



**FUBA**  
FLORIDA UNITED BUSINESSES ASSOCIATION

# ISSUES

OUR BUSINESS IS SMALL BUSINESS

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## **2017 FLORIDA MINIMUM WAGE POSTER IS ENCLOSED**

The Florida minimum wage will increase 5¢ for calendar year 2017. Starting January 1, 2017, the minimum hourly wage employers in Florida must pay their employees will increase from \$8.05 an hour to \$8.10 an hour. The cash wage required to be paid to tipped employees is also increasing, from \$5.03 an hour to \$5.08 an hour.

With this change to the Florida minimum wage, a new Florida-specific minimum wage poster will be required starting January 1<sup>st</sup>. **As a benefit of your FUBA membership, we are providing you with a 2017 Florida minimum wage poster free of charge along with this edition of the newsletter.**

On January 1<sup>st</sup>, you can simply replace the 8 ½" by 11" 2016 version of the Florida-specific minimum wage poster with this new 2017 version. [Employers still need to also post the federal version of the minimum wage poster, which is included in the All-in-One poster you received from FUBA when you joined. As long as your federal minimum wage poster says \$7.25, your poster is current.]

If you have any questions about the minimum wage and how it affects your business, please call the FUBA offices at 800-262-4483 and ask for Erin, Karen or Lance. To order additional complimentary copies of the 2017 Florida minimum wage poster, please email us at **FUBA@FUBA.org** and include your name, business name, phone number and mailing address in your email.

## **NEW OVERTIME REGULATIONS ON HOLD**

As we told you in the June newsletter, the United States Department of Labor had issued new overtime rules that would have allowed more employees to qualify for overtime pay. These new rules were scheduled to take effect starting December 1, 2016.

On November 22<sup>nd</sup>, in a case brought by several business groups challenging the new rules, a Texas federal judge issued a nationwide temporary injunction that will prevent these regulations from going into effect.

The Department of Labor is now prohibited from implementing these new rules, which were supposed to take effect December 1<sup>st</sup> and which

would have almost doubled the salary amount that workers must make to qualify for an exemption from overtime pay.

Currently, an employee must make at least a minimum salary of \$23,660 to qualify for one of the exemptions above. These new regulations would have increased this salary threshold to \$47,476 (or \$913 per week).

In addition to the salary requirement, employees must have certain job duties to qualify for an exemption and not receive overtime pay.

Please note: It is a common misconception that employees who are paid on a salary basis are automatically exempt from overtime; this is not true. Employees on salary must be paid overtime, unless they make the minimum salary amount and their job duties meet specific criteria.

At this time, employers are not required to implement the new overtime rules by the December 1<sup>st</sup> deadline. However, please be aware that this deadline extension is just temporary. The judge's ruling does not overturn the new overtime rules; the judge merely prevented the rules from going into effect while the case against the rules is being decided. When the judge hears the case, the new rules could be eventually upheld and allowed to go into effect at some date in the future.

If you have questions about the new overtime rules and what to do now that they have been temporarily delayed, please call the FUBA offices at 800-262-4483 and ask for Karen or Lance.

## **UPDATE ON FLORIDA WORKERS' COMPENSATION RATES**

The rates Florida businesses pay for workers' compensation insurance coverage were set to increase an average of +14.5% starting December 1, 2016. The rate increase was to be applied to existing workers' compensation policies only when the policy renewed.

However, a judge in Tallahassee has invalidated the new rates and decided that the rate increase should not take effect as scheduled December 1<sup>st</sup>.

The Florida Office of Insurance Regulation, which sets the workers' compensation rates for Florida businesses, had approved an average rate increase of 14.5% due to the Florida Supreme Court making changes to the state workers' compensation laws earlier this year, in particular, increasing the amount of money that attorney representing injured workers can make.

The Office of Insurance Regulation has appealed the judge's decision, meaning that the rates that were to take effect December 1<sup>st</sup> are still in place for now, pending further legal action.

As this edition of the newsletter goes to press, the higher rates apply while the appeal is being filed, but that could be just temporary. This situation is changing rapidly.

If your current workers' compensation policy renews in December or January, you may want to check with your local insurance agent to see if there has been further action and which rates apply to your policy.