuant to Florida Statutes.

~~(g)(e)~~ At the time of each payment of wages, furnish each worker a written itemized statement showing in detail each deduction made from such wages. A labor pool may deliver this statement electronically upon written request of the day laborer.

~~(h)(f)~~ Provide each worker with an annual earnings summary within a reasonable period of time after the end of the preceding calendar year, but no later than February 1.

Section 2. This act shall take effect July 1, 2015.

Approved by the Governor May 14, 2015.

Filed in Office Secretary of State May 14, 2015.