

**Board of Directors  
Agenda**

<b>I. Welcome and Introductions</b>	.....	Karla Leavelle, Chair
<b>II. Roll Call</b>		
<b>III. Chair’s Report</b>		
<b>IV. Action/Discussion Items</b>		
1. Approval of minutes: 09/18/19 BOD	.....	Page 2
2. Administrative Policies	.....	Page 11
<i>Finance Committee</i>	.....	<i>David Fetkenher (Steven Meier)</i>
3. PY 2019-2020: Budget Modification 1	.....	Page 78
<i>Ad Hoc CEO/Legal Counsel Committee</i>	.....	<i>Karla Leavelle</i>
4. CEO Contract Renewal	.....	Page 80
5. Vendor Recommendation: Legal Services RFP	.....	Page 87
<i>Compensation Committee</i>	.....	<i>Candida Duff (Nancy Schultz)</i>
6. Health and Wellness Plan	.....	Page 88
7. 2019 Employee Handbook	.....	Page 89
8. Human Resources Policies	.....	Page 133
9. Strategic Policies	.....	Page 188
10. Onboarding Checklist	.....	Page 201
11. Organizational Chart	.....	Page 205
12. Cybersecurity: Ransomware Update	.....	Page 207
13. Local Workforce Development Board Plan	.....	Page 208
<b>V. Other Administrative Matters</b>		
<b>VI. Information Items</b>		
1. Compliance Review	.....	Page 210
2. Science Center Update	.....	Page 211
3. DEO Daily Governor’s Report	.....	Page 212
4. Performance Dashboard (as of 11/8/19)	.....	Page 214
5. Financial Reports through September 30, 2019	.....	Page 216
<b>VII. Committee Reports</b>		
1. Ad Hoc CEO/Counsel Selection Committee	.....	Karla Leavelle
2. Finance Committee	.....	David Fetkenher (Steven Meier)
3. Compensation Committee	.....	Candida Duff (Nancy Schultz)
4. One Stop Committee	.....	John Howell (Michelle Moeller)
5. Workforce Solutions Committee	.....	Mark Hunt (April Torregiante)
<b>VIII. CEO Report</b>	.....	Jennifer Brackney
<b>IX. Public Comments</b>		
<b>X. Open Discussion</b>		
<b>XI. Adjournment</b>		



## **Action Item 1**

### **Approval of Minutes**

In accordance with Article VII, Section 1(H), of the approved WorkNet Pinellas By-Laws: Minutes shall be kept of all Board and Committee meetings. Minutes shall be reviewed and approved at the next CareerSource Pinellas Board or Committee meeting as appropriate.

The official minutes of meetings of the Board and Committees of the Board are public record and shall be open to inspection by the public. They shall be kept on file by the Board Secretary at the administrative office of CareerSource Pinellas as the record of the official actions of the Board of Directors.

The draft minutes from the September 18, 2019 meeting of the Board of Directors have been prepared and are enclosed.

#### **RECOMMENDATION**

Approval of the draft minutes, to include any amendments necessary.

## **CareerSource Pinellas Board of Directors Minutes**

Date: Wednesday September 18, 2019 at 11:45 A.M.  
Location: Epicenter: 13805 58<sup>th</sup> Street N. Clearwater, FL.

### **Call to Order**

Chairwoman Leavelle called the meeting to order at 11:45 a.m. and welcomed all participants. There was a quorum present with the following board members.

### **Board Members in attendance**

Vivian Amadeo (phone), William Apple (phone), Jody Armstrong, Candida Duff, Celeste Fernandez, Jack Geller (phone), Commissioner Patricia Gerard, Barclay Harless, Andrea Henning (phone), John Howell, Mark Hunt, Michael Jalazo, Carolyn King (phone), Samuel Kolapo (phone), Karla Leavelle, Russell Leggette (phone), Joanne Lentino, Michael Meidel, Dr. Rebecca Sarlo (phone), Chad Simpson, Amy VanNess (phone), Scott Wagman, Zachary White, Kenneth Williams (phone).

### **Board Members Absent**

Manny Bhuller, James England, David Fetkenher, Dr. William Law, Michael Logal, Kay McKenzie, Debbie Passerini, Sheryl Sheppard, Glenn Willocks.

### **Guests**

Dan McGrew – Dynamic Workforce Solutions  
Tara Yurkshat – Society for the Prevention of Cruelty to Animals of Tampa Bay  
Angela Grannan – Smith & Associates Realty

### **Staff in attendance**

Jennifer Brackney, Don Shepherd, Steven Meier, Michelle Moeller, April Torregiante, Dawn Evans, Luna Clarke, Steven Blakey and Carlows Ellis.

### **Welcome & Introductions**

Chairwoman Leavelle welcomed all the participating members. Highlighted in the chairman's report was the recent Workforce Professional Summit, which was held in Orlando, FL. Mark Hunt of Pinellas County Schools was nominated for the workforce partner award. Ms. Candi Orsini received the Workforce Champion Award for region 14, for her outstanding work with job-seekers in the region. The event was successful in increasing communication between representatives of the 24 workforce regions. Additionally, it gave board members who attended a chance to get some insight into the FL Workforce Chair Alliance, as well as the CareerSource Florida network.

### **Action Item 1 – Approval of the Minutes – 08.16.2019 Board of Directors**

The minutes of the August 16, 2019 Board of Directors meeting were presented for approval.

Motion: Commissioner Gerard  
Second: Barclay Harless

*The minutes were approved as presented. This motion carried unanimously. There was no further discussion.*

### **Action Item 2 – Iguana Sanctuary Relocation**

On 7/17/2019, the Board of Directors unanimously tabled the discussion regarding the iguana relocation until further information can be finalized and presented. Board members suggested to reach out to other organizations such as Florida Fish & Wildlife to inquire about possible options concerning the animals. According to the Captive Wildlife office, a permit is not needed to transfer the iguanas. Similarly, it is not needed to go through the Amnesty program to transfer the animals, as long as they are not being sold. WorkNet Pinellas had previously reached out to the Society for the Prevention of Cruelty to Animals (SPCA) and has since had a chance to finalize the agreement to transfer the iguanas to the SPCA. If agreeable by the Board of Directors, WorkNet would like to ensure the continued care for the iguanas through a partnership with SPCA and Gulf Coast Iguana Rescue. SPCA will assume all responsibilities for the care of the animals, provided that WorkNet covers the costs for the construction of a new habitat. WorkNet would reimburse the SPCA for costs associated with the construction of the Habitat, provided that said costs do not exceed Forty Thousand Dollars (\$40,000.00). Any and all payments to the SPCA would be made in the form of invoices. SPCA and the FL Fish and Wildlife would take this opportunity to educate the public about the humane treatment of all animals, including non-native species, such as iguanas.

Discussion: Ms. Yurkshat of the SPCA gave a brief overview of the organization and the role they will play in assisting with the transition of the iguanas to a new location. The organization also has an avenue for adoption, which ties into their mission for the fair treatment of animals. Board Members commended Ms. Brackney for her due diligence throughout this process and hope to put this matter to rest.

Motion: Jack Geller  
Second: Commissioner Gerard

*The Board of Directors approved the expenditure of up to \$40,000 for the Society for the Prevention of Cruelty to Animals (SPCA) to build a habitat to relocate the Iguanas currently housed at the Science Center of Pinellas. All invoices of costs and expenditures will be documented by the SPCA. The motion carried unanimously.*

### **Action Item 3 – South County Center Lease**

CareerSource Pinellas originally moved into this location in 2008. This location quickly became the busiest center, seeing 45% of all traffic. The South County location is a full service career center offering all services that include but are not limited to: Job Seeker Services, Veteran Services, WIOA, Youth Services, WTP and SNAP. Additionally, the space is shared with three in-house partners: Job Corps, Non-Custodial Parent Employment Program and AARP (Senior Community Service Employment Programs). The details of the lease renewal with Pinellas County Schools are listed below:

- Center address: 3420 8th Avenue South, St. Petersburg, Fl. 33711.
- The new lease continues to cover the same total square footage of 11,025.
- Total cost is remaining the same at \$11.25 per square foot, \$10,335.93 per month, \$124,031.25 per year.
- Duration of the lease: 1 year lease with an option to renew for 3 additional years.

Motion: Scott Wagman  
Second: Jody Armstrong  
Abstain: Mark Hunt (as an employee of Pinellas County Schools)

*The Board of Directors approved to renew the lease with Pinellas County Schools as stated above, maintaining current square footage for a 1-year lease, with an option to renew for 3 additional years. The motion carried unanimously with all the participating board members, with the exception of Mr. Hunt who abstained from the vote due to conflict of interest, as an employee of PCS.*

### **Action Item 4 – Annual 401(K) Plan Audit**

WorkNet Pinellas, Inc. 401k Plan is required to have an annual audit by an Independent CPA firm. The Audit Committee approved Powell & Jones to perform a limited scope audit at its July 16, 2019 meeting. As permitted under the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, the plan administrator instructed Powell & Jones to perform a limited scope audit and thus, they did not perform any auditing procedures with respect to any investment information which was certified by Reliance Trust Company. Powell & Jones did perform audit procedures on employee eligibility, employer and employee contributions, etc. Their responsibility is to express an opinion on the 2018 financial statements based on conducting the audit in accordance with auditing standards generally accepted in the United States. Because Powell & Jones performed a limited scope audit they did not express an opinion on the 2018 financial statements. Their audit report is attached.

Motion: Scott Wagman  
Second: Michael Meidel

*The Board of Directors approved the enclosed 401(k) report. The report will be filed along with the form 5500 by October 15, 2019. This motion carried unanimously.*

### **Action Item 5 – Health and Wellness Plan**

CareerSource Pinellas has invested a significant amount of time to better understand the collective voice of our workforce. We have accomplished this through the Employee Engagement Survey conducted by People Element, opening lines of communication and hosting regular Town Hall meetings. Through these venues, three specific areas of focus have been identified for our employees, 1) reviewing total compensation (salary and benefits), 2) improving communication, and 3) providing training opportunities. In February 2019, hrEdge Consulting conducted a Comprehensive Salary Review. The review was designed to focus on salary range equity externally, as well as internal structure of position titles. One result of this review was the development of a new Job Title Family Structure with aligning Pay Grades implemented on July 1, 2019. Throughout the process of listening to our employees, we have heard their call for a more equitable approach to offering health and wellness benefits. The current benefit plan offers a 28% Benefit Stipend to select from a cafeteria plan of various categories of health and wellness. Employees shared that overall they were satisfied with the benefit choice offerings and their ability to customize a plan that meets their specific needs. However, they also shared their concern that the stipend based on salary is inequitable. As we move forward with a benefit plan for 2020, it is important that we listen to the concerns of our employees and adopt a plan that takes into consideration their concern about equity, while providing for continued choice and customization to meet their individual needs. At CareerSource Pinellas, we believe employees are a valued asset. To remain competitive within the labor market, it is critical that we offer a compensation package that includes comprehensive health and wellness benefits. To assist with this process, on July 17, 2019, Hub International was selected as the

new benefit broker. As the benefit broker, Hub has assisted with reviewing the current employee census, estimating the anticipated cost of health insurance, and identifying options for a comprehensive health and wellness benefit package. The current census is 59 full-time employees with 42 employees (70 percent) currently enrolled in the CareerSource Pinellas-sponsored health insurance. Hub explored renewal costs with Cigna, the existing carrier, as well as United Health Care and Aetna. At this time, Hub cannot provide a guaranteed health insurance rate for January 1, 2020. However, Cigna did advise Hub that CareerSource should anticipate up to a 30% increase in premiums in 2020. Based on this research, we are presenting three options for consideration: Option #1 – 28% Benefit Stipend Plan, Option #2 – Defined Benefit Plan, and Option #3 - Hybrid Benefit Plan.

**OPTION # 1: 28% BENEFIT STIPEND PLAN:** Career Source Pinellas continues to offer a 28% stipend of the annual salary for employees to participate in a cafeteria style benefit plan. The cafeteria plan allows employees to make their choice from various categories of health and wellness benefits. The 28% Benefit Stipend Plan is awarded in two parts 1) Medical stipend equal to the premium of the minimum essential plan (\$8,190 annually) and 2) Benefit stipend (28 percent less the \$8,910). The average cost of the 28% Benefit Stipend Plan is \$13,967 per employee annually.

**OPTION # 2: DEFINED BENEFIT PLAN:** CareerSource Pinellas offers a Defined Benefit Plan. This plan provides a defined health and wellness package. The package includes the following: Silver Medical Plan, Dental, Vision, Life AD& D and Long and Short Term Disability. Employees can elect or decline coverage. The Defined Benefit Plan does not allow for employee choice or customization to meet their individual needs. The cost of the Defined Benefit Plan is \$13,080 per employee annually.

**OPTION # 3: HYBRID BENEFIT PLAN:** CareerSource Pinellas offers a Hybrid Plan. The Hybrid Plan offers the best of both worlds. It continues to offer benefit stipend for employees to participate in a cafeteria style benefit plan. The cafeteria plan allows employees to make their choice from various categories of health and wellness benefits. However, the benefit stipend is offered at a flat, standardized rate for all employees. It is not based on salary. It is based on the estimated cost of a comprehensive, competitive benefits package. In addition to having choice, the plan offers a defined benefit component including Life Insurance, AD&D, Long and Short Term Disability. The Hybrid Benefit Plan is awarded in three parts 1) Medical stipend to equal the premium of the minimum essential plan (\$8,190 annually), 2) Benefit stipend of a flat rate, standardized amount of \$4,390 to spend on cafeteria plan offering of benefits, and 3) Defined benefit of Life Insurance, AD&D, Long and Short Term Disability. The estimated cost per each employee of the latter is \$500. The cost of the Hybrid Benefit Plan is \$13,080 per employee annually.

**Current Enrollment Summary:** The current census is 59 full-time employees with 70 percent of the employees enrolled in CareerSource-sponsored health insurance including: 28 percent - Gold plan, 28 percent - Silver plan, 5 percent - Bronze plan, and 8 percent - Base plan. Over 70 percent of employees are enrolled in a CareerSource-sponsored dental and vision plans. There is robust participation in the Supplemental plans with LTD, STD, FSA, Life Insurance, and Accident with the highest percent of enrollment. At the start of 2019, there was 100 percent employee participation in the CareerSource-sponsored health and/or benefit plans.

**Impact to Employees:** With the implementation of either the Defined Benefit Plan or the Hybrid Plan, the impact to employees ranges from annual minimum loss of \$82 to a maximum loss of \$35,920. As expected, the impact will be higher for the six higher compensated staff. Almost 70 percent of employees will gain from a minimum of \$232 to a maximum of \$3,490 in resources to support additional health and wellness benefit.

**Benefit Plan Comparison:** The benefit amount per employee for both Option #2 and Option #3 is \$13,080. The distribution of this benefit amount varies based on the plan. Option #2 offers a standardized Silver Plan with dental, vision, LTD, STD and Vol Life. Option #3 offers an allotment for the base plan with the opportunity participate in a cafeteria style benefit plan. The cafeteria plan allows employees to make their choice from supplemental health and wellness benefits including upgrading health insurance plans. Additionally, it offers defined benefits for all employees of LTD, STD and Vol Life. The main difference between the two plans is the flexibility for employees to create the mix of benefits that best meets their individual needs. CareerSource Pinellas anticipates a total of 65 benefit eligible employees for PY'2019-2020.

Motion: Scott Wagman  
Second: Mark Hunt

***The Board of Directors adopted the Hybrid Benefit Plan - Option #3. This plan provides an equitable option to providing benefits while continuing to offer choice and customization to meet individual needs. This option promotes a more equitable approach to offering benefits, invests in the overall health and wellness of our employees, and provides a robust benefit plan to attract and retain talent. This motion carried unanimously.***

**Other Administrative Matters –** The Ad Hoc CEO/Counsel Selection Committee met this morning, before the Board Meeting. The discussion was centered on the renewal of a CEO Contract for Ms. Brackney. On 8/16/19, the Board approved to enter into negotiations to renew the employment contract for Jennifer Brackney as CEO of CSPIN for a multi-year term. The current CEO contract expires on October 31st. This expiration date does not allow the opportunity to bring the contract renewal to the full board for approval, since the next scheduled Board meeting is for November 20, 2019. The Committee recommended a 1-month extension of the CEO contract for Jennifer Brackney, with a new expiration date of November 30<sup>th</sup>. This extension would be done in writing, maintaining all the elements of the current contract in effect. Any pay increase associated with the negotiation of a new contract for Ms. Brackney would be made effective retroactively to November 1<sup>st</sup>, 2019.

Motion: Jack Geller  
 Second: Commissioner Gerard

*The Board of Directors approved to extend the CEO contract for Jennifer Brackney by one month, through November 30, 2019. Any pay increases associated with the negotiation of a new contract will be made effective retroactively to November 1<sup>st</sup>, 2019. The motion carried unanimously.*

**Information Items**

**Information Item 1 – CSPIN By-Laws (as approved by Pinellas County BOCC)**

The Pinellas County Board of County Commissioners (BOCC) provided revisions to the CSPIN By-Laws. Those revisions reflected the roles and responsibilities of the board members and the Chief Local Elected Officials (CLEO). The document was presented to the Board of Directors on several occasions for their review and approval, as listed below:

- ✓ Ad Hoc Review Committee – 12/12/2018
- ✓ Ad Hoc Review Committee – 01/11/2019
- ✓ Board approved – 02/06/2019
- ✓ BOCC denied – 03/12/2019 (Counsel)
- ✓ Board approved – 06/05/2019 (Board size from 31 to 33)
- ✓ BOCC anticipated approval – 07/23/2019

Modifications: On July 23, 2019 the BOCC modified and approved the CSPIN By-Laws, to make changes as follows:

- Page 2 of the document – A. Adopting, amending or repealing the Articles ~~or By-Laws~~;
- Page 3 of the document, points Q & R – The selecting, hiring and terminating of the Chief Executive Officer and Legal Counsel are now subject to the approval of the Board of County Commissioners.
- Page 3 of the document – Adding a stipulation to Article III, Section 2 of the By-Laws to state the following: *“Nothing herein shall be construed to prevent the Pinellas County Board of County Commissioners from removing the CSPIN Executive Director or legal services provider. Removal of the CSPIN Executive Director or legal services provider is a power reserved to the Pinellas County Board of County Commissioners as the Chief Elected Official.”*
- Page 16 of the document – Amending Article XII, Enactment Provision to include the role of the BOCC as the region’s CLEO: *“Pursuant to 20 C.F.R. 679.310(g), these by-laws shall become effective after approval by the Pinellas County Board of County Commissioners acting as the Chief Elected Official.”*

Previously, the enactment provisions stated: *“These By-laws shall become effective after approval by a two-thirds vote of the [Board] membership after due notice to the membership. Reasonable notice shall be given prior to the meeting at which these By-laws are enacted.”*

Discussion: Board members discussed the modifications at length, with the understanding that the Interlocal Agreement with Pinellas County would need to also be modified to reflect the language in the By-Laws. There was a shared feeling among most board members that it would be of no benefit to contest the County on this stance. Commissioner Gerard explained that the County wants to be maintain oversight over the Board of Directors as its Chief Elected Official, not to stifle nor absorb the organization as a whole. Some board members expressed concerns about the possible risk that the County Commission may exert political influence of the Board of Directors, or that some confusion may arise as to whom the CEO and/or Board Counsel reports to, if the County is given the authority to fire those individuals. Commissioner Gerard assures to take the concerns of the group back to the County Commissioners.

**Information Item 2 – Science Center Items – Relocation Progress**

Ms. Angela Grannan of Smith and Associates was present at the meeting to give a summary of the timeline of events/activities by the City of St. Petersburg, regarding the acquisition of the Science Center property. This was provided as a handout to the Board Members.

On June 5, 2019 the Board of Directors entered into agreement with the City of St. Petersburg for the sale and purchase of the Science Center property. A tentative closing date is set for late November 2019. Ever since, CareerSource Pinellas staff has been working diligently to relocate several large items, as well as various animals previously housed on the property to new homes. All of the animals have been adopted by individuals who previously cared for them and will continue to do so in the most humane way. Several of the fixtures have been donated to local organizations who will integrate and use them in their educational programs or to further STEM activities. Below is a table tracking this progress.

Item / Animal	Quantity	Estimated Value	Status	Recipient
Iguana Sanctuary	1	\$40,000	Pending	SPCA
Touch Tank	1	\$3,000	Donated	Little Oceans
Aquariums	3	N/A	Donated	Little Oceans
Fossils	Multiple	N/A	Donated	Janine Cianciolo
Snake (Elliott)	1	N/A	Adopted	Paula Sandusky
Tarantula	1	N/A	Adopted	Angela Derriso

Cane Toads	2	N/A	Adopted	Angela Derriso
Ball Python (Layla)	1	N/A	Adopted	Paula Sandusky
Shell Exhibit	Multiple	N/A	Donated	St. Petersburg Shell Club
Arthropods	2	N/A	Adopted	Vicki Wilhelmi
Meade Telescope	1	\$4,000	Donated	St. Pete Astronomy Club
Mosaic Walk of States			Pending	
Planetarium			Pending	
Rocks in Geology Room	Multiple	\$2,500	Pending	St. Petersburg College
Vocational Training Equipment			Pending	

A motion was made to donate the Rock Collection in the Geology Room to St. Petersburg College, to be used for educational purposes.

Motion: Commissioner Gerard  
Second: Barclay Harless

*The Board of Directors approved to donate the rock collection in the geology room to St. Petersburg College. This motion carried unanimously.*

### Information Item 3 – Career Resource Center Update

During PY' 2018-2019 CareerSource Pinellas offered two full service and two satellite centers.

Full Service Centers	Address	Services Offered
South County	3420 8 <sup>th</sup> Ave S St. Petersburg, Fl. 33711	General Job Seeker, Veterans Services, WIOA, WTP, SNAP, Youth Services
Gulf to Bay	2312 Gulf to Bay Blvd. Clearwater, Fl. 33765	General Job Seeker, Veterans Services, WIOA, WTP, SNAP, Youth Services
Satellite Centers	Address	Services Offered
Science Center	7701 22nd Ave North St. Petersburg, Fl. 33710	General Job Seeker, Veterans Services, WIOA, SNAP, Sector IT Training, Youth Services
Tarpon Springs	682 E. Klosterman Road Tarpon Springs, Fl. 34689	General Job Seeker and Veterans Services

As part of the strategic planning, CSPIN conducted a study of current Career Resource Center locations, worked with staff and partners to identify gaps, reviewed leases and outlined several service options. As we move into PY' 2019-2020, CSPIN will continue to offer two full service centers at both South County and Gulf to Bay. Additionally, CSPIN has been in discussion with Saint Petersburg College (SPC) and Pinellas Technical College (PTC) to determine the optimal service strategy for Clearview Adult Education Center and the Tarpon Spring and Epi-Workforce Institute campuses.

- A draft lease has been negotiated with SPC Tarpon Spring campus that maximizes the partnership and integration of career services. The new lease offers 130sq. ft. and shared use of a 3,895 sq ft open area for a total annual cost of \$3,115.13.
- A lease has been negotiated with Pinellas Technical College Clearview Adult Education Center to emphasis services to youth. The new lease offers three classrooms for Construction, GED and a satellite Career Resource Center at no cost.

CSPIN is exploring a unique concept of "Point of Service" satellite services to take workforce services to the community. By utilizing community organizations' existing computer labs, rather than buying more computers, POS satellites reduce overhead cost, avoid duplication, and provide more access points for customers in Pinellas County. Additionally, a usage map was provided in the packet which highlighted the areas where CSPIN centers are located, which areas use the vast majority of our center services and what areas present an opportunity for a new center location.

### Information Item 4 – One Stop Operator Update

Below is a summary of work completed under the One Stop Operator Contract during the 2018-2019 Program Year:

1. Maintain Linkages
  - a. Career Center Partner Member List created and updated throughout the year
  - b. CTS Partner Portal showcased and development initiated for implementation in 2019-2020
2. Coordinate Quarterly Meetings
  - a. Partner meetings scheduled and hosted on following dates:
    - i. February 21, 2019 – 6 attendees, 1 partner
    - ii. May 23, 2019 – 14 attendees, 7 partners
3. Memoranda of Understanding
  - a. Per TEGL 16-16 requirements:
    - i. CSPIN Mandatory Partner List created and gaps identified.
    - ii. Sample MOU and Infrastructure Sharing Agreements created for use by CSPIN
    - iii. Mandatory Partner Checklist created for use by CSPIN

4. Universal Design/Barriers to Employment
  - a. Conducted center visits at St. Petersburg, Tyrone, Gulf to Bay, and Tarpon career centers to assess universal design and addressing of employment barriers and summary provided
  - b. Participated in service delivery workgroup to discuss options for unified customer intake models
5. Strategic Plan
  - a. Participated in service delivery workgroup to discuss options for unified customer intake models
6. Customer Satisfaction Initiatives
  - a. Provided monthly analysis of CSPIN customer service and employability skills training surveys
  - b. Extreme Customer Service online training provided and completed by 80 staff in December
  - c. Concierge Customer Service training provided to 13 CSPIN managers in January
  - d. Concierge Customer Service training toolkit created and provided for CSPIN to train front-line staff
7. Internal Monitoring
  - a. File monitoring completed in December 2018 with total of 175 files were reviewed using DEO monitoring tools and report provided to CSPIN
  - b. Procedure review completed in June 2018 with total of 83 procedures and desk guides reviewed and report provided to CSPIN.

**Information Item 5 – DEO Daily Governor’s Report**

DEO Daily Governor’s Report – (Placement as reported in the Employ Florida system). Local Tracking for Program Year 2018-2019 and 2017-2018.

CareerSource Pinellas				
PY 18/19	Placements	Composite Score	Ranking	Statewide Placements
July	799	166.01%	8	10,973
August	938	161.75%	8	12,656
September	955	162.37%	6	12,922
October	1,020	155.32%	6	14,407
November	765	143.56%	8	11,914
December	658	148.21%	8	11,230
January	711	137.22%	6	12,219
February	703	165.17%	6	9,840
March	654	144.95%	6	10,266
April	610	139.04%	8	10,234
May	660	139.25%	9	11,061
June	455	121.38%	6	8,606
<b>Totals</b>	<b>8,473</b>	<b>151.17%</b>	<b>7.1</b>	<b>127,722</b>

**Information Item 6 – Performance Dashboard as of 6.30.2019**

A performance dashboard of the last program year 2018-2019 was provided within the packet, which highlighted the number of employers and job-seekers served within each program.

**Information Item 7 – MOU/IFA Renewals: CareerSource Pinellas and WIOA Mandatory Partners**

The Workforce Innovation and Opportunity Act of 2014 relies heavily on the One-Stop delivery system to coordinate resources and to prevent duplication and ensure effective and efficient delivery of workforce services in Pinellas County. This Memorandum of Understanding (MOU) establishes joint processes and procedures that enable Partner integration into the One-Stop Delivery System resulting in a seamless and comprehensive array of education, human service, job training, and other workforce development services to persons with disabilities in Pinellas County. The Infrastructure Funding Agreement (IFA) establishes a financial plan, including terms and conditions, to fund the services and operating costs of the One-Stop customer delivery system. Both parties to this IFA agree that joint funding is a necessary foundation for an integrated service delivery system. CareerSource Pinellas staff will be outreaching to partners to coordinate the renewal of the MOU/IFA agreements.

Partner Program	Partner Organization	Authorization/Category	Contact Information	Co-Located
AARP Foundation SCSEP	AARP Foundation	Senior Community Service Employment Program (SCSEP) authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.)	Giovanni Barcesi, gbarcesi@aarp.org	Yes
Career, Technical &	Pinellas County School Board	WIOA title II Adult Education and Family	Mark Hunt, huntwi@pcsb.org	Yes

Adult Education Programs		Literacy Act (AEFLA) Program		
Career, Technical & Adult Education Programs	Pinellas County School Board	Career and technical education programs at the postsecondary level, authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.)	Mark Hunt, huntwi@pcsb.org	Yes
Community Services Block Grant	Pinellas Opportunity Council	Employment and training activities carried out under the Community Services Block Grant Act (CSBG) (42 U.S.C. 9901 et seq.)	Carolyn King, cking@poc-inc.org	No
Division of Blind Services	FL Department of Education	State Vocational Rehabilitation (VR) Services program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), as amended by WIOA title IV	Nancy Brown, District Administrator- Nancy.Brown@dbs.fldoe.org Marcela Blanchett- Employment Placement Specialist- Marcela.Blanchett@dbs.fldoe.org	No
Job Corps	Odle Management	Job Corps, WIOA Title I, Subtitle C	Tim Foley, foley.tim@odle.com Samuel Kalapo, kolapo.samuel.1@jobcorps.org	Yes
Vocational Rehabilitation	FL Department of Education	State Vocational Rehabilitation (VR) Services program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), as amended by WIOA title IV	John Howell, john.howell@vr.fldoe.org	No

#### Information Item 8 – Performance Dashboard as of 6.30.2019

A summary of the financial statements for CSPIN was provided for the entire PY 2018-2019. It included a statement of revenues and expenditures, the cost allocation report, the grant status report and the pooled cost report.

#### Information Item 9 – YouthBuild Monitoring Report

On June 17-20, 2019, the U.S. Department of Labor (DOL), Employment and Training Administration (ETA), Atlanta Regional Office conducted a compliance review of the following program: CareerSource Pinellas YouthBuild Grant (YB-30072-17-60-A-12). The complete report was enclosed, which resulted in no findings or areas of concern.

#### Information Item 10 – Financial Compliance Monitoring Report

The Department of Economic Opportunity (DEO), Bureau of Financial Monitoring and Accountability (FMA) uses its financial monitoring tool as a guide to conduct the monitoring. The tool was developed to provide the framework for monitoring activities performed by FMA as well as the criteria used to monitor. This tool was provided to the Local Workforce Development Board (LWDB). This report was prepared at the conclusion of the DEO's financial monitoring activities performed for LWDB-14 for the 2017-18 and 2018-19 monitoring periods. Each monitoring period included a site visit that occurred during the weeks of April 2, 2018 and June 3, 2019. A full copy of the report was included.

#### Information Item 11 – Department of Economic Opportunity: 2019-2020 Internal Control Questionnaire and Assessment

The Internal Control Questionnaire and Assessment (ICQ) was developed by the Department of Economic Opportunity (DEO), Bureau of Financial Monitoring and Accountability, as a self-assessment tool to help evaluate whether a system of sound internal control exists within the Local Workforce Development Board (LWDB). An effective system of internal control provides reasonable assurance that management's goals are being properly pursued. Each LWDB's management team sets the tone and has ultimate responsibility for a strong system of internal controls. The self-assessment ratings and responses should reflect the controls in place or identify areas where additional or compensating controls could be enhanced. When the questionnaire and the certification are complete, each LWDB must submit them to DEO by uploading to SharePoint. A copy was distributed at the meeting. The Board of Directors has no edits to be made to the document presented and the Board Chair will move forward with executing the document for submission to DEO.

## **Committee Reports**

**Ad Hoc Selection Committee** - The Compensation Committee met on September 9th. The Committee discussed and approved the Legal Services RFP. CareerSource Pinellas is seeking legal services from qualified firms that are properly licensed with extensive experience in Public and Administrative laws, to serve as General Counsel to the Local Workforce Development Board, as well as Counsel to CareerSource Pinellas. A copy of this RFP, containing all pertinent details is available as a Handout for members. The RFP will officially be published on September 19, 2019. It will be advertised in 2 local newspapers and posted on the public website. The deadline for answers submission is October 18th. This RFP will be evaluated and scored by the members of the Ad Hoc Selection Committee, as specified in the By-Laws.

**Audit Committee** - The Audit Committee met on September 9<sup>th</sup>. Richard Powell, of Powell & Jones, presented the report for the year-ended December 31, 2018, 401(k) audit that was discussed and included in today's agenda. The Audit Committee approved the 401(k) Audit as presented. In addition, the Committee was presented with and discussed the contents of DEO's Financial Compliance Monitoring report that was shared as an information item today. The committee will meet again upon completion of the annual financial statement audit. Fieldwork is scheduled to begin on-site on Monday, September 23.

**Compensation Committee** - The Compensation Committee met on September 9<sup>th</sup>. The Committee discussed the Health and Wellness Plan which was included in today's packet. The recommendation from the committee was to adopt the Hybrid plan option. This option promotes a more equitable approach to offering benefits, invests in the overall health and wellness of our employees, and provides a robust benefit plan to attract and retain talent.

**One Stop Committee** - The One Stop Committee met on August 22<sup>nd</sup>. The committee discussed the South County Lease, which was presented at this morning's meeting. Several other informational items were discussed, including: the career resource update, the OSO update and the MOU/IFA renewals. The Committee also discussed the current STEM Career Outreach initiative, in partnership with Pinellas Education Foundation and Pinellas County Schools. This outreach effort supports opportunities to develop creative and innovative projects in the STEM fields. For the PY'19-20, up to \$10,000 have been allocated to provide outreach and support for STEM careers and education for K-12 students. The school presentations will be highlighted at the One-Stop meeting in April 2020. The next one stop committee is scheduled for October 24<sup>th</sup>.

**Workforce Solutions Committee** - The Workforce Solutions Committee met on August 20<sup>th</sup>. CSPIN is in the midst of planning the Workforce and Education Summit. As partners and representatives on the Committee, both Pinellas Technical College and St. Petersburg College will assist with planning the event. This one-day event is being planned for February 20<sup>th</sup> of next year and will consist of a continental breakfast, a keynote speaker, breakout sessions for sectors such as education and business. The next Workforce Solutions Committee is scheduled for October 8<sup>th</sup>.

## **CEO Report**

- As part of the Workforce Professional Development Summit, the FWDA met to talk about some of the items that impact workforce development in FL. Michelle Dennard (President and CEO of CareerSource Florida) discussed the strategic plan for the CS Florida Network.
- In early 2020, a new 4-year workforce plan would have to be developed for CSPIN, as the current one is coming to term that same year.
- Ms. Brackney thanks the leadership team present for their hard work and dedication in improving the region's workforce.

**Public Comments:** None

**Open Discussion:** None

**Adjournment:** The meeting was adjourned at 1:35 p.m.



## **Action Item 2**

### **Administrative Policies**

#### **Background**

As part of the Compliance Review, USDOL/DEO have requested CSPIN review and update seven (7) Administrative Policies. The modification of these policies helps ensure alignment with rules and regulations outlined by United States Department of Labor (USDOL), Department of Economic Opportunity (DEO) and CareerSource Florida (CSF).

CSF Administrative Policies are business rules, requirements, processes and responsibilities that expand, explain or further specify federal or state legislation or policies development by the Florida Department of Economic Opportunity.

As CSF approves new Administrative and/or Strategic Policies, CareerSource Pinellas will review to determine necessary action for creation of new policy or policy revisions. Additionally, CareerSource Pinellas is in the process of reviewing all existing CSF policies against the current CSPIN policies to identify required action.

Outlined below and contained in the packet are seven (7) CareerSource Florida Administrative Policies for your review and consideration.

- Jobseeker Registration
- Job Orders and Placement
- Employer Services
- Work-Based Training
- On-the-Job Training (OJT)
- Employed and Incumbent Worker Training
- WIOA Youth Program Eligibility

These policies will be available for further discussion as part of the drafting of the new Local Workforce Development Plan due to DEO in March 2020.

#### **RECOMMENDATION**

Adopt the seven (7) CareerSource Administrative Policies for implementation immediately. The policies will be reviewed and incorporated in the Local Workforce Development Plan that will be presented for approval by the Board in March 2020.



**POLICY  
NUMBER 096**

## **Administrative Policy**

<b>Title:</b>	<b>Jobseeker Registration</b>		
<b>Program:</b>	<b>Wagner-Peyser</b>		
<b>Effective:</b>	<b>4/26/2017</b>	<b>Revised:</b>	<b>5/24/2019</b>

### **I. PURPOSE AND SCOPE**

The purpose of this policy is to provide Local Workforce Development Boards (LWDBs) and career center employees with minimum requirements for jobseeker registration in Employ Florida.

### **II. BACKGROUND**

The purpose of the Employment Service system is to improve the functioning of the nation's labor markets by bringing together qualified jobseekers and employers who are seeking workers. Additionally, each state must administer a labor exchange system that can:

- Assist jobseekers in finding employment, including promoting their familiarity with Employ Florida.
- Assist employers in filling jobs.
- Facilitate the match between jobseekers and employers.
- Participate in a system allowing for the movement of labor among the states, including the use of a standardized classification system.
- Meet the work test requirements of the Reemployment Assistance program.
- Provide labor exchange services as identified in Section 7(a) of the Wagner-Peyser Act.

The Wagner-Peyser Act, as amended by the Workforce Innovation and Opportunity Act of 2014 (WIOA), provides specific guidelines for jobseeker registration. 20 CFR 652.207

requires labor exchange services be made available to all jobseekers, including Reemployment Assistance claimants, veterans, migrant and seasonal farmworkers, and individuals with disabilities. As described in the Wagner-Peyser Act, the state must have the capacity to deliver statewide labor exchange services through self-service, facilitated self-help service, and staff-assisted service.

### **III. AUTHORITY**

[Wagner-Peyser Act of 1933, as amended by the Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014](#)

[Workforce Innovation and Opportunity Act of 2014](#)

[20 CFR 652.207, 652.3, 677.150\(a\)\(3\), 1010](#)

[Training and Employment Guidance Letter Number 10-16](#)

[Training and Employment Guidance Letter Number 17-05](#)

[DEO Administrative Policy 03-040](#)

### **IV. POLICIES AND PROCEDURES**

#### **A. Jobseeker Registration Requirements**

Jobseekers receiving Wagner-Peyser funded facilitated self-help and staff-assisted services must complete either a partial or full registration in [Employ Florida](#). Jobseekers who use self-service may be registered, but registration is not required. However, jobseekers enrolled as participants in Wagner-Peyser (WP) or Workforce Innovation and Opportunity Act (WIOA) must have a full registration in Employ Florida prior to receiving any service. Jobseekers may self-register or career center staff may register a jobseeker. Prior to registering a jobseeker, career center staff must first check to see if the jobseeker is already registered in Employ Florida. If the jobseeker is not already registered, career center staff must ensure they have obtained the jobseeker's permission prior to creating a new registration. A case note must be included on the jobseeker's account stating the jobseeker granted staff permission to create the account.

#### **B. Migrant and Seasonal Farmworker (MSFW) Registration**

Migrant and Seasonal Farmworkers may complete either a partial or full registration in Employ Florida to receive services in accordance with [Administrative Policy 03-040](#).

### **C. Recording Services Provided to Jobseekers**

The jobseeker's activity history/service plan screen in Employ Florida is used to record all services received, including job referrals and placements. The purpose of providing services is to enhance the jobseeker's ability to become employed. Career center staff must record services provided to jobseekers within fifteen days of the date the service was provided.

### **D. Use of Pseudo Social Security Numbers**

Staff are allowed to create pseudo social security numbers (SSNs) for the sole purpose of registration in Employ Florida. The only reasons for which a pseudo SSN may be created are when an individual requests not use his/her SSN or when a duplicate registration exists. Pseudo SSNs cannot be created by a jobseeker.

To create a pseudo SSN in Employ Florida, staff must enter information on the jobseeker as follows:

- Enter "9" as the first digit.
- Enter the last two digits of the jobseeker's birth year as the next two digits.
- Enter "00" as the two middle digits.
- Enter the month and date of birth sequentially as the last four digits.

#### **Example**

Date of Birth: February 6, 1977

Pseudo SSN: 977 00 0206

If the pseudo SSN is already being utilized, a unique number may be created by altering the middle two digits consecutively from "00" until an unassigned number is found. Once the pseudo number is created, it is the responsibility of staff to enter the registration for the jobseeker.

Upon completing the registration of the jobseeker, staff must enter a case note in the jobseeker's case file stating the reason a pseudo SSN was used.

### **E. Procedures for Correcting Social Security Number Errors in Employ Florida**

Whenever a jobseeker tries to register in Employ Florida and reports that his/her SSN is already in use by another individual, or if staff identify a duplicative registration for a jobseeker with a different social security number, staff must resolve the issue as outlined below.

1. Staff must verify there is an issue with the SSN or verify a duplicate registration exists in Employ Florida for the jobseeker.

