

**APRIL 2015**
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## **CORPORATIONS AND LLC'S: TIME IS RUNNING OUT TO FILE YOUR 2015 ANNUAL REPORT**

If your business is a Florida corporation (INC) or limited liability company (LLC), this is a reminder that the deadline to file your company's Annual Report is rapidly approaching. **All Florida business entities must file an Annual Report by May 1<sup>st</sup> with the State of Florida's Department of State at [sunbiz.org](http://sunbiz.org).** The only exception is for corporations and LLC's that were initially formed in 2015; these entities do not have to file an Annual Report until 2016.

If you have already filed your Annual Report for 2015, you can disregard this reminder.

Not sure and would like to double-check that you have filed it? Go to the Division of Corporations' website at [sunbiz.org](http://sunbiz.org) and click on "Search Our Records" and then "Inquire by Name." Enter your company's name, and a list will pop up. Find your company's name in the list and click on it. This will bring up all the information about your company that the state of Florida has on file. If you scroll down towards the bottom of the screen, you will see a section called "Annual Reports" which lists all the Annual Reports your company has filed with the State of Florida.

If you see an Annual Report filed for 2015, you are all set. If you don't, you need to file your Annual Report by May 1<sup>st</sup>. To file your Annual Report, go to [sunbiz.org](http://sunbiz.org) and click on the "File Current Year Annual Report or Amended Annual Report." You will need the Document Number

that the Division of Corporations assigned to your company when it was filed. If you don't remember the Document Number, you can search by your company's name using the method described above.

**All business entities must file their Annual Report with the state by May 1<sup>st</sup> to maintain an "active status" with the State of Florida.** The Annual Report requirement does not apply to sole proprietors or general partnerships.

**If you do not file your Annual Report by May 1<sup>st</sup>, the State of Florida will charge you a mandatory \$400 late fee.** The state cannot waive this late fee.

Please do not confuse this Annual Report requirement with "Annual Minutes." Some private companies are sending mail to Florida businesses offering to prepare "Annual Minutes" for their corporation for \$125. Some businesses have been confused into thinking that they were satisfying their Annual Report requirement when instead they were sending \$125 to a private company for corporate minutes. These companies who are soliciting you for "Annual Minutes" do not file your Annual Report for you, so if you have paid money for minutes, please make sure your 2015 Annual Report has been filed with the state.

If you have any questions about your Annual Report, you can email the Florida Division of Corporations at [corphelp@dos.state.fl.us](mailto:corphelp@dos.state.fl.us) or call them at 850-245-6056. Or, you can call the FUBA offices at 800-262-4483 and ask for

Karen, Lance or Erin. Even though the Annual Report and filing fees are a State of Florida requirement, we can try to answer any questions you may have.

## **DOES YOUR COMPANY HAVE 50 OR MORE EMPLOYEES? IF SO, YOU NEED AN FMLA POSTER**

The Family and Medical Leave Act (“FMLA”) is a federal law that requires businesses with 50 or more employees to give certain employees up to 12 weeks of unpaid, job-protected leave for the following reasons:

- Incapacity due to pregnancy, prenatal medical card or child birth;
- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son, daughter or parent who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform his or her job.

To inform employees of their rights under the FMLA, all businesses with 50 or more employees must display an FMLA poster where their employees and job applicants can see it.

The FMLA poster is not a part of the free All-in-One poster that you received when you first joined FUBA; however, if you need the FMLA poster, we can provide one to you free of charge as a benefit of your FUBA membership. To request an FMLA poster, please email us at **FUBA@fuba.org** with your FUBA member number, business name, mailing address and contact person.

For more information on the specific requirements of the FMLA law, please visit the United States Department of Labor’s website at **dol.gov/whd/fmla/**.

## **WHILE WE’RE ON THE SUBJECT OF POSTERS...**

From time to time, your business may receive official-looking mail from private poster companies trying to sell you “compliance kits” for hundreds of dollars and warning you of large penalties for non-compliance. These notices are actually just order forms trying to get you to buy posters.

When you get these notices in the mail, please remember that, as a benefit of your membership, FUBA provides you with all state and federal posters that are mandated in general for Florida businesses, and we will always alert you when there is a mandatory poster change or when new posters are required. Most of the time, we are able to provide our members with the updated panels or new posters at no charge.

We are also usually able to provide employer-specific or industry-specific posters to our members at no charge as well, such as:

- **Child Labor Law poster** – required for businesses that employ teenagers under the age of 18
- **Family & Medical Leave Act poster** – required for businesses that employ 50 or more employees (as explained above)
- **“Wash Your Hands” poster** for restaurants and other food service businesses

As long as you keep your FUBA membership up-to-date, you will always know you have the required posters for your workplace. If you have any questions about posters, please call the FUBA offices at 800-262-4483 and ask for Karen or Lance.