



Osceola County Board of County Commissioners  
Living Wage Application Packet

To be eligible for certification as a Living Wage Certified Employer (LWC), the business must meet the following minimum requirements.

- The principal place of business must be located within the legal boundaries of Osceola County
- Be in operation for more than one year prior to the issue date of the solicitation;
- Pay covered employees at least the living wage rate as defined by the U.S. Department of Health & Human Service Poverty Guidelines for a four person household, adjusted annually.

Living Wage Incentives:

- Qualification based selection: When appropriate, firms that receive certification as a Living Wage Employer may receive up to five points as one component of the established evaluation criteria for qualification based selections.
- Cost based solicitations: Whenever the County is considering two or more bids, or responses to a solicitation, which are equal with respect to quality and services, a Living Wage Certified employer will be given an opportunity to match the lowest bid. If two or more bidders are entitled to this incentive, the LWC with the lowest bid will be given the first opportunity to match.

The Osceola County Living Wage Certification Application packet includes:

- Living Wage Certification Application
- County Manager Procedures – Living Wage Certification Program
- Osceola County Resolution No. 16-055R
- U.S. Department of Health & Human Services FY 2019 HHS Federal Poverty Guidelines

Please complete the Living Wage Certification Application and include a quarterly Payroll Register that provides earnings detail for the quarter-to-date – see attached sample. The report provided should include:

1. Position Titles
2. Hourly Rates; include the amount of compensation and the number of hours worked for the report period
3. Benefit Status
4. Employment Status (Example: FT/PT, Seasonal, Temp, etc.)

Please provide a detailed description, 250 words or less, of your business or organization. The original signed Application and all supporting documentation should be submitted to:

Osceola County Board of County Commissioners  
Procurement Services Office  
Attn: Living Wage Certification  
1 Courthouse Square, Suite 2300  
Kissimmee FL 34741

You will be notified when we complete our review or if additional information or documents are required. Please note that the processing of the application may take approximately four weeks to complete after we receive all documentation.

**OSCEOLA COUNTY**  
**Application for Certification as Living Wage Certified Employer**



Name of Business: \_\_\_\_\_  
 Living Wage Primary Contact: \_\_\_\_\_

Physical Business Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Endorsement of Living Wage:**

I, \_\_\_\_\_, Owner/Manager of \_\_\_\_\_ endorse the idea that no one working full-time should earn less than a living wage. A living wage is the amount of income and resources (such as health insurance) needed for an individual or family to meet its basic needs without public or private assistance.

Description of your organization in 30 characters or less. For example, "Furniture Supplier" or "Surveying Company":

\_\_\_\_\_

**EMPLOYEES AND WAGES**

How many employees do you have in total? \_\_\_\_\_

Regular Full-Time Non-Exempt Employees: \_\_\_\_\_

Regular Part-Time Non-Exempt Employees: \_\_\_\_\_

How many are interns? \_\_\_\_\_

How many are apprentices? \_\_\_\_\_

How many are temporary or seasonal employees? \_\_\_\_\_

How many are new hires in a probationary period not to exceed 90 days? \_\_\_\_\_

Of the remaining employees, are all current regular full- and part-time employees paid at least the U.S. Department of Health & Human Services Current Year Federal Poverty Guidelines for a family/household of 4 persons (Health Benefits Excluded)? \_\_\_\_\_

Employers that provide health benefits to covered employees may pay the Living Wage less \$1.50 per hour, if the employer provides at least that much toward covering a portion of the cost of the employee's health insurance expenses. Do you provide health benefits to your employee of at least \$1.50 per hour? \_\_\_\_\_

How many tipped employees do you have? \_\_\_\_\_

How many commissioned employees do you have? \_\_\_\_\_

How many variable pay structure employees do you have? \_\_\_\_\_

**RAISES AND BENEFITS INCREASE**

Did you raise wages or benefits to qualify for the Osceola County Living Wage Certification Program? \_\_\_\_\_

