

SEIU 32BJ POLICY PROPOSAL
ENHANCED ASPA APPLICATION REQUIREMENTS
August 10, 2017

WHEREAS, recent events at Fort Lauderdale Hollywood International Airport have raised concerns about the underutilization of certain personnel performing vital passenger services at the Airport who are employed through airline service contractors.

WHEREAS, the aviation environment is an attractive target for terrorists and others that want to cause harm or seek attention.

WHEREAS, Broward County has a responsibility ensure all personnel working at the Airport have certain minimum and uniform training to ensure maximum efficiency, safety and security for the traveling public.

WHEREAS, airline service contractors employ over 2,000 workers at FLL, including passenger-facing job classifications, such as skycaps, wheelchair attendants and security checkpoint workers, and other labor-intensive occupations dealing with the care and custody of passenger and airline property, such as aircraft cleaners, baggage handlers, security officers and ramp agents.

WHEREAS, Passenger service workers' broad presence and constant contact with passengers and other airport workers make them a key component of the security apparatus at Fort Lauderdale Hollywood International Airport, a potential force-multiplier that can help make the airport safer.

WHEREAS, the traveling public have a reasonable expectation that uniformed passenger service workers representing their employer at FLL are trained to provide professional and knowledgeable assistance during an emergency.

WHEREAS, Passenger service workers are frequently the first and most common point of contact at the airport for airline passengers.

WHEREAS, Passenger service workers should be trained on how to assist elderly and disabled passengers and how to help them evacuate during airport emergencies.

WHEREAS, an airport that is staffed with workers who are well trained and properly compensated fosters stability and professionalism in the workforce.

WHEREAS, The Board of County Commissioners is empowered to provide rules and regulations for the operation and management of the Airports owned by Broward County and under its jurisdiction, administration, or control to ensure the adequate protection of the health, safety, and welfare of the traveling public and the residents of Broward County.

NOW THEREFORE BE IT RESOLVED, that

1. Chapter 2, Article II, Division 3 of the Broward County Code Ordinances is hereby amended to include a new Section 2-43: Airline Service Provider Agreements to read as follows:

Section 2-43: Airline Service Provider Agreements

- a) *Definitions:* For the purposes of this section,

"*Covered Airport Services*" shall be defined as set forth at Section 26-101(j).

"*Airline Service Provider*": shall be defined as set forth at Section 26-101(c).

"*Covered Employees*" shall be defined at set forth at Section 26-101(e).

"*County Airport*" shall mean the physical premises of Fort Lauderdale-Hollywood International Airprot.

"*Permittee*" shall mean any Airline Service Provider that has been granted an Airline Service Provider Agreement under this Section.

"*Department*" shall mean the Broward County Aviation Department

- b) Airline Service Provider Agreement Required; Application, Disclosures and Certification Requirements

Prior to performing any Covered Airport Services at any Airport, an Airline Service Provider shall make application to the Department's Business Division ("Business Division") for a non-exclusive Airline Service Provider Agreement ("ASPA"), which shall be executed by the Aviation Director on behalf of the County and shall be subject to approval by resolution of the Broward County Commission. The application and permit shall be in the form developed by the Business Division and may incorporate and/or supplement the terms of a Terminal Services Permit otherwise applicable to any Airline Service Provider as set forth under Chapter 26 of the Broward County Administrative Code at Exhibit 26.K.

No ASPA may issue after the effective date of this Section until the following requirements are satisfied by the applicant:

