



FUBA
FLORIDA UNITED BUSINESSES ASSOCIATION

ISSUES

OUR BUSINESS IS SMALL BUSINESS

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NEW FEDERAL POSTERS ENCLOSED

The federal government has updated two posters that all employers are required to post at their place of business: the *Federal Minimum Wage* poster and the *Employee Polygraph Protection Act* poster.

Both of these posters are part of the All-in-One poster containing all state and federal employment posters that Florida businesses must post at their place of business so that they can be seen by employees.

As a benefit of your FUBA membership, you receive an All-in-One poster when you join. FUBA monitors all state and federal posters if they are updated or changed so that we can provide updated panels to our members to make sure our members are always up-to-date.

The new *Federal Minimum Wage* and *Employee Polygraph Protection Act* posters are enclosed with this newsletter, and we are pleased to be able to provide these to our members at no charge.

To be in compliance with these new posting requirements, simply put the new posters over the old panels on the All-in-One labor law poster from FUBA.

The new *Federal Minimum Wage* poster reflects updated enforcement rules under the Fair Labor Standards Act, which include:

- The consequences of incorrectly classifying workers as independent contractors
- The rights of nursing mothers
- Revised information relating to tip credits

The new *Employee Polygraph Protection Act* poster has been updated to reflect changes to the contact information for the Department Of Labor and to remove references to the penalty for violation of the law.

For additional copies of the updated *Federal Minimum Wage* and *Employee Polygraph Protection Act* posters, please email us at **fuba@fuba.org** and include your company's name, contact person's name, your company's mailing address and your FUBA member number (if you know it).

MILITARY SERVICE NOW COUNTS FOR CONTRACTOR'S LICENSE

Beginning July 1, 2016, a new law assists Veterans applying for either a construction or electrical contractor's license. The new law allows any honorably discharged veteran who served in a branch of the United States Armed Forces, including National Guard units, to have his or her years of military service counted as experience when applying to the Construction Industry Licensing Board for a construction or electrical contractor's license.

To apply, Veterans should submit the Veteran Fee Waiver and Military Service Verification Form along with the application for licensure.

The fee waiver form may also be used by veterans returning from service, or the spouse of a veteran, to request a waiver of licensure fees. The initial license fee, initial application fee and initial unlicensed activity fee will be waived for veterans returning from service, or for the spouse of a veteran at the time of discharge, provided the veteran or spouse applies for licensure within 60 months of being honorably discharged. (The waiver does not include examination fees.)

A copy of this form is available at the Florida Department of Business and Professional Regulation's website at myfloridalicense.com/DBPR/pro/cilb.

IS YOUR BUSINESS IN GOOD STANDING WITH THE STATE?

Every corporation (INC) and limited liability company (LLC) in Florida is required to file an Annual Report with the Florida Department of State's Division of Corporations. Annual Reports are due to the state each year between January 1st and May 1st. For 2016, this requirement applies to businesses formed in 2015 or earlier; new businesses that were formed this calendar year do not have to file their first Annual Report until 2017.

If your business is organized as either a corporation or LLC and you did not file your Annual Report this year, your business entity is in jeopardy of being dissolved by the Division of Corporations.

Once your business entity has been dissolved, the state Division of Workers' Compensation can revoke any workers' compensation exemptions held by the company's officers. And if your company remains dissolved for over a year, the state will no longer protect your company's

name, and it will become available for other businesses to use.

If you did not file your company's Annual Report this year and you wish to keep your company in active status with the State of Florida, you should file your Annual Report and pay the appropriate fee no later than 5:00 p.m. EST on September 16th at **sunbiz.org** (Annual Reports can only be filed online).

Because you are filing the Annual Report after the due date of May 1st, a \$400 mandatory penalty will be due in addition to the Annual Report filing fee. For for-profit corporations, a total of \$550 will be due (normal filing fee of \$150 plus the \$400 penalty for filing late); for LLC's, you will have to pay \$538.75 (normal filing fee of \$138.75 plus the \$400 penalty for filing late).

To file your Annual Report, go to the Division of Corporations' website at **sunbiz.org**. Make sure the website says "Florida Department of State, Division of Corporations" with a picture of the State of Florida's flag across the top. If you need assistance, click on the button labeled "Get Online Annual Report Filing Instructions." If you want to go straight to your online Annual Report, click the button labeled "File Current Year Annual Report or Amended Annual Report." For the fastest processing time, you should pay the filing fee (including the \$400 penalty) using a credit or debit card online.

If you can't remember whether you have filed your company's Annual Report for 2016, you can check by visiting the Division of Corporations' website at **sunbiz.org**. Click on "Search Our Records" on the left-hand side of the screen, then click on "Inquire by Name." Enter the name of your company, and the system will find your information.

If you have questions about the Annual Report requirement, you should call the Florida Division of Corporations at 850-245-6052.