



FUBA i s s u e s

Florida United Businesses Association

OUR BUSINESS IS SMALL BUSINESS

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LEGISLATIVE UPDATE

The 2015 Session of the Florida Legislature begins on March 3rd and will run for 60 days. The Legislature will be considering a number of bills that could impact Florida's business community. A few of these proposals are summarized below. We will provide a complete wrap-up of the Session in the June newsletter.

Employment Issues

Senate Bill 114 (Bullard) and House Bill 47 (Cruz) would increase the state minimum wage to \$10.10 an hour.

Senate Bill 126 (Clemens) deals with social media privacy and would prevent employers from accessing an employee's or job applicant's social media accounts. The bill would allow employees to sue their employers in civil court for violating the prohibition.

Senate Bill 156 (Abruzzo) and House Bill 33 (Raschein) would create the "Florida Competitive Workforce Act" which would prohibit discrimination in the workplace based on an employee's sexual orientation, gender identity or expression.

Senate Bill 214 (Clemens) would prohibit an employer from asking about or considering a job applicant's criminal history on an initial employment application.

Senate Bill 890 (Bullard) and House Bill 455 (Campbell) would create the Florida Overtime Act of 2015 and would completely change how businesses calculate and pay

overtime to their employees, resulting in a substantial increase to employers in overtime wages for employees. The bills would also make it a misdemeanor for an employer to require an employee to punch out on a time clock at the end of their shift and then keep working without punching back in. It would also be a misdemeanor to have an employee sign an employment contract requiring them to work a specific number of hours but to be paid for working fewer hours.

Senate Bill 892 (Bullard) and House Bill 297 (Campbell) would prohibit an employer from subjecting employees to an abusive work environment. The bills also prohibit an employer from retaliating against a "whistle blower" employee who has spoken out about an unlawful employment practice, or who has made a charge, testified, assisted, or participated in any manner in an investigation or proceeding concerning such claim.

Senate Bill 1096 (Braynon) would allow for victims of domestic violence to voluntarily leave their job and qualify for reemployment assistance benefits (formerly called unemployment benefits).

Taxes

Senate Bill 384 (Garcia) and House Bill 259 (Fant) would create a Small Business Sales Tax Holiday on November 28, 2015 (the Saturday after Thanksgiving). Qualifying small businesses would be able to sell any single item \$1,000 or less tax-free on this day.

Senate Bill 138 (Hukill) and House Bill 49 (Moskowitz) would increase the state corporate

income tax exemption from \$50,000 to \$75,000. Under these bills, businesses corporations having a corporate tax liability of less than \$75,000 would owe no Florida corporate income tax.

ATTENTION CONSTRUCTION COMPANIES: OSHA MAKES FALL PREVENTION A PRIORITY

The Occupational Safety & Health Administration (OSHA) has announced that falls on construction sites are one of the four leading causes of employee deaths in the Southeast. Thousands more construction workers suffer catastrophic and debilitating on-the-job injuries. Lack of proper fall protection is the most frequently cited violation on jobs sites inspected by OSHA.

Workers who are six feet or more above lower levels are at risk for serious injury or death if they should fall. To protect these workers, employers are required under the OSHA law to provide fall protection and the right equipment for the job, including the right kinds of ladders, scaffolds, and safety gear.

OSHA has announced they will be increasing unannounced enforcement efforts aimed at reducing the upward trend in preventable construction-related fall fatalities. And OSHA has created a new website with detailed information in both English and Spanish on the required protections construction companies must have in place to protect their workers at **osha.gov/stopfalls**.

This website is part of OSHA's nationwide outreach campaign to raise awareness among workers and employers about the hazards of falls from ladders, scaffolds and roofs. The educational resources page gives workers and employers information about falls and how to prevent them. There are also training tools for employers to use and posters to display at their worksites.

FREE OSHA RECORDKEEPING SEMINAR

Under the federal Occupational Safety and Health Administration law, businesses with 11 or more employees that are in certain industries are required by federal law to maintain and post an OSHA 300A Form. The USF SafetyFlorida and USF OSHA Training Institute Education Center are hosting a free informational webinar on these OSHA recordkeeping requirements on Thursday, March 26th from 10:00 a.m. to 11:30 a.m.

The webinar will address OSHA's new updates and spell out the proper steps to ensure compliance for your company. Topics covered by the webinar include:

- Purpose of OSHA's recordkeeping rule
- Recordkeeping criteria
- Multiple business establishments
- Recordkeeping and temporary workers
- OSHA's new updates

To register for this free webinar, you can go to: **<https://attendee.gotowebinar.com/register/6978600666223599874>** or call the USF SafetyFlorida offices at 813-974-9962.

NEWSLETTER AVAILABLE VIA EMAIL

This newsletter, ISSUES, is published monthly by the Florida United Businesses Association (FUBA), to educate our members on topics that may affect their business. If you would like to receive it electronically by email each month, in addition to the hard copy you receive in the mail, please send us an email at **FUBA@fuba.org** with "newsletter" in the subject line and include your FUBA membership number (if you know it), your business name, and the contact person's name and email address. You can provide up to 3 email addresses to receive the newsletter electronically. Also, if you have a suggestion for a topic that you would like to see covered in the newsletter, please let us know.