

CHAPTER 2023-138

Committee Substitute for Senate Bill No. 1154

An act relating to the Labor Pool Act; amending s. 448.24, F.S.; providing that a labor pool satisfies certain requirements if its facilities meet the minimum requirements in the Florida Building Code and any local amendments thereto; authorizing labor pools to provide drinking water through certain alternative means; amending s. 448.25, F.S.; requiring an aggrieved worker to provide specified notice to a labor pool before bringing a civil action; authorizing a labor pool to cure alleged violations in a specified manner; requiring that a civil action be brought within a certain time period; providing exclusive remedies; providing an effective date.

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

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

448.24 Duties and rights.—

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

~~(a) restroom facilities,~~

~~(b) drinking water, and~~

(c) sufficient seating. A labor pool satisfies requirements for providing restroom facilities and drinking water if its labor hall facilities comply with all minimum requirements for public restrooms and drinking fountains in the Florida Building Code and any local amendments thereto. A labor pool may also provide drinking water through a water cooler dispenser, by offering bottled water, or by any other similar means.

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

448.25 Remedies; damages; costs.—

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

(b) Before bringing a civil action pursuant to this section, an aggrieved worker must give the labor pool a reasonable opportunity to cure the alleged violation. The aggrieved worker must serve the labor pool in accordance with s. 48.081 with written notice of the alleged violation. Such notice must include a statement that failure by the labor pool to cure the alleged violation within 60 days after receipt of the notice may result in a civil action being filed against it in a court of competent jurisdiction. A labor pool may

cure a violation relating to its labor hall facilities by modifying the alleged violation to comply with s. 448.24(5).

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

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

(3)(2) The remedies provided by this part for a violation of s. 448.24 are ~~not~~ exclusive and ~~shall not~~ preclude the aggrieved worker from pursuing any other remedy at law or equity which the worker may have.

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

Approved by the Governor May 25, 2023.

Filed in Office Secretary of State May 25, 2023.