

**CareerSource Pinellas
Executive Committee Meeting Minutes**

Date: February 14, 2018 at 11:00am
Location: 13805 58th Street North

Call to Order

Chairman Jack Geller called the meeting to order at 11:00am.
There was a quorum present with the following Executive Committee members participating.

Committee Members in attendance

Dr. Bob Arnold (phone), Tom Bedwell, Jack Geller, Karla Leavelle, Michael Mikurak, Lenne Nicklaus, William Price, Commissioner Patricia Gerard.

Committee Members not in attendance

Sandy Ho

Staff Present

Edward Peachey, Kimberly Williams, Jennifer Brackney, Donald Shepherd, Luna Clarke, Jason Druding, Joseph Calhoun.

Board Counsel: Charles Harris

Guest (s): Whitney Creech - Office of Comm. Gerard

Marion Hale - Johnson Pope

Michael Short - State Attorney's Office

Mr. Tom Rask

Mr. Kim Marston (Board member)

Mark Puente and Zachary Sampson- Tampa Bay Times

Chair's Report

- There is currently a vacancy in the "Chair Elect" position. Interested parties may notify Interim Director Brackney regarding their interest in the position. A nomination committee will then be formed to address the matter.

-Chairman Geller called a Workshop meeting for Wednesday February 21, 2018 at 2:00pm, inviting both CSPIN and CSTB board of directors to attend, as well as any member of the public. The meeting will not consist of any action items to be voted on. General discussion will include:

-The current organizational structure of the company, and how to move forward with the two regions.

-Discussion on whether or not to hire a media "crisis management firm".

Action/ Discussion Items

1. Action Item 1- Approval of Minutes

The minutes of the December 6, 2017 Executive Committee meeting were presented for approval.

Motion: Tom Bedwell

Second: Lenne Nicklaus

The minutes were approved as presented. The motion carried.

2. Action Item 2- Approval of Minutes

The minutes of the January 31, 2018 Executive Committee special meeting were presented for approval.

Motion: Tom Bedwell
Second: Michael Mikurak

The minutes were approved as presented. The motion carried.

3. Action Item 3- Approval of Minutes

The minutes of the January 9, 2018 Ad Hoc Committee meeting were presented for approval.

Motion: Tom Bedwell
Second: Lenne Nicklaus

The minutes were approved as presented. The motion carried.

4. Discussion Item- Ad Hoc Committee: Summary of Follow-up Actions

The joint Ad Hoc Committee of CareerSource Pinellas and Tampa Bay met on Friday February 9, 2018 to discuss and review the placement practices of both regions. Board Counsel gave a detailed presentation on the matter, and also addressed the most recent allegations made by the Pinellas County's Sheriff's office. The members discussed the information provided by Board counsel, asked questions and suggested the following:

- Send the information presented by Board Counsel to DEO and CareerSource Florida to obtain clarification about the placement rules in place. Verify that the method of placement that CSPIN and CSTB follow complies with those procedural rules.
- Report on payroll records of Business Services staff, showing base pay, incentives, and bonuses.
- Investigate further in the Sheriff's claim of signature forgery. Requests to see all the paperwork associated with the OJT/PWE process given to the listen 10 individuals, to see if the aforementioned procedure was followed.
- Find out how are we using the information given to staff on the Employer-provided list? At what stages of hiring/employment are we using that information?

Board Counsel is currently gathering all the necessary information to satisfy the follow-up actions. Once completed, another Ad Hoc Committee meeting will be scheduled to discuss. Committee members reiterated the need for promptness in addressing the serious allegations that were made.

Board members comments:

Commissioner Gerard: Referenced to Title 20 of the Code of Federal Regulations. Does not believe that there could be a misunderstanding of what constitutes as a placement.

Leavelle: Inquired about Governor's office involvement. Why has the placement practices not been flagged by the many audits conducted over the years, if the practice is indeed improper? What has been the directive given to Geographic Solutions, on how to code job placements in the online system?

Geller: Governor's office is now fully engaged in the investigation process and has requested necessary documents from CareerSource. Letters will be sent out to both the Governor and the office of the Inspector General, to ask for their guidance on the placement process. Would like a representative from those offices to attend a meeting in person and address the questions that Board members have. Though management is in a bit of disarray, front-line staff is still continuing to provide the many services to the individuals we serve, which is a top priority.

Bedwell: Reinforces that the individuals on the employer-provided lists still had to be screened in the system, for programs eligibility. This consists as a service.

Harris: Both Gerard and Bedwell are right in their statements about how placements are interpreted. There is no legislative history or case law that interprets the provision. Recommends that it is prudent to outline how the employer provided list (EPL) process works, disclose it to DEO, to find out whether it qualifies as an acceptable method of taking credit placements. If DEO states otherwise, request guidance from them on how to remove credit taken from those placements.

Price: If all the remaining regions are entering placements the same way, they may not admit to it, especially amid the current scrutiny. Over the years, no audit or benchmarks have categorized CSPIN and CSTB as outliers, over placement numbers. This begs the question whether or not the practice is an anomaly.

Nicklaus: The process of entering placement through employer lists is not one that only those two regions created. Though the EPL practice may be strange, could it be possible that the directive had to come from a higher authority?

Mikurak: Further understanding is needed on the employer provided list (EPL) process, whether that has been followed and accepted by the various audits done through the years, and where the disconnect occurred. In the interim, the organization and staff members need to continue to provide various services needed to the community.