- i. A completed questionnaire to provide information needed to determine if an Airline Service Provider meets the standards of responsibility for the performance of these services. The completed questionnaire shall be signed by an authorized representative of the Airline Service Provider affirming its truth and accuracy and submitted to the Aviation Director, or his or her designee. Information within the questionnaire shall be made available to the public no less than 14 days before award of an ASPA. The questionnaire shall collect information sufficient for the Aviation Director or his or her designee to make a written determination that the Airline Service Provider:
 - i. Has adequate financial resources to perform the contract or the ability to obtain those resources;
 - ii. Has a satisfactory performance record;
 - iii. Has a satisfactory record of integrity and business ethics;
 - iv. Has a satisfactory record of compliance with the law, including labor, employment and civil rights laws and rules;
 - v. Has, the necessary organization, experience, accounting, operational control, and technical skills;
 - vi. Has, the necessary technical equipment, training and facilities;
 - vii. Is otherwise qualified and is eligible to receive an award under applicable laws and rules.
- ii. Proof the Airline Service Provider has attained certification from the International Air Transportation Association (IATA) through an IATA Safety Audit for Ground Operations (ISAGO), or other comparable industry standard as identified by the Department.
- iii. Proof the Airline Service Provider has entered into a contract or contracts to provide the services for which the ASPA is being sought with either an Air Carrier or a County Lessee in the form of complete, unredacted copies of such contract(s).
- iv. Proof the Airline Service Provider has secured necessary operational space at the airport, through a lease, sublease or grant from an Airport lessee.
- v. Three references from an awarding entity regarding contracts of similar size and scope.
- vi. Demonstration of insurance based on the requirements of the County's Risk Management Division.
- vii. A requirement to pay privilege fees, which shall be set by resolution of the Board of County Commissioners;
- viii. A requirement of a security deposit as outlined in the ASPA form.
- ix. Certification that the Airline Service Provider shall comply with the obligations in subsection (a) of Section 26-102 (Living Wage).
- x. Certification that the Airline Service Provider shall ensure that each of its covered employees has completed the initial 40-hour safety and emergency preparedness

training and annual 8-hour refresher training required under Chapter 2, **Article II, Division 3**, Section 2-43 of the Broward County Code Ordinances .

- xi. A requirement to maintain books and records relating to the Airline Service Provider's operations at the Airport as specified in rules and regulations to be promulgated by the Department; and
- xii. A requirement that the Airline Service Provider shall obtain all appropriate licenses and permits, and shall obey all applicable federal, state, County and local laws, codes, ordinances, rules, and regulations now in effect or which may become effective during the term of such ASPA issued pursuant to this Section.
- xiii. Such other information and requirements as the Department reasonably requests.

c) Duration and Recertification

- a. The ASPA may be terminated with or without cause by action of the Board of County Commissioners, the Aviation Director, or the Airline Service Provider upon written notice of no less than thirty (30) days.
- b. On an annual basis, the Airline Service Provider shall submit to the Aviation Director a written certification disclosing any modifications or additions to the information provided in the initial application, including updated information that is responsive to the requirements of the initial application.

d) Right to Audit

The Department shall have the right to audit the contractor for compliance with ASPA requirements or County regulations at any time.

e) Grounds for Suspension or Termination

The permission granted under this Section to any Airline Service Provider may be suspended or terminated by the Aviation Director or the Board of County Commissioners for any one of the following reasons:

- i. Violation of any provision or restriction of the ASPA granted pursuant to this Section;
- ii. Any action or series of actions by the Airline Service Provider, or its employees, agents, or representatives, that adversely affects the safety of the public or safe operations at the Airport; or
- iii. Discovery of material misrepresentation in the application for an ASPA; or
- iv. Failure to make timely payments as required by Chapter 39 of the Broward County Administrative Code, and in accordance with this Section or the ASPA issued hereunder.
- v. Violation of any of the terms and conditions of the Broward County Code of Ordinances, Sections 26-100 through 26-105 ("Broward County Living Wage Ordinance") or Sections 20½-1 through 20½-9 ("Non-Payment of Earned Wages").

