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# FLORIDA'S NEW LIMITS ON LOCAL WAGE RULES TAKE EFFECT: KEY POINTS FOR EMPLOYERS

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## Florida's New Limits on Local Wage Rules Take Effect: Key Points for Employers

Florida employers that do business with local governments should be aware of a big change impacting contract provisions. As of September 30, county and city governments can no longer use their contracting power to require companies to pay higher wages or better benefits to their employees, and they can no longer give preferential treatment to companies that pay better wages and benefits. This is the final piece of HB 433 to take effect, which is a 2024 law limiting local government control over certain key workplace rules. Here's what changed, who it affects most, and what you should do now.

### Quick Refresher on HB 433

Governor Ron DeSantis signed HB 433 in April 2024, which broadly shifted authority over several key workplace rules away from local governments. This means Florida employers should look to state and federal agencies, rather than counties and cities, for guidance in these areas. The law has three main parts:

- Prohibits local heat-safety rules for private employers
- Bars local governments from imposing their own workplace scheduling or "predictive scheduling" requirements on private employers

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- Restricts local governments from using contracting power to influence private employer wage rates and employee benefits

The heat-safety and scheduling rules took effect on July 1, 2024. The wage and benefit contracting restrictions, however, just kicked in on September 30, 2026. For our full breakdown of all three parts, read our [prior Insight on HB 433 here](#).

## What's New?

Under HB 433, local governments are prohibited from using their purchasing or contracting power to control the wages or employment benefits of entities they do business with. They are also barred from awarding preferences to entities that offer more favorable wages and benefits to employees. In addition, HB 433 removes local governments' ability to:

- require an employer to pay a higher minimum wage than required by state or federal law;
- apply a state or federal minimum wage to wages that are exempt from a state or federal minimum wage; or
- provide employment benefits not otherwise required by state or federal law.

### Key Takeaways:

- Counties and cities in Florida can no longer tell their contractors what to pay their workers or reward bidders for offering better pay or benefits than their competitors.
- These restrictions apply only to contracts entered into on or after September 30.
- Contracts signed before the effective date that include local wage or benefit conditions are not affected by the new rules.

## Who Will Be Most Affected?

Jurisdictions that had been using contracts to increase local wages will be most impacted. Counties such as **Broward** and **Miami-Dade**, for example, each have living wage ordinances mandating higher pay than the state minimum



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wage for service contractors and subcontractors. These requirements can no longer be imposed on new contracts going forward.

### Key Takeaways:

- Contractors and subcontractors that bid on local government work in South Florida and other affected areas are no longer required to meet locally mandated wage and benefit levels as a condition of securing a covered contract entered on or after the effective date.
- Businesses can continue offering higher wages and better benefits, but they will not have a bidding advantage since local governments can no longer give preferential treatment based on them.

### What Should Employers Do Now?

- **Revisit your bidding strategy.** If you compete for local government contracts, consider whether the new rules change how you structure upcoming bids and renewals.
- **Account for your other wage and hour obligations.** Don't forget that federal and state wage laws and contracting requirements still apply. Notably, [Florida's statewide minimum wage](#) just increased to \$15 on September 30.
- **Plan for the transition.** If you have an existing contract with local wage or benefit requirements, start planning now for what happens when it expires or is renewed.
- **Consider the employee impact as rules evolve.** In addition to balancing compliance and business needs, consider workplace fairness and employee morale, particularly when changes affect existing pay or benefit practices.
- **Consult with counsel before making changes.** Before changing existing pay or benefit practices based on the new law, work with your employment attorney to ensure changes are made lawfully.

### Conclusion

We will continue to monitor developments impacting Florida employers and provide updates as warranted, so make sure you are subscribed to [Fisher Phillips' Insight System](#) to get

the most up-to-date information. If you have any questions, please contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in one of [our Florida offices](#).