If you raised wages, what was the amount per hour of the increase (ex: \$2.25)? \_\_\_\_\_

If you raised wages, how many employees received an increase? \_\_\_\_\_

If you raised wages, what is your estimated total annual cost? \_\_\_\_\_

If you increased benefits, what was the number of employees with benefits added? \_\_\_\_\_

If you increased benefits, what is your estimated total annual cost? \_\_\_\_\_

**EMPLOYER ATTESTATION AND AGREEMENTS**

Attests that the information provided in this application is true and accurate and no information is being withheld that would affect this application.

Agrees to notify Osceola County if employee compensation falls below the Osceola County Living Wage Requirements.

Agrees that your business or organization will not take retaliatory actions against employees that raise concerns about the Living Wage.

Certifies that you will inform your employees that your business or organization is Living Wage Certified upon approval of the

Certifies that you have the authority to represent this business or organization.

By signing below, you agree to the above statements:

\_\_\_\_\_  
 Authorized Signature / Title

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Printed Name





# COUNTY MANAGER PROCEDURES

**AUTHORITY:**

Administrative Code, Chapter One, Section 1.2 County Manager authorizes "The County Manager is responsible for the day-to-day administration of the County." and "J. Supervise, direct, and control all County Administrative departments."

**POLICY REFERENCE:**

Administrative Code, Chapter 1

**SECTION(S):**

1.1-12

**RELATED STANDARDS:**

Administrative Code, Chapter Three and the Cash Economic Stimulus Program

**PROCEDURE:**

Living Wage Certification Program

**AMENDS OR SUPERSEDES:**

**DATE OF INITIAL APPROVAL:**

**DATE OF REVISION(S):**

**DISTRIBUTION:** All Osceola County Employees

I. **PURPOSE:** To establish a certification program intended to reward existing and/or new Living Wage Certified (LWC) employers in our community, to provide employers with tools and incentives to increase workers' wages to a living wage, to connect consumers to employers that provide a living wage, and to promote a just and sustainable local economy.

II. **CHANGES TO DEFINITIONS:**

- A. **Apprentice:** Any person who is enrolled in and participating in an apprenticeship program as defined and approved by the State of Florida Department of Education.
- B. **Business:** A corporation, firm, association, syndicate, partnership, sole proprietorship, joint-stock company, joint venture, or any other legal entity.
- C. **Covered Employee:** A non-exempt employee, either full-time or part-time. As used in

this policy, covered employees do not include Apprentices, Temporary employees, Seasonal employees, or individuals performing internships where the primary emphasis is to provide the individual with base level experience.

- D. **Health Benefit:** A plan, fund, or program established or maintained by the Service Contractor/Subcontractor for the purpose of providing for its participants or beneficiaries, through the purchase of insurance or otherwise, medical, surgical, or hospital care benefits.
- E. **Living Wage Rate:** The U.S. Department of Health & Human Service Poverty Guidelines for a four person/family household, adjusted annually. The 2015 Guidelines are detailed in Appendix A
- F. **Living Wage Certification (LWC):** A status granted by the County that a business has, a) applied to receive Living Wage Certification status by Osceola County, b) met all requirements, and c) received approval from the County Manager or designee.
- G. **Living Wage Incentive Program (LWI):** Any program developed and administered by Osceola County the primary purpose of which is to encourage Businesses to pay Living Wages to its employees.
- H. **Location:** Principal place of business, headquarters, or other licensed place of business within the legal boundaries of Osceola County, Florida, which has been maintained for more than one (1) year prior to the issue date of the solicitation. The location must be staffed by full-time employees, be legally addressed to receive mail via the United States Postal Service, verified through the 911 system and be serviced by public utilities or permitted alternatives. At no time shall a field office located on County property and established for the purpose of construction of a County project be considered adequate for LWC.
- I. **Temporary Employee:** Employees hired to augment the regular workforce and are hired for three (3) months or less six (6) months or less in the case of a seasonal employee.
- J. **Seasonal Employee:** Employees hired to augment the regular workforce and are hired for six (6) months or less.