- vi. The violation of any of the terms and conditions of this Section or the ASPA issued hereunder, or any rules, ordinances, regulations, or operational guidelines promulgated by the County or the Department with respect to Airport business' operations in the Airport.

f) Hearing Procedure

In the event the Department believes that grounds exist to suspend or terminate an ASPA under Section 2-37(d), the Department shall provide written notification to the Airline Service Provider subject to such action not less than thirty (30) days prior to imposition of such suspension or termination. The written notice shall provide a detailed statement of the grounds for the Department's action against the ASPA. The Department shall send a copy of such notice to any Air Carrier on whose behalf the Airline Service Provider is performing Covered Airport Services as disclosed to the Department pursuant to Section 2-37(b)(iii). Upon such notification, the Airline Service Provider may dispute the Department's determination by requesting a hearing before a hearing officer by providing notice to the Office of the County Attorney, by certified mail, return receipt requested, within ten (10) business days of notification of such denial or revocation. The Office of the County Attorney is authorized, within fifteen (15) business days of receipt of the request for hearing, to submit a copy of the notice of suspension or termination to a hearing officer who shall be an attorney in good standing of the Florida Bar, and appointed by the Board for a determination of the validity of notice to terminate the ASPA. A copy shall also be provided to the applicant or Permittee in accordance with County policy.

- i. The hearing shall be held within ten (10) business days from the receipt by the hearing officer of the material submitted by the Office of the County Attorney.
- ii. The parties to the proceeding shall be the Airline Service Provider and the Aviation Director, or his or her designee. The Aviation Director, or his or her designee, shall be represented by the Office of the County Attorney. At the hearing, the Airline Service Provider may be represented by counsel.
- iii. The hearing officer shall issue a notice of hearing, which shall be sent by certified mail, return receipt requested, to the parties and the Office of the County Attorney, and such notice of hearing shall contain the date, time, and place of the hearing.
- iv. Testimony shall be taken upon oath or affirmation, and evidence applicable to quasi-judicial proceedings shall govern. The testimony of witnesses shall be taken first in support of the suspension or termination of the ASPA. The parties may testify and present witnesses on their behalf. A court reporter shall make a record of the proceeding. A record shall be kept of all evidence received or considered in addition to the oral testimony. The cost of the court reporter shall be shared equally by the County and the Airline Service Provider. In addition to sharing the cost of the court reporter, in the event the Airline Service Provider is the non-prevailing party, the County shall be entitled to its administrative costs, which costs shall be presented by a motion by the County to the hearing officer and determined from evidence presented by the County.
- v. The hearing officer shall make findings of fact and enter an order within seven (7) business days of the conclusion of the hearing, which shall be immediately sent to the parties by certified mail, return receipt requested, or if a party is represented by an attorney, by mail to such party's attorney.

- vi. Either party may file an appeal of the hearing officer's decision by filing a petition for writ of certiorari [relief] in the court with jurisdiction to rule on such matters.

g) Annual Report by County Administrator

- i. On an annual basis, the County Administrator shall provide a report to the Broward County Board of Commissioners concerning the status of Airline Service Provider Agreements issued under this Section. The report shall be in writing and publically available thirty (30) days in advance of a public hearing to be held by the Board during which the County Administrator shall present the report.
- ii. Ninety (90) days in advance of the date the report is due, the Board shall provide the County Administrator with questions that should be addressed in the report. The list of questions shall include, but not be limited to:
 - a. A report on the number of complaints against any Airline Service Provider under the Broward County Living Wage Law and the determinations made of those complaints;
 - b. A report on number of covered employees that have completed the 40-hour safety and emergency preparedness training, or the 8 hour refresher;
 - c. A report on levels of turnover among covered employees;
 - d. A report on rates determinations of violations of any provision or restriction of any Airline Service Provider Agreement issued under this Section;
 - e. A report on problems created by an excessive number of contractors providing similar or overlapping services at the Airports;
 - f. Any other information deemed relevant by the Board of County Commissioners.
- iii. Following the public hearing, the Board of County Commissioners may make modifications to the process for administration of ASPAs. Such modifications may include, but not be limited to setting limits on the total number of ASPAs issued for the classifications of Covered AirportServices.

