



FUBA

Florida United Businesses Association

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OUR BUSINESS IS SMALL BUSINESS

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FLORIDA'S MINIMUM WAGE WILL INCREASE TO \$6.79 ON 1/1/08 – YOUR NEW POSTER IS ENCLOSED

The **current** Florida minimum wage for calendar year 2006 is \$6.67 per hour and \$3.65 for tipped employees. The amount of Florida's minimum wage changes each year in September and takes effect the following January. **The new Florida minimum wage for calendar year 2008 will be \$6.79 per hour and \$3.77 for tipped employees.**

Starting January 1, 2008, all Florida businesses will have to display a **new** Florida minimum wage poster in a conspicuous and accessible place where employees can see it.

As a benefit of your FUBA membership, FUBA has **enclosed a FREE minimum wage poster** for your business. Do not be fooled by poster companies soliciting posters for a high price. As part of our member services, FUBA makes sure you are aware of all new poster requirements so you do not have to pay outrageous prices for employment posters. This poster contains specific language outlining the duty of employers to pay the minimum wage, employee rights, and the penalties for not complying with Florida's minimum wage law.

Simply display this new poster next to your all-in-one poster FUBA gave you when you first joined, and you will be in full compliance with the new poster requirement. Please note: you must display **both** the Florida minimum wage poster and the Federal minimum wage poster.

If you have questions about Florida's new minimum wage posting requirement or would like extra copies, please call the FUBA offices at 800-262-4483 or email us at fuba@fuba.org. The price is \$5 each, plus state sales tax and shipping and handling.

GOOD NEWS, FLORIDA EMPLOYERS: WORKERS' COMP RATES GOING DOWN FOR 5TH CONSECUTIVE YEAR

The Office of Insurance Regulation has announced that the rates Florida businesses pay for workers' compensation insurance will be reduced an average of 18.4% effective January 1st. This rate decrease is the fifth consecutive rate decrease for workers' compensation rates in the state of Florida, and the cumulative rate decrease for the last four years is over 50%. This rate reduction is estimated to produce a savings of over \$700 million for Florida employers.

The average rate impact broken down by industry group is as follows:

- Manufacturing: -17.5% (down -47.6% since 2003)
- Contracting: -17.9% (down -52.0% since 2003)
- Office and Clerical: -21.3% (down 50.8% since 2003)
- Goods and Services: -19.0% (down 51.5% since 2003)
- Miscellaneous: -15.2% (down -53.0% since 2003)

As a reminder, your workers' comp premium is determined by multiplying your payroll by the specific rate for your job classification. The rate for your particular business may not go down by exactly 18.4%; this figure is an average rate reduction for all job classes in the state of Florida. The rate reduction for your individual business may be higher or lower.

If you have any questions about the new rates and how they apply to your workers' comp policy, you can call your local insurance agent or your workers' compensation carrier. If you are insured with us, please call 888-262-4483.

ATTENTION CONTRACTORS: CONTRACTORS CITED IN SURPRISE WORKERS' COMP SWEEP

Last month, investigators from the Florida Department of Financial Services, Bureau of Workers' Compensation Compliance, issued 6 Stop Work Orders (SWO's) during a surprise enforcement sweep of 39 contractors' sites throughout Collier County. The SWO's were issued to contractors determined not to have workers' compensation coverage for their employees. These employers will be required to immediately secure workers' comp and pay a fine of 1.5 times the evaded premiums before resuming work.

Dubbed Operation Check Point, the sweep also involved inspectors and investigators from Collier County Licensing and the Department of Business and Professional Regulation, Cease and Desist Orders, all for unlicensed activity.

For more information about the Division of Workers' Compensation and workers' comp requirements in general, please call the Division of Workers' Compensation in Tallahassee at 850-413-1609. Or, you can call the FUBA offices at 800-262-4483 and ask for Karen or Lance.

HOW TO HANDLE OVERTIME PAY AND VACATION TIME DURING THE HOLIDAY SEASON

Here is what you need to know about your rights and responsibilities for paying your employees during weeks with paid holidays.

- First, there is no federal or Florida law that requires an employer to provide paid vacation or sick time to employees.
- Employers are only obligated to pay their employees for hours they are actually at work. You do not have to pay employees if your business is closed for a holiday (i.e., Christmas day).
- Employers are not required to pay extra to those workers who have to work on a holiday; i.e., there is no law requiring "holiday pay" of time and half for those employees working on a holiday.
- Unless they meet one of the federal exemptions from overtime pay, employees who work more than 40 hours in one workweek must be paid one and one-half times their regular rate of pay for each hour worked over 40. There is no limit to the number of hours an employee older than 16 may work in any workweek.
- Overtime is only calculated on the hours an employee actually works. If an employee is paid but is not actually working (for example, a paid holiday, paid sick leave, etc.), that time is not counted as time at work.
- If your business is closed on a holiday and you pay your employees as if they had worked that day, those employees can work up to 40 hours on the remaining days of the week and not receive overtime. The 8 hours of the holiday do not count as work, since the employees were given the day off and were not at work.
- Overtime must be paid in the same pay period it is earned.