### III. PROCEDURES:

#### A. Eligibility Criteria for Certification

1. A business with a location in Osceola County.
2. Pay Covered Employees at least the living wage rate as defined in this document, under II. DEFINITIONS.
3. A LWC employer that does not provide Health Benefits to its Covered Employees must pay at least the current Living Wage to all its Covered Employees
4. A LWC employer that provides Health Benefits to Covered Employees may pay the Living Wage less \$1.50 per hour, if the employer provides at least that much toward covering a portion of the cost of the employee's health insurance expenses.
5. An employer may pay less than a living wage newly hired Covered Employees in a probationary period not to exceed three (3) months Supporting documentation related to circumstances described in this section must be submitted as part of the application process.

**B. Benefits for Certification**

1. "Living Wage Certified" emblem for display at place of business.
2. Special profile of the business on the Osceola County Website.
3. Qualifies the business to participate in Living Wage Incentive Programs (LWI), subject to program parameters.
4. Being part of a growing network of local employers dedicated to building a more sustainable economy.

**C. LWC Employer Responsibilities**

1. Adhere to the requirements identified under Section III, A, Eligibility Criteria for Certification, above.
2. Each LWC Employer shall post a "Living Wage Certification Information" poster provided by Osceola County, in an area that is highly visible to the employees and near the required Florida Labor Law poster.
3. If an employer is no longer willing or able to pay a Living Wage, the County must be notified in writing within thirty days.

**D. Administrative Fee Schedule - An Administrative Fee may be incorporated in the Countywide Fee Resolution to offset the costs of the program.**

**E. Initial Request for Application - Interested businesses will be able to find the application on the County's website. Additionally, they can send a letter, email or call requesting the "Living Wage Certification Application" to:**

Office: Osceola County - OMB  
1 Courthouse Square, Suite 2100  
Kissimmee, FL 34741  
Phone: (407) 742-1800  
Email: [livingwage@osceola.org](mailto:livingwage@osceola.org)

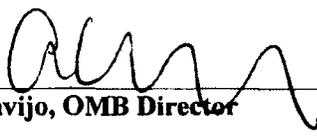
**F. Application Review and Processing**

1. Once the application has been submitted for certification and the application fee (if required) has been paid, the County staff will process the application.
2. If any additional information is required during the processing of the application the applicant will be contacted. The applicant must provide all requested information before the application will be submitted to the County Manager or designee.
3. Once all necessary information has been received, the application will be submitted to the County Manager or designee for approval. The County Manager or designee may approve an application, reject an application, or request additional information from the applicant or staff before making a decision. The applicant will receive notification of the decision.
4. Upon approval, a successful applicant will be added to the County's online and printed LWC directory, and will be sent a packet with the living wage poster, certification sticker, certificate and other related information.
5. Re-certification will be required every two years in order to remain active in the program.
6. Unless additional procedures are approved by the County Manager, the re-certification process will be the same as the application process.

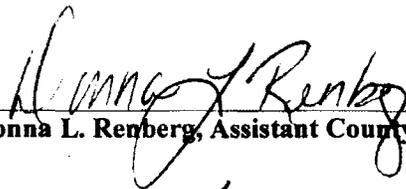
**G. LWC Compliance**

1. In order to ensure continued eligibility for certification, the County may conduct reviews of employers' records to include, but not limited to, a review of payroll records and/or interviews of covered employees. In these instances, the County will provide the employer with written notification. The notification will include the date and time of the review along with a scope of what will be reviewed.
2. It is important that the employer understand that the employees may have questions or concerns about the program, and that an employer must agree to not take retaliatory action against an employee raising concerns. Any retaliatory conduct by the employer will result in loss of certification.
3. The County may request additional information from the employer at any time to ensure compliance with the certification.
4. A certified employer's failure to adhere at all times to the qualifications for certification, including, but not limited to, failure to pay a living wage to all covered employees, may result in removal from the County's LWC list, as well as cancellation or termination of any contract or agreement awarded pursuant to certification. In addition, if warranted and appropriate, impacted employees may be informed of the County's Wage Recovery Ordinance.
5. In all circumstances except failure to renew or recertify, the final decision to revoke certification shall be made by the County Manager, or designee.