- 2. Effective Date: The Effective Date of this XXX?? Is _____
- 3. Chapter 26 of the Broward County Administrative Code may be amended as needed to conform with the requirements provided under this Section.
- 4. Severability: If any provision of this CHAPTER is determined to be invalid or incapable of being enforced, such provision shall be excluded to the extent of such invalidity or unenforceability; all other provisions of the CHAPTER shall remain in full force and effect.

**SEIU 32BJ POLICY PROPOSAL
TRAINING REQUIREMENTS
August 10, 2017**

WHEREAS, recent events at Fort Lauderdale Hollywood International Airport have raised concerns about the underutilization of certain personnel performing vital passenger services at the Airport who are employed through airline service contractors.

WHEREAS, the aviation environment is an attractive target for terrorists and others that want to cause harm or seek attention.

WHEREAS, Broward County has a responsibility ensure all personnel working at the Airport have certain minimum and uniform training to ensure maximum efficiency, safety and security for the traveling public.

WHEREAS, airline service contractors employ over 2,000 workers at FLL, including passenger-facing job classifications, such as skycaps, wheelchair attendants and security checkpoint workers, and other labor-intensive occupations dealing with the care and custody of passenger and airline property, such as aircraft cleaners, baggage handlers, security officers and ramp agents.

WHEREAS, Passenger service workers' broad presence and constant contact with passengers and other airport workers make them a key component of the security apparatus at Fort Lauderdale Hollywood International Airport, a potential force-multiplier that can help make the airport safer.

WHEREAS, the traveling public have a reasonable expectation that uniformed passenger service workers representing their employer at FLL are trained to provide professional and knowledgeable assistance during an emergency.

WHEREAS, Passenger service workers are frequently the first and most common point of contact at the airport for airline passengers.

WHEREAS, Passenger service workers should be trained on how to assist elderly and disabled passengers and how to help them evacuate during airport emergencies.

WHEREAS, an airport that is staffed with workers who are well trained and properly compensated fosters stability and professionalism in the workforce.

WHEREAS, The Board of County Commissioners is empowered to provide rules and regulations for the operation and management of the Airports owned by Broward County and under its jurisdiction, administration, or control to ensure the adequate protection of the health, safety, and welfare of the traveling public and the residents of Broward County.

NOW THEREFORE BE IT RESOLVED, that

1. Chapter 2, Article II, Division 3 of the Broward County Code Ordinances is hereby amended to include a new Section 2-43: Emergency Response Training Requirements for Subcontracted Airport Service Workers to read as follows:

Section 2-43: Emergency Response Training Requirements for Subcontracted Airport Service Workers

a) *Definitions:* For the purposes of this section,

"*Covered Airport Services*" shall be defined as set forth at Section 26-101(j).

"*Airline Service Provider*": shall be defined as set forth at Section 26-101(c).

"*Covered Employees*" shall be defined as set forth at Section 26-101(e).

"*County Airport*" shall mean the physical premises of Fort Lauderdale-Hollywood International Airport.

"*Department*" shall mean the Broward County Aviation Department

"*Approved Safety and Emergency Preparedness Training Provider*" shall mean an entity that: (1) has no less than ten (10) years of experience providing safety and emergency preparedness training;(2) has a director or co-director that: (i) has demonstrated standards of good character, integrity and trustworthiness;(ii) has a minimum of three years' experience as a police officer, peace officer or security guard; and (iii) possesses advanced academic credentials relating to public safety; (3) has instructors who are certified by the American Heart Association or the Red Cross as an instructor in Basic Cardiopulmonary Resuscitation (CPR), Automated External Defibrillator (AED) machine usage and Basic First Aid; and (4) which has been approved to provide a safety and emergency preparedness training course or courses as set forth below in subsection (c).

