

Broward County Commission Regular Meeting

**Meeting Date:** 06/12/2012  
**Director's Name:** Kristin Jacobs  
**Department:** County Commission

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### **Information**

### **Requested Action**

MOTION TO DIRECT Office of the County Attorney to draft an Ordinance amending the Broward County Code of Ordinances prohibiting wage theft. (Vice Mayor Jacobs)

### **Why Action is Necessary**

Board approval is required prior to the drafting of an Ordinance by the Office of the County Attorney.

### **What Action Accomplishes**

Directs the County Attorney to draft an amendment to the Broward County Code of Ordinances prohibiting wage theft.

### **Is this Action Goal Related**

### **Previous Action Taken**

### **Summary Explanation/ Background**

A recent study prepared by the Research Institute on Social and Economic Policy Center for Labor Research and Studies at the Florida International University highlights the growing problem of wage theft in Florida. Wage theft occurs when workers do not receive the wages that are legally owed to them. There are various forms in which this theft can occur: unpaid overtime, not being paid at least the minimum wage, working during meal breaks, misclassification of employees, forcing employees to work off the clock, altering time cards, paying employees late or simply not paying them at all.

The largest numbers of cases are in Miami-Dade, Hillsborough, Broward, Pinellas, Palm Beach and

Orange counties.

Unscrupulous employers know they can get away with practices such as wage theft. Current enforcement mechanisms are weak. A number of the industries impacted are at the core of our economy – tourism, retail, trade and construction. Records show low wage workers are more likely to be impacted by wage theft.

- An average of 3,036 wage violations per year is reported to the U.S. Department of Labor's Wage and Hour Division in Florida. Over \$28 million of unpaid wages have been recovered by the U.S. Department of Labor Wages and Hour Division in Florida, Miami-Dade's Wage Theft Ordinance and community groups throughout Florida.
- Miami-Dade County adopted a countywide Wage Theft Ordinance on February 28, 2010. As of January 6, 2012, enforcement of the ordinance has secured nearly \$400,000 in unpaid wages for 313 workers.
- Florida's Attorney General had not brought one single civil action to enforce the state's minimum wage law enacted in 2004.

Wage Theft questions the health of our county's economy. The continuation of this illegal and anti-business practice will interfere with Broward's ongoing efforts to attract new businesses. Maintaining a level playing field for businesses is critical to maintaining a competitive business environment and to continued economic growth.

Eliminating or preventing the underpayment or nonpayment of wages to those working in Broward County serves the public good, provides dignity to our workers, creates economic stability for families and protects business practices.