2. Staff must request the jobseeker produce an original social security card, or certified copy if the original is unobtainable, and match it with the appropriate picture identification. If the jobseeker does not provide a social security card, staff must request the jobseeker to provide original documentation issued by a state or federal governmental entity that documents the SSN and match it with the appropriate picture identification. If the jobseeker is unable to produce the original(s) documentation, staff must request the jobseeker to provide certified copy(ies). Every effort must be made to review original documentation; however, staff are allowed to use verifiable third-party resources to verify the true owner of the SSN in the absence of such documentation. Third party resources include, but are not limited to: SUNTAX, CONNECT and/or the Department of Children and Families' records.
3. Staff must review the documentation provided by the jobseeker to confirm ownership of the SSN.
4. Once the SSN is confirmed, staff must allow the jobseeker to register under the correct SSN.
5. Staff must review reemployment assistance records, if they have access to CONNECT, to determine whether wage records exist or whether a claim has been filed against the SSN in question. If staff find wage records exist or that a Reemployment Assistance claim has been filed by a person with an incorrect SSN, staff must notify the Bureau of Reemployment Assistance by email at: [escalated.claimants@deo.myflorida.com](mailto:escalated.claimants@deo.myflorida.com). If staff does not have access to CONNECT, an email must be sent to Reemployment Assistance explaining the issues identified with the SSN. Staff must not provide the SSN in an email.
6. Staff must case note in the jobseeker's case file all actions that occurred and document he/she verified the source documentation.
7. Staff must review the Employ Florida file for the jobseeker to whom the SSN was assigned in error to determine whether activities or services have been documented in the file during the most recent four quarters.
  - a. If no activity has been documented for the jobseeker in the most recent four quarters, a case note must be recorded to document the SSN error and a pseudo SSN must be created and assigned.
  - b. If activities or services have been documented for the jobseeker in the most recent four quarters, staff must determine whether the jobseeker using the incorrect SSN resides in a different local area, and if so, contact the local area to explain the SSN error. If the jobseeker is in the

local area of the staff member, appropriate steps must be made to correct the error.

- c. Staff in the appropriate local area must attempt to contact the jobseeker to whom the SSN is assigned in error and case note the efforts in Employ Florida.
  - i. Upon making contact with the jobseeker, staff must request the jobseeker provide appropriate documentation of their correct SSN. If the jobseeker refuses to or is not able to provide the correct documentation, a pseudo SSN must be issued and a detailed case note must be entered into the Employ Florida file.
  - ii. If the jobseeker cannot be contacted, the incorrect SSN must be changed to a pseudo number using the date of birth provided on the account and a case note entered into Employ Florida documenting the action until such time the correct SSN is provided and confirmed.

#### **F. Procedures for Handling Duplicate Registrations and Merging Accounts**

Staff may occasionally discover duplicate registrations for a particular jobseeker. These must be corrected when identified and verified that the duplicative registrations are the same jobseeker. The account containing the correct SSN for the jobseeker must be recognized as the correct account. The information from the account with the incorrect SSN must be merged to the correct account. Staff must obtain the assistance of their Regional Security Officer (RSO) to merge accounts, as only the RSO is allowed to merge accounts.

When the accounts are ready to be merged, the RSO must archive or delete the account with the incorrect SSN. See below for procedures to follow when merging accounts. Prior to merging the accounts, staff must ensure the name, gender and date of birth are the same in both accounts. If an issue is identified, staff must notify DEO by sending an email to [Wagner.Peyser@deo.myflorida.com](mailto:Wagner.Peyser@deo.myflorida.com) and case note this issue in Employ Florida. DEO staff will review and take appropriate steps to resolve the issue.

1. Staff must provide the RSO with the usernames, state IDs and last four digits of the SSN for the two accounts that need to be merged.
2. Staff must explain why the accounts need to be merged and enter a case note to both files.
3. A second level review must be done by the RSO for all changes identified to be made to the accounts due to SSN errors or duplicative registrations.

4. The RSO must then enter a ticket into the Online Project Communication (OPC) system requesting the accounts be merged.
5. The language for the request must state: “Please merge username XXXX, state ID 11111 and username YYYYYY, state ID 22222 into correct account username XXXX state ID 11111, where this is the account to remain.”
6. Once the RSO verifies the account has been merged, the RSO must advise the requesting staff.
7. In all cases, the name of the staff member requesting the SSN change and/or assignment of a pseudo SSN should be documented in a case note for the affected case files. Staff must also enter a case note into the correct account in Employ Florida describing all actions taken.
8. Staff must record new program services and activities into the merged account.

#### **G. Veterans’ Priority of Service**

Veterans or other covered persons, as defined in 20 CFR Part 1010.110, enrolled in the Wagner-Peyser program or receiving services must receive priority of service (POS) at the point of entry. Points of entry include physical locations, such as career centers, as well as web sites and other virtual service delivery resources. Upon registration in Employ Florida, or at the initial point of contact with career center staff, LWDBs or career center staff must notify veterans or other covered persons of their priority of service. The notification of POS must be documented on the veteran’s activity service plan. Furthermore, POS must be provided to a veteran at least once per WP application. Staff must check the veteran’s current WP application activities screen to verify whether or not previous POS notification had occurred either automatically with a system-generated service code 089, or in person with a staff-generated service code 189. If there is no POS notification on the current WP application activities screen, staff must verbally provide POS, case note the provision, and record service code 189 on the veteran’s current WP application activities screen. It is not permissible for staff to only provide handouts regarding POS to record the service code – verbal notification must occur.

Notification of POS can be provided by any staff member, not just veteran staff (Local Veterans Employment Representatives/LVERs or Disabled Veterans Outreach Program/DVOP specialists).

#### **H. Wagner-Peyser Application Exit**

A jobseeker is considered to have exited the program when the jobseeker has not received for at least 90 consecutive days a service that triggers or extends participation and does not have a future service that triggers or extends participation scheduled. In

this instance, the jobseeker is referred to as having “soft exited.” Additionally, a jobseeker may be “hard exited” from the program if the jobseeker:

- Has become incarcerated in a correctional institution or has become a resident of an institution or facility providing 24-hour support.
- Is receiving medical treatment that is expected to last longer than 90 days and precludes entry into unsubsidized employment or continued participation in the program.
- Is deceased.
- Is a member of the National Guard or other reserve military unit of the armed forces and is called to active duty for at least 90 days.

A case note must be entered on the jobseeker’s case file indicating why the hard exit was done.

## **I. State and Local Monitoring**

Services and activities provided under WP must be monitored annually for compliance with WP requirements by DEO. DEO will monitor the requirements outlined in this policy and local operating procedures. Additionally, LWDBs must establish local monitoring policies and procedures that include, at minimum:

1. Roles of the participant and LWDB staff; and
2. Local monitoring procedures of Wagner-Peyser.

LWDBs must ensure participating providers agree to cooperate with monitoring efforts by the state and/or LWDB and adhere to all other applicable local, state and federal rules and regulations.

## **V. REVISION HISTORY**

Final Guidance 035 - Revised Job Seeker Registration and Employer Services dated May 8, 2012.

Administrative Policy 096, Jobseeker Registration dated April 26, 2017.

## **VI. DEFINITIONS**

1. **Covered Persons** – As defined in section 2(a) of the Jobs for Veterans Act of 2002 (38 U.S.C. 4215(a)) means a veteran or eligible spouse. Covered person is also defined in 20 CFR 1010.110.
2. **Facilitated Self-Help Service** – Program services provided that do not require significant staff involvement.
3. **Jobseeker** – An individual actively seeking employment.

- 4. Participant** – A participant is a reportable individual who has received services other than the services described in 20 C.F.R. 677.150(a)(3) after satisfying all applicable programmatic requirements for the provision of services, such as an eligibility determination. As set forth in more detail in 20 C.F.R. 677.150(a)(3), the following individuals are not participants:

  - Individuals in an Adult Education and Family Literacy Act (AEFLA) program who have not completed at least 12 contact hours.
  - Individuals who only use the self-service system.
  - Individuals who receive information-only services or activities, which provide readily available information that does not require an assessment by a staff member of the individual’s skills, education, or career objectives.
- 5. Priority of Service** – With respect to any qualified job training program, a covered person shall be given priority over non-covered persons for the receipt of employment, training, and placement services provided under a federally funded employment program.
- 6. Registration** – The entering and submission of personal information in Employ Florida in order to create an account.

  - **Partial Registration** – A registration that includes the elements necessary to establish a record and basic demographic data, but an Occupational Information Network (O\*NET) code, background wizard, or resume has not been completed.
  - **Full Registration** – A registration where all elements of a partial registration have been completed and the jobseeker has been assigned an O\*NET code, completed the background wizard, or entered a resume on their personal profile to include additional essential employment-related information such as licenses or certifications that will enhance the placement of the jobseeker.
- 7. Self-Service** – Occurs when individuals independently access the workforce development information system and activities. This can be done in either a physical location, such as a career center resource room or partner agency, or remotely via the use of electronic technologies.
- 8. Staff-Assisted Services** – Program services provided that require significant staff involvement.



**POLICY  
NUMBER 099**

## **Administrative Policy**

<b>Title:</b>	<b>Job Orders and Placements</b>		
<b>Program:</b>	<b>Wagner-Peyser</b>		
<b>Effective:</b>	<b>10/19/2017</b>	<b>Revised:</b>	<b>5/24/2019</b>

### **I. PURPOSE AND SCOPE**

The purpose of this policy is to provide Local Workforce Development Board (LWDB) employees and other workforce system partners the minimum requirements for documenting and recording job orders and placements in Employ Florida.

### **II. BACKGROUND**

The purpose of the Employment Service system is to improve the functioning of the nation's labor markets by bringing together qualified jobseekers and employers who are seeking workers. Additionally, each state must administer a labor exchange system that can:

- Assist jobseekers in finding employment, including promoting their familiarity with Employ Florida.
- Assist employers in filling jobs.
- Facilitate the match between jobseekers and employers.
- Participate in a system for clearing labor among the states<sup>1</sup>, including the use of a standardized classification system.
- Meet the work test requirements of the Reemployment Assistance (RA) program.
- Provide labor exchange services as identified in Section 7(a) of the Wagner-Peyser Act.

---

<sup>1</sup> The processing of interstate and intrastate job orders.

### **III. AUTHORITY**

[Wagner-Peyser Act of 1933, as amended by the Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014](#)

[Workforce Innovation and Opportunity Act of 2014](#)

[20 CFR 651.10, 652, 653.501](#)

[29 CFR 1604, 1606, 1625](#)

[42 U.S.C. 2000](#)

[Fair Labor Standards Act](#)

[Vietnam Era Veterans' Readjustment Act of 1972](#)

[Chapter 760 Florida Statutes](#)

### **IV. POLICIES AND PROCEDURES**

#### **A. Job Orders**

Job orders are records of job openings containing the material terms and conditions of employment related to wages, hours, working conditions, worksite and other benefits, submitted by an employer. A job order will only be listed in Employ Florida when:

- It will employ a worker who is legally authorized to work in the United States.
- There is an employer-employee relationship, unless the job order is for an independent contractor or unpaid internship position. Generally, an employer-employee relationship exists when a person, firm, corporation or other association or entity hires, fires, pays, supervises and otherwise controls the work of the employee.
- There is a currently available and non-duplicative position.
- There is a detailed description of the work to be performed.
- There are specific hiring requirements a jobseeker must meet.
- There are referral instructions.
- The LWDB has authorization from the employing entity to post the open position.
- The posting party has authorization from the employing entity to post the open position when it is being posted by a third-party poster.
- The job order is verifiable through email, telephone, online or as otherwise determined.

- The employing entity has not yet selected a candidate to hire, except in the case of job development.

## 1. Description and Types of Job Orders

The following are descriptions and types of job orders:

- Affirmative Action – Job orders that seek qualified applicants who are members of a specified group that, for non-occupationally valid purposes, have been discouraged from entering certain occupations.
- Agricultural Recruitment System (ARS) – Job orders designed to help agricultural employers recruit qualified agricultural workers on a temporary or seasonal basis using a system for the orderly movement of workers within and between states.
- Foreign Labor Certification (FLC) – Job orders for employers who seek to hire foreign workers to work on a permanent, temporary or seasonal basis when there are not sufficient U.S. workers available. The types of job orders are:
  - H-2A Job Orders – Job orders to recruit workers for employers who seek to hire foreign workers on a temporary basis to perform agricultural work when there are not sufficient U.S. workers available.
  - H-2B Job Orders – Non-agriculture job orders to recruit workers for employers who seek to hire foreign workers to work on temporary or seasonal basis when sufficient U.S. workers are not available.
- Permanent Employment Certification (PERM) Job Orders – Job orders for employers who seek to hire foreign workers on a permanent basis to perform work when there are not sufficient U.S. workers available.
- Apprenticeship – Job orders that combine on-the-job training and related instruction in which workers learn the practical and theoretical aspects of a highly skilled occupation.
- Federal Contractor Job Listings – Job orders for a contracted position with the United States government to perform a specific job, supply labor and materials, or for the sale of products and services. The affirmative action provision of the [Vietnam Era Veterans' Readjustment Act of 1972](#) requires employers (and their subcontractors) with government contracts of \$100,000 or more to list their job openings with the state labor exchange system ([EmployFlorida.com](#)). These Federal Contractor Job Listings provide protected veterans with priority referrals to such jobs.
- Independent Contractor – Job orders for positions in which an employer-employee relationship does not exist. These positions provide a job opportunity for a jobseeker without a guarantee of wages.
- Internship – Job orders for a planned, structured learning experience that may be paid or unpaid and takes place in a workplace for a limited period of time.

- Job Development – Job orders entered by LWDB staff due to staff securing a job interview with a public or private employer for a specific applicant for whom the LWDB has no suitable opening on file.
- Mass Recruitment – Job orders for events such as job fairs or employer hiring events.
- Private Agency/Staffing Agency – Job orders to fill positions through private agencies or staffing companies. A fee cannot be charged to the applicant and job orders must state “position offered by a no-fee staffing agency.”

## 2. Job Order Entry

Job orders can be posted by an employer, LWDB staff or spidered into Employ Florida from external job posting websites. Additionally, under the *Employ Florida Terms and Conditions of Use*, third-party companies (referred to as “third-party agents”) may post job orders to Employ Florida on behalf of employers under certain conditions as outlined in Section IV(A)(4) of this policy. Job orders posted by LWDB staff are included in the count of job openings reported to the United States Department of Labor (USDOL).

LWDB staff are not allowed to post a job order to Employ Florida until the appropriate authorization has been received from the employer to do so. Authorization includes but is not limited to staff obtaining a completed job order form submitted by the employer or an email from the employer outlining the position’s requirements or authorization by phone. In the event the employer provides the authorization by phone, staff must document the position’s requirements on a job order form and document the employer’s authorization by recording a case note in Employ Florida. Staff are not allowed to post open positions to Employ Florida obtained from other job boards, the employer’s website, a classified advertisement, or other resources, unless authorized to do so by the employer.

LWDB staff must conduct an independent verification of a newly registered employer prior to the new employer being able to create a job order, in accordance with the Employer Services policy.

Job orders received by staff must be entered in Employ Florida within one business day of receipt from an employer or third-party agent. Job orders posted by employers or third-party agents in Employ Florida must be reviewed and verified within two business days of posting into Employ Florida. LWDB staff must case note their review and verification of the job order.

The practice of withholding job orders from timely entry into Employ Florida, or otherwise preventing the sharing of job order information throughout the system, is prohibited.

### **3. Job Order Compliance Review and Approval**

All job orders entered into Employ Florida must comply with Equal Employment Opportunity and Immigration and Nationality Act laws, regulations and guidance as well, as the *Employ Florida Terms and Conditions of Use*. All job orders must be reviewed by the LWDB staff for compliance.

If the job order meets all compliance requirements, LWDB staff shall approve the job order according to local policy within two business days from the date and time of initial posting. LWDB staff must document with a case note their compliance review, and each step taken to verify the job order.

If the job order does not meet all compliance requirements, LWDB staff must place it “On Hold” and contact the employer or third-party agent to request a revision to the job order. If the employer or third-party agent agrees to comply with the requested revision, staff may make the change to the job order based upon the feedback received or allow the employer to incorporate their feedback and re-submit the job order. However, if the employer or third-party agent does not comply with the requested revision, LWDB staff must close the job order with a case note detailing the reason for closing the job order.

If staff learns that duplicate positions are being posted in order to advertise a position for which a job order is about to expire, they must contact the employer or third-party agent to explain the process for extending existing job orders. If staff is unable to contact the employer or third-party agent, or does not receive a response within a reasonable timeframe (as determined by the LWDB), the duplicate job order must be closed with a case note detailing the reason.

### **4. Third-Party Agent Job Order Verification**

Third-party agents posting job orders on the behalf of employers must obtain written consent from the employer and provide it to the LWDB staff electronically through Employ Florida (or by other approved means as developed by the LWDB) before a job order can be approved and made visible to the jobseeker. Written consent may be in the form of a letter drafted on the employer’s letterhead or an email that originates directly from the employer. The written consent must authorize the third-party agent to post open and available positions on the employer’s behalf. The written consent must be stored electronically in Employ Florida or as a hard copy at the LWDB and properly documented in the case notes in Employ Florida.

In addition to following the compliance requirements outlined in Section IV(A)(3) of this policy, when a new job order is entered by a third-party agent, LWDB staff are required to verify the position with the primary contact listed on the job order

prior to approval. If the LWDB staff is unable to reach the primary contact listed on the job order, LWDB staff may employ means such as accessing the employer's corporate website to verify the job listing. If staff is not able to verify the job order through the job order's primary contact or other approved means within two business days, staff must close the affected job order and case note the reason for closing the job order. Staff may not close the employer's entire account due to the inability to verify a particular job order with an employer.

Note: Verification is not required by the employer if the third-party agent verifies the job openings as required.

#### **5. Using O\*NET Occupational Groups for Coding Job Orders**

Pursuant to 20 CFR 652.3, staff must ensure the O\*NET code used for a specific job opening matches the job description. If no match can be found, staff must use the title the employer or third-party agent provided. Only one O\*NET code may be used per job order. Placement into job openings that do not match the description in the job order or O\*NET code is not permissible.

#### **6. Recording Wages on Job Orders**

It is prohibited to post job orders that pay less than the Florida minimum wage or pay commission only, unless minimum wage is guaranteed in accordance with federal or state law, or the employer is exempt per the [Fair Labor Standards Act](#).

The actual wage or wage range must be listed on all job orders entered into Employ Florida. Employers that choose not to enter actual wage information must enter a minimum value of (\$0.00) on the job order form, as the field cannot be left blank. In instances where a value less than minimum wage is entered, LWDB staff must verify that the job pays at least the Florida minimum wage and document it in the case notes. If it is determined that the jobseeker was hired and went to work at a higher wage, the higher wage should be entered on a case note on either the hired jobseeker's placement information or the job order. In the case of multiple positions being filled on one job order, staff should enter a case note for each hired customer stating their name and the wage at which he/she was hired.

#### **7. Labor Disputes in Progress**

LWDBs are not allowed to make a job referral on job orders which will aid directly or indirectly in the filling of a job opening which is vacant because the former occupant is on strike, or is being locked out in the course of a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage. When a job order is received from an employer reportedly involved in a labor dispute involving a work stoppage, LWDBs must verify the existence of the labor dispute and determine its significance with respect to each vacancy involved in the

job order. The LWDB must document the information in a case note with the job order, including the name of the person with whom they spoke, the date of contact, and any other pertinent information related to the dispute and how it affects the job order in question. They must also notify all potentially affected staff concerning the labor dispute. Furthermore, written notice must be provided to all applicants referred to jobs not at issue in the labor dispute that a labor dispute exists in the employing establishment and that the job to which the applicant is being referred is not at issue in the dispute. LWDBs shall resume full job referral services after they have been notified of, and have verified with the employer and workers' representative(s), that the labor dispute has ended.

## **8. Nondiscrimination Requirement**

Job orders discriminating against individuals based on race, color, religion, gender, pregnancy, national origin, age, handicap or marital status cannot be accepted, except where the stated requirement is a bona fide occupational qualification (BFOQ) pursuant to [42 U.S.C. 2000\(e\)-2\(e\)](#), [29 CFR 1604](#), [1605](#), [1606](#), and [1625](#), and [Chapter 760 Florida Statutes](#). If an employer claims a BFOQ, LWDB staff should advise management prior to listing the job order and the BFOQ status must be documented in the job order's case notes.

## **9. Availability to Migrant and Seasonal Farmworkers (MSFWs)**

LWDBs must provide adequate staff assistance to MSFWs to access job order information easily and efficiently. Assistance must be provided to MSFWs in their native language, whenever requested or necessary.

## **10. Agricultural Recruitment System (ARS)**

The Wagner-Peyser Act requires the United States Employment Service maintain a system for the orderly movement of workers within and between States. The ARS helps agricultural employers recruit qualified workers on a temporary or seasonal basis. The ARS provides protection to the workers who are not seeking permanent relocation, but rather temporary agricultural employment. Through the ARS, the Department of Economic Opportunity (DEO) can systematically recruit and refer qualified workers from within Florida and from other states when there is an anticipated shortage of workers. Job orders listed pursuant to the ARS request workers for less than one year of employment. The DEO Senior Monitor Advocate for services to migrant and seasonal farmworkers is responsible for operating the ARS, therefore, local areas must refer employers to DEO for job order posting.

## **11. Job Order Retention**

The record retention requirement for job orders is three years. An electronic copy of the job order documentation can be uploaded to the employer's account in

Employ Florida, or the hard copy can be kept in the employer's physical file, as dictated by the LWDB's local operating procedures.

## **B. Job Referral**

A staff-assisted job referral is the act of LWDB staff facilitating the match between qualified jobseekers and employers with job openings; and the recording of such referral in Employ Florida. Prior to referring a jobseeker to a job opening, LWDB staff must ensure the jobseeker's qualifications in their Employ Florida account match the minimum requirements listed in the job order by reviewing the jobseeker's skills, abilities, prior work experience, education and training, certifications/licensure against the requirements of the job order. To support staff's ability to adequately assess the jobseeker's qualifications, staff must ensure the jobseeker has completed a full registration in Employ Florida, prior to the referral being made. At no time should staff provide a job referral to a jobseeker who has not completed a full registration and/or does not meet the minimum requirements of the job order. Additionally, staff must obtain the consent of the jobseeker prior to making any job referral.

### **Referrals Pending Review**

When a jobseeker applies for a position in Employ Florida, it is called a self-referral. If the employer's information has been suppressed on the job order to which the individual applies, a message appears informing them that the LWDB will contact them within 72 hours. A list of these individuals appears on the "Manage Labor Exchange" section of Employ Florida under "Referrals Pending Review." LWDB staff must view this listing on a daily basis to determine the qualification of the individual, whether their qualifications meet the requirements of the job order, and to complete the referral process if the individual is qualified. Once the screening is accomplished or if further information is needed, staff must contact the individual for the missing information or to either inform them they are not qualified for the job or to provide the information in order for them to complete the application process.

## **C. Job Placements**

A placement means the hiring by a public or private employer of an individual referred by the LWDB or self-referred for a job or an interview, and where the LWDB staff completed each of the following steps:

- Prepared a job order form, or reviewed and approved a job order form entered into Employ Florida by an employer, prior to referral or prior to the position being filled, except in the case of a job development contact on behalf of a specific individual.
- Made prior arrangements with the employer for the referral of an individual or individuals.

- Obtained the individual's consent to be referred to the job order in Employ Florida.
- Referred an individual who had not been specifically designated by the employer, except for referrals on agricultural job orders for a specific crew leader or worker.
- Verified from a reliable source, preferably the employer, the individual was hired and started work.

When LWDB staff record a placement against a job order for which a referral was made, Employ Florida will assign the appropriate service code through an automated process. Staff must verify the customer began working prior to recording the appropriate placement code. Verification information must be documented and must include: 1) a case note identifying the customer's name, 2) the name of the employer, 3) the source of verification, and 4) the date the customer started working at the designated jobsite. Notification of an upcoming start or hire date is not acceptable for recording a placement.

While verifying a customer's employment from the employer is the preferred source of information for placement credit, staff should use the least intrusive process for obtaining the verification information.

Note: If during the process of verifying a job placement staff determines the individual was placed in a job other than the one they were referred, placement credit cannot be taken against the job order to which they were originally referred (unless both job openings match the description in the job order or O\*NET code). If the job description or O\*NET code for the position in which the individual was placed is different than the job description or O\*NET code for the position to which they were referred, staff must record an Obtained Employment - Manual and not a placement. Further, staff must not enter an additional job order for the different position.

#### **D. Job Development Hires**

The Code of Federal Regulations at Title 20 Part 651.10 specifies that a job development means the process of securing a job interview with a public or private employer for a specific customer for whom the local office has no suitable opening on file.

If there is no suitable opening on file with the LWDB, staff should make job development attempts (contacts) on behalf of the customer by contacting the hiring authority for an employer to discuss the customer's qualifications and employment interests. The job development attempt should be recorded on the job seeker's activity service plan in Employ Florida. Staff must include a case note listing the employer's name, phone number, address, date of contact, and position/title of job staff is seeking for the customer.

If staff later learns that the customer was hired on the job to which a job development attempt was made, then the staff person should write a job order and take credit for the placement. At a minimum, the job development job order must contain in the job description the phrase “job development.” Once the job order is written to reflect the hire, it must be matched against the job development referral that was previously entered on the job seeker’s services screen.

## **E. Obtained Employment**

Obtained employment refers to those individuals who secure employment within 180 calendar days of receiving one or more services that either trigger or extend program participation, which are fully or partially funded under the Wagner-Peyser program, and where the placement does not meet the federal definition for a “job placement.” An obtained employment can be entered onto a jobseeker’s service plan either manually by staff or automatically by Employ Florida.

### **1. Manual Obtained Employment**

When staff manually records an obtained employment on a jobseeker’s service plan, they must verify when the last service that either triggered or extended program participation was recorded. If the jobseeker secured employment within 180 days of receiving said last service, staff must select Service Code 880 – Obtained Employment Manual. If the jobseeker has not received a service that either triggered or extended program participation for at least 90 days, has exited the system and the secured employment does not meet the federal definition of a placement, staff must select Service Code 882, Obtained Employment – Post Exit – Manual.

Prior to manually recording an obtained employment, LWDB staff must:

- Confirm the jobseeker received a service that either triggers or extends program participation.
- Confirm that employment began within 180 calendar days of receiving the last service that either triggers or extends program participation.
- Verify that there is no placement recorded for the employment.
- Confirm that the obtained employment is unique and has not been previously recorded.
- Verify from a reliable source, preferably through the employer, the jobseeker has started working.
- Document the following for an obtained employment:
  - Employer’s name.
  - Source of verification.
  - Certification the service is not a duplicate of a previously documented placement.
  - Actual start date.

- LWDB/office information.

Sources of documentation used to verify obtained employment may also include hire data obtained from third party resources including but not limited to CONNECT and/or the Department of Children and Families' records. Information obtained from sources where quarterly data is reported may be used as a starting point from which to gather a start date. However, quarters in which wages were reported are not sufficient as documentation of a start date nor will notification of a hire date.

It is not allowable to record a placement when a manual obtained employment service code has already been recorded or to take credit for a manual obtained employment where a placement has already been recorded in the system for the same customer, and the same position and start date with the same employer. This would constitute a duplicate placement in the system which is not allowable.

In the event staff verifies an individual has been placed against a job order, but an obtained employment has already been recorded for the same position and start date with the same employer, staff may void the obtained employment by changing the Completion Code within the service code entry from Successful Completion to Voided and record the placement. If "Voided" is not available in the drop-down menu, staff do not have the privileges to perform this action and must request the LWDB's Regional Security Officer (RSO) to void the entry. A case note must be added to the obtained employment service code entry explaining why the code was voided.

More than one obtained employment credit per customer is possible in the same program year, provided it is not duplicating employment already recorded, and the customer has not exited. Obtained employment must be documented on the activity history/service plan in Employ Florida using the appropriate service code and must include the following:

- Employer's name.
- Source of verification.
- Certification the service is not a duplicate of a previously documented placement.
- Actual start date.
- LWDB/office information.

## **2. Automated Obtained Employment**

A New Hire File from CONNECT, Florida's Reemployment Assistance claims system, interfaces with Employ Florida daily. The file contains new wage information for every individual who has secured a new job. The interface checks for matches between the SSNs in the file with the jobseekers' SSNs in Employ

Florida. When a match is made, Employ Florida verifies when the jobseeker last received a service that either triggered or extended program participation. If the jobseeker secured employment within 180 days of receiving said last service, Employ Florida will record Service Code 881 – Obtained Employment Automated. If the jobseeker has not received a service that either triggered or extended program participation for at least 90 days, has exited the system and the secured employment does not meet the federal definition of a placement, Employ Florida will record Service Code 883, Obtained Employment – Post Exit – Automated.

#### **F. Post Exit Manual Obtained Employment**

Post exit manual obtained employment refers to those individuals who meet the definition of an obtained employment, have gone at least 90 days without a service that either triggers or extends program participation and have exited the system. Credit for a post exit manual obtained employment may be claimed for any participant who has received any Wagner-Peyser service(s) that either triggered or extended program participation, and has a job start date, where both service and start dates fall within 180 days from the date the post exit manual obtained employment is recorded. Staff must verify, preferably through the employer, the customer has started working prior to taking credit for a post exit manual obtained employment. Notification of a hire date or an anticipated future start date is not acceptable for securing obtained employment credit.

The post exit manual obtained employment must be created as a Wagner-Peyser follow-up service to the last Wagner-Peyser application.

Post exit manual obtained employment requires entry and verification of the following:

- Employer's name.
- Source of verification.
- Certification the service is not a duplicate of a previously documented placement.
- Actual start date.
- LWDB/office information.

#### **G. State and Local Monitoring**

Services and activities provided under WP must be monitored annually for compliance with WP requirements by DEO. DEO will monitor the requirements outlined in this policy and local operating procedures. Additionally, LWDBs must establish local monitoring policies and procedures that include, at minimum:

1. Roles of the employer and LWDB staff; and
2. Local monitoring procedures of Wagner-Peyser.

LWDBs must ensure participating providers agree to cooperate with monitoring efforts by the state and/or LWDB and adhere to all other applicable local, state and federal rules and regulations.

## V. REVISION HISTORY

Final Guidance 035 - Revised Job Seeker Registration and Employer Services dated May 8, 2012.

Administrative Policy 099, Job Orders and Placements dated October 19, 2017.

## VI. DEFINITIONS

- 1. Bona Fide Occupational Qualification (BFOQ)** – This is an employment decision or request based on race, color, religion, gender, pregnancy, national origin, age, handicap or marital status that is based on a finding that such characteristic is necessary to the individual's ability to perform the job in question. Since a BFOQ is an exception to the general prohibition against discrimination based on race, color, religion, gender, pregnancy, national origin, age, handicap or marital status, it must be interpreted narrowly in accordance with the Equal Employment Opportunity Commission regulations set forth at 29 CFR parts 1604, 1605, 1606 and 1625.
- 2. Employer** – As defined in 20 CFR 651.10, a person, firm, corporation, or other association or organization which currently has a location within the United States to which U.S. workers may be referred for employment, and which proposes to employ a worker and which has an employer relationship with respect to employees under this subpart as indicated by the fact that it hires, pays, fires, supervises, and otherwise controls the work of such employees. An association of employers is considered an employer if it has all of the indicia of an employer set forth in this definition.
- 3. Full Registration** – A registration where all elements of a partial registration have been completed and the jobseeker has been assigned an O\*NET code, completed the background wizard, or entered a resume on their personal profile to include additional essential employment-related information such as licenses or certifications that will enhance the placement of the jobseeker.
- 4. Hire Date** – The date an individual accepts a job offer from an employer.
- 5. Job Opening** – A single job opportunity for which the LWDB has on file a request to select and refer participants.
- 6. Occupational Information Network (O\*NET)** – An online reference database which contains standardized detailed descriptions of U.S. occupations, distinguishing characteristics, classification codes, and information on tasks, knowledge, skills, abilities, and work activities as well as information on interests, work styles, and work values.

7. **Start Date** – The first day an employee actually begins working for and earning wages from an employer.
8. **Third-Party Agent** – A person, firm, corporation, other association or entity which posts job orders on behalf of another person, firm, corporation, other association or entity.

**VII. ATTACHMENTS**

[Employ Florida Terms and Conditions of Use](#)



**POLICY  
NUMBER 098**

## **Administrative Policy**

<b>Title:</b>	<b>Employer Services</b>		
<b>Program:</b>	<b>Wagner-Peyser</b>		
<b>Effective:</b>	<b>10/6/2017</b>	<b>Revised:</b>	<b>5/24/2019</b>

### **I. PURPOSE AND SCOPE**

The purpose of this policy is to provide Local Workforce Development Board (LWDB) staff and career center employees with the minimum requirements for employer services in the Wagner-Peyser (WP) labor-exchange system.

### **II. BACKGROUND**

The purpose of the Employment Service system is to improve the functioning of the nation's labor markets by bringing together qualified jobseekers and employers who are seeking workers. Section 7(a) of the Wagner-Peyser Act requires labor exchange services be provided to employers that:

1. Assist employers in filling jobs.
2. Facilitate the match between jobseekers and employers.<sup>1</sup>
3. Maintain a system of clearing labor between the States<sup>2</sup>, including the use of a standardized classification system.

<sup>1</sup> This is accomplished through the job referral process.

<sup>2</sup> The processing of interstate and intrastate job orders.

### III. AUTHORITY

[Wagner-Peyser Act of 1933, as amended by the Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014](#)

[Workforce Innovation and Opportunity Act of 2014](#)  
[20 Code of Federal Regulations \(C.F.R.\) Part 651.10, 652.207, 652.3, 678.435, 658.501, 658.502, 658.503, 658.504](#)

### IV. POLICIES AND PROCEDURES

#### A. Services to Employers

LWDB staff must facilitate the match between jobseekers and employers by matching jobseeker skills and interests with employer job openings. Upon the employer's request, staff may:

1. Advertise employer job openings through Employ Florida.
2. Assist in the development of job order requirements.
3. Refer qualified jobseekers to available job openings.
4. Conduct jobseeker screening.
5. Provide recruitment assistance.
6. Assist with organizing and conducting job fairs.
7. Assist with filling hard-to-fill job orders.
8. Assist with job restructuring.
9. Provide rapid response to layoffs and business closures.
10. Provide assessment and testing.

LWDBs may also provide customized services upon the employer's request. Each LWDB's local operating plan must identify available customized services. Such services may include:

1. Customized screening and referral of qualified participants for training services.
2. Human resource consultation services, which may include:
  - i. Writing and/or reviewing job descriptions and employee handbooks.
  - ii. Assisting with developing performance evaluation and personnel policies.
  - iii. Creating orientation sessions for new workers.
  - iv. Honing job interviewing techniques for efficiency and compliance.
  - v. Analyzing employee turnover.
  - vi. Creating job accommodations and using assistive technologies.
  - vii. Explaining labor and employment laws to help employers comply with discrimination, wage/hour and safety/health regulations.
3. Providing customized labor market information for specific employers, sectors, industries or clusters.

4. Providing other customized services, as available.

## **B. Employer Account Verification in Employ Florida**

LWDB staff must conduct an independent verification of a newly registered employer account prior to enabling an employer account or releasing any job order to jobseekers. LWDBs must have local policies and procedures in place to ensure sufficient vetting of employer accounts and job orders. Additionally, each LWDB must:

1. Verify the employer's registration information to include the business name, address, contact person and contact information. Methods of verification must include a phone call using the contact number listed on the company's website (not the one provided in the registration as it could be fraudulent), email inquiry, website review, and State of Florida's Department of State, Division of Corporations. If the employer fails to respond to the LWDB's phone call and email, the LWDB may conduct an onsite in person review. Verification of the registration must be documented in a case note.
2. For in-state employers, verify the Federal Employer Identification Number (FEIN)/Tax Identification Number (TIN) and entity's name on the [Department of State, Division of Corporation's Sunbiz website](#) ("Sunbiz"). If the business is not registered in Sunbiz as required, do not enable or approve the employer's registration until such information is available for verification as described in Subsection IV.B.4. below.
3. For out-of-state employers, verify the FEIN/TIN and entity's name using the appropriate state's division of corporation's website. If the information is unavailable for verification, do not enable the registration until such information is available for verification as described in Subsection IV.B.4. below.
4. For in-state and out-of-state employers and government organizations that are not registered in Sunbiz or the appropriate state's division of corporation's website, the LWDB must request the employer or organization to provide official documentation from the Internal Revenue Service (IRS) showing the FEIN/TIN. Upon receipt, staff must case note the specific documentation provided and proceed with their normal verification process. An electronic copy of the documentation can be uploaded to the employer's account in Employ Florida or the hard copy can be kept in the physical file, as dictated by the LWDB's local operating procedures.
5. For staff assisted registration of employer accounts, staff must conduct a follow-up and final review via email or telephone with the employer to confirm the information listed in the registration is accurate and document the method used for the approval process in case notes for all staff assisted registration of employer accounts.
6. Review all submitted job orders for compliance with federal and state laws, and the *Employ Florida Terms and Conditions of Use*.

Staff must enter a case note when verifying an employer that, at a minimum, includes the method of contact, the name and title of the contact (if applicable), whether the employer is registered in the appropriate state's corporations website, and the method used to verify the employer before an employer account is enabled in the system.

When an employer completes their registration in Employ Florida, the account status is automatically set to "Pending Verification". Employer accounts must be verified within two business days of the date of the initial registration. However, if the verification process cannot be completed within two business days, staff must place the employer's account in a "Not Verified" status. Upon placing an employer's account in a Not Verified status, staff must notify the employer of the action and ask the employer to correct the missing/needed information as soon as possible. The account must remain in Not Verified status until the employer's information is properly reviewed and verified in accordance with state and local policy. If the validity of an employer cannot be verified or if staff believes the account is suspicious in nature, staff must alert the LWDB manager. The LWDB manager must immediately elevate concerns of suspicious activity in Employ Florida to the Department of Economic Opportunity via email at: [EFAccountReferral@deo.myflorida.com](mailto:EFAccountReferral@deo.myflorida.com).

### **C. Third-Party Agent Verification**

LWDBs must ensure job orders posted by third-party agents are in accordance with the *Employ Florida Terms and Conditions of Use*. Third-party agents that use the Employ Florida system to post job openings for an employer must:

1. Obtain the employer's written consent to post job orders on the Employ Florida website and provide it to LWDB prior to posting an open position. Upon receipt of the written consent, the LWDB must upload an electronic copy to the account and enter a case note stating the specific documentation provided and uploaded.
2. Use only the employer's name and FEIN to register an account, unless the third-party agent is the employing entity.
3. List the employer's address of record and contact information as the primary contact and list the third-party agent's address of record and contact information as the secondary contact for verification purposes. Note: the employer's address may be suppressed and hidden from jobseekers.
4. Meet the same verification requirements listed in Section B of this policy.

### **D. Discontinuation of Services**

Pursuant to [20 C.F.R. 658](#), a career center must initiate procedures to discontinue services to an employer or third-party agent in certain instances. Some reasons for discontinuing services include, but are not limited to, an employer or third-party agent who:

1. Submits and refuses to alter or withdraw job orders containing specifications which are contrary to employment-related laws.
2. Submits job orders and refuses to provide assurances, in accordance with Agricultural Recruitment System requirements, that Agricultural Recruitment jobs offered are in compliance with employment-related laws.
3. Is found through field checks or otherwise to have either misrepresented the terms or conditions of the employment opportunity specified on job orders or failed to comply fully with assurances made on job orders.
4. Is found by an appropriate enforcement agency to have violated any employment-related laws and notification of the finding has been provided to the U.S. Department of Labor or the career center by that enforcement agency.
5. Is found to have violated Employment Service (ES) regulations pursuant to sec. 658.411.
6. Refuses to accept qualified workers referred through the clearance system.
7. Refuses to cooperate in the conduct of field checks conducted.
8. Repeatedly causes the initiation of the procedures for discontinuation of services.
9. Refuses to cooperate with the career center's request for verification.

Career center management must, after consultation with the Department of Economic Opportunity (DEO), discontinue services immediately if exhaustion of above procedures 1 – 7 would cause substantial harm to a significant number of workers.

Career center staff must also initiate procedures to discontinue services if the employer or third-party agent violates the *Employ Florida Terms and Conditions of Use*.