**REVIEWED BY:**

  
Amanda Clavijo, OMB Director

11/9/16  
Date

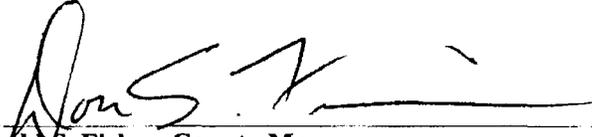
  
Donna L. Renberg, Assistant County Manager

11/09/16  
Date

  
Andrew Mai, County Attorney

11/9/16  
Date

**APPROVED BY:**

  
Donald S. Fisher, County Manager

11/9/16  
Date:

**RESOLUTION #16-055R**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA, AMENDING CHAPTER ONE OF THE ADMINISTRATIVE CODE; AMENDING CHAPTER THREE OF THE ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Osceola County Board of County Commissioners finds it necessary, from time to time, to restructure and /or make additions to the Administrative Code; and

**WHEREAS**, the County desires to improve the quality of life of its citizens through developing policies that encourage business' to provide a living wage to promote stability and quality in the workforce; and

**WHEREAS**, Chapter One of the Osceola County Administrative Code encompasses the Administrative Organization; and

**WHEREAS**, the Osceola County Board of County Commissioners has determined that it is in its best interest to amend Chapter One of the Osceola County Administrative Code, Administrative Organization to include a new Section 1.1-12 Living Wage Incentives Program; and

**WHEREAS**, Chapter Three of the Osceola County Administrative Code encompasses the Procurement Code; and

**WHEREAS**, the Osceola County Board of County Commissioners has determined that it is in its best interest to amend Chapter Three of the Osceola County Administrative Code, Procurement Code to include a new Section 3.11 Living Wage Incentives and Apprenticeship Programs; and

**WHEREAS**, such amendments have been prepared and copies thereof are attached.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA AS FOLLOWS:**

**SECTION 1. LIVING WAGE INCENTIVES PROGRAM.** The Living Wage Incentives Program Policy attached hereto as Exhibit "A" is adopted as an official policy of the Osceola County Board of County Commissioners and is hereby incorporated into the Osceola County Administrative Code as Section 1.1-12 of Chapter One.

**SECTION 2. LIVING WAGE INCENTIVES AND APPRENTICESHIP PROGRAMS.** Living Wage Incentives and Apprenticeship Programs Policy attached hereto as Exhibit "B" is adopted as an official policy of the Osceola County Board of County Commissioners and is hereby incorporated into the Osceola County Administrative Code as Section 3.11 of Chapter Three.

**SECTION 3. CONFLICTS AND SEVERABILITY.** All sections or parts of sections of all resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict. If any section, subsection, sentence, clause or provisions of this Resolution is held unconstitutional, inoperative, or void by a court of competent jurisdiction, such holding shall not affect the remainder of the Resolution.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED this 07<sup>th</sup> day of March, 2016.

**OSCEOLA COUNTY, FLORIDA**

By: *Richard Jamer*  
Chairwoman/Vice Chairwoman  
Board of County Commissioners

ATTEST:  
OSCEOLA COUNTY CLERK OF THE BOARD

By: *Victoria T. Whaley*  
Clerk/ Deputy Clerk of the Board



As authorized for execution at the Board of  
County Commissioners meeting of:

*March 07, 2016*  
*Resolution 16-055R*

## **EXHIBIT "A"**

### **1.1-12 LIVING WAGE INCENTIVES (LWI) PROGRAM.**

The County desires to encourage the improvement to the quality of life of its citizens through the payment of an adequate wage that promotes stability and quality in the workforce, and does not perpetuate underemployment, while at the same time not creating unemployment. As such, staff is directed to develop programs to support Living Wage Incentives (LWI) wherever possible.

