



Pinellas County

Legislation Details (With Text)

File #: 20-094A **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/14/2020 **In control:** Human Rights

On agenda: 1/28/2020 **Final action:** 1/28/2020

Title: Proposed ordinance amending Article IV of Chapter 70 of the Pinellas County Code Relating to Wage Theft/Recovery.

Sponsors:

Indexes:

Code sections:

Attachments: 1. State-filed ORD 20-01, 2. Adopted ORD 20-01, 3. Affidavit of Publication - Notice of Public Hearing, 4. AATF Proposed Wage Theft Ordinance, 5. Staff Memo in Support of Legistar Item re Amendment to Wage Theft Ordinance, 6. Second Amended Wage Theft Ordinance Mark Up Edition, 7. Second Amended Wage Theft Ordinance Clean Edition, 8. Notice of Advertisemnt for Public Hearing on Amendments to Wage Theft Ordinance

Date	Ver.	Action By	Action	Result
1/28/2020	1	Board of County Commissioners	approved	Pass

Subject:

Proposed ordinance amending Article IV of Chapter 70 of the Pinellas County Code Relating to Wage Theft/Recovery.

Recommended Action:

Conduct a public hearing regarding a proposed ordinance amending Article IV of Chapter 70 of the Pinellas County Code, relating to Wage Theft/Recovery.

- Amend Section 70-303 relating to Legislative findings of fact.
- Amend Section 70-304 relating to intent and purpose.
- Amend Section 70-305 relating to definitions.
- Amend Section 70-306 relating to wage theft violations.
- Amend Section 70-307 relating to procedures for wage theft violations.
- Amend Section 70-308 relating to enforcement of wage theft violations.
- Amend Section 70-309 relating to appeals.
- Delete Section 70-310 relating to Retaliation.
- Amend all sections for clarity, consistency and uniformity.
- Provide for severability, for an effective date, for areas embraced, and for inclusion in the Pinellas County Code.

Strategic Plan:

Ensure Public Health, Safety, and Welfare

2.1 Provide planning, coordination, prevention, and protective services to ensure a safe and secure community.

2.4 Support programs that seek to prevent and remedy the causes of homelessness and move

individuals and families from homelessness to permanent housing.

Summary:

Adoption of the proposed ordinance amendment would add provisions to the Wage Theft /Recovery Ordinance which are substantially similar to the City of St. Petersburg's Wage Theft Ordinance regarding notice to employees of their employer and rate of pay/manner of compensation and requiring employers to post a notice of rights under the ordinance.

Inclusion of these provisions may allow the City of St. Petersburg to repeal their ordinance, leaving one county-wide ordinance in place for enforcement by the Pinellas County Office of Human Rights, obviating the need for any inter-local agreement authorizing the Pinellas County Office of Human Rights to enforce the City of St. Petersburg's Wage Theft Ordinance.

Background Information:

The City of St. Petersburg already had a Wage Theft Ordinance in place when Pinellas County adopted its Wage Theft/Recovery Ordinance. Including the proposed provisions to Pinellas County's ordinance scheme would render our ordinance substantially equivalent to the City of St. Petersburg's Wage Theft Ordinance, which in turn may allow the City of St. Petersburg to repeal their ordinance, leaving one county-wide ordinance in place for enforcement by the Pinellas County Office of Human Rights.

Fiscal Impact:

Recurring General Fund appropriation supporting staffing and special magistrates for the Wage Theft/Recovery Ordinance is included in the FY20 Adopted Budget for the Pinellas County Office of Human Rights. No additional costs are anticipated should the proposed ordinance amendment be adopted, as the Pinellas County Office of Human Rights already administers complaints arising in the City of St. Petersburg.

Staff Member Responsible:

Paul Valenti, Director, Office of Human Rights

Partners:

City of St. Petersburg

Attachments:

Memorandum from Director of Human Rights

Proposed Amendment to Ordinance, Indicating Proposed Changes ("marked-up" version)

Proposed Amendment to Ordinance, in Final Format ("clean" version)

Notice of Advertisement for Public Hearing on Amendments to Wage Theft Ordinance Fall 2019.