b) In addition to any other employee training required under applicable Federal or State law or regulations, all Covered Airline Service Providers shall provide a forty (40) hour safety and emergency preparedness training to all Covered Employees. The initial training shall be completed within sixty (60) days of hire for new employees and within one hundred eighty (180) days of enactment of this Section for existing employees. Following the initial training, each Covered Employee shall be provided annually with an eight (8) hour refresher training. Such trainings shall be provided by an approved safety and emergency preparedness training provider at no expense to the Covered Employee. Covered employees who are already providing Covered Airport Services on the effective date of this Section shall complete the required training within 60 days of the effective date of this Section. All Covered Employees shall be compensated at their regular hourly rate for the time spent participating in the trainings. The trainings shall cover, without limitation, the following subjects:

- (1) Understanding the roles of various agencies and businesses at the airport;
- (2) Emergency situations and response procedures; appropriate prevention and response methods to emergencies including fire, chemical spills, terrorist threats, workplace violence, medical emergencies, biohazards, and natural disasters, including evacuation and disaster recovery;
- (3) Developing observation, detection, customer service and reporting skills that can help detect, prevent and respond to incidents;
- (4) What is expected of workers during an incident;
- (5) Basic Cardiopulmonary Resuscitation (CPR), Automated External Defibrillator (AED) machine usage and Basic First Aid;
- (6) Communications protocols that connect Covered Employees to the broader airport community to ensure they have the information they need to play the roles they need to play;

c) In order to be approved by the Department, the safety and emergency preparedness training provider shall file a copy of the proposed curriculum(s) with the Department. The curriculum(s) shall be in a form prescribed by the Department and shall include, but not be limited to:

- (1) The name of the safety and emergency preparedness training provider;
- (2) A chronological listing of topics, including the date, time and number of hours allotted to each topic; and
- (3) The names of the school director and co-director (if applicable) as well as the safety and emergency preparedness training instructor(s) and the type of instructor certification(s) held by each safety and emergency preparedness training instructor and school director or co-director if such school director or co-director holds instructor certification(s).

The Department may require any additional information deemed necessary for the purposes of approving a safety and emergency preparedness training, including the determination of the

good character, integrity and trustworthiness of the applicant. The Department shall provide a written approval of a safety and emergency preparedness training to be conducted when a determination has been made that the information provided warrants such approval.

d) All Covered Airline Service Providers shall submit the following information to the Department on the fifteenth (15th) day of the third calendar month following enactment of this Section , and subsequently on the fifteenth (15th) day of every third calendar month:

- (4) A sworn statement certifying compliance with the requirements of this Section;
- (5) A list of all Covered Employees, indicating which of those employees were hired during the previously completed three (3) calendar months;
- (6) A certified list of all Covered Employees that completed an approved forty (40) hour safety and emergency preparedness training during the previously completed (3) calendar months;
- (7) A certified list of all Covered Employees that completed an approved eight (8) hour safety and emergency preparedness refresher training during the previously completed (3) calendar months.

e) In addition to the penalties provided under Chapter 2, Article I, Section 2-5 of the Broward County Code Ordinances, the Department may, for failure to comply with this Section, terminate or suspend a Covered Airline Service Provider's Airline Service Provider Agreement for a period of time to be determined by the Department.

- 2. Effective Date: The Effective Date of this XXX?? Is _____
- 3. Chapter 26 of the Broward County Administrative Code may be amended as needed to conform with the requirements provided under this Section.
- 4. Severability: If any provision of this Section is determined to be invalid or incapable of being enforced, such provision shall be excluded to the extent of such invalidity or unenforceability; all other provisions of the Section shall remain in full force and effect.

SEIU 32BJ PROPOSED AMENDMENTS
BROWARD COUNTY LIVING WAGE
August 10, 2017

Sec. 26-102. - Living wage.

(a) *Living wage requirement* .