When discontinuing services, the career center must notify the employer in writing all employment services will be terminated within 20 working days, unless the employer satisfactorily addresses the concerns of the career center within the 20 days. If services are discontinued to an employer subject to Federal Contractor Job Listing Requirements, the career center must notify DEO immediately at [Wagner.Peyser@deo.myflorida.com](mailto:Wagner.Peyser@deo.myflorida.com).

Services must be reinstated to an employer after discontinuation:

1. If the state is ordered to do so by a Federal Administrative Law Judge (ALJ) or Regional Administrator; or
2. If the employer provides adequate evidence that any policies, procedures or conditions responsible for the previous discontinuation of services have been corrected and that the same or similar circumstances are not likely to occur in the future; and
3. The employer has responded adequately to any findings of an enforcement agency, career center, or ETA, including restitution to the complainant and the payment of any fines, which were the basis of the discontinuation of the services.

The career center must notify the employer requesting reinstatement within 20 working days whether his/her request has been granted. If the career center denies the request for reinstatement, the basis for the denial must be specified and the employer must be notified that he/she may request a hearing within 20 working days.

The career center must reinstate services to an employer if ordered to do so by a state hearing official, Regional Administrator, or Federal ALJ as a result of a timely hearing request.

#### **E. State and Local Monitoring**

Services and activities provided under WP must be monitored annually for compliance with WP requirements by DEO. DEO will monitor the requirements outlined in this policy and local operating procedures. Additionally, LWDBs must establish local monitoring policies and procedures that include, at minimum:

1. Roles of the employer and LWDB staff; and
2. Local monitoring procedures of Wagner-Peyser.

LWDBs must ensure participating providers agree to cooperate with monitoring efforts by the state and/or LWDB and adhere to all other applicable local, state and federal rules and regulations.

#### **V. REVISION HISTORY**

Final Guidance 035, Revised Job Seeker Registration and Employer Services dated May 8, 2012

Administrative Policy 098, Employer Services dated October 6, 2017

#### **VI. DEFINITIONS**

1. **Employer** – As defined in 20 C.F.R. 651.10, a person, firm, corporation, or other association or organization which currently has a location within the United States to which U.S. workers may be referred for employment, and which proposes to employ a worker at a place within the United States and which has an employer relationship with respect to employees under this subpart as indicated by the fact that it hires, pays, fires, supervises and otherwise controls the work of such employees. An association of employers is considered an employer if it has all of the indicia of an employer set forth in this definition.
2. **Job Opening** – A single job opportunity for which the career center has on file a request to select and refer participants.
3. **Job Referral** - The act of facilitating the match between qualified jobseekers and employers with job openings; and the recording of such referral in Employ Florida.

Prior to referring a jobseeker to a job opening, LWDB staff must ensure the jobseeker's qualifications match the minimum requirements listed in the job order by reviewing the jobseeker's skills, abilities, prior work experience, education and training, certifications/licensure against the requirements of the job order.

4. **Third-Party Agent** – A person, firm, corporation, other association or entity which posts job orders on behalf of another person, firm, corporation, other association or entity.



**POLICY  
NUMBER 100**

## **Administrative Policy**

<b>Title:</b>	<b>Work-Based Training</b>
<b>Program:</b>	Workforce Innovation and Opportunity Act
<b>Effective:</b>	June 11, 2019

### **I. PURPOSE AND SCOPE**

To provide Local Workforce Development Boards (LWDBs) with the requirements for implementing work-based training programs.

### **II. BACKGROUND**

The Workforce Innovation and Opportunity Act (WIOA) brings together in strategic coordination the core programs of the federal investment in skill development to support training and work experience<sup>1</sup> for jobseekers through work-based training. Work-based training is coordinated by LWDBs through collaboration with local employers who receive subsidies for participants entering work-based training. Work-based training activities include: Customized Training, Incumbent Worker Training (IWT), On-The-Job Training (OJT), Registered Apprenticeships (RA), Industry-Recognized Apprenticeship Programs (IRAP), Transitional Jobs, Work Experience and Internships.

### **III. AUTHORITY**

[WIOA, Public Law 113-128, Sections 3, 122, 134 and 148\(a\)\(1\)](#)

[Executive Order 13801](#), "Expanding Apprenticeships in America," June 15, 2017

[20 Code of Federal Regulations \(CFR\)](#) Parts 680.190; 680.470; 680.700; 680.760; 680.800; 680.830; 680.840 681.480; 681.600

29 CFR [Part 29](#)

Training and Employment Guidance Letter ([TEGL](#)) [13-16](#) and [TEGL 19-16](#)

Training and Employment Notice [3-18](#)

<sup>1</sup> Work experiences may be paid or unpaid.

Florida Statutes, Sections [446.011](#) and [446.092](#)  
Florida Administrative Code, Chapter [6A-23.001](#)

#### **IV. POLICIES AND PROCEDURES**

Work-based training provides WIOA-eligible participants an opportunity to engage in work experiences where they develop employability skills, acquire job-specific knowledge and gain work experience in an area that helps prepare them for self-sufficient employment. LWDBs must ensure that work-based training is only offered for occupations that are in demand in the local area in which the participant receives training.

LWDBs must develop a service strategy for each participant. A service strategy is a document created jointly by the participant and case manager, and is based on career planning and the results of the objective assessment. The service strategy includes a summary of the jobseeker's strengths, barriers, services needed, education and employment goals, and services provided. When selecting work-based training for a participant, the case manager must include the following in the service strategy:

1. A determination that a work-based training activity is appropriate to meet the participant's needs;
2. The specific work-based training most appropriate for the participant based on an assessment of the participant's needs, skill set, and other characteristics<sup>2</sup> necessary to determine the best activity for the participant;
3. The specific short and long-term goals for the work-based training activity, by identifying the purpose of the activity and outcomes expected;
4. The employer with whom the activity will be done and other information relevant to the work-based training activities;
5. Responsibilities of the LWDB, employer and participant; and
6. Other activities necessary to support the work-based training activity.

When LWDBs enroll participants in work-based training, they must develop an agreement with the training worksite. LWDBs must ensure that the worksite agreement includes:

1. A job description and/or training outline
2. Contact information for the supervisor
3. Record-keeping and payroll information,
4. Process to monitor the participant's worksite activities and ensure adherence to the records retention requirements, as applicable.
5. Worksite agreements for work-based training. For agreements with a staffing agency, the worksite agreements must include signatures of both the worksite employer and the staffing agency.

---

<sup>2</sup> Characteristics include the features and traits of the individuals. It also refers to individuals with barriers to employment.

In addition to the requirements for specific work-based training described in this administrative policy, the LWDB must ensure compliance with relevant WIOA requirements and restrictions.

Support services are available for Adult, Dislocated Worker and Youth work-based training participants. LWDBs may provide support services to participants when it is necessary to assist individuals to participate in work-based training activities. The provision of such support services must be documented the individual service strategy. Support service needs are identified through the assessment process and outlined in the service strategy.

### **A. Types of Work-Based Training**

Work-based training includes: Customized Training, Incumbent Worker Training, On-The-Job Training, Registered Apprenticeship, Industry Recognized Apprenticeship Program, Transitional Jobs, Work Experiences and Internships.

1. **Customized Training** is training designed to meet the specific requirements of an employer or group of employers, with the commitment that the employer(s) will retain current employees or hire individuals who successfully complete the training. The target population for customized training includes adults and dislocated workers. LWDBs must require the employer to pay for a significant portion of the cost of training.

Customized training is most appropriate for adults and dislocated workers with barriers to employment who need industry or occupational skills, unemployed workers (including long-term unemployed), underemployed workers, and employed workers.

2. **Incumbent Worker Training** is training designed to meet the needs of an employer or group of employers to retain a skilled workforce or avert layoffs, and increases both participants' and companies' competitiveness. Employers must meet local eligibility criteria to receive IWT funds. Employers are required to pay for a significant cost of the training for those individuals enrolled in incumbent worker training. This can be done through cash payments and fairly evaluated in-kind contributions. The minimum amount of employer share in the IWT depends on the size of the employer and may not be less than:
  - a. 10 percent of the cost, for employers with 50 or fewer employees;
  - b. 25 percent of the cost, for employers with between 51 to 100 employees; and
  - c. 50 percent of the cost, for employers with more than 100 employees.

LWDBs must work with employers to identify skill gaps of their workers and develop a strategy to effectively engage the workers in a training that will provide

the knowledge and skills needed to increase the competitiveness of the employees and/or employers. The LWDBs must use the following factors to determine an employer's eligibility for participating in IWT:

- a. The characteristics of the individual employees;
- b. The relationship of the training to the competitiveness of the individual and employer;
- c. Other factors the state or local boards may determine appropriate, which may include, but are not limited to:
  - i. The number of employees identified to participate in the training;
  - ii. The employees' advancement opportunities, along with wages and benefits (both pre- and post-training earnings);
  - iii. The availability of other training and advancement opportunities provided by the employer;
  - iv. Credentials and skills gained as a result of the training;
  - v. Layoffs averted as a result of the training;
  - vi. Utilization as part of a larger sector and/or career pathway strategy; and
  - vii. Employer size.
- d. For an employer to receive IWT funds, LWDBs must ensure that individuals who receive training:
  - i. Are employed;
  - ii. Meet the Fair Labor Standards Act (FLSA) requirements for an employer-employee relationship; and
  - iii. Have an established employment history with the employer for six months or more (which may include time spent as a temporary or contract worker performing work for the employer receiving IWT funds). Pursuant to [Training and Employment Guidance Letter 19-16](#), there is one exception to the six-month requirement, which is that in the event that incumbent worker training is being provided to a cohort of employees, not every employee in the cohort must have an established employment history with the employer for six months or more as long as a majority of those employees being trained meet the employment history requirement.

Participants in IWT are not required to meet WIOA eligibility criteria or priority of service unless they are also enrolled as a participant in the WIOA Adult or Dislocated Worker program. However, LWDBs must record participant demographic information in Employ Florida because this information must be reported to the United States Department of Labor. Each field that contains a red asterisk (\*) must be completed in order to progress to the next field.

LWDBs may use up to 20 percent of their adult and dislocated worker funds to provide for the federal share of the cost of providing IWT such training services. LWDBs may not use IWT funds for administrative activities such as office supplies.

Generally, IWT should be provided to private sector employers; however, there may be instances where non-profit and local government entities may be the recipients of IWT funds. For example, IWT may be used in the health care industry where hospitals are operated by non-profit or local government entities and a nursing upskilling opportunity is available.

3. **On-the-Job Training** is training conducted by an employer that is provided to a paid participant while engaged in productive work in a job that:
  - a. Provides knowledge or skills essential to the full and adequate performance of the job;
  - b. Is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant. LWDBs may increase the wage reimbursement level from 50 percent up to 75 percent for the extraordinary costs of providing the training and additional supervision related to the training. Factors LWDBs should use when deciding to increase the reimbursement rate must be documented and should include the following:
    - i. The characteristics of the participants, taking into consideration whether they are individuals with barriers to employment;
    - ii. The size<sup>3</sup> of the employer, with an emphasis on small businesses;
    - iii. The quality of employer-provided training and advancement opportunities (for example, if the OJT contract is for an in-demand occupation and will lead to an industry-recognized credential); and
    - iv. Other factors the LWDB may determine appropriate (for example, the number of employees participating in the training, the wage and benefit levels of the employees, and the relation of the training to the competitiveness of the participant).
  - c. Is limited in duration<sup>4</sup>, to the occupation for which the participant is being trained. Staff should take into consideration the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

LWDBs must ensure that participants have a training plan and contract prior to beginning the OJT assignment. The OJT training plan is a formal document detailing the structured job training and must provide participants with a combination of instruction in observable, and measurable job-ready skills, general employment competencies and occupational skills. LWDBs must ensure that each

---

<sup>3</sup> The term “size of the employer” refers to the number of employees.

<sup>4</sup> Limited in duration refers to the time required for a participant to become proficient in the occupation for which the training is being provided.

OJT plan is developed based on the participants ISS and/or IEP, and the occupation the participant has selected.

The LWDB may enter into a contract with a registered apprenticeship program to offer an OJT. However, the duration of the OJT contract must be designed around the length of the registered apprenticeship. LWDBs must enter into an OJT contract that covers the period that a participant is assigned to an employer.

Under certain circumstances, an OJT initiated through a reverse referral may be permitted. Reverse referral occurs when an individual is referred to the career center from a prospective employer (under either formal or informal agreement) for an assessment to determine if the individual meets the employer's hiring requirements for a specific position. Development of an OJT for an individual referred by the employer may be permitted only when:

- a. The individual progresses through the intake process as would any other career center customer and meets all requirements for eligibility as specified in this policy;
- b. The completed service strategy indicates training is necessary for the individual to perform the work associated with the position for which the employer has an opening;
- c. The employer meets all eligibility requirements outlined in 20 CFR 680.700 and any additional local eligibility requirement; and
- d. The employer provides assurance that the individual has not previously been employed by the employer in the same or similar position.

OJT is most appropriate for adults and dislocated workers in need of new skills to enter employment, and individuals with barriers to employment including, but not limited to, unemployed workers, underemployed workers, and out-of-school-youth.

Please click here to access the [Administrative Policy 009](#), On-The-Job Training.

4. **Pre-Apprenticeship Programs** provide instruction and/or training to increase math, literacy, and other vocational and pre-vocational skills needed to enter a Registered Apprenticeship program. A pre-apprenticeship program must have at least one registered apprenticeship partner and must include:
  - a. Training and curriculum that aligns with the skill needs of employers in the economy of the state or region;
  - b. Access to educational and career counseling, and other supportive services;
  - c. Hands-on, meaningful learning activities that are connected to education and training activities, such as exploring career options and exploring how skills acquired through coursework can be applied to a future career;
  - d. Opportunities to attain at least one industry-recognized credential; and

- e. A partnership with one or more registered apprenticeship programs that assists in placing individuals who complete the pre-apprenticeship into a registered apprenticeship program.

Pre-apprenticeships that include an academic and occupational education component may be used to meet the 20% youth work experience requirement.

Pre-apprenticeship program providers who offer occupational skills training do not have the same automatic Eligible Training Provider (ETP) status under WIOA as registered apprenticeship programs. LWDBs must ensure these programs go through the same selection process and performance reporting requirements as all other training providers to comply with Administrative Policy [090 - WIOA Eligible Training Provider List](#). When a pre-apprenticeship offers activities that are considered career services (pre-vocational, soft skills), it is not considered to be a training activity.

The pre-apprenticeship program is most appropriate for youth and adults with barriers to employment who are identified as needing certain skills or credentials to successfully enter and complete a registered apprenticeship program. Pre-apprenticeship is also appropriate for dislocated workers transitioning to new industries or occupations in need of new skills, and other eligible individuals identified by case managers as likely to succeed and who have an interest in registered apprenticeship programs.

- 5. **Registered Apprenticeship** is an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.). Registered apprenticeships are available to youth age 16 and over, adults and dislocated workers, veterans in receipt of the GI Bill, unemployed workers, underemployed workers, and incumbent workers.

Registered apprenticeship is an employer-driven, “learn while you earn” model that combines OJT with job-related instruction in curricula tied to the attainment of industry-recognized skills standards. The OJT must be under the supervision of a skilled worker. LWDBs are encouraged to partner with the registered apprenticeship programs and use registered apprenticeship opportunities as part of a career pathway for job seekers and as part of a job-driven strategy for employers and industries.

Registered apprenticeship programs are required to be included and maintained on the Eligible Training Providers List (ETPL) as long as the corresponding program remains registered, unless the registered apprenticeship program notifies the Department of Economic Opportunity (DEO) in writing that it no longer wants to be included on the ETPL.

Prior to enrolling a participant into a registered apprenticeship activity, the LWDB must ensure that the registered apprenticeship includes the work component (on-the-job training) and the job-related instruction. An individual training account (ITA) may be developed for a participant to receive registered apprenticeship training.

LWDBs may also fund registered apprenticeships through customized training, OJT, and IWT.

The registered apprenticeship program is most appropriate for youth, adults and dislocated workers, veterans in receipt of the GI Bill, unemployed workers (including long-term unemployed), underemployed workers, and incumbent workers.

6. **Industry-Recognized Apprenticeship Program** is an apprenticeship program that includes a paid work component and an educational or instructional component, wherein an individual obtains workplace relevant knowledge and skills. An IRAP is developed, delivered and administered by third parties, which may include, trade and industry groups, companies, non-profit organizations, educational institutions, unions and joint labor-management organizations. IRAPs are certified as a high-quality program by a third-party certifier that has received a favorable determination from the United States Department of Labor.

Unlike registered apprenticeships, IRAP participants cannot be considered apprentices for the purpose of meeting the Davis-Bacon Act wage requirements. The purpose of IRAP is to create an additional pathway to encourage expansion of apprenticeships beyond those industries where apprenticeships are already effective and substantially widespread. An IRAP may choose to become a registered apprenticeship program as long as it meets the standards and requirements in 29 CFR part 29. To receive WIOA training funds or an ITA, an IRAP sponsor will need to follow the process outlined in the Administrative Policy [090 - WIOA Eligible Training Provider List](#). IRAPs are not automatically included on the ETPL.

7. **Transitional Jobs** are subsidized, time-limited, paid work experience in the public, private, or nonprofit sectors for individuals with barriers to employment who are chronically unemployed or have inconsistent work history. These jobs are designed to enable individuals to establish a work history, demonstrate success in the workplace, and develop the skills that lead to unsubsidized employment. LWDBs may subsidize transitional jobs up to 100% of the cost.

Target populations include adults and dislocated workers with barriers to employment who are chronically unemployed or have an inconsistent work history. Potential target groups may include the long-term unemployed, ex-offenders, individuals who currently receive or have exhausted TANF benefits, and individuals with disabilities.

8. **Work experiences and internships** are planned, structured, learning experiences that take place in a workplace for a limited period. Work experience and internships may be paid or unpaid, as appropriate and consistent with other laws, such as the Fair Labor Standards Act. A work experience and internship may be in the private for-profit sector, the non-profit sector, or the public sector.

Work experiences and internships must include academic and occupational education components. The academic and occupational education as a component is a requirement for WIOA Youth. It is not a requirement for WIOA Adults and Dislocated Workers. The academic and occupational education components refer to contextual learning that accompanies a work experience. It includes the information necessary to understand and work in specific industries and/or occupations. For example, if a youth is in a work experience in a hospital, the occupational education could be learning about the duties of different types of hospital occupations such as a phlebotomist, radiology tech, or physical therapist. Whereas, the academic education could be learning some of the information individuals in those occupations need to know such as why blood type matters, the name of a specific bone in the body, or the function of a specific ligament. Local programs have the flexibility to determine the appropriate type of academic and occupational education necessary for a specific work experience. The educational component may occur concurrently or sequentially with the work experience.

For youth, work experiences may also include:

- a. Pre-apprenticeship programs;
- b. Summer employment and other employment activities available throughout the school year;
- c. Internships and job shadowing; and
- d. On-the-job training.

LWDBs must ensure that an employer does not use the WIOA work experience or internship activity to directly or indirectly aid in filling a job opening that is vacant because the former occupant is on strike or involved in a labor dispute that may lead to a strike.

Work experiences and internships are most appropriate for youth and adults with limited to no employment experience, dislocated workers who need exposure to new industries/occupations, unemployed workers, underemployed workers, and long-term unemployed workers.

## **B. Work-Based Training Employ Florida Service Codes**

Each work-based training activity is assigned a unique service code in Employ Florida service codes identified and described in the [Employ Florida Service Code Guide](#). The LWDB must assign the appropriate code to each individual engaged in a work-based

training activity. The details of the work-based activity must be included in the service strategy.

### **C. Recording of Worksite, Provider and O\*Net Code Information**

When a participant is enrolled into a work-based training activity, staff must record in Employ Florida, the address and location of the worksite where the participant will work.

1. For OJT, the worksite is the same as the employer and the actual location where the participant will report for work.
2. For other work-based training activities, such as work experiences, temporary jobs (including temporary disaster-relief jobs), registered apprenticeships, and pre-apprenticeships (when applicable), the actual location where the participant will report for work worksite must be recorded as part of the enrollment process.

When a participant is enrolled in a work-based training activity, the provider and O\*Net Code for the occupation in which the participant will engage or receive training must be entered into Employ Florida as part of the enrollment process.

### **D. Local Operating Procedures**

Local Operating Procedures (LOPs) help local areas further define and clarify how programs will be operated locally and are unique to each LWDB. Each LWDB must develop LOPs to establish the local requirements for the work-based training activities. The LOPs must include the allowable activities that conform to WIOA, but are not defined or captured in this administrative policy.

Each LWDB must develop LOPs as outlined below:

1. For customized training, LWDBs must describe in the LOPs how the local area defines the employer's significant portion of the cost of training, considering the size of the employer and any other factors the LWDB determines are appropriate, including:
  - a. The number of employees participating in training;
  - b. Wage and benefit levels of those employees;
  - c. Relation of the training to the competitiveness of a participant; and
  - d. Other employer-provided training and advancement opportunities.
2. LWDBs must define local eligibility criteria for IWT.
3. A description of how the LWDB will meet the non-federal share of cost for IWT.

4. LWDBs utilizing transitional jobs must include in their local operating procedures:
  - a. Provisions on the amount of reimbursement (up to 100%);
  - b. Limits on the duration of the jobs;
  - c. The supportive services to be offered; and
  - d. The manner for defining and identifying individuals who are “chronically unemployed” or “have an inconsistent work history.”

#### **E. State and Local Monitoring**

Services and activities provided under WIOA must be monitored annually for compliance with WIOA requirements by DEO pursuant to Section 185(c), WIOA. DEO will monitor the requirements outlined in this policy and local operating procedures. Additionally, LWDBs must establish local monitoring policies and procedures that include, at minimum:

1. Roles of the employer, participant, and LWDB staff;
2. Local monitoring procedures of work-based training employers and worksites to ensure that all parties are, and remain in, compliance with federal and state laws, as well as state and local policies and procedures. LWDBs should include in the monitoring process visits to the worksite and interviews of participants and supervisors by individuals who are not responsible for the management of the worksite agreement or the case management of participants at the worksite; and
3. Validation of skills and competency attainment for participants.

LWDBs must ensure participating employers agree to cooperate with monitoring requirements conducted by the state and/or LWDB and adhere to all other applicable local, state and federal rules and regulations.

#### **F. Definitions**

1. Individual Service Strategy - An individual plan for a youth which includes an employment goal, appropriate achievement objectives and the appropriate combination of services for the participant based on the objective assessment.
2. In-demand Occupation - an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate.



**POLICY  
NUMBER  
009**

## **Administrative Policy**

<b>Title:</b>	On-the-Job Training		
<b>Program:</b>	Workforce Innovation and Opportunity Act		
<b>Effective:</b>	May 30, 2000	<b>Revised:</b>	June 11, 2019

### **I. PURPOSE AND SCOPE**

The purpose of this policy is to provide the Workforce Innovation and Opportunity Act (WIOA) On-the-Job Training (OJT) Program requirements to Local Workforce Development Boards (LWDBs).

### **II. BACKGROUND**

WIOA offers several work-based training strategies for WIOA-eligible participants. OJT is a proven, evidence-based strategy that provides reimbursements to employers for the costs associated with skills upgrading and loss of production for the training of hiring new employees.

OJT is an “earn and learn” employment model where eligible participants may upgrade, retool and increase employability skills. OJT is most appropriate for adults and dislocated workers in need of new employer-based skills, and individuals with barriers to employment including, but not limited to, unemployed workers, underemployed workers, and out-of-school-youth. Individuals must meet WIOA eligibility criteria to participate in OJT programs.

### **III. AUTHORITY**

[Workforce Innovation and Opportunity Act \(WIOA\) Public Law 113-128](#)

Code of Federal Regulations (CFR), [Title 20 Parts 680.700 - 680.840; 683.400; 683.410](#)

Training and Employment Guidance Letter [\(TEGL\) 19-16](#)

[2 CFR Appendix II to Part 200, Contract Provisions for Non-Federal Entity Contracts Under Federal Awards](#)

#### IV. POLICIES AND PROCEDURES

OJT is a work-based training that provides WIOA-eligible participants occupational skills training essential to the performance of a specific job. OJT provides reimbursement to the employer for up to 50% of the participant's wage rate for the costs of training and supervision related to training. LWDBs are encouraged to use this training method to address critical workforce needs, enhance skills of eligible participants and to aid eligible employers in attaining a qualified, skilled workforce with competencies needed to meet the employer's needs.

**On-the-Job Training** is training conducted by an employer that is provided to a paid participant while engaged in productive work in a job that:

1. Provides knowledge or skills essential to the full and adequate performance of the job;
2. Is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant. LWDBs may increase the wage reimbursement level above 50 percent up to 75 percent for the extraordinary costs of providing the training and additional supervision related to the training; however, factors used when deciding to make the increase must be documented and include the following:
  - a. The characteristics of the participants, taking into consideration whether they are individuals with barriers to employment;
  - b. The size<sup>1</sup> of the employer, with an emphasis on small businesses;
  - c. The quality of employer-provided training and advancement opportunities (for example, if the OJT contract is for an in-demand occupation and will lead to an industry-recognized credential); and
  - d. Other factors the LWDB may determine appropriate (for example, the number of employees participating in the training, the wage and benefit levels of the employees, and the relation of the training to the competitiveness of the participant.
3. Is limited in duration, as appropriate to the occupation for which the participant is being trained, and taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

##### A. Eligibility

An individual who meets WIOA eligibility may be considered for OJT when the eligibility requirements for the WIOA adult, dislocated worker or youth programs have been met, and the participant has been determined to be in need of training services. If a male participant, over the age of 18, they must register for Selective Service.

---

<sup>1</sup> This refers to the number of employees.

1. An In-School Youth (ISY) individual must:
  - a. Be Attending School, Including Secondary Or Postsecondary School;
  - b. Between the Ages Of 14 And 21 At The Time Of Enrollment;
  - c. Be Low-Income; And
  - d. Meet One Or More of The Following Barriers:
    - i. Basic Skills Deficient;
    - ii. An English language learner;
    - iii. An Offender;
    - iv. A homeless individual, a homeless child or youth, or a runaway;
    - v. An individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under sec. 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
    - vi. An individual who is pregnant or parenting;
    - vii. An individual with a disability; or
    - viii. An individual who needs additional assistance to complete an educational program or to secure or hold employment.
  
2. An Out-of-School Youth (OSY) individual must:
  - a. Not be attending school<sup>2</sup>;
  - b. Be between the ages of 16 to 24 at the time of enrollment; and
  - c. Meet one or more of the following barriers:
    - i. Not attending any school (as defined under State law);
    - ii. Not younger than age 16 or older than age 24 at time of enrollment; and
    - iii. One or more of the following barriers:
      1. A school dropout;
      2. A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter;
      3. A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and
      4. Is either basic skills deficient or an English language learner;
      5. An offender;
      6. A homeless individual, a homeless child or youth, or a runaway;
      7. An individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under sec. 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
      8. An individual who is pregnant or parenting;
      9. An individual with a disability; or

---

<sup>2</sup>An individual who is not attending a secondary or post-secondary school (WIOA Section 129[a]).

10. A low-income individual who requires additional assistance to enter or complete an educational program, or to secure or hold employment.

3. Adults workers must:

- a. Be 18 years of age or older;
- b. If male, registered as required for the Selective Service;
- c. Be authorized to work in the United States and provide appropriate documentation such as Social Security card, passport, birth certificate, or another similar document.

4. Dislocated workers must<sup>3</sup>:

- a. (i) Have been terminated or laid off, or who has received a notice of termination or layoff, from employment;  
(ii) Is eligible for or has exhausted entitlement to unemployment compensation or have been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center, attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and  
(iii) Is unlikely to return to a previous industry or occupation;
- b. (i) Have been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, military installation or enterprise;  
(ii) Is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or  
(iii) For purposes of eligibility to receive services other than training services, career services or supportive services, be employed at a facility at which the employer has made a general announcement that such facility will close;
- c. Have been self-employed (including employment as a farmer, a rancher, or a fisherman) but are unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters;
- d. Be a displaced homemaker; or
- e. (i) Be the spouse of a member of the Armed Forces on active duty and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or  
(ii) Be the spouse of a member of the Armed Forces on active duty and who is experiencing difficulty in obtaining or upgrading employment.

A participant will be assessed when they have been determined eligible for services.

---

<sup>3</sup> WIOA sec. 3(15)

An individual service strategy (ISS) or individual employment plan (IEP) must be developed.

5. Priority of service states that individuals in different categories may be served first due to priority of service. An individual must be served in the following order:
  - a. Recipients of public assistance, other “Low Income” individuals according to Federal Low-Income Guidelines, or basic skills deficient.
  - b. Those who are not “Low Income” but who have one or more substantial barriers to employment such as offender status, homeless, disability, single parent, language or barriers.
  - c. Veterans/eligible spouses.
  - d. Adults underemployed may also be considered for services under WIOA.
6. Individual Service Strategy (ISS)/Individual Employment Plan (IEP)<sup>4</sup>

Prior to receiving services, the individual service strategy (ISS) or individual employment plan (IEP) must be developed.

The ISS and IEP is a living document that must be reviewed regularly by front-line staff and adjusted throughout participation, jointly with the participant. The details of the OJT assignment must be incorporated into the ISS and/or IEP, and must include the participants details regarding the OJT assignment, as appropriate. When enrolling a participant in OJT, LWDB staff must consider:

- a. The skill requirements of the occupation;
- b. The academic and occupational skill level of the participant; and/or
- c. Prior work experience; and
- d. The participant’s service strategy.

Additionally, OJT may not be suitable for ISY who may be enrolled in secondary school. However, OJT may be an appropriate strategy for eligible youth when the need is identified by the objective assessment and included in the service strategy.

## **B. Employed Workers**

OJT contracts may be written for eligible employed workers when:

1. The employee is not earning a self-sufficient wage or wages comparable to or higher than wages from previous employment, as determined by the LWDB policy;
2. The OJT relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional

---

<sup>4</sup> 20 CFR 680.170; see definitions in Section V.

- skills, workplace literacy, or other appropriate purposes identified by the LWDB in the local operating procedures;
3. There is a contract for the OJT with and employer or registered apprenticeship program sponsor in the public, private non-profit or private sector.

### **C. Occupation Eligibility**

The LWDB must ensure that participants are placed in OJT for occupations that are in demand in the local area, are appropriate for the program and included on the targeted on the [Targeted Occupations List \(TOL\)](#). Occupations or job types that are not suitable for OJT are occupations that are:

1. Based on commission<sup>5</sup>;
2. Seasonal in nature; or
3. Less than part-time<sup>6</sup>.

### **D. Duration of OJT**

LWDBs must ensure that the OJT contracts are processed and executed in accordance with federal, state and local procurement policies and shall not exceed a 12-month period. Except in instances where it takes longer to learn the job, e.g. apprenticeships. The LWDB must document reasons for any OJT that takes longer than 12-months.

When developing the local area's OJT strategy, the LWDB should use a readily available occupational information source, such as O\*NET, or any other occupation classification model used to determine the appropriate duration of trainings. The duration of OJT for each participant must be based on the amount of time it takes to learn the job. The length for the OJT must be included in the OJT contract with the employer and the participant's individual service strategy (ISS) or individual employment plan (IEP). LWDBs must describe how it will define the duration of OJT in the LOPs.

### **E. OJT Training Plan**

The OJT plan is a formal document detailing the structured job training and must provide participants with a combination of instruction in observable, and measurable job-ready skills, general employment competencies and occupational skills. OJT may be combined with customized training, if appropriate. LWDBs must ensure that each OJT plan is developed based on the participant's ISS and/or IEP, and the occupation the participant has selected. The OJT Training Plan must be agreed upon and signed by the participant, employer and the LWDB.

---

<sup>5</sup>Salary based on sales and not an hourly wage.

<sup>6</sup> Part-time is considered 20 hours per week or less/Full-time is considered 32 hours or more.

## **F. OJT Contract Requirements**

LWDBs must ensure that all OJT is provided under a written contract with an employer or registered apprenticeship program sponsor in the public, private non-profit or the private sector. Employers providing OJT are not required to meet the conditions for inclusion on the Eligible Training Provider List.

In developing the OJT contract, LWDBs must ensure:

1. OJT contracts include related requirements specific to the state and local areas and related to OJTs funded through other federal programs.
2. The OJT contract includes an explanation of how participants will be provided a structured training opportunity. All training services shall be provided in a manner that maximizes consumer choice.
3. OJT participants are compensated at the same wage rates, including periodic increases, as trainees or employees who are in similar occupations by the same employer and who have similar training, experience, and skills. Wage rates must be in accordance with applicable law.
4. That they do not provide or extend OJT contracts to employers who have previously exhibited a pattern of ineffectiveness in providing OJT participants with continued, long-term employment.
5. OJT contracts are to be signed and dated by the appropriate LWDB staff and the employer. However, the training plan should be signed by the participant and the LWDB. This must take place prior to the execution of the contract. LWDBs are responsible for ensuring that the contract and/or training plan is signed and agreed upon by all parties, prior to the participant's initial start date.
6. OJT contracts include any applicable provisions required by federal statutes and executive orders listed, including Equal Opportunity, Davis Bacon Act and other provisions outlined in 2 CFR part 200, Appendix II.
7. OJT contracts include employer responsibilities and required assurances that the employer will provide to the participant during and following the OJT.
8. No participant is placed in an OJT where a member of that person's immediate family is directly supervised by or directly supervises the participant. Family<sup>7</sup> means two or more persons related by blood, marriage, or decree of court, who are

---

<sup>7</sup> 20 CFR 675.300

living in a single residence, and are included in one or more of the following categories:

- a. A married couple and dependent children;
  - b. A parent or guardian and dependent children; or
  - c. A married couple.
9. That they verify that employees were not laid off at the previous location because of the relocation from another area of the United States if:
- a. An employer is an established or new business; or
  - b. The employer has operated at the current location less than 120 days (of operation) and relocated from another area in the U.S.
10. LWDBs must monitor each OJT assignment, periodically, until the assignment is complete.

#### **G. OJT In-Person Worksite Visit**

LWDBs must conduct an in-person visit to each worksite where an OJT participant is placed at least once per year. The purpose of the in-person visit is to assess the appropriateness of the site and to ensure that it meets all the terms of the worksite agreement. The site visit must be recorded in case notes for the employer and must include the date of the most recent worksite visit, the name of the LWDB staff member who conducted the visit and the outcome of the visit. For example, if a LWDB identifies any concerns with the site, the information must be recorded in a case note against the employer's Employ Florida file. LWDB staff must ensure that all identified concerns are alleviated prior to a participant beginning employment, and the steps taken to alleviate the concerns must also be documented.

#### **H. Individual Training Accounts (ITAs) and Training Contracts**

LWDBs must ensure that training services, as deemed appropriate, are provided through either a training contract or Individual Training Account (ITA), or a combination of both. The type of training the participant is enrolled into distinguishes when an ITA must be used.

#### **I. Payments to Employers, Wages and Participant Hours**

Payments to employers for OJT must comply with federal regulations and state guidelines, and in accordance with the specific WIOA program guidelines. OJT payments are compensation for the employers' "extraordinary costs" associated with training participants and potentially lower productivity of the participants while in OJT.

The LWDB must ensure that participant wages are equal to those similarly employed by the employer. The LWDB must communicate to the employer the expectation that the participant will continue working after the OJT contract ends and will receive compensation, and benefits that are commensurate with their job performance and in alignment with other workers.

The LWDB must ensure WIOA funds are not utilized to pay for the following:

1. Paid or unpaid holidays;
2. Sick leave;
3. Vacation;
4. Overtime hours;
5. Fringe benefits; and/or
6. Work performed outside the OJT contract.

The LWDB must retain records for each OJT employer and OJT participant for a minimum of five years. Any calculation of hours worked or timesheets recording wages and/or benefits by the participant must also be recorded as a case note in Employ Florida and the participant case file. Records regarding the OJT assignment may be requested by DEO for monitoring purposes.

## **J. Reverse Referral**

Under certain circumstances OJT initiated through “reverse referral” may be permitted. Reverse referral occurs when an individual is referred to the career center from a prospective employer (under either formal or informal agreement) for assessment<sup>8</sup> as to whether the individual meets the employer’s hiring requirements for a specific position. Employers must not make or have made a hiring decision prior to the participant becoming eligible for the OJT program through the local career center. Development of an OJT for an individual referred by the employer may be permitted only when:

1. The individual progresses through the intake process as with any other career center customer and meets all requirements for eligibility as specified in this policy;
2. The completed service strategy indicates training is necessary for the individual to perform the work associated with the position for which the employer has an opening;
3. The employer meets all the eligibility requirements under this policy; and
4. The employer provides assurance that the individual has not previously been employed by the employer in the same or similar position.

---

<sup>8</sup> See definition, Section V of this AP.

## **K. General Guidelines**

WIOA funds provided to employers for the purpose of OJT must not be used to directly or indirectly assist, promote or deter union organizing.

Additionally, funds provided for any type of work experiences may not be used to directly or indirectly aid in filling a specific job that is vacant due to the current employee being on strike, engaged in a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage.

## **L. OJT, Registered Apprenticeships and Pre-Apprenticeships**

LWDBs are encouraged to partner with the registered apprenticeship and pre-apprenticeship programs and use these opportunities as part of a career pathway for job seekers, and as part of a job-driven strategy for employers and industries. The duration of the OJT contract must be designed around the length of the registered apprenticeship. The OJT contract must comply with the requirements of the Work-Based Learning and OJT Administrative Policies.

1. **Registered Apprenticeship** is an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.). It is available to youth age 16 and over, adults and dislocated workers, veterans in receipt of the GI Bill, unemployed workers, underemployed workers, and incumbent workers.

Registered apprenticeships are employer-driven, “learn while you earn” models that combine OJT with job-related instruction tied to the attainment of industry-recognized skills standards. The OJT must be under the supervision of a skilled worker.

Registered apprenticeship programs are to be included and maintained on the Eligible Training Providers List (ETPL) as long as the corresponding program remains registered, unless the registered apprenticeship program notifies the Department of Economic Opportunity (DEO) in writing that it no longer wants to be included on the ETPL.

Prior to enrolling a participant into a registered apprenticeship activity, the LWDB must ensure that the registered apprenticeship includes the work component (on-the-job training) and the job-related instruction. An individual training account (ITA) may be developed for a participant to receive registered apprenticeship training.

LWDBs may also fund registered apprenticeships through OJT.

The registered apprenticeship program is most appropriate for youth, adults and dislocated workers, veterans in receipt of the GI Bill, unemployed workers (including long-term unemployed), underemployed workers, and incumbent workers.

2. **Pre-Apprenticeship Program** provides instruction and/or training to increase math, literacy, and other vocational and pre-vocational skills needed to gain entry into a Registered Apprenticeship program. A pre-apprenticeship program must have at least one registered apprenticeship partner and must include:
  - a. Training and curriculum that aligns with the skill needs of employers in the economy of the state or region;
  - b. Access to educational and career counseling, and other supportive services;
  - c. Hands-on, meaningful learning activities that are connected to education and training activities, such as exploring career options and exploring how skills acquired through coursework can be applied to a future career;
  - d. Opportunities to attain at least one industry-recognized credential; and
  - e. A partnership with one or more registered apprenticeship programs that assists in placing individuals who complete the pre-apprenticeship into a registered apprenticeship program.

Pre-apprenticeship program providers who offer occupational skills training do not have the same automatic Eligible Training Provider (ETP) status under WIOA as registered apprenticeship programs. LWDBs must ensure these programs go through the same selection process and performance reporting requirements as all other training providers to comply with Administrative Policy [090 - WIOA Eligible Training Provider List](#). When a pre-apprenticeship offers activities that are considered career services (pre-vocational, soft skills), it is not considered to be a training activity.

## M. Local Operating Procedures

Local Operating Procedures (LOPs) help local areas further define and clarify how programs will be operated locally and are unique to each LWDB. LOPs govern the eligibility and training process, and must specifically discuss the assessments<sup>9</sup> tool used to determine a participant eligible for services.

LWDBs must develop LOPs that:

1. Clarify and define the eligibility criteria for OJT.
2. Govern and establish criteria, and eligibility for employed workers to participate in OJT.
3. Define the criteria used to determine when an employed worker is eligible for OJT.
4. Govern the eligibility and training process, that must specifically discuss the initial assessment tool used to determine a participant eligible for services.
5. Details the process of reverse referrals.

