

PROPOSED

ORDINANCE NO. 2019-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE BROWARD COUNTY LIVING WAGE ORDINANCE; AMENDING SECTION 26-102 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO PROVIDE THAT COVERED EMPLOYEES MAY DECLINE OFFERED HEALTH CARE BENEFITS AND INSTEAD RECEIVE THE HEALTH CARE BENEFIT AMOUNT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Vice-Mayor Mark D. Bogen)

WHEREAS, some covered employees may find the health care benefits offered by a covered employer to be insufficient and prefer to opt out of provided health care benefits and instead receive a higher wage amount inclusive of sums a covered employer would otherwise have expended on health care benefits; and

WHEREAS, the Board of County Commissioners desires to give covered employees this option,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 26-102 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 26-102. Living wage.

...

(b) *Health care benefits.*

1 . . .

2 (3) If the health care benefits plan provided by a covered employer or the
3 County requires an initial period of employment before a new covered
4 employee becomes eligible for the health care benefits (eligibility period),
5 the covered employer or the County shall pay no less than the Ten Dollars
6 ~~Eighty-two Cents (\$10.82)~~ Fourteen Dollars and Twenty-three Cents
7 (\$14.23) per hour living wage scale, as adjusted, during a new covered
8 employee's initial eligibility period. When the new covered employee is
9 provided health care benefits upon completion of the eligibility period, the
10 covered employer or the County may qualify to pay the lower living wage
11 rate applicable for covered employees who ~~that~~ are provided health care
12 benefits. If the covered employee declines ~~the~~ offered health care benefits
13 in writing, the covered employer ~~may qualify to~~ shall pay to that employee
14 the living wage rate applicable for covered employees who ~~that~~ are not
15 provided health benefits, ~~if the covered employer provides to the County~~
16 ~~written proof of the covered employee's declination~~ which as of
17 January 1, 2019, is no less than Fourteen Dollars and Twenty-three Cents
18 (\$14.23) per hour, as adjusted.

19 . . .

20 Section 2. Severability.

21 If any portion of this Ordinance is determined by any court to be invalid, the invalid
22 portion will be stricken, and such striking will not affect the validity of the remainder of this
23 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
24 legally applied to any individual, group, entity, property, or circumstance, such

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underscored type are additions.

1 determination will not affect the applicability of this Ordinance to any other individual,
2 group, entity, property, or circumstance.

3 Section 3. Inclusion in the Broward County Code of Ordinances.

4 It is the intention of the Board of County Commissioners that the provisions of this
5 Ordinance become part of the Broward County Code of Ordinances as of the effective
6 date. The sections of this Ordinance may be renumbered or relettered and the word
7 "ordinance" may be changed to "section," "article," or such other appropriate word or
8 phrase to the extent necessary in order to accomplish such intention.

9 Section 4. Effective Date.

10 This Ordinance is effective as of the date provided by law.

PROPOSED

12 ENACTED

13 FILED WITH THE DEPARTMENT OF STATE

14 EFFECTIVE

15 Approved as to form and legal sufficiency:
16 Andrew J. Meyers, County Attorney

17
18 By /s/ Adam Katzman 11/13/18
Adam Katzman (date)
Senior Assistant County Attorney

19
20 By /s/ Andrew J. Meyers 11/13/18
Andrew J. Meyers (date)
County Attorney

23 AMK/mm
11/13/18
24 Living Wage Ordinance
41026

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