- (1) *New contracts; renewal and extension* . All service contractors and airline service providers entering into, renewing, or extending a service contract shall pay all of their covered employees a living wage of no less than ~~Nine Dollars Fifty Seven Cents (\$9.57)~~ Thirteen Dollars One Cent (\$13.01) per hour, as adjusted, in addition to health care benefits as hereinafter described, or otherwise ~~Ten Dollars Eighty Two Cents (\$10.82)~~ per hour Sixteen Dollars Ten Cents (\$16.10), as adjusted. The living wage shall not be paid as a pass-through amount by the County unless clearly disclosed to and expressly approved by the Board of County Commissioners. The living wage shall be adjusted annually in accordance with Section 26-102(c) below.
- (2) *Existing contracts* . Service contractors and airline service providers providing covered services or performing covered airport services pursuant to a contract executed prior to the effective date of this section (or, as applicable, prior to the effective date of the Ordinance expanding the Living Wage Ordinance to include covered airport services) shall not be required to pay the living wage established in Section 26-102(a)(1) until the contract is renewed or extended for an additional period of time or an airline service provider enters into an airline service provider agreement pursuant to Section 26-103(b). A service contractor or airline service provider covered under this paragraph shall be required to comply with the provisions of this section beginning the effective date of the renewal or extension period of the contract or the effective date of an airline service provider agreement. This paragraph does not apply to existing contracts that are extended on a month-to-month basis or extended for a limited period of time while the County is soliciting or considering soliciting for a replacement contract, or is negotiating or considering negotiating with another contractor.
- (3) *County employees* . For part-time or full-time benefit-eligible County employees under the County pay plan, the County will begin to pay wages consistent with this article beginning in the 2003-04 County fiscal year. Thereafter, the wages to be paid by the County to its employees shall not be subject to the indexing under subsection (c) below and instead will be subject to negotiation within the collective bargaining structure.
- (4) *Airport Terminal Complex and Car Rental Center* . Notwithstanding any limiting definition contained in Section 26-101 above, the following concessionaires who conduct business with Broward County and are awarded a contract at the Airport Terminal Complex or Car Rental Center pursuant to Chapter 26, "Operational Policy, Aviation," Parts I and II ("Concession Policy"), of the Broward County Administrative Code, or pursuant to a waiver of the Concession Policy, are required to comply with the Broward County Living Wage Ordinance, regardless of the contract value: Duty Free Shop, Food and Beverage, and News-General Merchandise-Book Store-Specialty Retail Shops.
 - a. Airport Terminal Complex means all passenger terminal buildings located at the Airport, whether now existing or developed in the future.
 - b. Car Rental Center means the facility located within the Airport terminal roadway system designated for rental car concession operations and for pick-up and delivery of customers by nonconcessionaire rental car companies and by Airport users, including any future modifications to this facility.

(b) *Health care benefits* .