---

<sup>9</sup> See definitions in Section V.

6. Incorporate requirements of this policy and define how the OJT Program will be implemented in the local area.

## **N. State and Local Monitoring**

Services and activities provided under WIOA must be monitored annually for compliance with WIOA requirements by DEO pursuant to Section 185(c), WIOA. DEO will monitor the requirements outlined in this policy and local operating procedures. Additionally, LWDBs must establish local monitoring policies and procedures that include, at minimum:

1. Roles of the employer, participant, and LWDB staff;
2. Local monitoring procedures of work-based training employers and worksites to ensure that all parties are, and remain in, compliance with federal and state laws, as well as state and local policies and procedures. LWDBs should include in the monitoring process visits to the worksite and interviews of participants and supervisors by individuals who are not responsible for the management of the worksite agreement or the case management of participants at the worksite; and
3. Validation of skills and competency attainment for participants.

LWDBs must ensure participating employers agree to cooperate with monitoring requirements conducted by the state and/or LWDB and adhere to all other applicable local, state and federal rules and regulations.

## **V. DEFINITIONS**

1. **Assessments:** Refers to tools that career center staff may use to evaluate, identify and document a participant's academic readiness, learning progress, skill acquisition, occupational readiness and/or educational needs.
2. **Employed Worker:** An employed worker is an individual who is currently working, but who has been determined by the LWDB, pursuant to local operating procedures, to need services to maintain employment or secure self-sufficient employment.
3. **Individual Employment Plan:** An individualized career service, under WIOA sec. 134(c)(2)(A)(xii)(II), that is developed jointly with an eligible participant and career planner. The plan is an ongoing strategy to identify employment goals, achievement objectives and an appropriate combination of services for the participant to achieve the employment goals.
4. **Individual Service Strategy:** A plan of action developed jointly by the participant and case manager that includes short- and long-term goals and a planned series of action steps to achieve them. It incorporates steps taken to identify career pathways that include education and employment goals, based in part on career planning and the results of the objective assessment. It includes the process a jobseeker will take to

achieve educational and/or occupational goals, and includes a summary of the jobseeker's strengths, barriers, services needed and/or provided, and educational and employment goals.

5. **Occupational Skills Training:** Occupational skills training is an organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at entry, intermediate, or advanced levels.
6. **Registered Apprenticeship:** A registered apprenticeship is a national training system that combines paid learning on-the-job and related technical and theoretical instruction in a skilled occupation. An apprenticeable occupation is one which is specified by industry and which must:
  - a. involve skills that are customarily learned in a practical way through a structured, systematic program of on-the-job supervised learning;
  - b. be clearly identified and commonly recognized throughout an industry;
  - c. involve the progressive attainment of manual, mechanical or technical skills and knowledge which, in accordance with the industry standard for the occupation, would require the completion of at least 2,000 hours of on-the-job learning to attain; and
  - d. require related instruction to supplement the on-the-job learning.
7. **Work Experience:** A work experience is a planned, structured learning experience that takes place in a workplace for a limited period of time. Work experience may be paid or unpaid, as appropriate. A work experience may take place in the private for-profit sector, the non-profit sector, or the public sector.

## VI. REVISION HISTORY

AWI FG 00-009, On-the-Job Training, dated May 30, 2000  
LET Communiqué BJT 90-135, dated July 10, 1990  
BJT 91-149 dated March 8, 1991  
BJT 92-129 dated December 10, 1991  
DIR JTPA/OJT Contract Procedures dated December 18, 1986

## VII. ATTACHMENT

[Florida State Wage Information](#)



**POLICY NUMBER**  
**FG – OSPS 89**

**Administrative Policy**

<b>Title:</b>	Employed and Incumbent Worker Training
<b>Program:</b>	Workforce Innovation and Opportunity Act
<b>Adopted:</b>	<b>August 22, 2011</b>
<b>Revised:</b>	<b>January 2016</b>
<b>Effective:</b>	<b>January 11, 2016</b>

**I. PURPOSE AND SCOPE**

This administrative policy updates the requirements and restrictions for Employed Worker and Incumbent Worker Training (IWT) provided by Local Workforce Development Boards (LWDBs).

**II. BACKGROUND**

The Workforce Innovation and Opportunity Act (WIOA) establishes a framework to assist unemployed adults and dislocated workers attain employment that provides a self-sufficient wage. WIOA recognizes that employed workers may also require help in order to obtain or retain jobs that lead to self-sufficiency. It allows the use of local formula funds to serve employed workers and encourages states to use their state-level funds to develop innovative incumbent worker programs. The Florida Legislature has established a statutory commitment to provide incumbent worker training for the purpose of assisting with the continuing education and training needs of existing Florida businesses.

Under the Workforce Investment Act (WIA), only state-level funds could be used to conduct Incumbent Worker Training unless a state had a waiver to allow Local Boards to use their local funds for that purpose. In Florida, state legislation has authorized the funding of a state-level Incumbent Worker Training Program since the beginning of WIA. CareerSource Florida has reviewed and modified their IWT guidelines to ensure compliance with WIOA. A copy of those

guidelines may be accessed [here](#). In addition, WIOA now allows the use (without a waiver) of local funds for IWT.

### III. AUTHORITY

Workforce Innovation and Opportunity Act, Title I, Pub. L. No 113-128, §§134(d)(4).

Workforce Innovation and Opportunity Act; Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions, Vol. 80, No. 73 Fed. Reg., 20573 (proposed April 16, 2015) (to be codified at 20 C.F.R. pts. 680.780, 680.790, 680.800, 680.810, 680.820, 682.210(b) and 682.320(b)(3).

“Guidance on Services Provided through the Adult and Dislocated Worker Program under the Workforce Innovation and Opportunity Act (WIOA or Opportunity Act) and Wagner Peyser, as Amended by WIOA, and Guidance for the Transition to WIOA Services,” U.S. Department of Labor, Employment and Training Administration 3-15 available at [http://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_03-15\\_Acc.pdf](http://wdr.doleta.gov/directives/attach/TEGL/TEGL_03-15_Acc.pdf).

### IV. POLICIES AND PROCEDURES

WIOA distinguishes between an employed worker and an incumbent worker in several ways.

#### Employed Worker

1. An employed worker is an individual currently working who has been determined by a one-stop operator to be in need of employment and services in order to obtain employment that allows for self-sufficiency, in accordance with the locally established definition of that term.
2. An employed worker who currently meets the local definition of self-sufficiency, but needs services in order to retain their self-sufficient employment, also may be served if documentation is obtained from the employer that the employee will not be retained unless additional training or services are received.
3. Dislocated workers who have become re-employed in "income maintenance" jobs (a job with a lower rate of pay than the job of dislocation) if training is determined necessary in order to obtain or retain employment that leads to economic self-sufficiency.
4. Employed workers must have the skills and qualifications to successfully participate in the selected program of training services.
5. Local One-Stop Career Centers are required to complete a WIOA application and enter participation information into the state's management information system.

### **Employed Worker Training**

1. WIOA employed worker services primarily are provided for the benefit of the employed worker but it is recognized that these services may also benefit the employer.
2. Employed workers must be given the same customer choice options as other WIOA clients (except for eligible employed workers who are enrolled in customized training with their employers).
3. Training must be provided in compliance with the Eligible Training Provider and Individual Training Account (ITA) requirements unless it is customized training or On- the-Job Training.

OJT and Customized Training for employed workers must relate to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes as identified by the Local Board. Other appropriate purposes must be clearly defined and approved by the Local Board.

### **Incumbent Worker**

1. An incumbent worker does *not necessarily* have to meet the eligibility criteria for employed adults or dislocated workers but Local One-Stop Career Centers still are required to complete a WIOA application and enter participation information into the state's management information system.
2. Obtaining or retaining employment that leads to self-sufficiency is not a prerequisite for incumbent worker training. For locally-funded IWT, age, citizenship/right to work, and compliance with the Selective Service registration requirements still must be met.
3. Incumbent worker participants are subject to selection for the federally mandated data validation. Therefore, all eligibility documentation requirements apply to incumbent workers.

### **Incumbent Worker Training**

1. Incumbent worker training is developed with an employer or employer association (group of employers) to retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment.
2. Local Boards must consider the characteristics of the participants; the relationship of the proposed training to the competitiveness of the participant and the employer; and, other factors the Local Board may determine appropriate, including number of employees trained, wages and benefits including post training increases, and the existence of other training opportunities provided by the employer when determining to do Incumbent Worker Training with an Employer.

3. Incumbent Worker Training may only be conducted with the commitment of the employer (or group of employers) to retain or avert the layoffs of the incumbent worker(s) being trained.
4. Employers must contribute a non-Federal share in an amount not be less than—
  - 10 percent of the cost, for employers with not more than 50 employees;
  - 25 percent of the cost, for employers with more than 50 employees but not more than 100 employees; and
  - 50 percent of the cost, for employers with more than 100 employees.
5. The non-Federal share provided by an employer participating in the program may include the amount of the wages paid by the employer to a worker while the worker is attending a training program under this paragraph. The employer may provide the share in cash or in kind, fairly evaluated.
6. LWDBs are required to report performance outcomes for any incumbent worker participant in the Workforce Investment Act Standardized Record Data (WIASRD) system and the state's Management Information System. All participants in IWT projects must be reported.

### Local Options

Local Boards may either choose to follow the Incumbent Worker Training Guidelines established by CareerSource Florida (available at <http://careersourceflorida.com/training-solutions/incumbent-worker-training/>) or establish their own local policy and procedures.

1. Local Boards that choose to develop their own policy and procedures must address all provisions found in the WIOA, its accompanying regulations, and relevant training and guidance letters. Such policies should also address reporting performance outcomes.
2. Locally developed policy and procedures must be written and must be available for review by DEO.



Administrative Policy

**POLICY  
NUMBER  
095**

<b>Title:</b>	<b>Youth Program Eligibility</b>
<b>Program:</b>	<b>Workforce Innovation and Opportunity Act (WIOA)</b>
<b>Adopted:</b>	<b>April 25, 2017</b>
<b>Effective:</b>	<b>April 25, 2017</b>

**I. PURPOSE AND SCOPE**

The purpose of this policy is to provide the Workforce Innovation and Opportunity Act (WIOA) youth eligibility requirements to Local Workforce Development Boards (LWDBs) and youth program service providers.

**II. BACKGROUND**

WIOA was signed into law on July 22, 2014 and supersedes Titles I and II of the Workforce Investment Act (WIA) of 1998, and amends the Wagner-Peyser Act and the Rehabilitation Act of 1973. The Department of Labor and Education published a set of regulations for implementing WIOA. These WIOA Final Rules were made public on July 1, 2016, and the rules covering the Title I youth formula program became effective on October 18, 2016.

WIOA outlines a broad vision that supports an integrated service delivery system and provides a framework through states and local areas can leverage federal, state and local resources to support the WIOA youth program. WIOA also promotes career pathways, increased attainment of recognized credentials and post-secondary certificates or degrees for youth.

**III. AUTHORITY**

[Public Law 113-128](#) Section 129(a), *Workforce Innovation and Opportunity Act (WIOA)*

Training and Employment Guidance Letter [\(TEGL\) 21-16](#), *WIOA Youth Program Transition*, (March 2, 2017)

Training and Employment Guidance Letter [\(TEGL\) No. 8-15](#), *Second Title I WIOA Youth Program Transition Guidance*, (November 17, 2015)

Training and Employment Guidance Letter ([TEGL No. 23-14](#)), *WIOA Youth Program Transition*, (March 26, 2015)

Training and Employment Guidance Letter ([TEGL No. 02-14](#)), *Eligibility of Deferred Action for Childhood Arrivals Participants for Workforce Investment Act and Wagner-Peyser Act Programs* (July 14, 2014)

Code of Federal Regulations, [Title 20 Part 681](#)

[Sections 445.003](#), [445.004\(5\)\(a\)](#) and [445.004\(5\)\(b\)\(1\)](#), Florida Statutes

## IV. POLICY

### 1. Eligibility Criteria

WIOA Section 129(a) (1) establishes the eligibility criteria that an individual must meet to participate in the WIOA youth program. Every individual receiving services under the WIOA youth program must meet either the In-School Youth or as an Out-of-School Youth eligibility criteria and enroll in the program. All youth must be a United States citizen or have the right to work in the U.S. and males must comply with selective service registration requirements.

Separate eligibility criteria for ISY and OSY are outlined below.

#### A. In School Youth (ISY)

An individual who meets the ISY eligibility criteria must:

1. Be attending school, including secondary or postsecondary school and,
2. Be between the ages of 14 and 21 at the time of enrollment and,
3. Low-income, and
4. Meet one or more of the following conditions:
  - Basic skills deficient.
  - An English language learner.
  - An offender.
  - A homeless individual.
  - A runaway.
  - An individual in foster care or has aged out of the foster care system.
  - A child eligible for assistance under section 477 of the Social Security Act or in an out-of-home placement.
  - An individual who is pregnant or parenting.
  - A youth who is an individual with a disability.
  - An individual who requires additional assistance to complete an educational program or to secure or hold employment. Note: Up to five percent of youth in a given program year (ISY and OSY, who ordinarily would be required to meet the low-income criteria for eligibility purposes, are allowed a low-income exemption based on this barrier).

**Out-of-School Youth (OSY)**

An individual who meets the OSY eligibility criteria must:

1. Not be attending school and,
2. Be between the ages of 16 to 24 at the time of enrollment, and
3. Meet one or more of the following conditions:
  - A school dropout.
  - A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter.
  - A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is—
    - Basic skills deficient or
    - An English language learner.
  - An offender.
  - A homeless individual.
  - A runaway.
  - In foster care or has aged out of the foster care system.
  - Eligible for assistance under section 477 of the Social Security Act
  - In an out-of-home placement.
  - Pregnant or parenting.
  - Have a documented disability.
  - A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment. Note: Up to five percent of youth in a given program year (ISY and OSY), who ordinarily would be required to meet the low-income criteria for eligibility purposes, are allowed a low-income exemption based on this barrier.

**2. OSY Priority**

WIOA requires a minimum of 75 percent of OSY funds available to local workforce development areas be used to serve OSY.

**3. Requires Additional Assistance to Complete An Education Program or to Secure or Hold Employment**

The LWDB must establish a definition and eligibility documentation requirements for the “requires additional assistance to complete an educational program, or to obtain or retain employment” criterion of In-School Youth (ISY) and Out-of-School (OSY) eligibility. The definition should be reasonable, quantifiable, and based on evidence that the specific characteristic of the youth identified in the definition objectively requires additional assistance. However, as required by WIOA Sec. 129 (a)(3)(B), not more than five percent of the ISY newly enrolled in a given program year may be deemed eligible based on the “requires additional assistance to complete an educational program or to secure or hold employment” criterion.

**Note:** The local definition of “requires additional assistance” cannot simply list youth barriers already identified in WIOA and in section IV. 1. A. of this policy. The local

definition must describe the circumstances or other criteria it will use to qualify a youth as “requires additional assistance”.

#### **4. Determining Low Income Status**

Income is determined by collecting information from the family for the complete six month period prior to application. After verification of family size and the total reported six month income is collected, this figure is then doubled (annualized) and compared to the Lower Living Standard Income Level (LLSIL).

All ISY and some OSY must be “low income” to qualify for WIOA services (unless they qualify under the five percent window/low income exception as outlined in the next section).

#### **5. Low Income Eligibility Exception**

The WIOA five percent low-income eligibility exception exists where five percent of local area participants who ordinarily would need to be low-income do not need to meet the low-income provision.

#### **6. High Poverty Area Designation**

In accordance with Section 129(a) (2), the term low-income includes a youth living in a high-poverty area. An area is designated as high poverty if it has a poverty rate of at least 25 percent as set every five years using American Community Survey five-year data. The Department of Economic Opportunity (DEO) developed a [Poverty Rate Map](#) as a tool to assist staff in determining if an area meets the high poverty area criteria. Each LWDB using the high poverty rate special rule to determine eligibility for WIOA youth program services, must still record and collect the appropriate documentation of a youth’s income for federal data reporting purposes.

#### **7. Compulsory School Attendance Laws**

In order to comply with the State's compulsory attendance law and WIOA's priority and noninterference requirements, youth at an age where they are required to attend school do not have an exception to the regular school attendance requirements as outlined in Section 1003.21, Florida Statutes. Youth who have not graduated may be served as an out-of-school youth if the LWDB makes school attendance a priority and provides services outside of the regular school day. Therefore, services provided to out-of-school youth within the age of compulsory attendance must be provided outside of the regular or mandatory school day. For purposes of compliance with the compulsory attendance law, a regular school schedule is defined as the days and time during which school is normally held, as set by the local school board.

#### **8. Selective Service Registration**

Males age 18 or older must be registered with the Selective Service in order to be eligible for WIOA Youth services. In order to maintain eligibility for the WIOA services, a male participant who turns age 18 while participating in the program must register for Selective Service.

## 9. Youth with Disabilities

WIOA has made youth with a disability a separate eligibility criteria. OSY with a disability are not required to be low income but ISY with a disability must be low income. However, an individual with disability verification is not based on the family income but the income of the youth.<sup>1</sup>

## 10. Eligibility Documentation

In order for an individual to receive WIOA youth program services, a youth must meet the eligibility criteria for either an ISY or OSY. Each LWDB is required to collect supporting eligibility documentation used to determine eligibility. WIOA establishes strict participant eligibility, priorities and requirements for participation to account for the proper use of Title I funds. Local Workforce Development Boards must establish a local process for collecting and maintaining eligibility verification documentation and ensure that the documentation that is collected is made available for review by auditors and local, state and federal representatives. Youth service providers must obtain and maintain documentation that supports the determination for eligibility and continuous participation.

## 11. Deferred Action for Childhood Arrivals

WIOA section 188(a)(5) contains a specific nondiscrimination provision that provides that participation under the WIOA is available to citizens and nationals of the United States; lawfully admitted permanent resident aliens, refugees, asylees and parolees; and other immigrants authorized by the Attorney General to work in the United States. Individuals with employment authorization qualify under this provision as “immigrants authorized by the Attorney General to work in the United States.” This includes “Deferred Action for Childhood Arrivals” ([DACA](#)) participants with employment authorization. Participants identified as DACA participants must meet the WIOA eligibility requirements to access any WIOA services for which they would otherwise qualify. LWDB staff must obtain appropriate documentation of employment authorization. The documentation must include self-attestation, at a minimum. The DACA process is for individuals who came to the United States as children and:

- Were under the age of 31 as of June 15, 2012.
- Came to the United States before reaching their 16<sup>th</sup> birthday.
- Have continuously resided in the United States since June 15, 2007, up to the present time.
- Were physically present in the United States on June 15, 2012, and at the time of making their request for consideration of deferred action with U.S. Citizenship and Immigration Services (USCIS).
- Entered without inspection before June 15, 2012, or their lawful immigration status expired as of June 15, 2012.

---

<sup>1</sup> 20 CFR 681.280 states: For a youth with a disability, income level for eligibility purposes is based on the youth’s own income rather than his or her family’s income. WIOA sec. 3(36)(A)(vi) states that an individual with a disability whose own income meets the low-income definition in clause (ii) (income that does not exceed the higher of the poverty line or 70 percent of the lower living standard income level), but who is a member of a family whose income exceeds this income requirement is eligible for youth services.

- Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development (GED) certificate, or other equivalent State-authorized exam in the United States, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States.
- Have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

The DACA process may result in a two-year period of “deferred action,” or relief from removal from the country or from entering into removal proceedings, subject to renewal, and issuance of employment authorization for the period of deferred action. Therefore, a DACA participant whose case has been deferred is eligible to receive employment authorization for the period of deferred action, provided he or she can demonstrate “an economic necessity for employment.”

## V. DEFINITIONS

**Basic Skills Deficient:** A youth or adult individual that has English reading, writing, or computing skills at or below the 8<sup>th</sup> grade level on a generally accepted standardized test; or who is a youth or adult, that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society.

**Compulsory School Attendance:** WIOA section 129(a)(5) and section 1003.21, Florida Statute, states that all children who are either six years of age, will be six years old by February 1 of any school year, or are older than six years of age but who have not attained the age of 16 years, must attend school regularly during the entire school term. A student who attains the age of 16 years during the school year is not subject to compulsory attendance beyond the date the student attains that age if he/she files a formal declaration of intent to terminate school enrollment with the school district.

**Documentation:** physical evidence which is obtained through the verification process, including written confirmation by an authorized agency or organization of one or more WIOA eligibility criteria, and which reflects the individual’s status as of the date of registration for such eligibility criteria.

**Dropout:** An individual who is no longer attending any school and who has not received a secondary school diploma; or its recognized equivalent. An individual who is between the ages of 16 and 24 at the time of enrollment into a WIOA-funded youth activity, who is not attending a regular or alternative school, but is enrolled in an adult education or GED program. A dropout, for purposes of WIOA, is also an out of school youth who has not received a high school diploma.

**English Language Learner:** An eligible individual who has limited ability in reading, writing, speaking or comprehending the English language, and whose native language is a

language other than English or who lives in a family or community environment where a language other than English is the dominant language.

**Foster Care:** A temporary arrangement in which adults provide for the care of a child or children whose birthparent is unable to care for them.

**Homeless** as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a (2)), which is defined as: An individual who lacks a fixed, regular and adequate nighttime residence and includes an individual who:

- Is sharing the housing of other persons due to loss of housing, economic hardship or similar reason;
- Is living in a motel, hotel, trailer park or campground due to the lack of alternative adequate accommodations;
- Is living in an emergency or transitional shelter;
- Is abandoned in a hospital;
- Is living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting;
- Has a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodation for human beings; or
- Is a migratory child living in circumstances described in this definition.

**Low-Income Individual:** An individual who:

- Receives, or has received in the past 6 months, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program (SNAP), or the supplemental security income program established under Title XVI of the Social Security Act, or State or local income-based public assistance.
- Is in a family with total income that does not exceed the higher of –
  - The poverty line; or
  - 70 percent of the lower living standard income level.
- Is a homeless individual.
- Receives or is eligible to receive free or reduced price lunch.
- Is a foster child on behalf of whom State or local government payments are made.
- Is an individual with a disability whose own income meets the low-income level for eligibility purposes but who is a member of a family whose income does not meet this requirement.
- Is a youth who resides in a high poverty area.

**Migratory Child:** A child who is, or whose parent or spouse, is a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding 36 months, in order to obtain, or accompany such parent or spouse, in order to obtain, temporary or seasonal employment in agricultural or fishing work – has moved from one

residence to another residence and from one school district to another due to economic necessity.<sup>2</sup>

**Offender:** An adult or juvenile who:

- Is or has been subject to any stage of the criminal justice process, and for whom services under WIOA may be beneficial; or
- Requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

**Participant:** For the Workforce Innovation and Opportunity Act (WIOA) Title I youth program, a participant is a reportable individual who has satisfied all applicable program requirements for the provision of services, including eligibility determination, an objective assessment, and development of an individual service strategy, and received one of the 14 WIOA youth program elements identified in sec. 129(c)(2) of WIOA.

**Reportable Individual:** An individual who has taken action that demonstrates an intent to use program services and who meets specific reporting criteria of the program, including: (1) Individuals who provide identifying information; (2) Individuals who only use the self-service system; or (3) Individuals who only receive information-only services or activities.

**Significant Misdemeanor:** A misdemeanor as defined by federal law (specifically, one for which the maximum term of imprisonment authorized is one year or less but greater than five days) and that meets the following criteria:

- Regardless of the sentence imposed, is an offense of domestic violence; sexual abuse or exploitation; burglary; unlawful possession or use of a firearm; drug distribution or trafficking; or, driving under the influence; or,
- If not an offense listed above, is one for which the individual was sentenced to time in custody of more than 90 days. The sentence must involve time to be served in custody, and therefore does not include a suspended sentence.
- The time in custody does not include any time served beyond the sentence for the criminal offense based on a state or local law enforcement agency honoring a detainer issued by U.S. Immigration and Customs Enforcement (ICE). Notwithstanding the above, the decision whether to defer action in a particular case is an individualized, discretionary one that is made taking into account the totality of the circumstances. Therefore, the absence of the criminal history outlined above, or its presence, is not necessarily determinative, but is a factor to be considered in the unreviewable exercise of discretion. Department of Homeland Security (DHS) retains the discretion to determine that an individual does not warrant deferred action on the basis of a single criminal offense for which the individual was sentenced to time in custody of 90 days or less.

---

<sup>2</sup> 20 U.S. C. 6399

**Verification:** To confirm an eligibility requirement through examination of official documents.

**VI. RESOURCES**

[United States Citizenship and Immigration Employer Handbook](#)

[Florida High Poverty Rate Map](#)



## Action Item 3

### Proposed PY 2019-2020 Budget Modification 1

#### Background

Total budgeted revenues/expenses have increased from \$10,433,031 to \$10,942,753 for an overall increase of \$509,722. This is due to the following:

#### Workforce Innovation and Opportunity Act (WIOA) Programs:

- Decrease in WIOA Adult - \$<137,135>
  - Decrease offset by WIOA Supplemental grant issued
- Increase in WIOA Supplemental - \$137,135
  - Grant issued by DEO on 7/22/19
- Increase in WIOA Dislocated Worker - \$396,681
  - Anticipated spending for this 2-year grant did not occur until after July 1, 2019. This resulted in a higher than expected reserve from 2018-2019
- Increase in Career Ready – Sector Strategies IT - \$86,248
  - Remaining funds for this grant scheduled to end on June 30, 2019 re-allocated to no-cost extension grant
- Increase for Apprenticeship Expansion grant- \$10,000
  - Lower than expected spending in 2018-2019 resulted in higher reserve from 2018-2019
- Increase for WIOA Soft Skills grant - \$29,793
  - Lower than expected spending in 2018-2019 resulted in higher reserve from 2018-2019

#### Direct Grants and Special Programs:

- Decrease in JWB Youth Innovators - \$<13,000>
  - Grant closed out without spending all allocated funds.

#### RECOMMENDATION

The Finance Committee recommends approval of adjustments to the revenue budgets and resultant modifications to the expenditures budgets.

**CareerSource Pinellas  
2019-2020 Planning Budget  
Budget Modification #1**

Funding Streams	Approved Budget for 2019- 2020	Proposed Modification #1	Proposed Modified Budget
<b>Workforce Innovation &amp; Opportunity Act</b>			
Adult	1,799,381	(137,135)	1,662,246
Dislocated Worker	1,850,000	396,681	2,246,681
Youth	1,602,382	-	1,602,382
Career Ready - Sector Strategies IT	-	86,248	86,248
WIOA Supplemental	-	137,135	137,135
Apprenticeship Expansion	90,000	10,000	100,000
Soft Skills	70,000	29,793	99,793
<b>Total WIOA</b>	<b>5,411,763</b>	<b>522,722</b>	<b>5,934,485</b>
<b>Employment Services</b>			
Wagner-Peyser	685,000	-	685,000
Local Veterans	41,500	-	41,500
Disabled Veterans	110,000	-	110,000
RESEA	350,000	-	350,000
Reemploy. Assistance Program	45,000	-	45,000
<b>Total Employment Services</b>	<b>1,231,500</b>	<b>-</b>	<b>1,231,500</b>
<b>Welfare Transition</b>	<b>2,279,121</b>	<b>-</b>	<b>2,279,121</b>
<b>Supplemental Nutrition Assistance Program</b>	<b>470,000</b>	<b>-</b>	<b>470,000</b>
<b>Trade Adjustment Assistance</b>			
TAA Administration	36,000	-	36,000
TAA Training	240,000	-	240,000
TAA Case Management	72,000	-	72,000
<b>Total TAA</b>	<b>348,000</b>	<b>-</b>	<b>348,000</b>
<b>TOTAL DEO</b>	<b>9,740,384</b>	<b>522,722</b>	<b>10,263,106</b>
<b>Youthbuild - Department of Labor</b>	<b>545,207</b>	<b>-</b>	<b>545,207</b>
<b>Juvenile Welfare Board of Pinellas County</b>	<b>14,000</b>	<b>(13,000)</b>	<b>1,000</b>
<b>Other Revenue</b>			
Ticket to Work	96,000	-	96,000
Tobacco Free Florida	24,000	-	24,000
Career Fair Sponsorships	12,000	-	12,000
Interest	1,440	-	1,440
<b>TOTAL NON-DEO</b>	<b>692,647</b>	<b>(13,000)</b>	<b>679,647</b>
<b>TOTAL 2019-2020 BUDGETED REVENUE</b>	<b>10,433,031</b>	<b>509,722</b>	<b>10,942,753</b>



## **Action Item 4**

### **CEO Contract Renewal**

#### **Background**

On October 31, 2018, The Board of Directors approved a 1-year employment contract for Jennifer Brackney, as the CEO of CareerSource Pinellas. This initial contract had an original end date of October 31, 2019, but was extended through November 30, 2019.

On August 16, 2019, the Board of Directors approved to commence negotiations to renew the employment contract of Jennifer Brackney as CEO of CareerSource Pinellas, for a multi-year term.

The Ad Hoc CEO/Counsel Committee met to confirm the contract terms and to review CEO performance goals.

Five motions were submitted and carried, unanimously:

1. Renew a three-year contract with the CEO.
2. The new contract salary for the CEO will be \$179,500 annually.
3. Includes a lump-sum 5 percent performance stipend, consistent with compensation for all employees.
4. CEO compensation will be retroactive to the contract period beginning November 1, 2019.
5. Outlined performance goals were reviewed and accepted.

Timing of performance review will be in the fourth quarter of the calendar-year. The contract will include any supplemental benefits that the Board may approve during the period of the contract, for members of the leadership team, e.g., deferred compensation in line with County employees.

#### **RECOMMENDATION**

Approve the renewal of the CEO employment contract and goals for Jennifer Brackney for the period of November 1<sup>st</sup>, 2019 through October 31<sup>st</sup>, 2022.

**CEO Performance Goals  
Board of Directors Assessment  
PY' 2019-2020**

**“DRAFT – 11/06/2019”**

Date Completed:	
Evaluation Period:	

## SECTION 1: Achievement of Goals

**PY'2019-2020**

**July 1, 2019 – June 30, 2020**

Descriptions of Goals	Initiatives/*Metrics	Exceeded Expectations	Met Expectations	Needs Improvement
<p><b>Financial Management:</b> Assure adequate control and accounting of all funds, including developing sound financial practices, to ensure that overall financial performance remains within Board approved budgetary parameters and within minimum and maximum limitations established in applicable laws and regulations.</p>	<p><b><u>Initiative:</u> Create greater transparency and accuracy in financial reporting to ensure the planning budget goals are met.</b></p> <ul style="list-style-type: none"> <li>* Develop, submit and receive approval from US DOL for an indirect cost rate rather than 10 percent de minimis. Final implementation to be PY'20.</li> <li>* Provide financial reports to the Board, including cost allocation, grant budget/expenditures and training provider reports.</li> <li>* Continue to review, update and improve usage of the financial management system i.e. Abila and Microix.</li> <li>* Review current contracts to identify cost savings and to ensure statement of work aligns with activities.</li> <li>* Provide detailed reports to better track and manage program budget vs expenditures by grant/program.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>Legal Compliance:</b> Manage public records requests and legal issues in a timely manner.</p>	<p><b><u>Initiative:</u> Respond to monitoring reviews and audits to ensure activities identified from past practices are addressed.</b></p> <ul style="list-style-type: none"> <li>* Provide DOL with an outline of changes initiated during the transition as requested.</li> <li>* Implement changes recommended through technical assistance provided by DOL, DEO, CSF and others.</li> </ul> <p><b><u>Initiative:</u> Endeavor to sell the Science Center</b></p> <ul style="list-style-type: none"> <li>* Manage program during the process and realign programs after the sale of the Science Center i.e. observatory, programs, staff, iguana habitat.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<ul style="list-style-type: none"> <li>* Complete closing activities associated with selling the Science Center on November 20, 2019.</li> <li>* If the Science Center sells, provide stewardship of the funds as directed by the Board.</li> <li>* Based on the study conducted of the current one-stop locations move forward with recommendations for future development i.e. Tarpon Springs, Lealman, HEP, etc.</li> </ul>			
<p><b>Strategic Planning:</b> Engage the board in strategic planning activities to develop organizational goals and create sector strategies for the next 1yr, 3yr and 5 yr.</p>	<p><b><u>Initiative:</u> Engage the board in the process of strategic planning with a third party facilitator, by Q3, with the intent of:</b></p> <ul style="list-style-type: none"> <li>• Leading the development of a strategic plan that focuses on the review of the organization’s vision, goals, sector strategies, locations, and training programs.</li> <li>• Submit a comprehensive four-year strategic plan to DEO by 6/30/2020 based on policy released by DEO in early November 2019.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>Governance:</b> Works effectively with the Board, its officers and committees to define their roles and responsibilities. Works with Board Chair to enable the Board to fulfill its governance functions and manages the Board’s due diligence process to assure timely attention to core issues.</p>	<p><b><u>Initiative:</u> Facilitate the board and ad hoc committees to bring closure to the action initiated by the Board and/or Board of County Commissioners.</b></p> <ul style="list-style-type: none"> <li>* Review and update the Interlocal Agreement as outlined by USDOL in the Compliance Review.</li> <li>* Review and update the Bylaws as outlined by USDOL in the Compliance Review.</li> <li>* Continue to work with the BOCC to take a more active role in the selection of board members.</li> <li>* Establish an ad hoc committee to review and update board policy manual (last updated in 2010).</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p><b>Accountability and Transparency:</b> Promotes accountability and transparency by ensuring that this organization’s employment and training programs are in alignment with policy and guidance, and accountable to the Pinellas Board of County Commissioners, the local workforce Board, CareerSource Florida, DEO, local employers, job seekers, and the general public.</p>	<p><b>Initiative: Present pertinent program and organizational information on a regular basis to the Board, BOCC and other stakeholders.</b></p> <ul style="list-style-type: none"> <li>* Procure an organization to assume the role of conducting independent, semi-annual monitoring.</li> <li>* Provide regular program performance updates to the Board and BOCC.</li> <li>* Schedule an annual DEO program performance presentation to the Board.</li> <li>* Provide an annual audit and audit presentation to the Board.</li> <li>* Understand the organization’s liabilities and manage internal control procedures through the annual review and presentation of the Internal Controls Questionnaire (ICQ).</li> <li>* Provide quarterly financial updates.</li> </ul>		<input type="checkbox"/>	<input type="checkbox"/>
<p><b>Workforce Development Performance: Programs:</b> Strategically align workforce development programs to ensure that employment and training services provided by the core programs identified in the WIOA (WIA, Wagner-Peyser, Vocational rehabilitation and Adult Education) are coordinated and complementary so that job seekers acquire skills and credentials that meet employers’ needs.</p>	<p><b>Initiative: Improve services to employers and continue to promote connections with qualified job seekers and work based training to ensure that services are employer driven and contribute to the economic growth and business expansion in our community. Provide access to quality training to help job seekers acquire industry recognized credentials for in demand jobs.</b></p> <ul style="list-style-type: none"> <li>* Promote sector strategy initiatives in health care, manufacturing, financial and professional services, IT and construction.</li> <li>* Provide WIOA Indicators of Performance updates on a quarterly basis for PY’20.</li> <li>* Provide Monthly Management Report (MMR) updates on a quarterly basis.</li> <li>* Host networking opportunities to connect job seekers and employers, including monthly career fairs at EPI, in-house recruitment, and weekly</li> </ul>			

	<p>professional, executive and general networking meetings.</p> <ul style="list-style-type: none"> <li>* Provide regular business services reports i.e. RESEA performance, Career Fairs, networking groups, WIOA programs (EWT, OJT, PWE, WARN, REACT)</li> <li>* Negotiate annual, local performance goals with DEO.</li> </ul>			
<p><b>Key Relationships and Partnerships:</b> Identifies key relationships necessary to support an effective organization and assures proper planning, relationship building and communications to develop and maintain these.</p>	<p><b>Initiative: Facilitate the integration of the organization into the fabric of the community by assuring the use of effective marketing and communication activities. Listen to stakeholders, customers, volunteers and others in order to improve services and generate community involvement.</b></p> <ul style="list-style-type: none"> <li>* Review and update MOUs and IFAs by 11/20/19 to ensure activities with key community partners fully leverage resources and linkages i.e. Saint Petersburg College, PTC, Pinellas Opportunities Council, Goodwill, and others.</li> <li>* Explore and make recommendations for the development of MOUs with new partners i.e. Service Source and HEP.</li> <li>* Create a marketing plan and strategy, including marketing, website, success stories and employer highlights.</li> <li>* Continue to reach out to key local employers to rebuild relationships, i.e. Pinellas County Sheriff, Jabil, others.</li> <li>* Establish, maintain and enhance partnership activities through quarterly partner meetings and online customer service training provided by the One-Stop Operator.</li> <li>* Participate in partnership/sponsorship opportunities with local chambers and EDC i.e. EDC of Pinellas, EDC of Greater St. Petersburg, and local chambers.</li> <li>* Partner with the Tampa Bay Partnership to help better</li> </ul>			

	understand the work they are doing and to continue the conversation regarding regional workforce opportunities.			
<p><b>Organizational Leadership:</b> Effectively manages continuity, change and transition as CSPIN separates from CSTB.</p> <p>Deals effectively with demanding situations and designs and implements effective interventions.</p> <p>Establishes and leads an effective management team.</p>	<p><b>Initiative: Ensure that procedures and organizational culture reflect integrity and transparency. Lead staff in maintaining a climate of excellence, accountability and respect.</b></p> <ul style="list-style-type: none"> <li>Fully staff the organization, including the management 12/30/2019.</li> <li>Begin the development of a succession plan for the organization by 6/30/19</li> <li>Implement an annual employee engagement survey which will become the benchmark for appropriate organization changes and activities.</li> <li>Develop performance goals for each employee. Align annual performance evaluations with program year and determine merit/evaluation stipend. .</li> <li>Review current programs, SOPs and Desk Guides to ensure alignment with guidance from DOL, DEO and CSF by Q4.</li> </ul>			
Comments:				

<b>Action and Approvals</b>	
Performance appraisal reviewed by Board of Directors on:	
Authorized Board Member Signature and Date:	
CEO Signature and Date:	



## Action Item 5

### Vendor Recommendation: Legal Services RFP

#### Background

On June 5, 2019, the Board of Directors voted to initiate the procurement process for a request for proposals (RFP) regarding the provision of legal services.

Through the publication of this RFP, CareerSource Pinellas sought legal services from qualified firms that are properly licensed with experience in Public and Administrative laws to serve as General Counsel to the Local Workforce Development Board, as well as Counsel to CareerSource Pinellas.

Common services include: advising the governing board on Sunshine law and conflict of interest, the review of contracts for goods and services, leases, subleases, Memoranda of Understanding, as well as maintaining compliance with Federal and State Laws related to public records requests and conducting public meetings.

In response to this RFP, the following companies submitted proposals:

1. Persson, Cohen & Mooney, P.A.
2. Gray, Robinson, P.A.
3. Massey Law Group, P.A.

Members of the Ad Hoc CEO/Legal Counsel Committee each received copies of the submissions and reviewed/scored the proposals independently. The panel discussed their individual scores, and the scores were then aggregated.

Aggregated scores (out of 100 points) from three reviewers were as follows:

Company Name	Score
<b>Gray, Robinson, P.A.</b>	<b>96.33</b>
<b>Massy Law Group, P.A.</b>	<b>70.67</b>
<b>Persson, Cohen &amp; Mooney, P.A.:</b>	<b>63.67</b>

At the request of the Ad Hoc CEO/Legal Counsel Committee, the hourly rate has been confirmed at \$295 per hour.

#### RECOMMENDATION

Approve the selection of Gray, Robinson, P.A. for legal counsel services beginning December 1, 2019 and authorize proceeding with the engagement letter.



## **Action Item 6**

### **Employee Health and Wellness Plan**

#### **Background**

**At the September 18<sup>th</sup> Board meeting, the Board of Directors adopted the Hybrid Benefit Option #3.** The plan continues to offer benefit stipend for employees to participate in a cafeteria style benefit plan. The cafeteria plan allows employees to make their choice from various categories of health and wellness benefits. However, the benefit stipend is offered at a flat, standardized rate for all employees. It is not based on salary. It is based on the estimated cost of a comprehensive, competitive benefits package. In addition to having choice, the plan offers a defined benefit component including Life Insurance, AD&D, Long and Short Term Disability.

