

## Information Regarding How Changes to Florida's Minimum Wage Rate Affects Workforce Services Programs

### Food Stamp Employment and Training (FSET) Program

Food Stamp Employment and Training (FSET) program participants assigned to a worksite activity cannot be asked to complete more hours than the calculation that uses the State or federal minimum wage, whichever is higher, allows. Worksite activities include both work experience and self-initiated work experience. The program does not require participants to complete more hours in a job search activity than the calculation allows either.

Program staff should calculate the maximum number of hours the participant is required to complete at a worksite activity during the month using the following calculation: divide the food stamp monthly allotment by the federal minimum wage (as of July 2009). For example, the average household containing one volunteer receiving food stamps gets about \$155.00 a month in food stamps. Therefore, the calculation would be:  $\$155/\$7.25 = 21.38$ . Based on the Fair Labor Standards Act (FLSA), participants cannot be assigned more hours in a worksite activity than the calculation requires: this means the volunteer could not be asked to complete more than 21 hours at a worksite for the month in question.

Please direct FSET program related questions to William Jones at [William.Jones@flaawi.com](mailto:William.Jones@flaawi.com).

### Welfare Transition (WT) Program

Families in the WT program assigned to a worksite activity, which include Community Service or Work Experience, are assigned to hours of participation based on a calculation that uses the higher of the State or federal minimum wage. Until July 24, 2009, Florida's minimum wage is higher than the federal minimum wage.

To calculate the maximum number of hours the family may be assigned to a worksite activity, add the amount of Temporary Cash Assistance (TCA) the family received during the month to the amount of food stamps the family received during the month. Then, divide the sum by the federal minimum wage. Based on the FLSA, participants cannot be assigned more hours in a worksite activity than the calculation requires.

- Program staff should be meeting with program participants each month to ensure that their hours for the upcoming month are correct and appropriate. Program staff must review the WT cases assigned to a worksite activity each month. Program staff must ensure that the hours a family is required to perform at a worksite are adjusted based on the new minimum wage. Once the hours are recalculated, a case note must be recorded in OSST to document the assigned hours and the calculation used. The assigned hours should also be reflected in the signed Individual Responsibility Plan (IRP).

Please direct WT program related questions to Trina Dickey at [Trina.Dickey@flaawi.com](mailto:Trina.Dickey@flaawi.com).

## **Workforce Investment Act (WIA) Program**

Employers working with WIA participants, as well as the WIA program participants themselves, need to be informed of the new minimum wage. Specifically, if a participant is engaged in paid work experience, paid internship, or an on-the-job training activity, both the employer and participant need to be made aware that the Federal minimum wage is increasing. The RWB must review cases prior to July 24, 2009.

- The RWB must ensure that its contracts are modified to adhere to the new Federal minimum wage rate of \$7.25 per hour.
- A revised State minimum wage will go into effect each year, effective January 1, based upon changes in the applicable consumer price index. A revised federal minimum wage will go into effect July of each year. Contracts covering more than one year should include accommodations for the yearly increases in the minimum wage.

Please direct WIA program related questions to Barbara Walker at [Barbara.Walker@flaawi.com](mailto:Barbara.Walker@flaawi.com).

## **Wagner-Peyser (WP) Program**

In order to comply with the new Federal minimum wage, job orders will need to be modified if the job order lists a wage under \$7.25 in the salary section. The career center staff will need to contact the employer to advise him/her of the change to the State's minimum wage and to receive permission to change the job order. Employers requesting to place job orders after July 24, 2009 need to be advised of the change. Some employers may list job orders that offer wages below the minimum wage. These employers may be ones who are not subject to the FLSA. The Florida minimum wage law uses the same definitions of "employer," "employee," and "wage" as those established under the FLSA.

- If career center staff receive an order below the minimum wage from an employer who states that the business is not subject to the minimum wage law, they should tactfully inform the employer of the probable difficulty in filling such an opening. If the employer is unwilling to modify the order, the staff person should continue taking the order without comment.

Please direct WP program related questions to Joan Losiewicz at: [Joan.Losiewicz@flaawi.com](mailto:Joan.Losiewicz@flaawi.com).

## **One-Stop Center Credentialing**

The One-Stop Center Credentialing Guidance requires that the RWB display both the federal and State's minimum wage poster in each resource room.

- Florida's minimum wage poster is available for download. The poster is available in both English and Spanish at: <http://www.floridajobs.org/workforce/posters.html>.
- The federal poster can be downloaded from the USDOL website at: <http://www.dol.gov/esa/whd/regs/compliance/posters/flsa.htm>.

Please direct credentialing related questions to Joan Losiewicz at [Joan.Losiewicz@flaawi.com](mailto:Joan.Losiewicz@flaawi.com).

### **Additional Information on Florida's Minimum Wage Law**

For additional information regarding Florida's minimum wage, please see the minimum wage section of the [AWI Web site](#).