- (1) For a covered employer or the County to comply with the living wage requirement by choosing to pay the lower wage scale when health care benefits are provided, the health care benefits shall consist of payment by the covered employer or the County, as applicable, of at least ~~One Dollar Twenty-Five-Three Dollars Nine Cents (\$3.09)~~ per hour, as adjusted, towards the provision of health care benefits for covered employees and their dependents. The health care benefits amount shall be adjusted annually in accordance with Section 26-102(c) below.
 - (2) The minimum contribution by a covered employer or the County for health care benefits on a per-hour basis shall be calculated based on a 40-hour work week (2,080 annual hours). Hours worked in excess of forty (40) hours per week shall not require additional payments towards the provision of health care benefits. If the covered employer or the County, as applicable, contributes less than the required amount for its covered employee's health care benefits, such covered employer or the County may comply with the living wage requirements by paying the covered employee an additional amount as an hourly wage equal to the difference between the calculated hourly contribution it makes for health care benefits for the covered employee and the minimum hourly contribution amount required by this Ordinance for health care benefits.
 - (3) If the health care benefits plan provided by a covered employer or the County requires an initial period of employment before a new covered employee becomes eligible for the health care benefits (eligibility period), the covered employer or the County shall pay the ~~Ten Dollars Eighty-two Cents (\$10.82)~~ Sixteen Dollars Ten Cents (\$16.10) per hour wage scale, as adjusted, during a new covered employee's initial eligibility period. When the new covered employee is provided health care benefits upon completion of the eligibility period, the covered employer or the County may qualify to pay the living wage rate applicable for covered employees that are provided health care benefits. If the covered employee declines the health care benefits, the covered employer may qualify to pay the living wage rate applicable for covered employees that are provided health benefits if the covered employer provides to the County written proof of the covered employee's declination.
 - (4) A notarized compliance affidavit shall serve as proof of the provision of health care benefits and must be submitted by the covered employer to the County to qualify for the living wage rate for covered employees with health care benefits.
- (c) *Indexing* . The living wage ~~and health care benefits payment~~ shall be annually indexed to inflation using the Miami PMSA Consumer Price Index for all items for all Urban Consumers (CPI-U), issued by the U.S. Department of Labor's Bureau of Labor Statistics~~calculated by the United States Department of Commerce~~; the supplemental benefit rate shall be adjusted annually for inflation using the Miami PMSA Consumer Price Index for medical care for all Urban Consumers (CPI-U). ~~however, no annual increase shall exceed three percent (3%) and in no event shall the increase exceed the compensation increase provided to unrepresented County employees.~~
- (d) *Certification required before payment* . Any and all contracts for covered services shall be void, and no funds may be released unless, prior to entering any contract with the County for a service contract, the covered employer certifies to the County that it will pay each of its covered employees no less than the living wage described in subsection (a). The certificate, at a minimum, must include the following:
- (1) The name, address, and telephone number of the covered employer, a local contact person, and the specific project for which the service contract is sought;
 - (2) The amount of the contract and the applicable County department the contract will serve;
 - (3) A brief description of the project or service provided;
 - (4) A statement of the wage levels for all covered employees; and
 - (5) A commitment to pay all covered employees a living wage, as described in subsection (a).
- (e) *Observance of other laws* . Every covered employee shall be paid at least biweekly, and without subsequent deduction or rebate of any account (except for such payroll deductions as are directed or

permitted by law or a collective bargaining agreement). The covered employer shall, at a minimum, pay covered employees the living wage rates required by this article and shall also comply with federal and all other applicable laws and ordinances, such as overtime and other wage laws and ordinances.

- (f) *Posting* . A copy of the living wage rate shall be posted by the covered employer at the site of the work in a prominent place where it can easily be seen by covered employees and shall be furnished to a covered employee within a reasonable time after a request to do so. A copy of the living wage rate shall be posted by the covered employer's subcontractors in a prominent place at the subcontractor's premises where paychecks are distributed and shall also be furnished to a covered employee upon request within a reasonable time after the request is made. Additionally, service contractors shall forward a copy of the requirements of this article to any individual and any entity submitting a bid for a subcontract on any County service contract covered by this article. A covered employer shall also provide the following statement to each covered employee with the employee's first paycheck and every six (6) months thereafter: "You are required by Broward County ordinance to be paid at least [insert applicable rate pursuant to this article] dollars an hour. If you are not paid this hourly rate, contact your supervisor or a lawyer." All notices required by this paragraph shall be printed in English, Spanish, and Creole. The statements shall be provided in the manner set forth below:
- (1) By printing or stamping the statements on the front of the covered employee's first paycheck or, if the covered employee has direct deposit of his or her pay, the covered employer may print or stamp the statements on the inside or outside of the covered employee's first direct receipt; or
 - (2) By attaching or endorsing the printed or stamped statements with the covered employee's first paycheck or direct deposit receipt and subsequently providing a notarized compliance affidavit from the covered employer to the County acknowledging that the statements were provided to the covered employee with his or her first paycheck.
- (g) *Collective bargaining* . Nothing in this article shall be construed to require or authorize any covered employer to reduce wages set by a collective bargaining agreement or as required under any prevailing wage law.

(Ord. No. 2002-45, § 3, 10-8-02; Ord. No. 2008-45, § 1, 10-7-08; Ord. No. 2014-35, § 1, 10-14-14; Ord. No. [2015-41](#), § 2, 10-13-15)