The Hybrid Benefit Plan is awarded in three parts 1) Medical stipend to equal the premium of the minimum essential plan (\$8,190), 2) Benefit stipend of a flat rate, standardized amount of \$4,390 to spend on cafeteria plan offering of benefits, and 3) Defined benefit of Life Insurance, AD&D, Long and Short Term Disability. The estimated cost per each employee of the latter is \$500. The cost of the Hybrid Benefit Plan is \$13,080 per employee.

The current census is 59 full-time employees with 42 employees (70 percent) currently enrolled in CareerSource Pinellas-sponsored health insurance.

Hub, benefits broker approved by the Board, has received plan renewal information from Cigna for plan-year, 2020. There is an overall increase of 28% from current 2019 rates. Hub has also submitted a request to United Healthcare, Blue Cross, Aetna and Humana to determine if plan design and rates can be improved. Hub expects alternative carrier proposals by Friday, November 22, 2019. Hub is also in the process of reviewing final numbers for a transfer of ancillary benefits, dental, vision, Short and Long term disability, voluntary life and employer-paid life policies to Principal insurance company.

#### **RECOMMENDATION**

Approve the Health Benefits/rates as presented by Cigna or benefits/rates that are determined to be more advantageous upon full review of market quotes for the 2020 plan. Benefit enrollment will begin in December 2019.



WorkNet Pinellas, Inc. MEDICAL 1/1/2020		Current / Renewal												
		Option 1 OAP 5000 - Bronze			Option 2 OAP 2000 - Silver			Option 3 OAPIN 500 - Gold			Option 4 HSA OAP - MV			
<b>In Network Benefits</b>														
Policy Year Maximums														
Deductible														
Individual		\$5,000			\$2,000			\$500			\$6,350			
Family		\$10,000			\$4,000			\$1,000			\$12,700			
Coinsurance		70%			80%			80%			100%			
Out of Pocket														
Individual		\$6,350			\$4,000			\$3,000			\$6,350			
Family		\$12,700			\$8,000			\$6,000			\$12,700			
Out of Pocket Max includes:		ded, coins, copays			ded, coins, copays			ded, coins, copays			ded, coins, copays			
Hospital Services														
Inpatient Hospital Services		30% after ded			20% after ded			20% after ded			0% after ded			
Outpatient Surgery		30% after ded			20% after ded			20% after ded			0% after ded			
Emergency Room		\$200			\$200			\$100			0% after ded			
Urgent Care Center		\$75			\$75			\$50			0% after ded			
Physician Services														
Preventive Care		100%, ded waived			100%, ded waived			100%, ded waived			100%, ded waived			
Primary Care Physician (PCP)		\$50			\$40			\$20			0% after ded			
Specialist		\$70			\$60			\$35			0% after ded			
PCP Required?		No			No			No			No			
Diagnostic														
X-Rays and Diagnostic Lab		100%, ded waived			100%, ded waived			100%, ded waived			100%, ded waived			
Advanced Imaging		30% after ded			20% after ded			\$100			0% after ded			
Prescriptions														
Tier 1		\$20			\$15			\$15			No Charge			
Tier 2		\$40			\$35			\$35			No Charge			
Tier 3		\$70			\$60			\$50			No Charge			
Mail Order Rx (90 days)		\$50 / \$110 / \$200			\$35 / \$95 / \$170			\$35 / \$95 / \$150			No Charge			
Lifetime Maximum Benefit		Unlimited			Unlimited			Unlimited			Unlimited			
HSA Compatible		No			No			No			Yes			
Website		<a href="http://www.mycigna.com">www.mycigna.com</a>			<a href="http://www.mycigna.com">www.mycigna.com</a>			<a href="http://www.mycigna.com">www.mycigna.com</a>			<a href="http://www.mycigna.com">www.mycigna.com</a>			
<b>Out of Network Benefits</b>														
Deductible		\$10,000/\$20,000			\$5,000/\$10,000			N/A - In-Network Only			\$10,000/\$20,000			
Coinsurance		50%			50%			N/A - In-Network Only			80%			
Out of Pocket		\$15,000/\$30,000			\$10,000/\$20,000			N/A - In-Network Only			\$12,700/\$25,400			
<b>Standard Rates</b>		<b>Total Enrld</b>	<b># Enrll</b>	<b>Current</b>	<b>Renewal</b>	<b># Enrll</b>	<b>Current</b>	<b>Renewal</b>	<b># Enrll</b>	<b>Current</b>	<b>Renewal</b>	<b># Enrll</b>	<b>Current</b>	<b>Renewal</b>
Employee Only		40	3	\$692.23	\$886.49	15	\$743.46	\$952.09	17	\$842.80	\$1,079.33	5	\$524.84	\$672.14
Employee + Spouse		2	0	\$1,653.73	\$2,117.81	2	\$1,776.10	\$2,274.51	0	\$2,013.46	\$2,578.53	0	\$1,254.07	\$1,606.04
Employee + Child(ren)		0	0	\$1,309.01	\$1,676.35	0	\$1,405.86	\$1,800.37	0	\$1,593.75	\$2,041.03	0	\$992.62	\$1,271.21
Employee + Family		0	0	\$2,094.00	\$2,681.64	0	\$2,248.93	\$2,880.03	0	\$2,549.47	\$3,264.97	0	\$1,587.97	\$2,033.66
<b>Estimated MONTHLY Premium by Plan</b>				<b>\$2,076.69</b>	<b>\$2,659.47</b>		<b>\$14,704.10</b>	<b>\$18,830.37</b>		<b>\$14,327.60</b>	<b>\$18,348.61</b>		<b>\$2,624.20</b>	<b>\$3,360.70</b>
<b>Estimated ANNUAL Premium by Plan</b>				<b>\$24,920.28</b>	<b>\$31,913.64</b>		<b>\$176,449.20</b>	<b>\$225,964.44</b>		<b>\$171,931.20</b>	<b>\$220,183.32</b>		<b>\$31,490.40</b>	<b>\$40,328.40</b>
<b>Variance from Current</b>					28.06%			28.06%			28.06%			28.07%

**PLEASE NOTE:** This summary of benefits is intended for comparison purposes only and should not be relied upon to fully determine coverage. The rates illustrated are based on the census data provided to HUB International. They are intended for comparison purposes only and are subject to change. Final rates are contingent upon the results of your firm's final enrollment and final carrier underwriting.



## Action Item 7

### 2019 Employee Handbook

#### Background

The template utilized for the Employee Handbook was provided by legal and reviewed by the HR Business Partner.

The following is a summary of the recommended changes to the CSPIN Employee Handbook:

Section	Page	Proposed Change
Mission Statement	6	Reflect web page
Introductory Period	8	Changed from a 180 Probationary Period to a 90-Day Introductory Period
Nepotism	10	Added employee in authority unable to make personnel decisions, and added to relations
Flex Time	12	Flex time can only be earned based on business need, must be approved and used within the same week.
Modified Work Schedule	12	MWS is defined as a work schedule that regularly deviates from normal work hours of Monday through Friday from 8am to 5pm. In general work schedules will only be adjusted by 30 minutes increments. Must be approved by the CEO.
Lunch Periods	13	Must be taken between the hours of 11am-2pm.
PTO	17	PTO may not exceed a total of 480 hours. Changed from 800 hours.
Personal Days	20	Increased from 3 to 4 days a year. No flex time may be used for personal reasons.
Leave for Emergency Closing	21	Rewrote this section – added up to 4 days paid maximum
Absenteeism and Tardiness	24	Eliminated the reference to rolling 12 month period.
Appearance Policy	24	Updated to professionalism and acceptable /non-acceptable piercings
Company Car	31	Added this section
Safe Driver	34	Added this section
Employee Discipline	40	Rewrote this section

#### RECOMMENDATION

Approve and adopt the draft CSPIN 2019 Employee Handbook, pending a final review by Legal and staff.

**WORKNET PINELLAS, INC.**

**EMPLOYEE HANDBOOK**

**ADOPTED: JUNE 2, 2004**  
**REVISED: MAY 7, 2014**  
**LAST REVISED: NOVEMBER 19, 2019**

## Table of Contents

BUSINESS ETHICS .....	5
Conflicts of Interest .....	5
Non-Disclosure .....	5
COMPANY HISTORY AND MISSION.....	6
History of WorkNet .....	6
Mission of WorkNet .....	6
EMPLOYMENT INFORMATION .....	7
Equal Employment Opportunity .....	7
Disability Accommodation .....	7
Application for Employment .....	8
Introductory Period .....	8
Employment Categories .....	8
Nepotism and Favoritism .....	9
Termination of Employment.....	10
PAYROLL.....	11
Compensation and Work Hours.....	11
WORK SCHEDULE.....	11
Modified Work Schedule.....	12
Timekeeping.....	12
Lunch and Breaks.....	13
Non-Exempt (Hourly) Time & Attendance Recordkeeping .....	13
Exempt (Salaried) Time & Attendance Recordkeeping .....	13
Overtime .....	13
EMPLOYEE BENEFITS .....	14
Benefits – Economic.....	14
Paying for Your Benefits .....	14
401(k) Retirement Plan.....	14
Educational Reimbursement.....	15
Paid Time off (PTO).....	15
Use and Scheduling of PTO .....	16
Guidelines for Use of Paid Time Off (PTO) .....	16
Holidays.....	18
Workers Compensation .....	18
LEAVE BENEFITS (OTHER THAN PTO AND HOLIDAY LEAVE) .....	19
Personal Days (PD).....	19
Jury duty .....	19
Bereavement/Funeral Policy.....	19
Leave for Emergency Closings.....	19
Family Medical Leave .....	20
Military Leave .....	20
Short Term Military Leave Policy .....	20
Long Term Military Leave Policy.....	21

Leave for Victims of Domestic Violence .....	21
Other Leave.....	22
EMPLOYEE CONDUCT.....	22
Absenteeism and Tardiness .....	22
Appearance Policy.....	23
Prohibited Attire .....	24
Drug and Alcohol Use.....	24
Safety .....	25
Chronic Communicable Diseases.....	25
Safety Responsibilities .....	26
Sexual and Other Unlawful Harassment.....	26
Smoking .....	27
Whistle-Blower.....	27
Solicitation .....	27
Use of Email, Computers, Phone Systems and Other Equipment.....	27
Company Car Policy .....	28
Safe Driving.....	32
Social Media.....	32
Telephone and Email.....	34
Personal Cell Phone Use While Working .....	34
Handling and Protecting Personal Identifiable Information .....	34
Media contacts .....	34
Public Records Requests .....	34
Political Activities .....	35
Religious Expression in the Workplace .....	35
Travel .....	36
Retaliation is prohibited .....	36
Employee Rights .....	37
EMPLOYEE DISCIPLINE.....	37
Standards of Performance.....	37
Disciplinary Actions .....	39
Discipline Procedure.....	39
EMPLOYEE HANDBOOK &.....	41
ACKNOWLEDGMENT OF POLICIES.....	41

## Welcome to WORKNET

We would like to welcome you to the staff of WorkNet Pinellas, Inc. dba CareerSource Pinellas (the "Company" or WorkNet). This Employee Handbook has been developed as a resource to provide you with a general understanding of the policies of WorkNet to acquaint you with the Company and to provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of this Employee Handbook. It describes many of your responsibilities as an employee and outlines the programs developed by WorkNet to benefit you as an employee. This is designed as a guide and may not be all inclusive or exhaustive. As an employee of WorkNet, you are an integral and valuable part of the Company fulfilling its goals.

This Employee Handbook is designed as a working guide for all employees in the day to day administration of WorkNet and in no way should be construed as terms or conditions of employment or as a contract of employment with WorkNet. These policies are neither a legal document nor a contract of employment. No one other than the Chief Executive Officer (CEO) has any authority to enter into any agreement for employment for any specified period or to make any agreement contrary to the foregoing.

This Employee Handbook is intended to be a summary of personnel policies and procedures. Each of the policies may be unilaterally amended by WorkNet, at any time, with or without notice, and WorkNet reserves the right to deviate from the policies herein in its sole discretion. Any amendment of a policy contained in this Employee Handbook must be in writing and authorized by the Board of Directors.

This Employee Handbook, inclusive of its Acknowledgement Form, sets forth the general administrative policies, goals, and benefits of WorkNet, and replaces and supersedes any prior manual(s). Nothing in this Employee Handbook is meant to, or should be construed as, preventing employees from engaging in acts authorized by law, such as exercising rights to engage in concerted activities for the purpose of mutual aid or protection. The contents of this Employee Handbook are confidential and shall not be distributed to or shown to anyone else inside or outside WorkNet. This Employee Handbook remains the property of WorkNet and must be returned upon request.

You should use this Employee Handbook as a reference as you pursue your career with us. Feel free to discuss with us any questions you may have about this Employee Handbook or about your employment with us.

## **BUSINESS ETHICS**

The successful business operation and reputation of WorkNet is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity. Employees are expected to observe the highest standards of business ethics and are responsible for their role in our Company. Honesty and reliability are very important and we expect to be able to trust each employee. Except as allowed by law, staff members should endeavor to avoid situations where their personal interests may conflict or appear to conflict with Company policy. In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with the Chief Executive Officer.

The continuous success of WorkNet is dependent upon our employees trust and we are dedicated to preserve that trust. Employees owe a duty to the Company and its customers to act in a way that will merit the continued trust and confidence of the public. WorkNet will comply with all applicable laws and regulations and expects its employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

Compliance with this policy of business ethics and conduct is the responsibility of every employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including termination of employment.

### *Conflicts of Interest*

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee, a relative, supplier, competitor or client as a result of the Company's business dealings. This type of activity is not tolerated by WorkNet and could result in termination of employment.

### *Non-Disclosure*

The protection of confidential business information and trade secrets is vital to the interest and the success of WorkNet. Confidential information includes, but is not limited to, client lists, client files, pricing lists, computer records, industry formulas, and financial and marketing data. Employees who improperly use or disclose trade secrets or confidential business information will be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

## COMPANY HISTORY AND MISSION

### History of WorkNet

WorkNet Pinellas, Inc. dba CareerSource Pinellas was established in January 2001 under the general direction of the Pinellas County Board of County Commissioners and Workforce Florida, Inc., which is the state's chief workforce policy organization. WorkNet was created as a result of the Workforce Innovation Act of 2000 and received designation as the governing Workforce Board for Pinellas County, Region 14 of the State of Florida. The Pinellas County Board of County Commissioners designated WorkNet as both the fiscal and administrative entity in the spring of 2004.

### Mission of WorkNet

WorkNet strives to foster Pinellas County's economic development and delivers workforce solutions designed to meet the needs of businesses and job seekers. Driven by business demand and supported by strategic partnerships, we provide the most comprehensive workforce development services in a one-stop environment. The career centers are conveniently located throughout Pinellas County in Tarpon Springs, Clearwater, and two centers in St. Petersburg.

WorkNet offers a full range of career-planning services for professional and entry-level candidates. As the job marketplace gets more competitive, WorkNet Pinellas makes it easier to find a place among the region's top talent. Whether an entry-level or seasoned professional, military veteran, re-entering the workforce or looking to enhance skills for better earning power, our wide range of resources can help land the right job. Provided at no cost to customers, the centers are equipped with computers, copier and fax machines, and telephone to assist with job searches.

WorkNet can help leverage and support businesses human resources function, from recruitment and training to labor market information and business seminars.

## EMPLOYMENT INFORMATION

### Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all qualified individuals, employment decisions at the Company will be based on merit, experience, aptitude, qualifications, and abilities.

WorkNet is an equal employment opportunity employer and does not discriminate against any person because of race, color, creed, religion, sex, gender, pregnancy, national origin, handicap, disability, military or veteran status, age, marital status, genetic information or any other characteristic protected by law (referred to as “protected status”). This nondiscrimination policy extends to all terms, conditions, and privileges of employment as well as the use of all Company facilities, participation in all Company-sponsored activities, and all employment actions such as promotions, compensation, benefits and termination of employment. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of the Chief Executive Officer or another officer of WorkNet. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

### Disability Accommodation

WorkNet is committed to ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a nondiscriminatory basis.

WorkNet is committed to complying fully with the *Americans with Disability Act (ADA)* and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a nondiscriminatory basis.

WorkNet will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression and seniority lists. Leave of all types will be available to all employees on an equal basis.

This policy is neither exhaustive nor exclusive. WorkNet is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with applicable federal, state, and local laws. If you would like to discuss

the need for accommodation under these laws, please contact the Human Resource Department.

### Application for Employment

After an offer is made and before beginning of employment, candidates must successfully complete the following:

When a prospective employee has been interviewed, his/her application verified, and he/she is hired for a position, he/she may be asked to complete the following forms before employment begins:

- ID Proof of Citizenship as described in I-9 document
- W-4 Tax withholding form
- Acknowledgement of receipt of Policies and Procedure Manual
- Emergency Contact Numbers Form
- Authorization for Automatic Payroll Check Deposit
- Receipt of Employee telephone numbers
- Conflict of Interest Form
- Non-Disclosure Form

### Introductory Period

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. This introductory period will last for ninety (90) days from the first day of employment. WorkNet uses this period to evaluate employee capabilities, work habits, and overall performance and a review by management will be done at the completion of the introductory period. Either the employee or WorkNet may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

During the introductory period, new employees are only eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security if applicable.

### Employment Categories

Employees are hired with the understanding that work schedule/locations may change according to WorkNet's needs. Employees must be willing to make the appropriate changes for employment to continue.

All employees of the Company are "at-will" employees. This means that either the employee or WorkNet may end the employment relationship for any reason at any time. Employees may be terminated for failure to comply with the approved Standards of Performance. In addition, WorkNet retains sole discretion to modify an employee's

compensation, benefits, position, duties and other terms or conditions of employment for any reason, at any time (including but not limited to, reassignment or demotion). There are six categories of employees:

1. **Non-Exempt Employees** – Non-exempt Employees include employees who are covered by the overtime provisions of the Fair Labor Standards Act. Full and Part time status will be determined by job description. Non-exempt employees are paid on an hourly basis. A Non-Exempt employee is paid at an hourly rate of pay and receives overtime pay at the rate of one and one-half times his or her normal hourly rate time worked in excess of forty (40) hours in any payroll week.
2. **Exempt Employees** – Exempt employees are exempt from the overtime provisions of the Fair Labor Standards Act, and are paid on a salary basis.
3. **Regular Full-Time Employee** – An employee whose normal work schedule is for a minimum of thirty (32) hours per week and who maintains continuous regular employment status.
4. **Regular Part-time Employee** – An employee whose normal work schedule is for less than thirty hours (30) hours week and who maintains continuous regular employment status. Eligibility for benefits for employees will be in accordance with the restrictions defined by the current policy provider/carrier.
5. **New Employees** – New employees are hired on a 90-day introductory period. All new employees have the right to leave or be asked to leave by the employer at any time during the 90-day trial period with no detrimental consequences to either party. After the 90-day trial period, a new employee will receive an evaluation to discuss strengths and areas for improvement. Employees must successfully complete the 90-day introductory period to enjoy continued employment. Full time employees will be eligible for benefits as outlined in this Employee Handbook.
6. **Temporary Employees** – Employees who are hired as interns, interim replacements, to temporarily supplement the workforce, or to assist in the completion of a special project. Employment assignments in this category are of a limited duration. Temporary employees retain this status until they receive written/verbal notification of a change. While temporary employees receive all legally mandated benefits (such as Social Security and workers' compensation insurance, if applicable), they are ineligible for all of the Company's other benefit programs.

### Nepotism and Favoritism

Employee relatives or non-related members of the employee's household will be considered for employment on an equal basis with other applicants for those positions where neither relative nor non-related household member would be directly or indirectly supervising or checking the work of the other. An employee or Appointing Authority who has been given authority to appoint, employ (hire), promote, or otherwise advance

individuals or to recommend individuals for appointment, employment (hire), promotion, or advancement in connection with employment is prohibited from appointing, employing, promoting, or participating in an interview of any such relative, or non-related member of household.

For the purposes of all portions of this Handbook and Board Policy, a relative is defined as spouse, domestic partner, child, step-child, mother, step-mother, father, step-father, brother, step-brother, sister, step-sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparent, grandchildren, first cousin, aunt, uncle, niece and nephew. This also applies to any “half-relatives.” This policy applies to all relatives, whether by blood or adoption.

- The CEO has the responsibility to review all employee promotions, transfers and offers of employment when the individual considered is related to a WorkNet employee, related to a DEO employee assigned to WorkNet or is a non-related member of the same household.
- If employees become related through marriage after employment, the CEO and the appropriate supervisor(s) will review their job assignments for conformance with this policy. Depending upon the scope of the respective job assignments, one or both of the relatives may be required to transfer to another department, or, if that is not possible, one of the relatives may be asked to resign.
- It is the responsibility of the WorkNet employee to inform the appropriate supervisor and CEO of situations ~~or if any member of their family has applied for or been hired into a CareerSource position, either regular or temporary~~ when any member of their family, or person who is a non-related household member has applied for, or has been hired into a WorkNet position, either regular or temporary.

### Termination of Employment

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

1. **Resignation** – voluntary separation from employment initiated by an employee.
2. **Discharge** – involuntary employment termination initiated by the Company.
3. **Layoff** – involuntary employment termination initiated by the Company.
4. **Retirement** – voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

It is our policy that all employees are employees “at-will.” This means that an employee may terminate his/her employment at any time for any reason, with or without notice and with or without cause, at the sole will of the employee. Likewise, WorkNet may terminate

the employment of any employee at any time for any reason, with or without notice and with or without cause, at its sole will. Any representations to the contrary, whether written or verbal, are unauthorized and shall be considered null and void and without effect. WorkNet requests at least a two (2) week written notice of resignation from non-supervisory employees and a one (1) month notice from management personnel and employees working in supervisory positions. Employees not giving the appropriate above stated notice may lose their eligibility for rehire.

Employees must return all Company property immediately upon request or upon termination of employment. WorkNet may take all action deemed appropriate to recover or protect its property.

WorkNet may schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits including conversion/portability privileges, repayment of outstanding debts to the Company, or return of the Company's property. Suggestions, complaints and questions can also be voiced.

## **PAYROLL**

### *Compensation and Work Hours*

The WorkNet pay period covers two complete work weeks. Paychecks shall be distributed through direct deposit to employees' bank accounts every two weeks on the Friday immediately following the end of each two-week pay period. A non-negotiable copy of the paycheck with an attached earnings record will be available online on that same date to provide information regarding all deductions and any additional pay.

Full-time and part-time non-exempt employees will be paid on an hourly basis for time worked. Exempt employees are paid on a salaried basis. The hourly rate or salary will be determined at the time of employment based upon experience and office position. All employees may be evaluated annually after the Introductory Period. Potential wage increases will be determined on the basis of the employee's work record and must be approved by the Board of Directors. There is no guarantee of a wage increase. WorkNet does not provide pay advances on unearned wages to employees.

## **WORK SCHEDULE**

WorkNet general office hours are 8 a.m. to 5 p.m. Monday through Friday. Moreover, applicable employees may be required to work outside the general office hours. Work schedules may fluctuate depending upon Company needs. Employees are expected to be flexible and cooperative if work schedules are changed to meet business need. Employees will be expected to work at least eight hours on each regularly scheduled workday. Flex hours must be approved by Director and used within the same week, only if warranted due to business need, request to work outside 8 a.m. to 5 p.m.

### Modified Work Schedule

A Modified Work Schedule is defined as a schedule that regularly deviates from the general office hours. Any modified schedule must exhaust all other options, such as FMLA, ADA, etc. if eligible. Any Modified Work Schedule requires the approval of the CEO. Such schedule must ensure adherence to the forty (40) hour work week.

- All modified schedules must be coordinated with other employees and approved by the appropriate Supervisor, Director, and CEO to assure that there is coverage for all normal hours of business operation.
- Some functional areas may not be eligible for modified schedule due to the limited number of employees available and the need for coverage during all normal hours of business operation.
- There may be times when the special needs of the Company require that the hours of work be adjusted by management. These requirements will supersede modified scheduling. All reasonable efforts will be made to accommodate both the needs of the operation and the needs of the employees.

### Timekeeping

Each employee is an integral member of our team. As such, you are expected to arrive to work on time and to end your work day when your job has been completed and your work associates have also completed their daily tasks.

Accurately recording time worked is the responsibility of every non-exempt employee. Federal and state laws require WorkNet to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. All employees are strictly prohibited from working off-the-clock.

Altering, falsifying, tampering with time records, which are legal documents, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Non-exempt employees should report to work no more than five (5) minutes prior to their scheduled starting time nor stay more than five (5) minutes after their scheduled stop time without expressed, prior authorization from the CEO or designee.

If, for any reason, an employee cannot report to work on time or must miss work altogether, he/she must telephone the appropriate designee two (2) hours in advance of normal start time to report the absence and provide an estimate of the length of the absence. An employee who fails to call in the day of an absence may be subject to immediate discharge. All absences from work must be cleared with the immediate Supervisor.

If the employee is absent due to illness for more than two (2) working days, WorkNet reserves the right to ask the employee to provide a doctor's certificate when they return to work.

All employees must enter **their time daily** and must enter time for the previous day each morning.

### Lunch and Breaks

Employees are allotted and are expected to take one (1) hour for lunch; however this could change depending on the needs of the job. You will be relieved of all active responsibilities and restrictions during the lunch break and will not be compensated for that time. The scheduling of the lunch periods shall take place between 11am and 2pm. Lunch periods should be coordinated with other department employees and approved by the supervisor. Employees may take one fifteen (15) minute break in the morning and one fifteen (15) minute break in the afternoon. Breaks cannot be added to lunch hours.

### Non-Exempt (Hourly) Time & Attendance Recordkeeping

WorkNet policy allows accrued Paid Time Off (PTO) to compensate for un-worked hours under 40 hours in one week. All unpaid time off must be pre-approved by the CEO or designee.

### Exempt (Salaried) Time & Attendance Recordkeeping

WorkNet policy allows partial day deductions using PTO hours to make up any un-worked hours under 40 in one week. All unpaid time off must be pre-approved by the CEO or designee. As an Exempt employee, you are not specifically required to work strictly from 8:00 AM to 5:00 PM, however may be permitted variance based on job responsibilities, which must be pre-approved by CEO or designee.

### Overtime

When operating requirements or other needs cannot be met during regular working hours, employees will be given the opportunity to volunteer for overtime work assignments. Authorized overtime is granted by the CEO and **MUST BE IN WRITING**. All overtime will be paid even if prior authorization is not received. Employees who work overtime without receiving prior authorization from the CEO may be subject to disciplinary action, up to and including possible termination of employment.

Non-exempt employees will be paid overtime at a rate of 1.5 times hourly wage rate in excess of a 40-hour week. Overtime compensation is paid to all *non-exempt* employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off for PTO, leave or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

## EMPLOYEE BENEFITS

Please talk to the Human Resource Department about applicable employee benefits.

### Benefits – Economic

WorkNet shall offer benefits to regular, full-time employees as follows: Eligibility for group insurance shall be the first day of a month after 30 days of full-time employment.

WorkNet is committed to providing employees with a benefits program that is both comprehensive and competitive. WorkNet offers health coverage and financial security to our employees and their families.

### Paying for Your Benefits

WorkNet provides you with a benefit stipend annually to purchase options approved by the Board to purchase health and welfare benefits. In addition, the Company will provide life, AD&D, short-term disability, and long-term disability insurance.

The benefits offered at group rates are medical/prescription drug, dental, vision, life and AD&D, short-term disability, and long-term disability insurance. Having options available means you can build a benefits program to meet your needs and your lifestyle.

If you choose to opt out of the medical plan, proof of other coverage is required. Opting out of the plan makes the employee ineligible for medical/prescription drug and mental health benefits.

### 401(k) Retirement Plan

WorkNet offers you access to a *401(k) Retirement Plan* that makes saving for retirement easy and convenient.

WorkNet will make Non-Elective Contribution (NEC) of 5% of your earnings on a bi-weekly basis; eligibility begins after six months of employment. In addition, WorkNet offers a *Roth* option which will allow you to set aside after-tax earnings to grow tax-free.

Employees age 50 and over can make additional catch-up contributions to the plan. You are 100% vested in company contributions after one year of employment.

Visit [www.mykplan.com](http://www.mykplan.com) for more information on enrollment and investment options, more detailed provisions of the plan.

### Educational Reimbursement

As an organization that has as one of its goals to upgrade the workforce of the region, WorkNet shall provide to its own employees the opportunity to enrich and enhance their value to themselves and to WorkNet by providing them with assistance for educational expenses when budget considerations permit. WorkNet will reimburse up to \$1,000 per year toward resident tuition costs, laboratory fees, and textbook rentals or purchases to non-probationary, full-time employees who enroll in accredited college, university, or continuing education courses provided –

- The employee has one (1) year of service with the Company unless the training is required for the employee to fulfill job duties and is approved by the CEO.
- Credit courses are directly related to the employee's current work assignment or count toward a formal degree program that relates to the mission of the organization.
- Non-credit courses are directly related to the employee's current work assignment.
- At the completion of a course(s), the employee submits an official grade report indicating completion of the course with a grade of C or better. A receipt for expenditures must be submitted.
- The employee has received prior approval from the CEO that the course(s) to be taken is eligible for reimbursement. A request for educational assistance shall be submitted in writing.
- The course is not to be taken during the employee's work duty hours.
- Tuition reimbursement shall be limited to the prevailing residential tuition schedule at the State Universities and Community Colleges in the immediate Tampa Bay Area.
- When tuition, fees and textbooks can be paid by other financial aid sources, WorkNet will reimburse only the difference between the actual cost and the financial assistance.
- Employees who receive educational assistance in any fiscal year, but resign from employment prior to the end of that fiscal year shall reimburse a pro rata share of the funds received based on the number of pay periods (of 26) remaining in the fiscal year after their last day worked.
- When reimbursement for educational assistance is to be for specialized training for the benefit of WorkNet and/or will exceed \$1,000, a contractual agreement between the employee and WorkNet (by its CEO) will be developed which delineates-
  - A commitment of the employee to remain in employment with WorkNet for a finite time, and/or
  - A provision for repayment of the reimbursement.

### Paid Time Off (PTO)

The Company has established a Paid Time Off (PTO) policy for all employees working 32 or more hours per week. WorkNet believes that employees should have opportunities to enjoy time away from work to help balance their lives. WorkNet recognizes that

employees have diverse needs for time off from work. We have established this PTO policy to meet those needs. In establishing this policy, WorkNet is providing a mere gratuity to its employees; PTO time will not be considered an amount due or wage owed to employees. Employees are accountable and responsible for managing their own PTO hours to allow for adequate reserves if there is a need to cover vacation, illness or disability, appointments, emergencies or other needs that require time off from work. PTO will not be counted for the purpose of calculating overtime and will not be paid in excess of 40 hours per week. Employees are to request PTO time through their immediate Supervisor, who has the discretion to approve or disapprove based on Company needs. Adequate staffing must be maintained at all times.

During the first year of employment, PTO hours will be prorated from the date of hire for the calendar year. PTO accruals are available for use in the pay period following the pay period in which they are accrued. PTO accrual is based on the number of full years of employment, and follows the following schedule:

<b>Length of Service</b>	<b>Maximum Annual Accrual of Hours</b>	<b>Hours Accrued per 80 Hours Worked</b>
Year 1 – 2	136 hours	5.23 hours
Years 3 – 4	160 hours	6.15 hours
Years 5 – 6	184 hours	7.07 hours
Years 7+	208 hours	8.00 hours

Use and Scheduling of PTO

Whenever possible, **PTO must be scheduled well in advance**. It is subject to Company approval, staffing needs and established procedures. Unscheduled absences will be monitored. An employee will be counseled when the frequency of unscheduled absences adversely affect the operations. WorkNet may request the employee provide a statement from his or her health care provider at any time concerning the justification for an unscheduled absence. PTO may not be used for missed time because an employee reports late to work, except during inclement weather. PTO is paid at the employee’s straight time rate. Employees are required to use available PTO when taking time off from work with the exception of a company-required absence due to low workload or absences occasioned by the Company. For exempt employees, PTO may be taken in increments of four (4) hours only.

Guidelines for Use of Paid Time Off (PTO)

- a) Employees may use PTO for unscheduled absences due to illness, illness in the family, personal business, and other necessary causes for absences from work.
- b) Employees may accumulate PTO hours for use or payout in the future. However, accumulation of PTO hours may not exceed a total of 480 hours. If an employee exceeds 480 hours of accrued PTO, the excess over 480 hours accrual will stop, and may be lost to the employee at the end of the calendar year. **For those**

employees who have exceeded 480 when this handbook is approved by the Board of Directors, they will be grandfathered per prior approved policy. Due to the needs of the business, no employee may urgently take PTO in order to reduce the hours accrued. Request for PTO must follow the normal procedure, even when maximum hours have been accrued.

- c) It shall be the policy of WorkNet to encourage employees to take some of their PTO each year for vacation purposes.
  - i. Requested time off for vacations will be approved only when arrangements can be made to assure required staff coverage, and time off for vacation must be requested in accordance with departmental procedures. The employee's supervisor must approve other scheduled absences at least 2 weeks in advance.
  - ii. Vacation time may be taken at any time as long as the employee's supervisor approves. When there is a conflict, scheduling will be at the supervisor's discretion. Preference in scheduling will normally be given to the employee who requested the time off first.
- d) Employees may use PTO hours down to a zero balance. Employees may not take PTO that has not yet been earned; that is, employees may not "borrow" against future accruals of PTO in order to take paid time off.
- e) PTO will be charged (that is, the employee's accrued PTO balance will be reduced) according to the actual number of hours used by the employee for the days that the employee would normally work.
- f) PTO hours used during a pay period shall not be counted as hours worked for the purpose of computing overtime.
- g) At the end of each calendar year, if funds are available and the CEO approves, WorkNet may allow employees to request a payout of unused PTO hours with the following restrictions:
  - The employee PTO balance must exceed 160 hours, and the employee must retain an 80 hour balance after the election of a payout.
  - For those who have accrued the maximum of 480 hours they will be asked to receive a payout of partial or all (while leaving 80 hours remaining) in order to maintain accrual.
  - Subject to the above, the employee must request a payout of 80 hours or more.
  - PTO hours selected for payout will be paid at the employee's compensation rate in effect on December 31 of the year the election is made.
  - Payouts to employees will be made in the first pay period in February.
- h) PTO shall be paid at the employee's current hourly rate plus differentials and other premiums if applicable, at the time that it is taken.
- i) Accrued but unused PTO may be paid to terminating employees that have completed their initial probationary period.

Employees are accountable and responsible for managing their own PTO hours to allow for adequate reserves if there is a need to cover vacation, illness, or disability, appointments, emergencies or other needs that require time off from work.

An employee who has exhausted PTO and is not eligible for leave under the Americans with Disabilities Act, the Family and Medical Leave Act or other applicable law has no right to take unpaid leave and is not entitled or allowed to miss work. An employee who does so will be subject to disciplinary action, up to and including termination.

Employees may request unpaid leave with approval from the CEO.

### Holidays

All full-time employees will receive a regular day's pay for the below holidays, except those within their first ninety (90) days of employment, all employees, whether full-time or part-time, will be ineligible for paid holidays during the 90 day introductory period.

- 1) New Year's Day ..... January 1
- 2) Martin Luther King Jr's Birthday ..... Third Monday in January
- 3) Memorial Day ..... Fourth Monday in May
- 4) Independence Day ..... July 4
- 5) Labor Day ..... First Monday in September
- 6) Veterans' Day ..... November 11
- 7) Thanksgiving Day ..... Fourth Thursday in November
- 8) Friday after Thanksgiving Day ..... Fourth Friday in November
- 9) Christmas Day ..... December 25

If the holiday falls on a weekend, employees will receive the preceding Friday or following Monday as the paid holiday. If Christmas Day falls on a Tuesday or Thursday, the preceding Monday or following Friday shall also be recognized as a holiday. If an employee works a paid holiday, he or she will receive another day as the paid holiday. Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime. Holidays are paid in eight (8) hour increments.

### Workers Compensation

All employees, whether part-time or full-time, are covered by Worker's Compensation. The Company provides a comprehensive workers compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately. As a drug free workplace all employees who have sustained injury or illness while in the course of employment will be required to submit to drug screen immediately (if after business hours the following business day).

## LEAVE BENEFITS (OTHER THAN PTO AND HOLIDAY LEAVE)

Leave will be granted as follows:

### Personal Days (PD)

WorkNet shall grant employees of the Company leaves of absence days with pay for four personal days selected by the employee.

- a) The personal days shall be used in the same fiscal payroll year they were gained, between July 1 and June 30 of the next year.
- b) Personal Days shall not be cumulative.
- c) Employees will not be paid for unused personal days.
- d) Personal Days must be scheduled and approved in advance by the employee's supervisor, except for emergency).
- e) During an employee's initial year of hire, the number of personal days awarded shall be based on date of hire.
- f) Between July 1 and September 30 ..... Four personal days  
Between October 1 and December 31 ..... Three personal days  
Between January 1 and March 31 ..... Two personal  
Between April 1 and June 30 ..... No personal days

### Jury duty

All employees will be granted leave to serve on a jury if summoned. Employees must show the jury duty summons to their Supervisor and Director as soon as possible so that he or she may make arrangements to accommodate their absence.

### Bereavement/Funeral Policy

If there is a death in the immediate family (spouse or life partner, parent, child, sibling, grandparent or grandchild), full time employees are entitled to receive up to a maximum of three (3) days off from work with pay. These days must be consecutively scheduled and will be paid at straight time rate. Bereavement will not be counted for the purpose of calculating overtime and will not be paid in excess of 40 hours per week.

### Leave for Emergency Closings

At times, emergencies such as severe weather, fires, power failure or earthquakes can disrupt WorkNet operations. In extreme cases, these circumstances may require the closing of a work facility.

When operations are officially closed due to emergency conditions, non-exempt employees will be paid for time off, up to four (4) days maximum, including the day employees arrived in which the offices may have to close early do to emergencies.

Employees may take unused PTO benefits for any additional days after four (4), if closure is longer. Any employee who fails to return to work once office is opened will be subject to disciplinary action, up to and including termination.

Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.

### Family Medical Leave

Under the Family and Medical Leave Act of 1993 (FMLA), employees are afforded certain rights concerning family care and medical leave. WorkNet posts mandatory FMLA Notices at all locations, and WorkNet provides notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Act.

Under this policy, WorkNet will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy. All employees are required to use all PTO towards FMLA time, until they have exhausted all available hours. If on full leave employees will not accrue PTO while on unpaid portion of leave. All insurance benefits will remain in place whether on paid or unpaid leave. When on unpaid leave, the employee will be responsible for paying all insurance premiums, if applicable.

Attachment: FMLA

### Military Leave

#### **Short Term Military Leave Policy**

Employees who are members of the Armed Forces Reserve or National Guard shall be eligible for pay continuation for up to fourteen (14) days per year while they are on active, legally required, short term military service. Employees must notify their supervisor immediately when they receive reporting instructions.

- Employees shall receive the difference between their regular pay and the daily pay provided by the military (less all allowances received for rations and travel).
- Payment shall be limited to eight hours per day or forty hours per week.
- His/her National Guard or Reserve Unit must order the employee to temporary active duty. Notification of the orders (oral or written) must be given to the employee's supervisor as far in advance as possible.

## **Long Term Military Leave Policy**

WorkNet's policy is intended to conform to the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994, which in all cases shall be the guiding principles.

Long Term Military Leave of Absence is interpreted to mean a leave of absence for the purpose of performing active military duty with the United States Armed Forces for a period of 31 or more consecutive days, but not more than five years unless extended involuntarily by law.

- A leave of absence for military service will be granted to employees who received orders to report for induction or have enlisted in the Armed Forces of the United States.
- Employees who wish to go on Military Leave status must give written or verbal notice to their supervisor as far in advance as possible.
- Employees who have served 31 to 180 days of active duty in the ready reserves must notify WorkNet of their availability to return to work within 14 days of the date active duty was completed, or if hospitalized as a result of military service up to two years after discharge, in order to be eligible for reinstatement.
- Employees who serve 181 days or more of active duty must notify WorkNet of their availability to return to work within 90 days of their date of completion of active duty to be eligible for reinstatement.
- Employees must report to their supervisor within 90 days after discharge and present suitable proof that they have completed their training and service in the Armed Forces in a satisfactory manner. They must be eligible for reinstatement under the conditions provided in the USERRA and other applicable legislation.
- USERRA provides that an employee who leaves a position to enter military service shall be reinstated into the job he/she had or would have held if he/she had remained continuously employed, including promotions and step advancements. If absent for 91 days or greater, all bonuses, financial and advancement opportunities must be offered as if the member never left.
- Employees returning from Military Leave of Absence will be entitled to such benefits, as they would have had if they had not been on military absence or leave and as provided for by the USERRA.

