



Carlos Alvarez, Mayor

July 10, 2009

Attention: All Covered Service Contractors

NOTICE: LIVING WAGE AMENDMENTS AND INCREASE TO LIVING WAGE FOR 2009-2010

Pursuant to Miami-Dade County Code, §2-8.9 (Living Wages) herein after referred to as "Code", all covered Service Contractors with Miami-Dade County with a contract value of over \$100,000 per year¹, and all Service Contractors at Miami-Dade County Aviation Department facilities without reference to any contract value, are subject to the Living Wage. The Board of County Commissioners (BCC) approved several amendments to the Code under Ordinance 09-15, which became effective on March 13, 2009. The recent amendments clarify covered services, definitions, and applications of penalties and sanctions. The substantive changes are outlined below, and a copy of the Ordinance is included for your review:

- Service contractors are now required to post the Living Wage rate notice at the site where work is performed. A copy of the notice may be obtained from the Department of Small Business Development (SBD) and from our website http://www.miamidade.gov/sba/living_wage_poster.asp
- Payroll records must be kept for a period of 3 years after the expiration, suspension or termination date of the contract
- Sanctions may be imposed for underpayment equal to 10%, 20% or 30% of the value of the underpayment of wages and/or benefits for first, second and subsequent instances of underpayment respectively. A fourth violation shall constitute default of the contract and may be cause for suspension, termination and/or debarment
- For violations other than underpayment of wages and or benefits, damages will be payable to the County in the amount of \$500/week for each week in which the violation remains outstanding
- Unpaid sanctions shall bear interest at the same rate as the State of Florida statutory rate for judgments provided by Florida Statutes §55.03

For a comprehensive copy of the Code which includes the recent amendments, please visit <http://www.municode.com/resources/gateway.asp?pid=10620&sid=9>, or request copies from the County Clerk.

In accordance with the Code the Living Wage is annually indexed to inflation as defined by the Consumer Price Index (CPI), calculated by the U. S. Department of Commerce as applied to the County of Miami-Dade. The applicable CPI increase for fiscal year 2009-2010, represents a 0.46% wage increase. **As such, effective October 1, 2009 through September 30, 2010 the Living Wage required will be no less than \$11.36 per hour provided the covered employees are part of the Service Contractor's qualifying Health Benefits Plan (HBP). Contributions by the Service Contractor towards the provision of the qualifying HBP must be no less than \$1.65 per hour in order to qualify to pay the lower rate of \$11.36 per hour. If no qualifying HBP is provided by the Service Contractor, the Service Contractor must pay no less than \$13.01per hour to its covered employees.**

Training is offered at the Department of Small Business Development (SBD) on how to comply with the requirements of the Code. Please contact our office directly to schedule a training session. As a Service Contractor you are required to comply with the legislation governing living wages in its entirety to include any and all amendments. Please feel free to contact our office should you have any questions or need assistance relating to the Living Wages.

Sincerely,

Penelope Townsley
Director

¹ Contract value is equal to the total aggregate annual value of a contract in accordance with all applicable sections of the entire Miami-Dade County Code. This includes all awardees under a covered service contract, without regard to the method of award and the contract value associated with any given awardees'.