Gerard: Made a motion to direct staff to temporarily suspend the practice of direct placement coding in the Employ Florida system, if job-seekers information was strictly obtained from an EPL, with no direct contact with the job-seekers themselves.

Leavelle: Not prepared to vote on the motion. Has a concern that the State could very well confirm that the current placement practices are in par with guidelines. Unless there is proof that the remaining regional workforce boards are also making that change, it would be unwise to discontinue it. Stresses that this situation goes beyond just the two regions, but impacts the entire State of FL and the numbers that have been provided to the Federal Government.

Gerard: Withdraws her motion.

5. CEO Administrative Leave/ Interim Director

Board member Mr. Kim A. Marston acted within the allotted five-day period given to all Board members via consent agenda. Mr. Marston is questioning the action taken by former chair, Mr. Aundre Green on February 1, 2018 and stated the following: "Mr. Marston has raised a procedural question regarding the legitimacy of former chair Aundre Green's unilateral actions, and respectfully requests that the Executive Committee reach an official decision to place Mr. Edward Peachey on paid administrative leave while investigations are ongoing and to appoint Ms. Jennifer Brackney as Interim Director, if such actions represent the will of the Committee." The February 1, 2018 Letter to Stakeholders and Mr. Marston's correspondence are attached.

Mr. Marston was present at the meeting and explained his reasons for submitting his correspondence.

Motion: Tom Bedwell

Second: Karla Leavelle

The Executive Committee recommends placing Mr. Edward Peachey on paid administrative leave until March 8, 2018. The Committee will make a new decision on Mr. Peachey's employment at their next meeting on March 7th. The motion carried.

Motion: Tom Bedwell

Second: Patricia Gerard

The Executive Committee recommends appointing Jennifer Brackney as CareerSource Pinellas Interim Director, until a decision has been made in regards to Mr. Peachey's employment. The motion carried.

6. Request for extension: Submittal of Workforce Plan 2-year Modification

The 2016-2020 Local Workforce Services Plan was developed in accordance with 2016-2020 Local Workforce Services Plan Instructions provided by the Florida Department of Economic Opportunity. It was approved by the Local Workforce Board (February 3, 2016) and the Board of County Commissioners (February 23, 2016). On January 4, 2018, DEO sent an email requiring each Local Workforce Development Board (LWDB) to develop a two-year modification to their four-year WIOA Local Workforce Plan. The modification to the local plans is due no later than close of business on March 29, 2018. The modification must be reviewed, posted for 30-day public comment, and approved by the Local Workforce Development Board and the Board of County Commissioners. There are relatively few changes made from the original guidelines. However, due to focus on recent events, we would like to make a request to the State to allow for a one month extension in order to allow appropriate time for review and input.

Motion: Michael Mikurak

Second: Patricia Gerard/ Tom Bedwell

The Executive Committee recommends requesting a one month extension for submission of the Local Workforce Services Plan – Two-Year Modification. The motion carried.

7. Withdrawal of Charter School Application

It was proposed to transform the Tampa Bay YouthBuild program into a charter school in Pinellas County School District for the 2019-2020 school year. An application was submitted to Pinellas County Schools in early February. Upon further review of the process, CareerSource would like to respectfully withdraw the application for the Science Center Charter School of Pinellas at this time.

Motion: Michael Mikurak

Second: Lenne Nicklaus/ Patricia Gerard

The Executive Committee recommends moving forward in submitting a letter to withdraw the Charter School application from further consideration by Pinellas County Schools at this time, and resubmit it at a later time. The motion carried.

8. Budget Modification 4: PY 2017-2018

Total budgeted revenue has increased from \$15,425,653 to \$15,909,627 for an overall increase of \$483,974. This is due to the following:

Workforce Investment Act Programs:

New award – Governor’s Challenge-Hurricane Maria for \$21,280

Increase in Governor’s Challenge of \$183,334

Employment Services Programs:

Increase in SNAP of \$33,000

Increase in TAA of \$59,423

Direct Grants and Special Programs:

Increase in NEG SP of \$186,937

Motion: Patricia Gerard

Second: Bill Price

The Executive Committee recommends approval of adjustments to the revenue budgets and resultant modifications to the expenditures budgets. The motion carried.

Other Administrative Matters

-Board members commented on various matters, including the upcoming Workshop meeting called by the Chairman, the need to have State involvement in the ongoing investigation and promptly

obtain answers, a follow-up to the claims made by the Sheriff's department and the possibility of scheduling another Ad Hoc Committee once more information is obtained.

Information Items

The Financial report summary for period ending 12/31/2017 was provided in the meeting packet. CareerSource Pinellas has expended approximately 40% of its 2017-2018 budgets.

Committee Reports

An informational update was provided for the following committees: Audit, One Stop, Workforce Solutions and Science Center.

Interim Director's Report

-Emphasis on the need to have an interim operational plan which needs to be discussed at the upcoming Workshop mentioned by Chairman Geller.

-Board members recommend sending 1-2 staff member to represent CSPIN at the 2018 NAWB meeting in Washington.

Public Comments

Members of the public were given an opportunity to ask questions and make comments: Namely, Mr. Tom Rask.

Adjournment

The meeting was adjourned at approximately 12:22 PM.