### *Leave for Victims of Domestic Violence*

WorkNet allows employees to take up to three (3) days of leave in any twelve (12) month period if the employee, family or household member is a victim of domestic violence. To be eligible for the leave, an employee must have worked for WorkNet for at least three (3) months.

To qualify, the leave must be taken for one of the following:

- Seek an injunction for protection against domestic violence, repeat violence, dating violence, or sexual violence;
- Obtain medical care or mental health counseling or both for the employee or a family or household member to address physical or psychological injuries resulting from domestic violence;
- Obtain services from a victim services organizations such as a domestic violence shelter or rape crisis center;
- Make the employee's home secure from the perpetrator of domestic violence or find a new home to escape the perpetrator;
- See legal assistance to address issues arising from domestic violence or attend or prepare for court related proceedings arising from the act of domestic violence.

Employees must exhaust any and all available vacation or personal leave before requesting domestic violence leave. WorkNet will maintain the confidentiality of the requested leave as well as any information related to the employee's leave under this law.

### Other Leave

Depending on the where you work and reside, you may be entitled to a leave of absence for additional/other reasons from those specified above. For example, you may be entitled to leave for military duty, witness duty, as the victim of a crime, to vote or for other reasons. Please contact the HR Business Partner (HRBP) for additional information and to submit any requests for leave of absence.

## **EMPLOYEE CONDUCT**

### Absenteeism and Tardiness

Habitual tardiness and excessive absenteeism impacts the Company's ability to render quality service to its clients; and, therefore, will not be tolerated. Any absence or tardiness, the reason for which is unjustifiable in the opinion of the Company or is not authorized by law, will be considered an unexcused absence or tardiness. Management has the right to expect that employees will be present and ready for work, when and where they are assigned. WorkNet requires reliable performance and will act when the requirement is not met. Unexcused absenteeism or tardiness could lead to disciplinary action, and including termination.

You must call your immediate supervisor for an immediate (same day) absence for any reason. Calling in sick/absent via text messaging is NOT appropriate and will not be considered acceptable notice.

Absences and tardiness do not have to be consecutive. This policy will pertain to unexcused absences and tardiness at any time within the employment period.

Unsatisfactory attendance, including arriving late or leaving early may be cause for disciplinary action, up to and including discharge.

### Appearance Policy

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image WorkNet presents to customers and employers. We require a professional appearance in your attitude, communication and attire. Your attire and shoes should be clean at all times. Inappropriate attire such as jeans, shorts, flip flops, sneakers and the like are ***not*** allowed at any time during business hours.

#### **Female Employees**

- Long or short-sleeved dress or sport shirts
- Sweaters/cardigans
- Blazers
- Dress Slacks
- Suits
- Skirts/Dresses
- Dress shoes – flat shoes (“Flats”), closed or open-toed dress shoes, dress boots, loafers

#### **Male Employees**

- Long or short-sleeved dress or sport shirts
- Sweaters/cardigans
- Dress slacks
- Suits
- Sport coats or blazers
- Dress shoes – Shoes, boots, loafers, or deck shoes (with socks)
- Necktie (when appropriate)

*All clothing must be clean, neat, pressed, and project a well-groomed appearance.*

Employees must consider their individual schedule/assignment for that day when deciding what to wear to work. In order to project a high level of professionalism, meetings with vendors, customers, or other individuals outside the organization may require a higher standard of dress than what is common for the office on a given date. Positions dealing with facilities issues such as a custodian or maintenance person may be required to wear specific clothing based on the handling the nature of the duties. Good personal hygiene and personal habits are also very important. Body cleanliness, especially of the hands and fingernails, is a must. No employee will be permitted to wear un-natural hair colors (i.e., blue, green). With the exception of business-appropriate pierced ears and small, inconspicuous nose-piercing, piercing in any other visible part of the body while at work is not permitted. Tattoos are allowable, if any tattoo is deemed inappropriate the employee will be required to cover it.

### Prohibited Attire

*(Cannot be worn in the workplace at any time unless an exception is noted below)*

The following articles and types of clothing are not acceptable for wear in the workplace:

- Athletic jerseys, tank tops, tube tops, halter tops, backless or bare midriff shirts, shirts with written slogans, expressions or depictions
- Spandex/Lycra garments, leggings, jeggings, sweat pants, running or warm-up suits, workout clothes and overalls or coveralls
- Underwear as outerwear, excessively tight, provocative or revealing attire (braless or mini look) or off-the-shoulder garments
- Wrinkled, stained, ripped or “distressed” clothing
- Hats, caps, sweatbands and similar headwear
- Tennis shoes / sneakers / athletic shoes
- Bull ring, gauge earrings, any piercings not listed above as acceptable

*Please note that this list is not all inclusive.* The purpose of the Appearance Policy is to ensure a professional work environment. If the Director, along with the HRBP and CEO, determine that your personal appearance is inappropriate, you may be asked to leave until you are properly presentable, dressed or groomed. Under such circumstances, you will not be compensated for the time away from work.

Any employee that requires a reasonable accommodation to the dress code requirement based on religion, disability or other grounds protected by law should contact the HRBP. A reasonable accommodation will be granted unless it would cause an undue hardship on the Company.

### Alcohol and Drug Free Workplace

WorkNet recognizes its responsibility to maintain and provide for all employees a healthy work environment in which all of our employees can safely and efficiently perform their jobs and provide quality services. Consistent with that commitment is that our workplace be free of drug and alcohol abuse. Therefore, we require that all employees report to work free from the presence of drugs, alcohol, and other intoxicating or mind-altering substances.

WorkNet may require all current employees to submit to random, for cause and post-accident drug and alcohol screen tests. For cause testing may be ordered for any employee whom the Company has reason to believe has violated the Company’s policies against drugs and alcohol at work and requiring employees to be sober and drug-free on the job. WorkNet may also order any employees involved in an accident on the job to be tested.

If an employee fails to adhere to this Alcohol and Drug-Free Workplace policy, the employee may be subject to adverse consequences up to and including termination.

## Safety

To assist in providing a safe work environment for employees, clients and visitors, the WorkNet has established a workplace safety program. WorkNet has responsibility for implementing, administering, monitoring and evaluating the safety program. Its success depends on the alertness and personal commitment of all employees. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.

**Notice of Injury: Employees are to report any work-related injury within 24 hours of the injury.** In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately inform the appropriate designee. Such written reports are necessary to comply with laws and initiate insurance and workers' compensation benefit procedures.

## Chronic Communicable Diseases

It is the intent of WorkNet to protect its employees from exposure to infectious diseases, to the risk occasioned by infectious diseases, and to provide reasonable accommodations to infected employees.

It is recognized that employees with any illness may wish to continue to work. As long as employees are able to meet acceptable performance standards, and medical evidence indicates that their condition is not a threat to themselves or to others, they shall be assured continued employment, as would any other employees. If it becomes necessary, reasonable accommodations shall be made to enable the qualified individual to continue to work. Such employees shall remain subject to the Board's employment policies, including, but not limited to, sick leave, physical examinations, temporary and permanent disability, and termination.

Employment decisions will be made by utilizing general legal standards in conjunction with current available health department guidelines concerning the particular disease in question. Individual cases will not be prejudged. Decisions will be made based on the facts of the particular case. The determination of an employee's continued employment status shall be a shared health management decision involving the employee's physician, public health personnel, the employee, and the CEO of WorkNet

All information regarding personnel matters involving employees and communicable disease shall be held in strict confidence and released only to those who have a legitimate need to know.

### Safety Responsibilities

Employees shall exercise due care in the course of their work to prevent injuries to themselves or other workers and loss of material resources. Each employee shall:

- Report all unsafe conditions to one's supervisor.
- Keep work areas clean and orderly at all times.
- Report all accidents immediately to one's supervisor.
- Avoid engaging in any horseplay and avoid distracting others.
- Obey all safety rules and follow work instructions. If any doubt exists about the safety of a job, work shall be stopped until further instructions are received from a supervisor.
- Operate only machines and equipment for which they have been trained and authorized to use.
- Use only the prescribed equipment for the job.
- Wear required protective equipment if working in hazardous areas.

### Sexual and Other Unlawful Harassment

WorkNet is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes or comments based on an individual's sex, race, color, national origin, age, religion, disability, genetic information, sexual orientation, or any other legally protected characteristic will not be tolerated.

Sexual harassment is defined as unwanted sexual advances or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. If you experience or you witness sexual or other unlawful harassment in the workplace, you should report it to the Equal Employment Opportunity Officer (EEO) *immediately*. If the EEO is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact any other supervisor or officer of WorkNet. When the investigation is completed, you will be informed of the outcome of the investigation.

Any employee who becomes aware of possible sexual or other unlawful harassment must immediately advise the EEO or another supervisor or officer of the Company so it can be investigated in a timely and (to the extent possible) confidential manner. Upon completion of the investigation, if necessary, corrective measures will be taken. These measures may include, but are not limited to: training, counseling, warning, suspension, or immediate dismissal. Anyone, regardless of position or title, found through investigation to have engaged in improper harassment will be subject to discipline up to and including discharge. If the investigation is inconclusive, WorkNet may still provide counseling or take other appropriate steps.

WorkNet prohibits any form of discipline or retaliation for reporting in good faith incidents of harassment in violation of this policy, pursuing any such claim or cooperating in the investigation of such reports.

Attachment: Grievance Policy and Procedures

### Smoking

There is no smoking in the Company's office or vehicles. We do NOT allow smoking anywhere on the premises or lavatories. Any employee who is observed smoking in these areas may be subject to dismissal. This directive includes all forms of smoking, including all forms of vape pen, electronic cigarette, or any device / product of this nature.

Florida's Clean Indoor Air Act prohibits smoking in enclosed public places, including enclosed indoor places of business. Therefore, smoking in the workplace is prohibited except in specifically designated locations. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers will prevail. This policy applies equally to employees, customers, and visitors. This smoke-free policy applies equally to all employees and visitors.

### Whistle-Blower

WorkNet encourages employees and persons who have knowledge of unlawful activity, misfeasance, malfeasance, gross mismanagement, gross neglect of duty or gross waste of public funds by WorkNet to report such knowledge to the appropriate authority for investigation and corrective action in accordance with the Company's Whistle-blower policy.

Attachment: Whistleblower Policy

### Solicitation

In an effort to ensure a productive and harmonious work environment, persons not employed by WorkNet may not solicit or distribute literature in the workplace at any time for any purpose, without authorization by management, unless authorized by law.

WorkNet recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. If employees have a message of interest to the workplace, they may submit it to the CEO for approval.

### Use of Email, Computers, Phone Systems and Other Equipment

Computers, laptops, tablets, telephones, cellular phones, smart phones, vehicles, electronic equipment, computer files, the email system, software and other property and information furnished by WorkNet to employees ("Company Equipment") are Company

property and are generally intended for business use only, unless another use is permitted by law. Company Equipment may be monitored and employees shall have no expectation of privacy in their use of Company Equipment. In the event any Company Equipment is lost or stolen, the employee must notify Director or CEO immediately.

Employees may not use a password, access a file, retrieve any stored information or use or retrieve other Company Equipment without express authorization. Unless another use is permitted by law. Employees may use authorized Company Equipment solely within the scope of employment; any use outside this context is unauthorized. WorkNet shall be deemed to have immediately revoked all authority and access of an employee to Company Equipment if such employee uses the Company Equipment outside the scope of his/her authority and/or if the employee sends Company Equipment or information contained therein outside the Company's email system or its physical facilities without express permission.

Internet usage through Company Equipment during work hours is also generally limited to job-related activities, unless another use is permitted by law. Internet usage through Company Equipment may be monitored. All Internet data that is composed, transmitted or received via Company computer communications systems is considered to be part of the official records of the Company and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet email messages and other transmissions is accurate, ethical and lawful.

Personal use of Company telephones, cellular phones and smart phones for incoming and outgoing calls, including local calls, is not permitted. Employees may be required to reimburse the Company for any charges resulting from their personal use of the Company's telephones, cellular phones and smart phones.

When necessary, personal calls of any type should be made during breaks and kept to a minimum. Absent an emergency, while at work, employees are prohibited from using personal cellular phones and texting unless they have received prior management approval.

The mail system also is generally reserved for business purposes. Employees should endeavor to refrain from sending or receiving personal mail at the workplace.

Violation of this policy can result in a warning or termination at the Company's sole discretion.

Attachment: System Access Policy

### Company Car Policy

WorkNet permits select employees to drive vehicles owned, leased or rented by the Company ("company car") to perform work for the Company or on the Company's behalf

during their period of employment. Personal use of a company car is not permitted. Personal use includes vacation or weekend use, or use by a spouse or dependents. Only those employees who have received written permission from the CEO are authorized to use company cars. All drivers are responsible for using company cars in a safe, lawful and reasonable manner. Any employee who abuses or violates this policy, for example by submitting fraudulent company car reimbursement requests or failing to comply with safety standards, will be subject to disciplinary action, up to and including termination of employment.

### **Record of Business Use**

Employees must maintain records documenting business use of company cars during each month and must provide to the Company by the tenth day of the month following the use a statement for each vehicle used. The monthly statement must include:

- Which company car(s) the employee used;
- Beginning and ending odometer readings;
- The number of miles traveled with the car;
- Date(s) of business use;
- Business purpose(s) for the use;
- Starting and ending location(s) of each drive;
- Fuel expenses;
- Any maintenance expenses.

### **Fuel and Maintenance Expense Protocols**

WorkNet will reimburse expenses for fuel costs, parking fees and tolls associated with company car use under this policy. In addition, WorkNet will reimburse for necessary company car maintenance performed with the written approval of the CEO.

For any out-of-pocket expenses, drivers may request reimbursement for covered company car costs by completing an expense reimbursement form and submitting the completed form to the CEO. All expense reimbursement forms must be signed and verified by the driver. Expense reimbursement forms must include original receipts or other substantiating documentation for each expense showing the:

- Amount paid;
- Date the expense was incurred and paid;
- Vendor or provider name and location;
- Nature of the expense;
- Business purpose.

Drivers must submit expense reimbursement forms to the CEO within 60 days of incurring the expense. WorkNet reserves the right to refuse any expense reimbursement request that is inaccurate, does not include the appropriate substantiating documentation, is submitted late or otherwise fails to fully comply with the Company's policy, as determined

by the Company in its sole discretion. Expense reimbursement forms may be subject to audit by the Company or by government agencies.

WorkNet will provide reimbursement promptly following verification of the expense and appropriate substantiation, but in any event, no later than December 31 of the calendar year following the calendar year in which the expense is incurred.

If a driver receives an excess reimbursement, he or she must report and return any excess amounts to the Company within 120 days.

### **Accountable Plan**

This policy is intended to qualify as an “accountable plan” under the Internal Revenue Code (IRC) and relevant Treasury Regulations.

### **Permissible Uses**

Company cars are available to authorized employees for business purposes. Uses beyond those specified in this policy must be specifically authorized by the CEO.

Nonexempt employees driving company cars for business purposes must record all time spent driving.

### **Authorized Drivers and Passengers**

Only authorized employees can drive company cars. Employees permitted to drive company cars must have a valid driver's license and active auto insurance. In the event that an authorized driver's license is suspended or revoked, that individual must notify the CEO as soon as possible.

Consistent with relevant background check laws, the Company reserves the right to evaluate the driving record of all company car drivers and revoke driving privileges as necessary.

Transportation of passengers is authorized for business use of company cars, but the number of passengers cannot exceed the number of passenger seats with seat belts available, and passengers may only occupy company cars for purposes authorized by this policy. To the extent that a child will be traveling in a company car, child safety seats must be used and installed in a manner consistent with governing law.

### **Safety Standards**

Everyone operating a company car is expected to operate the vehicle in a safe and lawful manner. Safe driving standards include, but are not limited to:

- Maintaining a reasonable rate of speed;

- Abiding by traffic signals and signs;
- Wearing seat belts;
- Avoiding aggressive and reckless driving;
- Never driving in unsafe conditions;
- Never driving when impaired by alcohol, drugs or fatigue;
- Never texting or e-mailing while driving;
- Never talking on a cell phone while driving;
- Never listening to headphones while driving;
- If a company car seems to be unsafe or in need of maintenance, drivers must bring this issue to the attention of the CEO as soon as possible.

In addition, company car drivers must respect the vehicle as company property and take steps to avoid damage to it and its contents, including:

- Keeping property secure, including locked doors, closed windows and properly maintained valuables (including confidential information). Personal items may not be stored in a company car, and personal losses generally will not be reimbursed;
- Never transporting dangerous or flammable materials unless specifically authorized in writing by the CEO;
- Never attaching or pulling trailers or other vehicles;
- Never making after market changes to the car;
- Never picking up hitchhikers;
- Never transporting items for third parties other than those associated with the Company's business for legitimate business purposes.

In the event of an accident, the driver must stay with the company car and file a police report or otherwise cooperate with the police, as applicable. Employees should not attempt to provide medical care to those involved in an accident beyond their level of suitable training. Company car drivers must communicate the details of the accident to the CEO as soon as possible, and must also communicate theft of company property (including the car itself) and any moving violations.

### **Section 409A of the Internal Revenue Code**

Reimbursements and in-kind benefits under this policy are intended to comply with IRC Section 409A and applicable guidance issued under it or an exemption from the application of Section 409A. Accordingly, all provisions of this policy will be construed in a manner consistent with the requirements for avoiding taxes or penalties under Section 409A. The amount of reimbursements and in-kind benefits provided under this policy in any calendar year will not affect the amount of reimbursements and in-kind benefits provided during any other calendar year and the right to reimbursements and in-kind benefits under this policy cannot be liquidated or exchanged for any other benefit.

Notwithstanding any provision of this policy, the Company will not be liable to any employee for any taxes or penalties imposed under Section 409A on any reimbursements and in-kind benefits under this policy.

### Safe Driving

WorkNet values the safety and well-being of all employees. Due to the risk of motor vehicle accidents resulting from traffic congestion, unsafe driving habits, road conditions and distraction, the Company's intent is that any person who drives a vehicle while performing official Company business is both qualified to drive under Florida Motor Vehicle laws and has the ability to operate the vehicle in a safe manner. The goal of the Safe Driving Policy is to assure employees who drive on Company business have sufficient knowledge, skill and ability to protect themselves, WorkNet and the public from an unsafe driver. It is the policy of WorkNet that all individuals who drive a vehicle to conduct official Company business must obey all State of Florida laws while driving, must maintain an acceptable driving record and must follow the reporting requirements included within the policy. Failure of any individual conducting business on behalf of the Company to comply with the Safe Driving Policy may result in disciplinary action.

### Social Media

We understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Company, as well as any other form of electronic communication.

The same principles and guidelines found in the Company policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects customers or people who work on behalf of the Company or the Company's legitimate business interests, unless authorized by law, may result in disciplinary action up to and including termination.

### **Know and follow the rules**

Carefully read these guidelines and the Sexual and Other Unlawful Harassment Policy, and ensure your postings are consistent with these policies. Postings that include discriminatory remarks, harassment, and threats of violence or similar unlawful conduct

will not be tolerated and may subject you to disciplinary action up to and including termination.

Endeavor to be fair to fellow employees, clients or other people who work on behalf of WorkNet. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers or constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally and unlawfully harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

### **Be honest and accurate**

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the Company, fellow employees, clients, or people working on behalf of the Company.

### **Maintain confidentiality**

You are expected to maintain the confidentiality of WorkNet trade secrets and private or confidential information. Do not post internal reports, policies, procedures or other internal business-related confidential communications.

Do not create a link from your blog, website or other social networking site to the Company website without identifying yourself as a Company employee. Express only your personal opinions. Never represent yourself as a spokesperson for WorkNet. If the Company is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the Company, fellow employees, customers or clients working on behalf of WorkNet. If you do publish a blog or post online related to the work you do or subjects associated with the Company, make it clear that you are not speaking on behalf of WorkNet. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of WorkNet".

### **Using social media at work**

Refrain from using social media while on work time, unless it is work-related as authorized by the CEO or consistent with Company policy. Do not use the Company email addresses to register on social networks, blogs or other online tools utilized for personal use.

### Telephone and Email

Internal and external customers expect for all WorkNet employees to promptly and courteously respond to telephone calls and email.

### Personal Cell Phone Use While Working

While at work, employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of the Company's phones. Excessive personal calls or texting during the workday, regardless of the phone used, can interfere with productivity and be distracting to others, particularly customers. Employees should restrict their personal calls and texts during work time. Employees are therefore asked to make any other personal calls or texts on non-work time where possible and to ensure that friends and family members are aware of the Company's policy.

Flexibility will be provided in circumstances demanding immediate attention. WorkNet will not be liable for the loss of personal cellular phones brought into the workplace.

### Handling and Protecting Personal Identifiable Information

WorkNet is committed to properly handle and protect Personally Identifiable Information and other sensitive information and to describe all associated requirements that are necessary to ensure compliance with federal, state and local laws.

Attachment: Handling and Protecting Personal Identifiable Information

### Media contacts

Employees should never speak to the media on the Company's behalf without contacting the CEO. All media inquiries should be directed to the CEO. If you are confronted by a reporter or camera person asking for comment about WorkNet it is entirely appropriate to excuse yourself from comment by saying, *"It is our policy that any media requests be handled through the office of the CEO. Let me contact someone for you."*

### **Procedures for WorkNet's candidates and business clients**

Permission for the media to photograph, film, record and/or interview non-Company personnel on location may be given only if non-Company personnel are willing and only if they give permission in writing on a WorkNet "Consent to Photograph/Film/Record and/or Interview" form, available only through the HRBP. In the case of minors, parents can consent for their children younger than 18 years of age. If news media want to videotape in the facility, an announcement will be made in the area(s) where they will be taping to notify those who may end up on camera.

### Public Records Requests

There shall be no attempt to limit access to public records by a claim of interference with the day-to-day conduct of public business. To ensure that all requests for records are handled consistently and appropriately all employees shall follow the Company's Records Management policy.

The designated personnel will document the public records request by asking for the inquirer's name, address, and telephone number.

When a request for public information is made, it will be forwarded to the office of the CEO for timely processing, and the CEO will respond appropriately.

### Political Activities

No employee of WorkNet shall take any active part in a political campaign while on duty or within any period of time during which the employee is expected to perform services for which compensation is received from WorkNet. This prohibition against employees taking an active part in any political campaigns shall include but not be limited to circulation of or seeking signatures to any petition provided for by any charter or law, distributing badges or other such materials indicating the favoring or opposing of a candidate for election or nomination to a federal, state, county or municipal public office during duty hours or while on WorkNet premises.

Nothing in this policy should be deemed to prohibit an employee from expressing his/her opinions on any candidate or issue, or from participating in any political campaign during off-duty hours so long as such activities are not in conflict with State of Florida Statutes and opinions of the Florida Division of Elections.

An employee may also serve as a member of the state executive committee or county executive committee of a political party.

Employees whose principal employment is in connection with an activity, which is financed in whole or in part by loans or grants, made by the United States or a Federal Agency are subject to the provision of the Hatch Act.

### Religious Expression in the Workplace

Employees have a constitutional right to freedom of religion, and they are protected from discrimination in employment on the basis of religion. In view of those rights and protections, the following guidelines are issued to provide direction to supervisors and employees regarding religious exercise and expression in the workplace. (As the guidelines cannot cover every conceivable situation, each instance in question should be reviewed on a case-by-case basis to make determination as to the appropriateness of the activity.)

- Employees will not be restricted from religious exercise or expression in the workplace except 1) where it would interfere with the efficient provision of services,

2) where it intrudes on the rights of other employees, or 3) where it creates, to a reasonable observer, an endorsement by the Agencies of religion.

- Employees will be allowed to engage in private religious expression in their personal work area, not open to the public, to the same extent as they may engage in non-religious expression.
- Employees are free to engage in religious expression with their co-workers unless such expression interferes with workplace efficiency. Co-workers are free to decline involvement in another employee's religious expression or discussion.
- Employees should refrain from religious expression or exercise which creates the impression, to a reasonable observer, that the Company is sponsoring, endorsing, or inhibiting religion generally, or disfavoring a particular religion.
- Employees may wear personal religious jewelry, unless circumstances require a ban on similar non-religious jewelry.
- Employees may display religious art or literature, in their personal work areas, which are not normally accessible to the public, to the same extent as non-religious art and literature, so long as the viewing public would not interpret the display of such items as an endorsement or favoring of religion by the Company.
- Employees are free to read religious materials and engage in expression of their religious views in common use areas such as break and lunch rooms to the same extent they are permitted to do so regarding non-religious matters. Employees are also free to request that religious discussions stop in their presence, and their requests should be respected.
- Employees may post items of a religious nature on a common use bulletin board if those bulletin boards are used to post materials of a personal and non-religious nature. The Company has the right to restrict the size of any item posted on a common use bulletin board.
- Supervisors may not require, explicitly or implicitly, employees to participate in, or refrain from participating in, religious activity outside the workplace, except to the extent that legal restrictions apply to off-duty employee conduct and expression in general. Supervisors do, however, have the right to religious expression, which is not coercive, and is understood to be their personal view, to the same extent they are entitled to other constitutionally protected expression.
- Employees shall not be subjected to discrimination, intimidation, ridicule, or insult because of their religious beliefs, or lack thereof.

### Travel

WorkNet shall make reimbursement and/or payment for the authorized travel expenses of its officers and employees in accordance with the published travel policy. To be eligible for expense reimbursement and/or payment, travel shall be for official business or welfare of the Company.

### Retaliation is prohibited

WorkNet prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

### Employee Rights

Of course, nothing in the Company's policies is intended to prevent employees from exercising their legal rights. For example, if an employee wishes to contact a government agency with a concern about matters such as (but not limited) discrimination, harassment, safety, or wages, or if he or she is asked to participate in a government investigation, our policies do not prohibit the employee from doing so. Employees are also encouraged to raise any such concerns through appropriate channels within the Company as provided in our policies. Moreover, nothing herein shall be construed to prevent employees from engaging in activity protected by the National Labor Relations Act including discussing working condition concerns and work related issues and/or engaging in other protected concerted activities.

Attachment: Complaint Policy

## **EMPLOYEE DISCIPLINE**

### Standards of Performance

To ensure orderly operations and provide the best possible work environment, WorkNet expects employees to adhere to all standards of performance in an attempt to protect the safety, security, and privacy of employees and the organization. WorkNet relies on each individual's good judgment and a sense of responsibility to act in an appropriate manner. These standards are designed to promote reasonable consistency.

For this reason, it may be helpful to identify some examples of types of conduct that may lead to disciplinary action, up to and including immediate termination. Although it is not possible to provide an exhaustive list of all types of impermissible conduct and performance, the following are some examples:

1. Disorderly conduct including but not limited to threatening, intimidating, coercing, harassing, bullying or verbally/physically assaulting employees, clients or visitors.
2. The employee's conduct interferes with the proper cooperation of coworkers or impairs the efficiency, morale, good order, or discipline of the workplace.
3. Failure to comply with Immigration and Naturalization I-9 and applicable regulations for employment.
4. Violation of any Company policy or practice.
5. Unauthorized and unlawful use of any employer-owned or leased equipment, including but not limited to letterhead, computers, phones, cars, e-mail, voice mail, software applications, passwords or access codes.

6. Unauthorized or excessive absence and tardiness. Excessive absenteeism is defined as absences over and above those defined in the leave of absence and paid day off section of this manual.
7. Failure to notify the Company of absence or tardiness consistent with the Company's procedure; including giving 2 hours' notice prior to start time if unable to be at work at the scheduled time.
8. Insubordination, including improper conduct toward a supervisor or client, or refusal to perform tasks assigned by the Company.
9. Reporting to work under the influence of alcoholic beverages, illegal drugs, or reporting for duty in an unfit condition for any reason.
10. Release of confidential or proprietary information about the Company or its employees, clients or customers.
11. Theft of any kind or unauthorized removal or possession of property from the Company, co-workers or customers.
12. Altering, falsifying, removal or destruction of any time-keeping record, in any manner including, intentionally recording another employee's time or allowing someone else to record your time.
13. Falsifying, misleading, or making a material omission on your employment application or any other Company record.
14. Misuse, destruction, or not supplying information of any Company property, including intellectual property, such as login and password information.
15. Misusing, destroying or damaging property of the Company, a co-worker, client, or a visitor.
16. Unless authorized by applicable law (concealed weapons permit is not allowable) bringing into the Company office any weapon or dangerous substance (such as mace or pepper spray) or unauthorized drugs or alcohol.
17. Unsatisfactory performance or misconduct of any kind.
18. Violating safety or health rules or practices or engaging in conduct that creates a safety, health or environmental hazard.
19. Sleeping while on duty.
20. Except for meal periods, leaving the Company's premises or your work location without supervisory approval prior to the end of a scheduled work shift.
21. Unprofessional conduct of any kind towards any client, co-worker or supplier.
22. Misuse of the Company's time, including excessive personal phone calls, receipt of personal mail/faxes, and engaging in any other non-work related activity during work time.
23. Soliciting contribution, accepting donations, gratuities, or support of any amount or kind from customers, salespersons, or supplier representatives without authorization of management.
24. Failure to maintain license or certification required for your position.
25. Working off the clock or working overtime without proper authorization.

### Disciplinary Actions

This Disciplinary Actions Policy applies to all regular employees who have completed the Introductory Period.

This policy pertains to matters of conduct as well as the employee's competence. However, an employee who does not display satisfactory performance and accomplishment on the job may be dismissed, in certain cases, without resorting to the steps set forth in this policy. This policy does not change the at-will status of an employee.

Under normal circumstances, WorkNet follows the procedure outlined below. There may be particular situations, however, in which the seriousness of the offense justifies the omission of one or more of the steps in the procedure. Likewise, there may be times when the Company may decide to repeat a disciplinary step.

### Discipline Procedure

Unacceptable behavior, which does not lead to immediate dismissal, may be dealt with in the following manner, which the Company implements as a three-step, incremental process:

1. Verbal Warning
2. Written Warning
3. Suspension/Written record

To ensure that the Company's business is conducted properly and efficiently, you must conform to certain standards of attendance, conduct, work performance and other work rules and regulations. When a problem in these areas does arise, the Company will generally discuss these issues with you to attempt to reach an effective solution. If, however, you fail to respond, or an incident occurs that requires formal discipline, the following procedures will *generally* be followed:

#### **Step One: Verbal Warning**

A WorkNet designee will meet with you to discuss the problem or violation, making sure that you understand the nature of the problem or violation and the expected remedy. The purpose of this conversation is to remind you of what the rule or performance expectation is and also to remind you that it is your responsibility to meet expectations. The verbal warning will be documented, and a copy will be given to you and will be made a permanent part of your personnel file

It is possible to receive more than one Verbal Warning for a particular infraction based on the nature of the infraction, the employee's longevity with the Company and any periods of improvement. Similarly, if the infraction is deemed a severe violation of policy, discipline may result in a Written Warning or immediate dismissal. A copy of the warning will be put in the employee's personnel file.

### **Step Two: Written Warning**

If your performance does not improve or if you are again in violation of Company standards, a Written Warning may be issued. This document will generally indicate the nature of the violation, prior disciplinary actions and an acknowledgement that future violations of this nature will result in further disciplinary action not excluding termination. A copy of the written warning will be given to you and will be made a permanent part of your personnel file.

### **Step Three: Suspension/Written record**

You may be suspended when an infraction requires further investigation by management to determine whether to terminate employment. If the incident is a terminable offence but, due to extenuating circumstances, the decision is made not to terminate then you will be returned to work without pay for the suspension. A written record of the event and the extenuating circumstances will be made and become a part of your personnel file. If it is determined that the suspension was not justified then you will be returned to work with pay for the suspension. An employee may be suspended for up to three days unless the circumstances require additional time for investigation.

### **The provision of this Disciplinary Procedure is not a guarantee of its use.**

WorkNet reserves the right to terminate employment at any time, with or without reason. Additionally, WorkNet also reserves the right to take legal action against any employee for any of the above infractions or other reasons that violate standards of performance.

**EMPLOYEE HANDBOOK &  
ACKNOWLEDGMENT OF POLICIES**

I acknowledge that I have received a copy of the Company's Employee Handbook. I understand that the policies contained in the Employee Handbook contain important information on the Company; general personnel policies and information on my obligations as an employee. I will remain familiar with and agree to abide by these policies.

I understand that the provisions of this Employee Handbook are guidelines and do not establish a contract or any particular terms or conditions of employment between the Company and myself. None of the policies constitute or are intended to constitute a promise of employment. I further understand that the Company may periodically, at its discretion, change, rescind, or add to any policies, benefits or practices with or without prior notice.

I understand that my employment relationship with the Company is "at-will" and is based upon the mutual consent of the Company and myself. Accordingly, I agree that the Company or I may terminate the employment relationship at any time and for any reason, with or without prior notice or discipline.

I specifically acknowledge that I have received and reviewed the Anti-Harassment Policy. I understand the Company's complaint procedure under the Anti-Harassment Policy.

I specifically acknowledge that I also have received, reviewed and agree to the Company Car Policy. I understand and hereby consent to the Company obtaining information from any department of motor vehicles or other agency or person about me and my driving records.

Date: \_\_\_\_\_

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Employee's Name Printed

(EMPLOYEE'S COPY)

**EMPLOYEE HANDBOOK &  
ACKNOWLEDGMENT OF POLICIES**

I acknowledge that I have received a copy of the Company's Employee Handbook. I understand that the policies contained in the Employee Handbook contain important information on the Company; general personnel policies and information on my obligations as an employee. I will remain familiar with and agree to abide by these policies.

I understand that the provisions of this Employee Handbook are guidelines and do not establish a contract or any particular terms or conditions of employment between the Company and myself. None of the policies constitute or are intended to constitute a promise of employment. I further understand that the Company may periodically, at its discretion, change, rescind, or add to any policies, benefits or practices with or without prior notice.

I understand that my employment relationship with the Company is "at-will" and is based upon the mutual consent of the Company and myself. Accordingly, I agree that the Company or I may terminate the employment relationship at any time and for any reason, with or without prior notice or discipline.

I specifically acknowledge that I have received and reviewed the Anti-Harassment Policy. I understand the Company's complaint procedure under the Anti-Harassment Policy.

I specifically acknowledge that I also have received, reviewed and agree to the Company Car Policy. I understand and hereby consent to the Company obtaining information from any department of motor vehicles or other agency or person about me and my driving records.

Date: \_\_\_\_\_

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Employee's Name Printed

(PLEASE SIGN THIS COPY AND RETURN TO THE COMPANY FOR PLACEMENT IN PERSONNEL FILE)



## **Action Item 8**

### **Human Resources Policies**

#### **Background**

As part of the Compliance Review, USDOL/DEO have requested CSPIN review and update three (3) HR Policies. See items marked with an asterisk (\*) below. The modification of these, as well as the below three additional policies helps ensure alignment with rules and regulations outlined by United States Department of Labor (USDOL), Department of Economic Opportunity (DEO), CareerSource Florida (CFS) and HR best practices.

CareerSource Pinellas will review periodically to determine necessary action for creation of new policy or policy revisions.

Outlined below and contained in the packet are the six (6) CSPIN HR policies for your review and consideration.

- Whistleblower\*
- Grievance\*
- Discrimination Complaint\*
- System Access
- Handling and Protecting Personal, Identifiable Information
- Family and Medical Leave Act (FMLA)

#### **RECOMMENDATION**

Approve and adopt the HR Policies listed above, pending a final review by Legal.



## Policy

<b>SECTION: HUMAN RESOURCES</b>	<b>POLICY #019-A12</b>	<b>PAGE 1 OF 7</b>
<b>TITLE: Whistleblower Policy</b>	<b>EFFECTIVE DATE: TBD</b>	
<b>APPROVED BY:</b>	<b>REPLACES: N/A</b>	

**PURPOSE:** The purpose of this whistle-blower policy is to formalize the Worknet Pinellas, Inc., dba CareerSource Pinellas standard operating procedures that encourage an individual to report a violation of any federal, state or local law, rule or regulation committed by an independent contractor, training vendor, a CareerSource staff, a volunteer at CareerSource, an intern, or DEO staff located in CareerSource offices which:

- creates a substantial and specific danger to the public's health, safety or welfare; and/or
- is an act of gross mismanagement, malfeasance, misfeasance, fraud, or is a gross waste of public funds or a gross neglect of duty.

This policy also sets forth procedures to be followed when investigating such a report, prohibits retaliatory action against an individual who reports such a violation and provides CareerSource the opportunity to correct the activity, policy or practice if it finds during the investigation that an actual violation has occurred.

Customers, independent contractors and other individuals wishing to report a violation of any federal, state or local law, rule or regulation committed by an independent contractor of CareerSource, a CareerSource staff or DEO staff located in CareerSource offices shall follow the procedures within the CareerSource Grievance policy.

Note, even though all CareerSource Pinellas staff are employed by WorkNet Pinellas, Inc., throughout this policy those employees shall be referred to as staff of CareerSource.

**BACKGROUND:** The stated intent of Florida’s Whistle-blower’s Act (Fla. Statute. Sections 112.3187 through 112.31895) is to “prevent agencies or independent contractors from taking retaliatory action against an employee who reports to an appropriate agency violations of law on the part of a public employer or independent contractor that create a substantial and specific danger to the public’s health, safety, or welfare. It is further the intent of the Legislature to prevent agencies or independent contractors from taking retaliatory action against any person who discloses information to an appropriate agency alleging improper use of governmental office, gross waste of funds, or any other abuse or gross neglect of duty on the part of an agency, public officer, or employee.” The Florida Whistle-blower’s Act does not protect employees or persons who report/disclose information that they know is false.

The Federal Sarbanes-Oxley Act provides protections for whistle-blowers and criminal penalties for actions taken in retaliation against whistle-blowers. The Act protects whistle-blowers who risk their careers by reporting suspected illegal activities in the organization. It is illegal for a corporate entity—for-profit and nonprofit alike—to punish the whistle-blower in any manner.

Florida’s Department of Economic Opportunity’s (DEO) policy on reporting violations as defined and described in this policy requires CareerSource to immediately inform their Office of Inspector General (OIG) of any such alleged violations. The Department’s OIG is responsible for satisfying the Workforce Innovation and Opportunity Act’s requirement to report such alleged incidents to the USDOL.

**POLICY:** All directors, officers, staff, volunteers, interns contractors and training vendors are expected to act in accordance with all applicable laws and regulations, and with the policies of CareerSource at all times, and to assist in ensuring that CareerSource conducts its business and affairs accordingly.

It is the policy of CareerSource that CareerSource staff, DEO staff located in CareerSource offices, volunteers, interns, contractors or training vendors who have knowledge of and reasonably believe an unlawful activity, misfeasance, malfeasance, gross mismanagement, gross neglect of duty or gross waste of public funds as defined and described in this policy has occurred, has an obligation to and shall report this information to either the President and CEO of CareerSource, or, if the allegation concerns the President, to the Board Chair, for investigation and corrective action.

In order to encourage reporting of such information without fear of reprisal, it shall also be the policy of CareerSource to prohibit and redress adverse action taken against an individual for making such a protected disclosure unless the individual knowingly gives a false report.

**APPLICABILITY:** This whistle-blower policy applies to all CareerSource staff, DEO staff located within the CareerSource offices, volunteers, interns, program contractors and training vendors.

**RESULTS OF FAILURE TO COMPLY WITH POLICY:** Failure of any individual identified under “Applicability” above to comply with this whistle-blower policy may result in disciplinary action in accordance with the Personnel Handbook. If a program contractor or training vendor fails to comply with this policy the contract or agreement may be cancelled.

## **PROCEDURE**

Following are details and processes/procedures that pertain to this policy. CareerSource’s internal controls and operating procedures are intended to detect, prevent or deter improper activities. However, even the best systems of control cannot provide absolute safeguards against irregularities. Intentional and unintentional violations of laws, regulations, policies and procedures may occur and may constitute improper activities as defined within this policy.

