



FUBA *i*SSUES

Florida United Businesses Association

OUR BUSINESS IS SMALL BUSINESS

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MINIMUM WAGE WILL NOT INCREASE FOR 2011

The Florida minimum wage rate for calendar year 2011 will stay the same as the current minimum wage of \$7.25 an hour. This means for the second year in a row, both the Federal minimum wage and the Florida minimum wage are the same rate. All Florida employers should continue paying their employees at least the minimum wage of \$7.25 an hour.

Even though the Federal minimum wage and the Florida minimum wage are the exact same, Florida employers are still required to display 2 minimum wage posters: a federal poster and a state-specific poster. Your federal poster is already included in the "All-in-One" poster that you receive as a benefit of your FUBA membership.

And, even though the Florida minimum wage rate will stay the same, you still need to post a 2011 Florida minimum wage poster. We will send you a new Florida minimum wage poster free of charge with your December newsletter. On January 1st, you should replace your current Florida-specific minimum wage poster with the new one for 2011.

Every time a new poster is required for Florida businesses, private poster companies will send you mail to scare you into buying expensive "compliance packages." Be very wary of these companies, and please do not spend any money until you fully understand what you need and what you are buying. **As part of our member services, FUBA keeps you informed about new posters, and we try to provide all new posters to you at little or no charge.**

Please look for the 2011 Florida minimum wage poster in next month's newsletter. 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.

WORKERS' COMP RATES GOING UP FOR 2011

For the first time since 2003, the rates Florida businesses pay for workers' compensation insurance will increase an average of 7.8% for new and renewal policies effective January 1, 2011. Even with this slight rate increase, workers' comp rates are still down more than 60% over the last 7 years, and Florida has the lowest rates in the southeast.

As a reminder, your workers' comp premium is determined by multiplying your payroll by the specific rate for the classification(s) for your business. The rate for your particular business may increase more or less than 7.8%; this figure is an average rate increase for all job classes in the state of Florida. The rate increase 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 FUBA Workers' Comp, please call us at 888-262-4483.

UPDATE: FEDERAL LEAD-BASED PAINT ABATEMENT PROGRAM

The federal government's Environmental Protection Agency (EPA) requires that businesses performing renovation, repair and painting projects that disturb lead-based paint in pre-1978 homes, child care facilities and schools be certified by the EPA, and that they use certified renovators who

are trained by EPA-approved training providers to follow specific practices during renovation jobs to prevent lead contamination. Renovation firms are required to be certified, and their employees must be trained either as a certified renovator or on-the-job by a certified renovator. The deadline for renovation firms to apply for certification was October 1, 2010. Individual renovators have until December 31, 2010 to complete their training requirements.

Who Must Follow the Renovation, Repair & Painting Rule Requirements? In general, anyone who is paid to perform work that disturbs paint in housing and child-occupied facilities that were built before 1978. This may include, but is not limited to:

- Residential rental property owners/managers
- General contractors
- Specialty contractors, including painters, plumbers, carpenters and electricians

What Activities are Subject to the Rule?

Any activity that disturbs paint in pre-1978 housing and child-occupied facilities, such as:

- Remodeling and repair/maintenance
- Electrical work
- Plumbing
- Painting preparation
- Carpentry
- Window replacement

What Houses or Activities are Excluded and not Subject to the Rule?

- Housing built in 1978 or later
- Housing for elderly or disabled persons, unless children under 6 reside there
- Zero-bedroom dwellings (studio apartments, dorms, etc.)
- Housing or components that have been declared lead-free
- Minor repair and maintenance activities that disturb 6 square feet or less of paint per room inside or 20 square feet or less on the exterior of a home or building

What does the Rule Require Me to Do?

- Distribute the EPA's lead pamphlet to the owner/occupants prior to starting the renovations.

- Post informational signs at the job site.
- All firms must be certified prior to starting work (even sole proprietors).
- Renovators must be trained.
- Follow lead-safe work practices.

What are the Responsibilities of a Certified Firm? Firms performing renovations must ensure that:

- All individuals performing activities that disturb painted surfaces on behalf of the firm are either certified renovators or have been trained on-the-job by a certified renovator.
- A certified renovator is assigned to each renovation and performs all of the certified renovator responsibilities.
- All renovations performed by the firm are performed in accordance with the Rule's work practice standards.
- The required educational materials are distributed to the owner/occupants.
- Required records are kept.

What are the Responsibilities of a Certified Renovator? Individuals who are certified renovators are responsible for ensuring overall compliance with the lead-safe work practices at renovation jobs. A certified renovator:

- Must provide on-the-job training to other workers (who have not taken the certified renovator training course) on the work practices they will be using in performing their assigned jobs.
- Must be physically present at the work site when warning signs are posted, while the work area containment is being established and while the work area cleaning is performed.
- Must regularly direct work being performed by other individuals to ensure that the work practices are being followed, including ensuring that dust or debris does not spread beyond the work area.
- Must be available, either on-site or by phone, at all times renovations are being conducted.
- Must perform project cleaning verification.

For more information about the lead-based program or the rule requirements, visit www.epa.gov/lead.