## **EXHIBIT "B"**

### **3.11 LIVING WAGE INCENTIVES (LWI) AND APPRENTICESHIP PROGRAMS**

It is the intent of the County, by providing opportunities to reward existing and/or new employers providing a Living Wage to their employees, to promote a just and sustainable local economy. As a result, Living Wage Certified (LWC) employers are strongly encouraged to participate in the County's solicitation processes. This is further encouraged through incentives.

#### **3.11-1 COST BASED SELECTION.**

Whenever the County is considering two (2) or more Bids, proposals, or responses to a Solicitation for the Procurement of Services, which are equal with respect to quality, and Services, where at least one (1) response is from a Living Wage Certified (LWC) employer who is willing to match the lowest bid received, the County shall award such Procurement or Contract to the LWC Bidder. If one (1) or more Bidders are entitled to this incentive, the LWC Bidder having the lowest Bid will be given the first opportunity to match. The aforementioned process will be used progressively as applicable.

#### **3.11-2 QUALIFICATION BASED SELECTION.**

Whenever appropriate, the incentive will provide for up to five (5) points for a Living Wage Certified (LWC) vendor as one component of the established evaluation criteria. The solicitation documents will specifically identify the amount of available points. A LWC vendor would then be eligible for the specified points

#### **3.11-3 APPRENTICESHIP OPPORTUNITIES.**

During the solicitation of certain Construction Manager at Risk (+\$5 million) services, should a LWC vendor affirm and provide required documentation of a viable apprenticeship program, the County may add up to five (5) points to the evaluation criteria, where not prohibited by law

 **U.S. Department of Health and Human Services**  
(<http://www.hhs.gov/>)

 **Administration for Children and Families**(<http://www.acf.hhs.gov/>)




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Search the LIHEAP website

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**Federal Poverty Guidelines for FFY 2019**

<i>Size of family unit</i>	<i>100 Percent of Poverty</i>	<i>110 Percent of Poverty</i>	<i>125 Percent of Poverty</i>	<i>150 Percent of Poverty</i>	<i>175 Percent of Poverty</i>	<i>185 Percent of Poverty</i>	<i>200 Percent of Poverty</i>
1	\$12,140	\$13,354	\$15,175	\$18,210	\$21,245	\$22,459	\$24,280
2	\$16,460	\$18,106	\$20,575	\$24,690	\$28,805	\$30,451	\$32,920
3	\$20,780	\$22,858	\$25,975	\$31,170	\$36,365	\$38,443	\$41,560
4	\$25,100	\$27,610	\$31,375	\$37,650	\$43,925	\$46,435	\$50,200
5	\$29,420	\$32,362	\$36,775	\$44,130	\$51,485	\$54,427	\$57,840
6	\$33,740	\$37,114	\$42,175	\$50,610	\$59,045	\$62,419	\$67,480
7	\$38,060	\$41,866	\$47,575	\$57,090	\$66,605	\$70,411	\$76,120
8	\$42,380	\$46,618	\$52,975	\$63,570	\$74,165	\$78,403	\$84,760

For all states (except Alaska and Hawaii) and for the District of Columbia.

Note: For optional use in FFY 2018 and mandatory use in FFY 2019

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**2005-2019 NCAT**

**Site Map**

**Phone: (406) 494-8662**

**Fax: (406) 494-2905**

**Email: LIHEAP Webmaster**

**[ACF Privacy Policy](http://www.acf.hhs.gov/privacy-policy)**(<http://www.acf.hhs.gov/privacy-policy>)

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