### **A. Reporting Whistle-blower Information**

Any director, officer, staff or consultant who has engaged in, or who reasonably suspects any other director, officer, staff or consultant or grantee of engaging in any violation of the law, regulations, ethical rules or any policy of CareerSource must report such activity as soon as possible. Such activity may include, but is not limited to, financial wrongdoing (including circumvention of internal controls or violation of the accounting policies of CareerSource), fraud, harassment, or any other illegal or unethical conduct.

Knowledge by staff of unlawful activity, misfeasance, malfeasance, gross mismanagement, gross neglect of duty or gross waste of public funds shall be reported in writing directly to the CareerSource President and CEO at the address or email shown below using the attached form. As a decision about whether to initiate an investigation must be based on what appears in the attached whistle-blower form, the information provided must show there is sufficient evidence available for an investigation to confirm that what is being alleged is true. The whistle-blower must therefore identify specific witnesses, documents, and other sources of information that the President and CEO may examine to find support for an allegation.

**CEO**  
**13805 58th Street N**  
**Suite 2-140**  
**Clearwater, FL 33760**  
**[jbrackney@careersourcepinellas.com](mailto:jbrackney@careersourcepinellas.com)**

The CEO shall be responsible for reviewing the allegation, making the required notifications to Florida’s Department of Economic Opportunity, investigating the

allegation if warranted, and reporting to the Board and other appropriate authorities at the conclusion of any investigation arising from any disclosure covered under this policy.

In the event the whistle-blower information concerns the CEO or the adverse personnel action is alleged to have been committed by the CEO, the report shall be submitted in writing on the attached form to the Board Chairperson and addressed to:

**Chairperson of the Board of Directors  
c/o EEO Officer  
13805 58th Street N  
Suite 2-140  
Clearwater, FL 33760**

The Chairperson of the Board shall be responsible for reviewing the allegation, investigating the allegation if warranted and reporting to the appropriate authorities at the conclusion of any investigation arising from any disclosure covered under this policy and otherwise performing the duties of the CEO as provided herein.

#### **B. Investigating a Whistle-Blower Allegation**

When an individual alleges unlawful activity, misfeasance, malfeasance, gross mismanagement, gross neglect of duty or gross waste of public funds in writing to the President and CEO by submitting the attached form, the President and CEO shall notify the Board of Directors and the Office of Inspector General within Florida's Department of Economic Opportunity of the allegation and then determine within 20 business days whether an investigation is warranted based on:

1. Whether the information disclosed is the type of information described in this policy.
2. Whether the information disclosed demonstrates reasonable cause to suspect that an independent contractor, a CareerSource staff, or a DEO employee located in one of the CareerSource offices has:
  - a. violated any federal, state, or local law, rule or regulation, thereby creating and presenting a substantial and specific danger to the public's health, safety, or welfare; or
  - b. committed an act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, or gross neglect of duty.

If the CEO determines that the information disclosed is not the type of information described in this policy or that the information disclosed does not demonstrate reasonable cause to suspect a violation as described in this policy has occurred, the CEO shall then:

- In writing, inform the individual who made the disclosure of the specific reasons why an investigation is not necessary and why the disclosure will not be acted on further; and

- Inform the CareerSource Board of Directors in writing of the allegation(s) and the reasons why an investigation is not necessary.

If the CEO determines that the information disclosed is the type of information described in this policy and that the information disclosed demonstrates reasonable cause to suspect that a violation as described in this policy has occurred, the President and CEO shall then determine if an investigation is warranted.

The CEO does not automatically investigate every complaint received. Each complaint is evaluated carefully to determine whether it has enough potential merit to warrant the expenditure of resources to conduct an investigation. For purposes of determining whether an investigation is warranted, the President and CEO shall consider the following factors, but is not limited to only the following factors, when deciding whether the investigation is necessary:

- The gravity of the disclosed information compared to the time and expense of an investigation;
- The potential for an investigation to yield recommendations that will make CareerSource more efficient and effective;
- The benefit to CareerSource to have a final report on the disclosed information;
- Whether another agency may be conducting an investigation and whether any investigation under this section could be duplicative; or
- The time that has elapsed between the alleged event and the disclosure of the information.

If an investigation is warranted, the CEO shall determine the most effective and efficient means to conduct the investigation.

### **C. Final Reporting of a Whistle-blower's Allegation**

Following the investigation, the CEO shall:

1. Notify the appropriate legal authority if the investigation produces evidence of a criminal violation;
2. Notify DEO of the results of the investigation; and
3. Submit to the whistle-blower within 60 business days after the date on which a decision to conduct an investigation was made, a final written report that sets forth the findings, conclusions, and recommendations and notify the whistle-blower that the whistle-blower may submit to the CEO comments on the final report within 20 business days of the date of the report and that such comments will be attached to the final report.

Final reports must be signed by the CEO, distributed to each CareerSource Board member and must include:

- A summary of the information with respect to why the investigation was initiated;
- A description of the conduct of the investigation;
- A summary of any evidence obtained from the investigation;
- A listing of any violation or apparent violation of any law, rule or regulation; and
- A description of any action taken or planned as a result of the investigation, such as:
  - A change in a CareerSource policy or procedure.
  - The restoration of an aggrieved employee as provided for in this policy.
  - Any disciplinary action taken against an employee found at fault.
  - The referral to the Department of Law Enforcement or other legal authority of any evidence of a criminal violation.

Any time period set forth in this policy may be extended in writing by the CEO or the Board of Directors for good cause.

#### **D. Acting in Good Faith**

Anyone reporting information as described in this policy must act in good faith and have reasonable grounds for believing the information disclosed indicates an unlawful activity, misfeasance, malfeasance, gross mismanagement, gross neglect of duty or gross waste of public funds. Making allegations that prove to be unsubstantiated and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false will be viewed as a serious disciplinary offense and will result in discipline, up to and including dismissal from employment. Such conduct may also give rise to other actions, including civil lawsuits.

#### **E. Confidentiality**

All information received by the CEO or information produced or derived from the investigation is confidential and exempt from public access under Section 119.07(1) Florida Statutes, provided the information is being received or derived from allegations as set forth in this policy and an investigation is active.

During the investigation, the name or identity of any individual who discloses in good faith to the CEO information in accordance with this policy shall not be disclosed to anyone other than determined by the CEO without the written consent of the individual unless the CEO determines that:

1. The disclosure of the individual's identity is necessary to prevent a substantial and specific danger to the public's health, safety or welfare, or to prevent the imminent commission of a crime; or
2. The disclosure is unavoidable and absolutely necessary during the course of the investigation.

#### **F. Employees and Persons Protected**

This policy protects a CareerSource staff or DEO staff located in CareerSource offices from adverse action if he/she discloses information on their own initiative in a written and signed statement in accordance with this policy; who are requested to participate in an investigation, hearing, or other inquiry conducted by CareerSource, any state agency, or federal government entity; who refuse to participate in any adverse action prohibited by this policy; or who are otherwise protected by the Florida Whistle-blower's Act.

No remedy or other protection provided by this policy shall be available when the whistle-blower makes allegations that prove to be unsubstantiated and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false or if the whistle-blower has committed or intentionally participated in committing a violation or suspected violation for which protection under this policy is being sought.

The fact that an adverse action was based on grounds other than what was raised in a disclosure under this policy and would have been taken absent the whistle-blower's exercise of rights protected by this policy shall be an affirmative defense to any such complaint brought under this policy.

#### **G. Remedies for Adverse Personnel Action**

Notwithstanding any other grievance or complaint procedure that may be applicable, an individual who believes that he or she has been subjected to adverse personnel action as a result of engaging in activity protected by this policy may file a complaint with the CareerSource CEO. This complaint must be made in writing and must be filed with the CEO within twenty (20) business days of the alleged adverse action. Upon receipt of an adverse personnel action complaint or upon referral of a grievance that contains allegations of whistle-blower retaliation the CEO shall conduct an investigation of the complaint of retaliation. The CEO shall complete such investigation within thirty (30) business days of the receipt of the complaint.

Upon completion of the investigation, the CEO shall present the Chairperson of the Board of Directors with written findings as to whether or not there are reasonable grounds to believe that a prohibited personnel action under this policy

has occurred or is occurring and where appropriate, make recommendations to remedy the adverse personnel action.

The CEO shall thereafter render a decision as to the relief to be afforded which shall be the final stage of this procedure. In the event, the complaint pertains to the CEO, the Board's Chairperson shall present the Board of Directors with the written findings of the investigation and the Board of Directors shall then render a decision as to the relief to be afforded.

### **ACTION STEPS REQUIRED:**

Following are the action steps that must be taken by each CareerSource staff and DEO staff located within a CareerSource office.

- A. Each staff must review this policy directive. If the staff has a question about anything contained herein, it is his/her responsibility to immediately bring the question to the attention of his/her supervisor. If not resolved, the supervisor will contact the individual named under "Inquiries" below.
- B. It is the responsibility of each individual to immediately report any breach of this policy to the attention of the person named below.
- C. CareerSource contract managers and appropriate Directors shall provide this policy to all partner agencies located in a CareerSource facility, Program Contractors and Training vendors and require that each submit a letter stating that this policy was provided to all appropriate staff and that the partner or contractor shall abide by this policy or submit their own to HR for review.
- D. Customers, independent contractors and other individuals wishing to report a violation of any federal, state or local law, rule or regulation committed by an independent contractor of WorkNet, a CareerSource staff or DEO staff located in CareerSource offices shall be immediately directed to the CareerSource EEO Officer.
- E. Each supervisor, manager, and director is responsible for informing employees of this policy.
- F. Each individual must replace previous whistleblower policies with this policy reissuance.

### **POLICY AMENDMENTS OR REVOCATION:**

Notwithstanding any of the foregoing, CareerSource reserves the right to revise or revoke this policy at any time.

This policy is written to establish local procedures and is not intended to supersede any applicable laws or regulations. Failure by CareerSource to adhere strictly to the steps

outlined within this policy shall not be construed as a violation of any rights or administrative procedures.

### **INQUIRIES:**

Any question about this policy should be directed to the CareerSource EEO Officer.

**DEFINITIONS:** Following are definitions that pertain to this policy.

**Active Investigation:** An ongoing investigation, inquiry or collection of information and evidence that is continuing with a reasonable, good faith anticipation of resolution in the foreseeable future or all or a portion of the matters under investigation or inquiry is an active criminal investigation as defined in Section 119.011, Florida Statutes.

An investigation ceases to be active when the final written report is sent to the CareerSource Board of Directors or it is determined by the President and CEO or Board that an investigation is not necessary.

**Adverse action:** The discharge, suspension, transfer or demotion of any staff, the reduction in salary or benefits or any other adverse action taken against a staff within the terms and conditions of employment by CareerSource Pinellas or DEO, for those DEO staff located in CareerSource offices.

**Fraud:** Fraud is an intentional distortion of the truth in an attempt to obtain something of value. Types of fraud include embezzlement, forgery, theft, solicitation and receipt of bribes (kickbacks), falsification of records and claims (i.e., knowingly enrolling ineligible participants), etc.

**Gross Mismanagement:** Defined as a continuous pattern of managerial abuses, management ineptitude or lack of oversight, wrongful or arbitrary and capricious actions, or fraudulent or criminal conduct which lead to a major violation of policy, regulations, or contract provisions and/or which severely hampers accomplishment of program goals and which may result in a loss of funding. Examples include unauditible financial records, highly inaccurate fiscal and/or program reports, payroll deductions not paid to the Internal Revenue Service, the lack of internal control procedures, etc.

**Independent contractor:** A person or company engaged in any business and who enters into a contract, including a training provider agreement, with CareerSource.

**Malfeasance:** Defined as an individual intentionally and knowingly taking an action that is illegal and may be harmful to others. For example, a city manager putting his brother on the city payroll at a wage the manager knows is above that allowed and letting him file false time cards is malfeasance.

**Misfeasance:** Defined as an individual who takes inappropriate, negligent action or gives incorrect advice in error that may result in harm to another. The wrongful, careless, or irresponsible exercise of authority. For example, it is misfeasance if a city manager puts his brother on the city payroll which, unknown to him, is a violation of the City's anti-nepotism personnel policy.

**Whistle-blower:** A whistle-blower is a CareerSource staff, DEO staff located in CareerSource offices, or an independent contractor who has made a protected disclosure of information (a report of unlawful activity, misfeasance, malfeasance, gross mismanagement, gross neglect of duty or gross waste of public funds) in accordance with this policy, or an employee who claims to be subjected to adverse action as a result of making such a protected disclosure of information. The role of the whistle-blower is to report alleged improper activities; he/she is not an investigator nor does the whistle-blower determine the appropriate corrective or remedial action that may be warranted.



## Policy

<b>SECTION: HUMAN RESOURCES</b>	<b>POLICY #019-A11</b>	<b>PAGE 1 OF 9</b>
<b>TITLE: Grievance Policy and Procedures</b>	<b>EFFECTIVE DATE: TBD</b>	
<b>APPROVED BY:</b>	<b>REPLACES: N/A</b>	

**PURPOSE:** The purpose of this policy is to maximize the understanding of the policy and procedures on handling a grievance. Grievances are defined as non-discrimination complaints alleging violation(s) of any administrative process or any activity, service or program financially assisted by the Workforce Innovation and Opportunity Act (WIOA).

**BACKGROUND:** CareerSource is committed to operating all of our programs and activities in accordance with all Federal, State or local laws, rules, and policies. This document is designed to inform all interested parties about the procedures used by CareerSource to resolve grievances. Complaints alleging discrimination are found in a separate document called "Complaint Policy and Procedures." Grievances concerning violation of policy or complaints alleging discrimination involving Wagner-Peyser services are addressed in a separate Department of Economic Opportunity policy called "Wagner-Peyser Complaint-Resolution System Handbook" and the accompanying policy of the Local Workforce Area.

The WIOA, TAA, TANF and the SNAP programs require the State, the local area workforce boards, and direct recipients of program funds to establish and maintain grievance procedures for handling program-related concerns. The grievance requirements may vary from program to program.

**POLICY:** CareerSource will maintain effective and timely grievance resolution procedures to be utilized when filing, investigating and resolving a grievance alleging unfair treatment or a violation(s) of a WIOA, TAA, TANF and/or SNAP policy or procedure related to any administrative or programmatic action or inaction.

**APPLICABILITY:** This policy on grievance resolution procedures applies to all CareerSource Pinellas customers, CareerSource Pinellas staff, DEO staff located in any CareerSource Pinellas Office, Volunteers, Interns, Program Contractors and Training Vendors.

**RESULTS OF FAILURE TO COMPLY WITH POLICY:** Failure of any individual listed under “Applicability” above, other than customers, to follow this policy may result in disciplinary action in accordance with CareerSource Pinellas’ Personnel Handbook. Failure of a program contractor or training vendor to follow this policy may result in contract or agreement termination.

**DEFINITIONS AND DETAILS:** To simplify instructions and to have a unified format, this Local Workforce Area’s grievance policy and procedures will be the same for WIOA, TAA, TANF, and SNAP workforce programs. Wagner-Peyser procedures, as mentioned above, will be addressed separately.

The designated Equal Employment Opportunity (EEO) Officer investigates all written program-related grievances against CareerSource which are filed timely with CareerSource and are within CareerSource Pinellas’ scope of authority or jurisdiction. Authority is limited within this policy to WIOA, TAA, TANF and SNAP program-related grievances which are filed by:

- Applicants or persons receiving services provided under WIOA, TAA, TANF and/or SNAP programs administered by the Local Workforce Area; or
- Any party adversely impacted by any WIOA, TAA, TANF and/or SNAP administrative or programmatic decision or indecision made by CareerSource Pinellas, including decisions made by subcontractors and service providers.

The local workforce area’s EEO Officer does not have the authority or jurisdiction to accept and investigate complaints of alleged discrimination that do not meet the above criteria. For example, TANF cash assistance and/or Food Stamp eligibility and benefit entitlement concerns must be filed with the local Department of Children and Families office, the cognizant agency responsible for administering this part of the TANF program.

Nothing included in these procedures precludes a grievant from pursuing a remedy authorized under another federal, State, or local law.

#### **A. REPORTING CRIMINAL FRAUD AND ABUSE:**

Allegations of criminal fraud and abuse must be reported immediately to the USDOL Office of Inspector General, Office of Investigations, Room S5514, 200 Constitution Avenue NW, Washington, D.C. 20210. In addition, reports alleging criminal fraud and abuse may be reported through USDOL's Hotline at 1-800-347-3756 or TTY 1-877-889-5627

Reports of criminal fraud and abuse can also be mailed to the USDOL Southeast Regional Inspector General for Investigations, Office of Investigations, Sam Nunn Atlanta Federal Center, 61 Forsythe Street, Atlanta, Georgia 30303.

## **B. NEUTRALITY:**

When the CareerSource Pinellas EEO Officer conducts an investigation, he/she acts as a neutral, unbiased fact-finder and is not an advocate for either the grievant or any external respondent.

A conflict of interest exists for the EEO Officer when any responsibility, expectation or interest exists that could interfere with the EEO Officer's ability, motivation, or authority to perform his or her responsibilities under this policy. CareerSource Pinellas has established procedures to ensure, to the extent practical, the neutrality and impartiality of the EEO Officer including requiring the EEO Officer to report directly to the President and CEO on equal opportunity matters and referring matters to the corporate attorney when an appearance of or a real conflict of interest exists.

## **A. HOW TO FILE A GRIEVANCE:**

1. **First Step:** An individual employer or agency will be encouraged to resolve any grievance informally prior to putting his/her concerns or allegations in writing. The individual, employer or agency with a grievance should be directed to discuss it with a case manager, supervisor, manager, or director as appropriate.
2. **Who May File:** A formal written grievance may be filed by the following individuals:
  - a) Applicants or persons receiving services provided under WIOA, TAA, TANF and/or SNAP programs administered by CareerSource; or
  - b) Any party adversely impacted by any WIOA, TAA, TANF and/or SNAP administrative or programmatic decision or indecision made by CareerSource Pinellas, including decisions made by subcontractors and service providers.
3. **Where to File:** A grievance alleging unfair treatment or a violation(s) of a WIOA, TAA, TANF and/or SNAP policy or procedure related to any administrative or programmatic action or inaction may be filed with the CareerSource EEO Officer. The CareerSource Pinellas EEO Officer will answer any questions a potential grievant has about grievance filing and investigation.

Contact information for the CareerSource Pinellas EEO Officer follows

**Steven Meier, EEO Officer**  
smeier@careersourcepinellas.com  
13805 58<sup>th</sup> St North Suite 2-140  
Clearwater, FL 33760  
727-608-1709  
TDD/TTY: 727-524-4344

4. **Filing a Complaint with the local workforce area's EEO Officer:** Where informal resolution cannot be reached or obtained, an individual wishing to file a complaint alleging discrimination with the local workforce area's EEO Officer should do so using the CareerSource Pinellas *Discrimination Complaint Information Form*, available by contacting the CareerSource Pinellas EEO Officer by telephone, in writing, or electronic mail.

Complaints filed with CareerSource Pinellas EEO Officer that do not use the CareerSource Pinellas *Discrimination Complaint Information Form* will be accepted so long as the information provided complies with the requirements in the Content of the Grievance section below.

With the exception of situations posing an immediate, recognizable threat to the grievant's safety and well-being; the CareerSource Pinellas EEO Officer will not begin investigating the grievance until all required information is received.

5. **When to File:** A grievance filed with the CareerSource Pinellas EEO Officer must be filed within 45 days of the alleged violation. "Filing" means the written grievance must be received by the CareerSource EEO Officer before the expiration of the 45-day period for filing. Grievances received after the filing deadline will be returned to the individual.
6. **Content of the Grievance:** A grievance filed with the CareerSource Pinellas EEO Officer must be in writing and include the following (use of the CareerSource Pinellas Grievance Information Form covers all of these items):
- a) The grievant 's name
  - b) The grievant's contact information, including mailing and residential addresses (if different), phone or cell phone number, email address or other means of contacting the grievant;
  - c) The identity of the agency or individual allegedly responsible for the violation, referred to as the respondent throughout these procedures;
  - d) A description of the alleged grievance, including:
    - 1) A description of the alleged violation, or unfair treatment;
    - 2) A description of how the grievant was negatively impacted;
    - 3) The names and contact information of any witnesses to the alleged violation or unfair treatment;
    - 4) The program, activity or service that was involved in this alleged violation;
    - 5) The date the violation occurred; and
    - 6) The status of the grievant and the date signed.

7. **Incomplete Grievance:** If a complaint filed with the CareerSource Pinellas EEO Officer does not contain enough information to permit the EEO Officer to determine that the local workforce area has jurisdiction, the EEO Officer will contact the grievant and request additional information. Where the grievant is unreachable or does not provide the needed information within the time specified, the CareerSource Pinellas EEO Officer may close the grievant's file.
8. **Time Periods:** The date used by the CareerSource Pinellas EEO Officer to determine whether a grievance has been timely filed is the date the CareerSource Pinellas EEO Officer actually receives a written grievance alleging a violation of any activity, service or program financially assisted by the Local Workforce Area that contains all of the required information mentioned above.

The time period for determining jurisdiction, initial notification letter, etc., will not commence until the grievant has submitted all required information in a manner that complies with the Content of the Grievance section, above.

Wherever a deadline or time period is mentioned throughout these procedures, it is referring to calendar days. Where the last day of any time period in these procedures falls on a weekend or official holiday of the local workforce area, the next regularly scheduled workday will be the deadline for completing the action.

## **B. DETERMINING JURISDICTION:**

When the CareerSource Pinellas EEO Officer receives a grievance, it shall be reviewed to determine whether the grievance contains the required information and whether the CareerSource Pinellas EEO Officer has the legal authority to investigate.

The CareerSource Pinellas EEO Officer has authority only for complaints that meet all of the following requirements:

1. The grievance was received by the CareerSource Pinellas EEO Officer by the deadline for filing, as discussed above under "When to File;"
2. The grievance is filed against either the Local Workforce Area or an entity that receives federal financial assistance through the Local Workforce Area; and
3. The grievant is:
  - a. An applicant or person receiving services provided under WIOA, TAA, TANF and/or SNAP programs administered by the Local Workforce Area; or
  - b. Any party adversely impacted by any WIOA, TAA, TANF and/or SNAP administrative or programmatic decision or indecision made by the Local Workforce Area, including decisions made by subcontractors and service providers.

**Notice of Lack of Jurisdiction:** Where the CareerSource Pinellas EEO Officer determines it does not have jurisdiction over a complaint, the CareerSource Pinellas

EEO Officer will, within 10 days after receiving the grievance, notify the grievant in writing that the local workforce area will not accept the grievance. The notice will give a statement of the reason(s) underlying that determination and also inform the grievant of his or her options for filing a grievance with agencies other than the local workforce area.

Where the respondent has been given notice of the grievance, the CareerSource EEO Officer will also notify the respondent in writing that the CareerSource EEO Officer case file has been closed for administrative reasons unrelated to the merit of the allegations made in the grievance.

### **C. ISSUING THE INITIAL NOTIFICATION LETTER:**

The CareerSource Pinellas EEO Officer will provide written notice to the grievant within ten days after it receives the grievance. This notice shall contain the following:

1. A statement as to whether the local workforce area has jurisdiction over the grievance. If the local workforce area does not have jurisdiction, the grievance must be rejected;
2. A statement as to whether the grievance was filed in a timely manner. If the grievance was received more than 180 days after the alleged violation occurred the grievance will be returned to the grievant by the CareerSource Pinellas EEO Officer;
3. A statement as to whether the information provided in the grievance was complete. If incomplete, the CareerSource Pinellas EEO Officer will close the grievant's file; and
4. A statement as to whether the CareerSource Pinellas EEO Officer, or a designee, will begin an investigation of the grievance and the date that investigation will begin.

At the same time the Initial Notification letter is sent to the grievant, the CareerSource EEO Officer will send the respondent an initial notification letter if an investigation will commence. This notice informs the respondent that the Local Workforce Area has received a grievance, the Local Workforce Area has determined it has jurisdiction, the grievance was received in the required time frame, the grievance was complete, and the CareerSource EEO Officer or a designee will be investigating the grievance.

The letter to the Respondent may also contain a request for a position statement and, where deemed necessary, a request for documents and/or response to written questions designed to elicit information needed to resolve the grievance.

### **D. PROCESS FOR HANDLING THE GRIEVANCE:**

The CareerSource EEO Officer will first determine if informal resolution was attempted and failed or if it was not attempted. If informal resolution was not attempted, the EEO Officer will work with the grievant to attempt to resolve his/her allegations informally.

If unable to resolve the grievance informally, the CareerSource EEO Officer may begin to examine evidence from all available sources. Witnesses may be interviewed by telephone or in person where necessary. The CareerSource EEO Officer will interview the respondent and the persons named in the grievance. The CareerSource EEO Officer shall strive to determine the respondent's account of the facts, additional people the respondent suggests be interviewed, the matters on which each witness is knowledgeable, and the documentation the respondent wishes reviewed.

Once the fact-finding stage of the investigation has been completed, the CareerSource EEO Officer will review and analyze the information and determine whether there is reasonable cause to believe the respondent treated the grievant unfairly or violated a policy or procedure of any WIOA, TAA, TANF and/or SNAP activity, service or program.

Frequently in a grievance investigation there are allegations raised by a grievant that cannot be supported by written documentation or corroborated by witnesses' testimony. If the respondent denies the allegation(s), in the absence of supporting written documentation or witnesses' testimony, the CareerSource EEO Officer cannot draw a conclusion regarding the alleged unfair treatment or violation of policy: the evidence is inconclusive.

#### **E. REPORT OF THE INVESTIGATION:**

The CareerSource EEO Officer issues a written report, called a Report of Investigation, upon completion of a grievance investigation. The report shall be in clear, simple, non-technical language and shall be furnished to the President and CEO of the Local Workforce Area, the respondent, if different from the Local Workforce Area, and to the grievant. The report must be issued within 30 calendar days of the date on which the grievance is filed.

#### **F. THE REPORT OF INVESTIGATION:**

The local workforce area's EEO Officer issues a written determination, called a *Report of Investigation*, upon completion of an investigation of discrimination. The report shall be in clear, simple, non-technical language and shall be furnished to the President and CEO of the local workforce area, the respondent, if different from the local workforce area, and to the complainant. The final determination will be furnished to the respondent, and a copy will be given to the complainant within 90 calendar days of the date on which the complaint is filed.

#### **G. APPEAL - HEARING:**

If the grievant or respondent is not satisfied with the Report of Investigation, either party may submit a written appeal/request for a hearing to the CareerSource Pinellas EEO Officer. This appeal must be received by the CareerSource Pinellas EEO Officer within five days of the issuance of the Report of Investigation.

The CEO of the Local Workforce Area shall sit as the Area's Hearing Officer unless the grievance is against the President and CEO then the Chairman of the Board shall appoint a Board member to serve as the Hearing Officer.

Within five days after the written appeal/request for a hearing is delivered to the CareerSource Pinellas EEO Officer, a hearing date and time shall be scheduled at a time mutually agreed upon by the grievant, the respondent if different from the Local Workforce Area, and the Local Workforce Area.

The Hearing Officer will ensure that the hearing proceeds in an equitable, orderly and expeditious manner. The Hearing Officer may elicit testimony and information from the grievant, the respondent, or staff without acting as an advocate for any party. The Hearing Officer will ensure that the process, including the contents of the hearing dialogue, is transcribed or has the potential of being transcribed. The Hearing Officer may attempt to negotiate a settlement between the parties any time prior to the conclusion of the hearing.

Within 10 days after the hearing, the Hearing Officer shall issue a written decision. The decision shall be in clear, simple, non-technical language and will include the following information:

1. Date, time and place of the hearing;
2. The names of those in attendance at the hearing;
3. A statement that the involved parties, their representatives and witnesses were given an opportunity to present oral or written evidence in support of their position;
4. A clear and concise statement of the issues;
5. Findings of fact, based exclusively on the evidence of record; and
6. The decision of the Hearing Officer based on the findings of fact and evidence introduced at the hearing.

The Hearing Officer will furnish to all parties a copy of the decision by certified return receipt requested mail. Failure to accept the certified mailing will constitute a waiver of the right to notice by such means. The Hearing Officer shall thereafter serve the copy by regular mail. Complete records of the hearing and findings shall be archived.

The Hearing Officer's decision in all grievance matters will be final.

#### **H. MISCELLANEOUS PROVISIONS:**

1. **Negotiated Settlement:** The parties may settle the grievance on mutually agreeable terms at any time during the CareerSource Pinellas EEO Officer's investigation or the appeal/hearing procedure, and the Local Workforce Area encourages parties to do so. If settlement is achieved, its terms shall be reduced to writing and signed by the grievant and the respondent. A copy of the

settlement agreement shall be filed with the CareerSource Pinellas EEO Officer along with a letter from the grievant withdrawing the grievance.

2. **Right to Representation:** Both the grievant and the respondent have the right to be represented at all stages of the grievance process by an attorney or other individual of their choice. Before a grievant or respondent's representative will be recognized by the CareerSource EEO Officer, a written notice from the grievant or the respondent appointing such a representative should be received by the EEO Officer.
3. **Retaliation:** No person or agency may discharge, or in any other manner discriminate or retaliate against any person, or deny to any person a benefit to which that person is entitled because such person has filed any grievance, has testified or is about to testify in any such proceedings or investigation or has provided information or assisted in an investigation.
4. **Respondent's Duty to Maintain Records:** Once the respondent becomes aware that a grievance has been filed with the CareerSource EEO Officer or with another such agency (see list below,) the respondent shall preserve all original personnel or participant records and other evidence relevant to the grievance until 3 years after the final Report of Investigation or Hearing decision is issued, whichever is later. Where the respondent fails to preserve such records, an inference of wrong doing may arise where there is a lack of documentation to refute the grievant's allegations.
5. **Respondent's Duty to Provide Information:** A respondent has a duty to provide the CareerSource EEO Officer with relevant information necessary to the investigation. Where a respondent fails to provide requested information in the custody and control of the respondent in a timely manner, after notice and an opportunity to correct have been given, the failure may give rise to an inference of wrong doing where there is a lack of information to refute the grievant's allegations.
6. **Grievant's Duty to Provide Information:** A grievant has a duty to provide the CareerSource EEO Officer with relevant information necessary to the investigation. The CareerSource EEO Officer may dismiss a grievance where a grievant, after notice and an opportunity to correct has been given, fails to provide requested information, refuses to submit to an interview or attend meetings, or otherwise refuses to cooperate to such an extent that the CareerSource EEO Officer is unable to resolve the grievance. Under such circumstances, the grievance may be dismissed without a final determination.
7. **Grievant's Right to Amend the Complaint:** The grievant has the right to amend the grievance at any time prior to the issuance of the initial notification letter. A grievant's "amendment" may not add additional issues (other than retaliation) not covered in the original grievance.

8. **Grievant's Right to Withdraw the Complaint:** The grievant has the right to withdraw his or her grievance at any time prior to the issuance of the Report of Investigation, or, if appealed, prior to the issuance of the Hearing Officer's decision. Such a withdrawal must be in writing.
9. **Confidentiality:** All records that relate to a grievance are not public record until the investigation is completed and a report or a hearing decision has been delivered. Once the CareerSource EEO Officer issues a Report of Investigation or the Hearing Officer issues a decision, whichever is later, the grievance file becomes a public record and, unless exempted by another part of the public-records law, the file is open for public inspection. To assure due process, confirmation of delivery by the United States Postal Service return receipt or by another recognized delivery company that provides documentation of delivery, will document that the report has been delivered.

Neither the grievant nor the respondent has a right to see information gathered as part of the investigation until the Report of Investigation has been issued, or, if appealed, the Hearing Officer's decision has been issued. Nonetheless, the investigator may disclose information submitted by the grievant and respondent where it is necessary to further the investigation.

#### **ACTION STEPS REQUIRED:**

Following are the action steps that must be taken by each CareerSource Pinellas staff, DEO staff located in CareerSource Pinellas offices, volunteers and interns.

- A. Each staff must review this policy directive. If the staff has a question about anything contained herein, it is his/her responsibility to immediately bring the question to the attention of his/her supervisor. If not resolved, the supervisor will contact the individual named under "Inquiries" below.
- B. It is the responsibility of each individual to immediately report any breach of this policy to the attention of the person named below.
- C. CareerSource Pinellas contract managers and appropriate Directors shall provide this policy to all partner agencies located in a CareerSource Pinellas facility, Program Contractors and Training vendors and require that each submit a letter stating that this policy was provided to all appropriate staff and that the partner or program contractor shall abide by this policy or submit their own to HR for review.
- D. Each supervisor, manager, and director is responsible for informing employees of this policy.
- E. Each individual must replace previous grievance policies with this policy reissuance.

## **POLICY AMENDMENTS OR REVOCATION:**

Notwithstanding any of the foregoing, CareerSource Pinellas reserves the right to revise or revoke this policy at any time.

This policy is written to establish local procedures and is not intended to supersede any applicable laws or regulations. Nothing in this policy shall be construed as creating any legal rights for any individual beyond the rights such persons may have under the Workforce Innovation and Opportunity Act. Failure of CareerSource Pinellas to adhere strictly to the steps outlined within this policy shall not be construed as a violation of rights or administrative procedures.

## **INQUIRIES**

Anyone with a question about filing a grievance may contact the CareerSource Pinellas EEO Officer or any of the agencies listed in Table 1 which is attached:

**Steven Meier, EEO Officer**  
**smeier@careersourcepinellas.com**  
13805 58<sup>th</sup> St North, Suite 2-140  
Clearwater, Florida 33760  
727-608-1709  
TDD/TTY: 727-524-4344

**Table 1  
Contact Information  
For Filing a Discrimination Complaint**

**Department of Economic Opportunity  
Office for Civil Rights**

107 East Madison Street MSC 150  
Tallahassee, Florida 32399-4129  
(850) 921-3205  
TTY (via the Florida Relay Service): 711  
*in English, Spanish, French and Haitian  
Creole*  
FAX: (850) 921-3122

**U.S. Department of Health & Human Services  
Office for Civil Rights**

61 Forsyth Street, SW - Suite 3B70  
Atlanta, Georgia 30323  
(404) 562-7886  
TTY: (404) 331-2867  
FAX: (404) 562-7881

**U.S. Department of Labor  
Civil Rights Center**

200 Constitution Avenue, NW  
Room N-4123  
Washington, DC 20210  
(202) 693-6500  
TTY: (202) 693-6515  
FAX: (202) 693-6505

**U.S. Department of Agriculture  
Office of Civil Rights**

300 7th Street, SW; Suite 400  
Stop Code 9430  
Washington, DC 20250-9410  
(202) 401-1014  
TTY: (202) 401-0216  
FAX: (202) 690-5686



## Policy

<b>SECTION: HUMAN RESOURCES</b>	<b>POLICY #019-A10</b>	<b>PAGE 1 OF 11</b>
<b>TITLE: Discrimination Complaint Policy and Procedures</b>	<b>EFFECTIVE DATE: TBD</b>	
<b>APPROVED BY:</b>	<b>REPLACES: N/A</b>	

**PURPOSE:** The purpose of this policy is to maximize the understanding of the policy and procedures for handling a complaint of discrimination.

**BACKGROUND:** CareerSource Pinellas is obligated to operate all of our programs and activities in a non-discriminatory manner. This document is designed to inform all interested parties about the procedures used by CareerSource Pinellas to resolve complaints of discrimination. Grievances, which are defined as non-discrimination complaints alleging violation(s) of any administrative process or any activity, service or program financially assisted by the Workforce Innovation and Opportunity Act (WIOA), are found in a separate document called "Grievance Policy and Procedures." Complaints alleging discrimination involving Wagner-Peyser services are addressed in a separate Department of Economic Opportunity policy called "Wagner-Peyser Complaint-Resolution System Handbook."

The WIOA, TAA, TANF and the SNAP programs require the State, the local area workforce boards, and direct recipients of program funds to establish and maintain procedures for handling alleged discrimination complaints. The complaint requirements may vary from program to program.

**POLICY:** CareerSource Pinellas will maintain effective and timely complaint resolution procedures to be utilized when filing, investigating and resolving a complaint alleging discrimination.

**APPLICABILITY:** This policy on complaint resolution procedures applies to all CareerSource Pinellas customers, CareerSource Pinellas staff, DEO staff located in any CareerSource Pinellas Office, Volunteers, Interns, Program Contractors and Training Vendors.

**RESULTS OF FAILURE TO COMPLY WITH POLICY:** Failure of any individual listed under “Applicability” above, other than customers, to follow this policy may result in disciplinary action in accordance with CareerSource Pinellas’ Personnel Handbook. Failure of a program contractor or training vendor to follow this policy may result in contract or agreement termination.

**DEFINITIONS AND DETAILS:** To simplify instructions and to have a unified format, this local workforce area’s complaint policy and procedures will be the same for WIOA, TAA, TANF, and SNAP workforce programs. Wagner-Peyser procedures, as mentioned above, are addressed separately by DEO.

The designated Equal Opportunity (EEO) Officer investigates alleged violations of the federal and state nondiscrimination laws that apply to CareerSource Pinellas, referred to herein as the “local workforce area,” and to the entities that receive federal financial assistance from or through the local workforce area.

The EEO Officer investigates all legally sufficient complaints of discrimination filed timely with the local workforce area that are within the local workforce area’s scope of authority or jurisdiction. Authority is limited to complaints of alleged discrimination which are filed by:

- Persons seeking or receiving services provided under federal or state programs administered by the local workforce area; or
- Employees or applicants for employment with CareerSource Pinellas, the one-stop career-center operators, or service providers in programs administered by the local workforce area.

The local workforce area’s EEO Officer does not have the authority or jurisdiction to accept and investigate complaints of alleged discrimination that do not meet the above criteria.

It is also important to note the following:

- Filing a complaint of discrimination with the local workforce area’s EEO Officer does not preclude the filing of the same or a similar complaint with another State, federal, or local agency having jurisdiction.
- Filing a complaint of discrimination with the local workforce area’s EEO Officer does not extend the deadline for filing the same complaint with another State, federal, or local agency having jurisdiction.

This complaint process that the local workforce area has established is designed to comply with the applicable requirements of Section 188 of the WIOA.

## **A. PROHIBITED DISCRIMINATION:**

Section 188 of the Workforce Innovation and Opportunity Act (WIOA), any accompanying regulations and State of Florida statutes require equal opportunity in the workforce development system, and prohibit discrimination in WIOA-financially assisted programs against:

- Any individual in the United States on the basis of race, color, religion, sex, national origin, age, disability, marital status, political affiliation or belief, gender identity, gender expression, sex stereotyping; and
- Any individual whose citizenship status is classified as a lawfully admitted immigrant authorized to work in the United States.

The local workforce area shall not directly or through contractual, licensing or other arrangements, use standards, operating procedures, criteria, or administrative methods that discriminate against those classes of individuals mentioned above in any of the following areas:

- Deciding or restricting who will have access to, be enrolled in, or enjoy the benefits of any financially assisted program, activity or service of the local workforce area, including, but not limited to, outreach and recruitment, registration, counseling and career planning, assessment, selection, referral, placement, training, appointment, promotion and retention;
- Providing any program, activity or service that is different, less effective, or is provided in a different manner from that provided to others;
- Providing assistance to an agency, organization or person where it is known that the agency, organization or person has a history of discrimination against registrants, applicants, or participants in any WIOA Title I-financially assisted program, activity or service; or
- Making employment decisions in the administration of, or in connection with, such a program, activity or service.

The exclusion of an individual from any program, activity or service limited by Federal Statute or Executive Order to a certain class or classes of individuals, such as veterans, of which the individual in question is not a member is not prohibited.

Section 188 of WIOA applies to all programs and activities offered through the One-Stop system and One-Stop partners, even if the principal source of financial assistance for a program or activity is a federal department or agency other than USDOL.

## **B. NEUTRALITY:**

When the local workforce area's EEO Officer conducts an investigation, he/she acts as a neutral, unbiased fact-finder and is not an advocate for either the grievant or any external respondent.

A conflict of interest exists for the Equal Opportunity Officer (EEO) when any responsibility, expectation or interest exists that could interfere with the EEO Officer's ability, motivation, or authority to perform his or her responsibilities under this policy. The local workforce area has established procedures to ensure, to the extent practical, the neutrality and impartiality of the EEO Officer including requiring the EEO Officer to report directly to the President and CEO on equal opportunity matters and referring matters to the corporate attorney when an appearance of or a real conflict of interest exists.

