

# 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 ESTABLISH A HEALTH CARE BENEFIT AMOUNT; PROVIDING FOR THE METHOD TO ADJUST THE HEALTH CARE BENEFIT AMOUNT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Senator Nan H. Rich and  
Cosponsored by Vice-Mayor Dale V.C. Holness)

WHEREAS, the Board of County Commissioners recently increased the hourly living wage amount and desires, effective January 1, 2021, to increase the health care benefit amount for the living wage,

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

Section 1. Section 26-102 of Article VII of Chapter 26, Broward County Code of Ordinances, is hereby amended as follows:

**Sec. 26-102. Living wage.**

...

(d) *Health care benefits.*

(1) *Health care benefit amount.* The health care benefit amount required by the Living Wage Ordinance shall, ~~commencing January 1, 2019,~~ consist of payment by a covered employer, or by the County for its employees, of at

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1 least ~~One Dollar and Sixty-three Cents (\$1.63)~~ per hour, adjusted as  
2 ~~provided below~~ an amount ("health care benefit amount") toward the  
3 provision of health care benefits for a covered employee and dependents,  
4 as follows:

5 a. Effective January 1, 2019, a health care benefit amount of at least  
6 One Dollar and Sixty-three Cents (\$1.63) per hour, adjusted as  
7 provided below on January 1, 2020.

8 b. Effective January 1, 2021, a health care benefit amount of at least  
9 Three Dollars and Forty-four Cents (\$3.44) per hour, adjusted as  
10 provided below beginning on January 1, 2022.

11 . . .

12 (6) If ~~the~~ a covered employee declines health care benefits, the covered  
13 employer may ~~qualify to pay the living wage rate applicable for covered~~  
14 ~~employees that are provided health benefits~~ pay to the employee the living  
15 wage rate with health care benefits, as described in Section 26-102(a)(2)a,  
16 provided the covered employer provides to the County written proof of the  
17 covered employee's declination.

18 (e) *Adjusting the living wage and health care benefit amount.* Beginning on  
19 January 1, 2020 (or beginning on January 1, 2019, for those service contracts entered  
20 into prior to January 1, 2019, as to which the new, higher living wage rate established by  
21 this amendment to the Living Wage Ordinance is not in effect as of January 1, 2019), and  
22 thereafter on January 1 of each year, the living wage and health care benefits amount  
23 shall be adjusted annually by the lowest of the following three (3) percentages:

24  
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- 1 (1) The percentage increase in the Consumer Price Index for All Urban  
2 Consumers (CPI-U), All Items, Miami-Ft. Lauderdale-West Palm Beach, FL,  
3 calculated by the United States Department of Labor, for the immediately  
4 preceding period of November 1 through October 31;
- 5 (2) Three percent (3%); or
- 6 (3) The percentage across-the-board compensation increase provided by the  
7 County to unrepresented County employees.

8 ...

9

10 Section 2. Severability.

11 If any portion of this Ordinance is determined by any court to be invalid, the invalid  
12 portion will be stricken, and such striking will not affect the validity of the remainder of this  
13 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be  
14 legally applied to any individual, group, entity, property, or circumstance, such  
15 determination will not affect the applicability of this Ordinance to any other individual,  
16 group, entity, property, or circumstance.

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

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

24

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1 Section 4. Effective Date.

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

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4  
5  
6 ENACTED

7 FILED WITH THE DEPARTMENT OF STATE

8 EFFECTIVE

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10  
11  
12  
13 **PROPOSED**

14  
15 Approved as to form and legal sufficiency:  
16 Andrew J. Meyers, County Attorney

17 By /s/ Adam Katzman 01/31/19  
18 Adam Katzman (date)  
19 Senior Assistant County Attorney

20 By /s/ René D. Harrod 01/31/19  
21 René D. Harrod (date)  
22 Deputy County Attorney

23 AMK/mm  
01/31/19

24 Living Wage Ordinance Health Care Benefit Increase  
41026

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