### **C. HOW TO FILE A COMPLAINT:**

1. **Who May File:** A complaint may be filed by any person who believes he or she, or any specific class of individuals, has been or is being discriminated against by a policy, program, activity, service or employee of the local workforce area or a recipient of federal financial assistance through the local workforce area. This includes:
  - a) All customers, applicants, or participants who believe they have been discriminated against and thus denied services or treated differently than others in the receipt of services; and
  - b) All applicants for employment with and employees of the local workforce area who believe they have been discriminated against - either on the job or during the hiring, promotion, or discharge process.
2. **Where to File:** A discrimination complaint about a program, activity or service offered through the local workforce area's One-Stop system or contracted programs may be filed with the local workforce area's EEO Officer, The Florida Department of Economic Opportunity's Office of Civil Rights or the U.S. Department of Labor's Civil Rights Center. The local workforce area's EEO Officer will answer any questions a potential complainant has about complaint filing and investigation. Contact information for the local workforce area's EEO Officer follows:

**Steven Meier, EEO Officer**  
smeier@careersourcepinellas.com  
13805 58<sup>th</sup> St North Suite 2-140  
Clearwater, FL 33760  
727-608-1709  
TDD/TTY: 727-524-4344

3. **Filing a Complaint with the local workforce area's EEO Officer:** An individual wishing to file a complaint alleging discrimination with the local workforce area's EEO Officer should do so using the local workforce area's *Discrimination Complaint Information Form*, available by contacting the EEO Officer by telephone, in writing, or electronic mail.

Complaints filed with the local workforce area's EEO Officer that do not use the local workforce area's *Discrimination Complaint Information Form* will be

accepted so long as the information provided complies with the requirements in the Content of the Complaint section below.

With the exception of sexual harassment allegations or situations posing an immediate, recognizable threat to the complainant's safety and well-being, the local workforce area's EEO Officer will not begin investigating the complaint until all required information is received.

4. **When to File:** A charge of discrimination filed with the local workforce area's EEO Officer must be filed within 180 days of the alleged act of discrimination. "Filing" means a written complaint must be received by the local workforce area's EEO Officer before the expiration of the 180-day period for filing. Complaints received after the filing deadline will be returned to the complainant with a notice of options for filing with either a federal or state enforcement agency.
5. **Content of the Complaint:** A complaint filed with the local workforce area's EEO Officer must be in writing and include the following (use of the local workforce area's Discrimination Complaint Information Form covers all of these items):
  - a) The complainant's name
  - b) The complainant's contact information, including mailing and residential addresses (if different), phone or cell phone number, email address or other means of contacting the complainant;
  - c) The identity of the agency or individual allegedly responsible for the discrimination, referred to as the respondent throughout these procedures;
  - d) A description of the complaint, including
    - 1) A description of the alleged discrimination, that the allegations, if true, would violate a federal or state nondiscrimination law;
    - 2) The program, activity or service that the complainant was applying to or participating in when this alleged discrimination occurred;
    - 3) The names and contact information of any witnesses; and
    - 4) The date the discrimination occurred.
  - e) The complainant's desired resolution.
  - f) The signature of the complainant and the date signed.

Complaints filed must also include a completed consent form regarding the release of personal information.

6. **Incomplete Complaint:** If a complaint filed with the local workforce area's EEO Officer does not contain enough information to permit the EEO Officer to determine that the local workforce area has jurisdiction, the EEO Officer will contact the complainant and request additional information. Where the complainant is unreachable or does not provide the needed information within the time specified, the local workforce area's EEO Officer may close the complainant's file without prejudice. "Without prejudice" means that the complainant can resubmit the complaint, so long as it is filed by the 180-day deadline.

If the local workforce area's EEO Officer closes the complainant's file for lack of required information or for lack of authority to investigate, the local workforce area's EEO Officer will send written notice of the closure to the complainant's last known address. Should the complainant supply the missing information after the file is closed, the complaint can be reopened and investigated provided the deadline for filing, discussed above under "When to File," has not passed, and jurisdiction can be established. The complaint will be logged as received on the date the file is reopened and the 90 calendar-day resolution period will commence with the later date.

7. **Time Periods:** The date used by the local workforce area's EEO Officer to determine whether a discrimination complaint has been timely filed is the date the local workforce area's EEO Officer actually receives written notice of an allegation of discrimination that contains all of the required information mentioned above.

The time period for determining jurisdiction, initial notification letter, and the 90-day deadline for issuing a Report of Investigation will not commence until the complainant has submitted all required information in a manner that complies with the Content of the Complaint section, above.

Wherever a deadline or time period is mentioned throughout these procedures, it is referring to calendar days. Where the last day of any time period in these procedures falls on a weekend or official holiday of the local workforce area, the next regularly scheduled workday will be the deadline for completing the action.

#### **D. DETERMINING JURISDICTION:**

When the local workforce area's EEO Officer receives a complaint alleging discrimination, it shall be reviewed to determine whether the complaint contains the required information and whether the local workforce area's EEO Officer has the legal authority to investigate.

The local workforce area's EEO Officer has authority only for complaints that meet all of the following requirements:

1. The complaint alleges a violation of a state or federal antidiscrimination law;
2. The complaint was received by the local workforce area's EEO Officer by the deadline for filing, as discussed above under "When to File;";
3. The recipient against which the complaint is filed is either the local workforce area or an entity that receives federal financial assistance through the local workforce area; and
4. The complainant is
  - a) A person seeking or receiving services provided under federal or state programs administered by the local workforce area; or
  - b) An employee or applicant for employment with CareerSource Pinellas, the one-stop career-center operators, or service providers of programs administered by the local workforce area.

Where the local workforce area's EEO Officer determines it does not have jurisdiction over a complaint, the local workforce area's EEO Officer will, within 10 days after receiving the complaint, notify the complainant in writing that the local workforce area will not accept the complaint. The notice will give a statement of the reason(s) underlying that determination and also inform the complainant of his or her options for filing a complaint with agencies other than the local workforce area.

Even if the local workforce area's EEO Officer has jurisdiction and the complaint is filed within the allowable time period, the local workforce area's EEO Officer may decline to process the complaint if the complainant has a similar case pending in another forum and the local workforce area's EEO Officer has reasonable assurance that the complainant was aware of his or her right to file with the local workforce area's EEO Officer at the time the complaint was filed in that forum. The local workforce area's EEO Officer will close its case file, defer to the investigation by the other authority and notify the complainant in writing.

Where the respondent has been given notice of the complaint, the local workforce area's EEO Officer will also notify the respondent in writing that the local workforce area's EEO Officer case file has been closed for administrative reasons unrelated to the merit of the allegations made in the complaint.

#### **E. ISSUING THE INITIAL NOTIFICATION LETTER:**

The local workforce area's EEO Officer will provide written notice to the complainant within ten days after it receives the complaint alleging discrimination.

This notice shall contain the following:

1. A statement as to whether the local workforce area has jurisdiction over the complaint. If the local workforce area does not have jurisdiction, the complaint must be rejected;
2. A statement as to whether the complaint was filed in a timely manner. If the complaint was received more than 180 days after the alleged act of discrimination occurred the complaint will be returned to the complainant by the local workforce area's EEO Officer;
3. A statement as to whether the information provided in the complaint was complete. If incomplete, the local workforce area's EEO Officer will close the complainant's file without prejudice;
4. A statement as to whether the local workforce area has deferred the complaint. If the case is deferred, the local workforce area's EEO Officer will close its case file and defer to the investigation by the other authority; and
5. A statement as to whether the local workforce area's EEO Officer, or a designee, will begin an investigation of the complaint and the date that investigation will begin.

At the same time the Initial Notification letter is sent to the complainant, the local workforce area's EEO Officer will send the respondent an initial notification letter if an investigation will commence. This notice informs the respondent that the local

workforce area has received a complaint; the local workforce area has determined it has jurisdiction, the complaint was received in the required time frame, and the complaint was complete; the local workforce area's EEO Officer or designee will be investigating the complaint; and that the respondent has the right to be represented by an attorney or other individual of its choice.

The letter to the Respondent may also contain a request for a position statement and, where deemed necessary, a request for documents and/or response to written questions designed to elicit information needed to resolve the complaint. The respondent will be advised it must reply to the letter within 14 days of the date of the letter, and that any statements of witnesses should be made in the form of a sworn affidavit. The letter from the local workforce area's EEO Officer will be addressed to the appropriate contact person of the recipient receiving federal financial assistance through the local workforce area. The materials furnished by the respondent will be given directly to the local workforce area's EEO Officer.

#### **F. FACT FINDING AND INVESTIGATION:**

The local workforce area's EEO Officer will begin to examine evidence from all available sources. Witnesses may be interviewed by telephone or in person where necessary. The local workforce area's EEO Officer will interview the respondent and the persons named in the complaint alleging discrimination. The local workforce area's EEO Officer shall strive to determine the respondent's account of the facts, additional people the respondent wants interviewed, the matters on which each witness is knowledgeable, and the documentation the respondent wishes reviewed.

Additional requests for documents and/or written questions may be sent to the complainant and/or respondent as necessary during the investigation process. The complainant or respondent must respond to the request for additional information within 14 days of the date of the letter.

#### **G. REVIEWING AND ANALYZING THE EVIDENCE:**

Once the fact-finding stage of the investigation has been completed, the local workforce area's EEO Officer will review and analyze the information and determine whether there is reasonable cause to believe the respondent violated a nondiscrimination law and, therefore, whether or not unlawful discrimination occurred.

Conclusions regarding each allegation of discrimination must be supported by reliable and verifiable evidence. Written documentation is the preferred type of evidence to substantiate or refute a complainant's allegation(s). In the absence of written documentation, however, the local workforce area's EEO Officer can use witnesses' testimony as corroborating evidence. Use of direct, observable, or first-hand knowledge of one or more witnesses to substantiate a conclusion is permissible. Hearsay or second-hand knowledge is not considered to be supporting evidence.

Frequently in a complaint investigation there are allegations raised by a complainant that cannot be supported by written documentation or corroborated by witnesses' testimony. If the respondent denies the allegation(s), in the absence of supporting written documentation or witnesses' testimony, the local workforce area's EEO Officer cannot draw a conclusion regarding the alleged discriminatory act: the evidence is inconclusive. It does not exonerate an alleged offender and it does not suggest that the complainant filed false or frivolous allegations; no conclusion can be drawn.

#### **H. THE REPORT OF INVESTIGATION:**

The local workforce area's EEO Officer issues a written determination, called a *Report of Investigation*, upon completion of an investigation of discrimination. The report shall be in clear, simple, non-technical language and shall be furnished to the President and CEO of the local workforce area, the respondent, if different from the local workforce area, and to the complainant. The final determination will be furnished to the respondent, and a copy will be given to the complainant within 90 calendar days of the date on which the complaint is filed.

The Report of Investigation must discuss each of the issues raised in the complaint and, for each issue, state the local workforce area's EEO Officer's decision and provide an explanation of the reasons underlying the decision. Where an issue was resolved by the parties not requiring a final determination by the local workforce area's EEO Officer, the Report will contain a statement describing the way the parties resolved the issue.

The letter to the complainant accompanying the Report of Investigation will contain a statement that if the complainant is dissatisfied with the decision, the complainant has the right to file an appeal with the USDOL Civil Rights Center under Section 188 of the Workforce Innovation and Opportunity Act. This complaint appeal must be filed within 30 days of the date on which the Report of Investigation is received by the complainant.

If the local workforce area's EEO Officer does not expect to issue a Report of Investigation within the 90-day period allowed for conduct of the investigation after the filing of the complaint, the local workforce area's EEO Officer will send the complainant a "90-day letter" at least 10 days prior to the expiration of the 90-day period. The 90-day letter will notify the complainant or his or her representative that a complaint of discrimination under Section 188 of the Workforce Innovation and Opportunity Act may be filed with the State of Florida's Department of Economic Opportunity's Office of Civil Rights or with the Director of the USDOL Civil Rights Center within 30 days of the expiration of the 90-day period—in other words, within 120 days of the date on which the complaint was filed with the local workforce area's EEO Officer. The letter will also inform complainants who allege employment discrimination of their right to file with the U.S. Equal Employment Opportunity Commission and Florida Commission on Human Relations, as well as with the USDOL Civil Rights Center.

## I. A FINDING OF CAUSE:

Where the Report of Investigation contains a determination that there is cause to believe the respondent violated a federal or state anti-discrimination law, the Report of Investigation sent to the respondent may also contain a list of recommended corrective actions. Corrective actions must be designed to make the complainant whole, eliminate the discrimination and ensure that the discrimination does not recur. The recommended corrective actions should be narrowly tailored to address and eliminate the discrimination found by the investigation.

Where the complaint involves the local workforce area as the respondent, the Report of Investigation will be sent to the President and CEO. Included will be a request that a reply be sent to the local workforce area's EEO Officer within 30 days with a proposed corrective action plan.

When the complaint does not involve the local workforce area as the respondent, the Report of Investigation will be sent to the chief administrative officer of the respondent. Included will be a request that the respondent reply to the local workforce area's EEO Officer within 30 days with a proposed corrective action plan.

## J. MISCELLANEOUS PROVISIONS:

1. **Negotiated Settlement:** The parties may settle the complaint on mutually agreeable terms at any time during the local workforce area's EEO Officer's investigation, and the local workforce area encourages parties to do so. If settlement is achieved, its terms shall be reduced to writing and signed by the complainant and the respondent. A copy of the settlement agreement shall be filed with the local workforce area's EEO Officer along with a letter from the complainant withdrawing the complaint. The withdrawal will be without prejudice and the complainant will be able to re-file the complaint as noted below in the section "Complainant's "Right to Withdraw the Complaint."
2. **Right to Representation:** Both the complainant and the respondent have the right to be represented at all stages of the complaint process by an attorney or other individual of their choice. Before a complainant or respondent's representative will be recognized by the local workforce area's EEO Officer, a written statement from the complainant or the respondent appointing such a representative must be received by the local workforce area's EEO Officer.
3. **Retaliation:** No person or agency may discharge, or in any other manner discriminate or retaliate against any person, or deny to any person a benefit to which that person is entitled under the provisions of the Act or the regulations because such person has filed a complaint alleging discrimination, has testified or is about to testify in any such proceedings or investigation or has provided information or assisted in an investigation.
4. **Respondent's Duty to Maintain Records:** Once the respondent becomes aware that a complaint has been filed with the local workforce area's EEO Officer or with another such agency (see list below,) the respondent shall preserve all

original personnel or participant records and other evidence relevant to the complaint until 3 years after the final Report of Investigation is issued. Where the respondent fails to preserve such records, an inference of discrimination may arise where there is a lack of documentation to refute the complainant's allegations. WIOA regulations require that records related to the complaint be kept for three years from the date the case file is closed.

5. **Respondent's Duty to Provide Information:** A respondent has a duty to provide the local workforce area's EEO Officer with relevant information necessary to the investigation. Where a respondent fails to provide requested information in the custody and control of the respondent in a timely manner, after notice and an opportunity to correct have been given, the failure may give rise to an inference of discrimination where there is a lack of information to refute the complainant's allegations.
6. **Complainant's Duty to Provide Information:** A complainant has a duty to provide the local workforce area's EEO Officer with relevant information necessary to the investigation. The local workforce area's EEO Officer may dismiss a complaint where a complainant, after notice and an opportunity to correct has been given, fails to provide requested information, refuses to submit to an interview or attend meetings, or otherwise refuses to cooperate to such an extent that the local workforce area's EEO Officer is unable to resolve the complaint. Under such circumstances, the complaint may be dismissed without a final determination of whether there is cause to believe the respondent violated a federal or state nondiscrimination law.
7. **Complainant's Right to Amend the Complaint:** The complainant has the right to amend the complaint at any time prior to the issuance of the initial notification letter. After that letter has been issued, the complainant can amend the complaint only with the permission of the local workforce area's EEO Officer. Where an amendment relates to the subject matter of the original complaint, the amendment will relate back to the date the original complaint was received by the local workforce area's EEO Officer. A complainant's "amendment" may not add additional issues (other than retaliation) not covered in the original complaint, and therefore must be considered separately as a new complaint.
8. **Complainant's Right to Withdraw the Complaint:** The complainant has the right to withdraw his or her complaint at any time prior to the issuance of the Report of Investigation. Such a withdrawal must be in writing and will be without prejudice, meaning the complainant reserves the right to re-file the complaint at any time before the filing deadline discussed above, in the section "When to File."
9. **Confidentiality:** Florida law [§119.07(2)(g), *Florida Statutes*] states that all records that relate to a charge of discrimination are not public record until the investigation is completed either by a final determination of discrimination or the investigation becoming inactive. Once the local workforce area's EEO Officer issues a Report of Investigation and the local workforce area's EEO Officer can confirm that it has been delivered to the complainant, the complaint file becomes

a public record and, unless exempted by another part of the public-records law, the file is open for public inspection. To assure due process, confirmation of delivery by the United States Postal Service return receipt or by another recognized delivery company that provides documentation of delivery, will document that the Report has been delivered.

Neither the complainant nor the respondent has a right to see information gathered as part of the investigation until the Report of Investigation has been issued. Nonetheless, the investigator may disclose information submitted by the complainant and respondent where it is necessary to further the investigation.

### **ACTION STEPS REQUIRED:**

Following are the action steps that must be taken by each CareerSource Pinellas staff, DEO staff located in CareerSource Pinellas offices, volunteers and interns.

- A. Each staff must review this policy directive. If the staff has a question about anything contained herein, it is his/her responsibility to immediately bring the question to the attention of his/her supervisor. If not resolved, the supervisor will contact the individual named under "Inquiries" below.
- B. It is the responsibility of each individual to immediately report any breach of this policy to the attention of the person named below.
- C. CareerSource Pinellas contract managers and appropriate Directors shall provide this policy to all partner agencies located in a CareerSource Pinellas facility, Program Contractors and Training vendors and require that each submit a letter stating that this policy was provided to all appropriate staff and that the partner or program contractor shall abide by this policy or submit their own to HR for review.
- D. Each supervisor, manager, and director is responsible for informing employees of this policy.
- E. Each individual must replace previous complaint policies with this policy reissuance.

### **POLICY AMENDMENTS OR REVOCATION:**

Notwithstanding any of the foregoing, CareerSource Pinellas reserves the right to revise or revoke this policy at any time.

This policy is written to establish local procedures and is not intended to supersede any applicable laws or regulations. Nothing in this policy shall be construed as creating any legal rights for any individual beyond the rights such persons may have under the

Workforce Innovation and Opportunity Act. Failure of CareerSource Pinellas to adhere strictly to the steps outlined within this policy shall not be construed as a violation of rights or administrative procedures.

## **INQUIRIES**

Anyone with a question about filing a grievance may contact the CareerSource Pinellas EEO Officer or any of the agencies listed in Table 1 which is attached:

**Steven Meier, EEO Officer**  
**smeier@careersourcepinellas.com**  
13805 58<sup>th</sup> St North. Suite 2-140  
Clearwater, Florida 33760  
727-608-1709  
TDD/TTY: 727-524-4344

**REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**

**Table 1  
Contact Information  
For Filing a Discrimination Complaint**

**Department of Economic Opportunity  
Office for Civil Rights**  
107 East Madison Street MSC 150  
Tallahassee, Florida 32399-4129  
(850) 921-3205  
TTY (via the Florida Relay Service): 711  
*in English, Spanish, French and Haitian Creole*  
FAX: (850) 921-3122

**Florida Commission on Human Relations**  
2009 Apalachee Parkway, Suite 100  
Tallahassee, Florida 32301  
(850) 488-7082  
1-800-342-8170  
TTY (via the Florida Relay Service): 711  
*in English, Spanish, French and Haitian Creole*  
FAX: (850) 488-5291

**U.S. Department of Labor  
Civil Rights Center**  
200 Constitution Avenue, NW  
Room N-4123  
Washington, DC 20210  
(202) 693-6500  
TTY: (202) 693-6515  
FAX: (202) 693-6505

**Equal Employment Opportunity  
Commission  
Miami District Office**  
One Biscayne Tower, Suite 2700  
2 South Biscayne Boulevard  
Miami, Florida 33131  
(305) 808-1740 or 1-800-669-4000  
TTY: (305) 536-5721 or 1-800-669-6820  
FAX: (305) 536-4011

**U.S. Department of Health & Human  
Services  
Office for Civil Rights**  
61 Forsyth Street, SW - Suite 3B70  
Atlanta, Georgia 30323  
(404) 562-7886  
TTY: (404) 331-2867  
FAX: (404) 562-7881

**Equal Employment Opportunity  
Commission  
Tampa Area Office**  
501 East Polk Street, Suite 1000  
Tampa, Florida 33602  
(813) 228-2310 or 1-800-669-4000  
TTY: (813) 228-2003 or 1-800-669-6820  
FAX: (813) 228-2841

**U.S. Department of Agriculture  
Office of Civil Rights**  
300 7th Street, SW; Suite 400  
Stop Code 9430  
Washington, DC 20250-9410  
(202) 401-1014  
TTY: (202) 401-0216  
FAX: (202) 690-5686



## Policy

<b>SECTION: HUMAN RESOURCES</b>	<b>POLICY #</b>	<b>PAGE 1 OF 4</b>
<b>TITLE: System Access Policy</b>	<b>EFFECTIVE DATE: TBD</b>	
<b>APPROVED BY:</b>	<b>REPLACES: N/A</b>	

**PURPOSE:** The purpose of this policy is to communicate Worknet Pinellas, Inc dba CareerSource Pinellas and to formalize the standard operating procedure for maintaining and protecting access to the internal and state systems used by CareerSource employees, DEO staff located in CareerSource offices, volunteers, interns, other authorized users, contractors and partners and to describe all associated requirements that are necessary to ensure compliance on this subject.

**BACKGROUND:** As part of its workforce development and TANF responsibilities, CareerSource collects and retains in its Electronic Data Management System, accounting software, and workflow module system large quantities of personal identifiable information and sensitive information relating to its customers, both job seekers and employers, and staff. CareerSource also enters and reports data (programmatic and fiscal), tracks participation, monitors performance and receipt of services in various workforce systems, such as the One-Stop Service Tracking (OSST) system, Employ Florida (EF), etc. As a part of the Workforce system of Florida, in most circumstances CareerSource has “read only” access to the Florida MIS system (DCF mainframe), The RACF, Connect and Sntax MIS systems obtained through a DCF, DEO or regional security officer. With this access to customers’ personally identifiable information, as well as sensitive financial data, it is incumbent upon CareerSource to develop policies and procedures to properly handle and protect access to this information.

**POLICY:** This policy is to provide appropriate role-based system access, to maintain and control such access, and, as necessary, to revoke such access to all state and local data (programmatic and financial) systems to protect the security of each system and the privacy of all personally identifiable information and sensitive information obtained from customers and/or other individuals.

**APPLICABILITY:** Failure of any of the individuals listed above under “Applicability” to comply with this policy shall result in disciplinary action in accordance with the applicable Employee Handbook. Failure by a partner agency that is located in a CareerSource Pinellas facility or a program contractor to comply with this policy may result in termination of any MOU, agreement or contract.

**RESULTS OF FAILURE TO COMPLY WITH POLICY:** Failure of any individual listed under “Applicability” above, other than customers, to follow this policy may result in disciplinary action in accordance with CareerSource Pinellas’ Personnel Handbook. Failure of a program contractor or training vendor to follow this policy may result in contract or agreement termination.

**DETAILS:** Following are definitions and details that pertain to this policy. See accompanying policy on handling Personally Identifiable Information for associated detail. Note, use of the term “employee” or “staff” shall mean any of the individuals listed under “Applicability.”

**A. Initial Access or a Change in Access-** When a staff is hired the following steps shall be followed.

1. The staff’s Director or supervisor will require the staff to complete and sign the security access form(s) to any and all data systems to which the individual’s job responsibilities require access. Staff do not all require the same access or level of privilege; both should be determined by the individual’s job responsibilities. Each request shall include specifics such as any OSST units, WP CareerSource centers, EFM groups or identification of veteran staff (LVER or DVOP) to properly set-up staff privileges. If a higher level of privilege or a different type of access than is the norm for the job title is requested, the Director or supervisor must justify that higher level of privilege in writing and attach to the security access form.
2. Staff’s access to Microix will be set-up by the primary RSO (Regional Security Officer). Access will be limited to the individual’s job responsibilities as well as their applicable workflow (i.e., WTP, Adult/Dislocated Worker, TAA, Youth, etc.) The staff’s Director or supervisor will email the staff’s (a) first and last name (b) email address (c) phone number (d) name of a staff set-up in Microix with the security profile needed for the newly hired staff and (e) applicable workflow(s) to the primary RSO. Set-up will be processed within 2 business days of receipt of information. A follow-up email will be sent to the newly hired staff and Director or supervisor once access has been set-up.
3. The newly hired staff will be required to complete a statement of non-disclosure and confidentiality as part of the HR on-boarding process.
4. All newly hired staff will be required to complete the online security training as well as annual refresher with completion documented by completion of a security awareness training form. New hire access will not be granted until said training is completed and documented. Failure to complete annual refresher may result in removal of security privileges.
5. The security access form(s) should be signed by the staff, the staff’s supervisor or Director and then immediately scanned to the Atlas queue, MIS Security Forms. Once the security forms are scanned, then the supervisor shall destroy the original paperwork by placing it in the CareerSource supplied shred bins.

6. The RSO will process the paperwork within 2 business days and forward to the state as necessary for state system access. The RSO will also provide local system access as requested and appropriate for job position. As a backup, the RSO will forward the new hire notice to the IT Department for access to our server if notice has not already been provided to the IT Department.
7. An email alert is forwarded to the RSO team and to IT who manage creation or update of staff access or privileges as forms are added to the EDMS designated queue. Upon completion, the RSO will advise the Director or supervisor by email that the paperwork has been processed and provide any additional pertinent information. The Director or supervisor will instruct the staff in their initial login to various MIS systems or server.
8. The RSO will create and maintain a secured, limited access, on-line file of the security access forms; one for active users and one for users whose access has been revoked. This should be maintained in a manner to allow easy and immediate access of an individual's paperwork to the RSO.
9. Ad hoc reporting will be used to maintain a current listing of user access and level of privilege in the various MIS systems or server.
10. If a need for amended security access or privileges arises, the staff's Director or supervisor will complete a "change" security form requesting the change. The RSO will make approved changes and communicate back to Director or supervisor of its completion. The change request form will be retained in the appropriate file. The RSO may develop further specific instructions in the form of desk guides for any system access.

**B. Audits of System Access** - To ensure that CareerSource maintains proper security as it pertains to access to our internal EDMS and access to the various state systems, periodic "audits" of the list of approved users and their level of privilege for each system will be conducted at least semi-annually by the RSO. This will be accomplished by the RSO sending out a spreadsheet listing each staff's name, hire date or date access was granted, their job title, their current access and level of privilege and requiring each Director to review the list and provide the following feedback within 15 business days:

1. Look for any names on this list that should no longer have ATLAS, local server, or state system privileges because they are no longer an employee of CareerSource, a DEO employee located in a CareerSource office, contracted provider staff or eligible partner staff
2. Of the individuals who remain an employee of CareerSource, a DEO employee located in a CareerSource office, contracted provider staff or eligible partner staff
  - a) Should each retain access to ATLAS and each of the state systems at the same level of privilege shown on the spreadsheet based on their current job responsibilities;

- b) Has the individual moved to a different position within the organization that no longer requires the access or level of privilege shown on the spreadsheet; and/or
  - c) Should the individual never have had system access or the level of privilege shown on the spreadsheet?
3. Are there current staff that are not on the spreadsheet that
- a) Currently have access. If so, the Director or supervisor shall provide a breakdown of the system(s) both local and state, to which the employee(s) have access and define the level of privilege already in use; and/or
  - b) Are any individuals missing needed access and if so, the system(s) the staff needs access to and the level of privilege necessary based on their job responsibilities. In this circumstance, the Director should have the appropriate security access forms completed, signed and scanned to the RSO.

The RSO will then review the information received from each Director or supervisor, make any changes warranted to access or the level of privilege, request a new signed security form(s) as appropriate, update the spreadsheet, and distribute the updated spreadsheet to all Directors for their reference within 10 business days of the due date of all reports from the Directors.

The RSO will also monitor Microix system access at least annually or more frequently if necessary. A spreadsheet listing the workflow module and access rights, by user, will be emailed to the Director with instructions to delete or modify user name, workflow module, and access rights, as applicable. Directors will be requested to provide their response within 15 business days of receipt of the monitoring notice.

**C. Revoking Access** – When a staff is dismissed or resigns the following steps shall be followed.

1. The HR Manager will provide notification to the RSO, IT and other key staff who control access to the various systems via email. The RSO will place a completed termination checklist and a signed set of security forms with termination or revocation noted into the Atlas queue, MIS Security Forms. This information should be sent prior to the last date of employment whenever possible to give time for responsible parties to revoke all access to ensure timely revocation.
2. The RSO, key staff controlling access, or IT will revoke or request revocation of access to local server(s), all state systems and the local ATLAS system, as applicable, by no later than the effective date and time provided by the HR Manager.
  - a) EFM – revocation of access is handled locally
  - b) OSST – revocation of access is handled locally
  - c) RACF – revocation of access is requested thru DEO state security officer; modification of RACF is handled locally

- d) CONNECT - revocation of access is handled locally
  - e) Suntax – revocation of access is requested thru DEO state security officer, locally disable user access
  - f) Florida MIS – revocation of access is requested thru DCF regional security officer
  - g) Any special MIS access due to grant management - revocation of access is handled locally
  - h) OSMIS financial – revocation of access is requested through DEO
  - i) Microix – revocation of access is handled locally through primary RSO only
  - j) MIP Fund Accounting - revocation of access is handled locally
  - k) Card Reader System – revocation of access is handled locally
  - l) CareerSource Atlas – revocation of access is handled locally
  - m) CareerSource email and server access – revocation of access is handled locally by CTS
3. The HR Manager and/or the RSO will advise other staff within CareerSource, as appropriate and necessary, to ensure access to all state systems is revoked.
  4. The RSO, IT and other key staff controlling access will advise the HR Manager by email when access had been revoked and provide any additional pertinent information such as the system(s) for which access was revoked.
  5. All paperwork on that staff who has been dismissed or who has resigned will be moved by the RSO from active staff to a separate folder within this on-line file containing access paperwork of staff who have been dismissed or who have resigned.
  6. The RSO will update the spreadsheet used for system access audits by removing the staff whose access was revoked and placing the name on another tab that includes only those staff who are no longer employees of CareerSource.

**ACTION STEPS REQUIRED:** Following are the action steps each CareerSource employee, DEO staff located in a CareerSource facility, volunteer, intern, authorized user and contractor must take.

1. Each individual must review this policy directive. If the individual has a question about anything contained herein, it is his/her responsibility to immediately bring the question to the attention of his/her supervisor. If not resolved, the supervisor will contact the individual named under “Inquiries” below.
2. CareerSource contract managers and appropriate Directors shall provide this policy and any subsequent revisions to all partner agencies located in a CareerSource facility and to program contractors with access and require that each submit a letter stating that this policy was provided to all appropriate staff and that the partner or contractor shall abide by this policy.
3. Each individual must replace previous policies associated with system access with this policy reissuance.

4. It is the responsibility of all individuals to immediately report any breach of this policy to the individual names under "Inquiries" below.
5. Each supervisor, manager, and director is responsible for informing employees of this policy.
6. Within two weeks of termination the appropriate CareerSource Director will be responsible for ensuring caseload maintenance/transfer is completed for any staff carrying an assigned caseload who has resigned or been dismissed. A letter of notification should be forwarded to all impacted customers within the assigned caseload.

**POLICY AMENDMENTS OR REVOCATION:**

Notwithstanding any of the foregoing, CareerSource reserves the right to revise or revoke this policy at any time.

This policy is written to establish local procedures and is not intended to supersede any applicable laws or regulations. Failure of CareerSource to adhere strictly to the steps outlined within this policy shall not be construed as a violation of rights or administrative procedures.

**INQUIRIES:** Any question about this policy should be directed to the HR Business Partner.



## Policy

<b>SECTION: HUMAN RESOURCES</b>	<b>POLICY #</b>	<b>PAGE 1 OF 6</b>
<b>TITLE: Handling and Protecting Personal Identifiable Information Policy</b>	<b>EFFECTIVE DATE: TBD</b>	
<b>APPROVED BY:</b>	<b>REPLACES: N/A</b>	



**PURPOSE:** The purpose of this policy is to communicate Worknet Pinellas, Inc dba CareerSource Pinellas commitment to properly handle and protect Personally Identifiable Information and other sensitive information and to describe all associated requirements that are necessary to ensure compliance with federal, state and local laws on this subject.

**BACKGROUND:**

**Department of Labor Guidance:**

On June 28, 2012 the USDOL issued TEGL 39-11 which provided guidance to direct grantees on compliance with requirements of handling and protecting personal identifiable information. The TEGL stated that “agencies are required to take aggressive measures to mitigate the risks associated with the collection, storage and dissemination of sensitive data including personally identifiable information.” Personal identifiable information is defined by the USDOL in this TEGL as information that can be used to distinguish or trace an individual's identity and could result in harm to the individual who name or identity is linked to that information. Examples include, but are not limited to, social security numbers, home telephone numbers, ages, birth dates, marital status, spouses or children's names, education history, medical information, financial information, computer passwords, and unemployment compensation claims. USDOL further defines sensitive information as “any unclassified information whose loss, misuse, or unauthorized access to or modification of could adversely affect the interest or the conduct of Federal programs, or the privacy to which individuals are entitled under the Privacy Act.”

**State of Florida Guidance:**

The personal identifying information of Temporary Cash Assistance (TCA) recipients (many times referred to as welfare clients) maintained by the Local area Workforce Boards is confidential and exempt from the Florida public records requirements pursuant to section 414.295, F.S. This includes information that identifies a recipient of TCA, a recipient’s family or a recipient’s household member. Information that identifies a

non-custodial parent is not specifically protected by State of Florida rules but shall be included as protected information by CareerSource.

Section 414.295, F.S., however, does allow for the disclosure of information within and among the partner agencies and their contracted service providers to conduct business related to TCA and other public assistance programs. The law also allows for the disclosure of protected TCA information for investigations related to the administration of Temporary Assistance for Needy Families (TANF) plan and programs. This information may also be shared to conduct business audits or investigations necessary to administer the TANF program(s).

As part of its workforce development and TANF responsibilities, CareerSource enters data, tracks participation, monitors performance and receipt of TANF funded services in various management information systems, such as the One-Stop Service Tracking (OSST) system. CareerSource also collects and has in its possession large quantities of personal identifiable information and sensitive information relating to its customers, both job seekers and employers, and staff. This information is found in customer electronic files, forms, reports, personnel files, job orders, etc. It is therefore incumbent upon CareerSource to develop policies and procedures to properly handle and protect this information.

**POLICY:** This policy is to protect the privacy of all personally identifiable information and sensitive information obtained from customers and/or other individuals through proper handling during collection, storage and dissemination and to protect such information from unauthorized disclosure. All personally identifiable information and sensitive information shall be protected through a combination of measures, including operational safeguards (policy and training), privacy-specific safeguards (procedures for collection and handling such information) and security controls (role-based access control, passwords, use of encrypted emails, etc.)

**APPLICABILITY:** This policy on the handling and protection of personally identifiable information and sensitive information applies to all CareerSource employees, DEO staff located in CareerSource offices, volunteers, interns, training vendors, program contractors and partners that have access to personally identifiable information and/or sensitive information of customers and employers that are or have received any level of services from CareerSource. Throughout this policy, wherever the word “staff” is used it shall mean all individuals listed under this section on “Applicability.”

**RESULTS OF FAILURE TO COMPLY WITH POLICY:** Failure of any individual listed above in “Applicability” to comply with this policy shall result in disciplinary action in accordance with the applicable Personnel Handbook. Failure by a partner agency that is located in a CareerSource facility, training vendor, or a program contractor to comply with this policy may result in termination of any MOU, agreement or contract.

**DEFINITIONS AND DETAILS:** It should be noted that this policy and the following details apply whether staff are working from their desk at the office or at another location. It is the staff’s responsibility and incumbent upon each staff as a custodian of public record data to ensure that any personally identifiable information and/or sensitive

customer information entrusted to them in the course of their work is kept secure and protected.

In general, CareerSource staff, DEO staff located in CareerSource facilities, volunteers, interns, program contractors, and training vendors that have access to personally identifiable information and/or sensitive information of customers and employers that have received or are receiving any level of services from CareerSource are not to

- Collect personally identifiable information and/or sensitive information without proper official authorization to do so.
- Access or review a family member or friend's information of any type within any MIS such as OSST, EFM, Florida MIS, Suntax, Project CONNECT or ATLAS system or access any information on any person or company not directly related to or required to complete assigned job responsibilities.
- Make copies of documents containing personally identifiable information and/or sensitive information unless authorized to do so and it is required to provide services.
- Disseminate or share personally identifiable information and/or sensitive information to others, including other staff, DEO staff located in CareerSource offices, volunteers, interns, program contractors, training vendors and/or partners, unless the release is authorized and there is an official need to know.
- Access, allow access to, and/or use any such information for personal intent or any purpose other than in performance of official CareerSource job duties.
- Place personally identifiable information and/or sensitive information on local drives, shared drives, e-mail folders, multi-access calendars, the CareerSource Intranet, Outlook or the Internet unless it is password protected and/or encrypted.
- Access, process, or store personally identifiable information and/or sensitive information of CareerSource customers and employers on personally owned equipment, a public website or bulletin board.

**A. Commitment to safeguard and properly handle personally identifiable information and/or sensitive information**

Individuals listed under "Applicability" above shall commit to respect and safeguard any CareerSource customer's right to privacy by practicing and promoting confidentiality in gathering, recording, storing and/or sharing personally identifiable information and/or sensitive information.

This commitment shall be placed in writing; when a person is hired and annually thereafter, staff will be required to sign a statement of non-disclosure and confidentiality that acknowledges:

- their understanding of the importance of the proper handling and protection of personally identifiable information and/or sensitive information,

- the requirement that they comply with the proper handling and protection of personally identifiable information and/or sensitive information as described in this policy and any future modification of this policy,
- that they have been advised that they may be liable to civil and criminal sanctions for non-compliance,
- that they have been advised of potential for internal disciplinary action for non-compliance.

## **B. Access to records containing personally identifiable information and/or sensitive information**

Staff do not all require the same level of access to personally identifiable information and/or sensitive information. The level of access required is determined by the individual's job responsibilities.

- Different levels of privilege/access may be authorized while the staff is working on a particular job, and then withdrawn if the level of access required changes.
- There must be a legitimate business reason or requirement to access a customer's personally identifiable information and/or sensitive information.
- Casual viewing of any individual's personally identifiable information and/or sensitive information, even data that is not confidential or otherwise included in this policy, constitutes misuse of access.
- Computer access is monitored and restricted based on job responsibility to protect personally identifiable information and/or sensitive information.
- Documents are not to be left where members of the general public may see or access them.
- In order to prevent unauthorized access, staff shall log off of all applications that provide access to personally identifiable information and/or sensitive information, or lock their computer when leaving their workstation. This is especially important during breaks and lunch. Unless there is a specific business need, all workstations should be shut down at the end of the workday.
- Staff shall not permit unauthorized access to any personally identifiable information and/or sensitive information in CareerSource's various information system(s) or other custodian records.

Staff should never leave their CareerSource issued laptop or mobile devices such as cellphone or PDA unattended and should always keep their electronic devices in a secure space or secured under lock and key when not in use. Staff should ensure password accountability standards apply to their portable and mobile devices.

## **C. Password Accountability**

Regardless of the circumstances, an individual's password(s) gives access to CareerSource's electronic communication systems or the State systems such as OSST, EFM, etc. and must never be shared or revealed to anyone else. To do so exposes the staff to responsibility for actions the other person takes with the password, including the improper handling and protection of personally identifiable information and/or sensitive information. Staff are required to change their password when automatically notified by the MIS system or a minimum of every 90-days. To prevent unauthorized parties from obtaining access to electronic communications, staff must choose passwords which are difficult to guess (for example, not a dictionary word, not a personal detail, and not a reflection of work activities).

**D. Release of personally identifiable information and/or sensitive information.**

Any requests for release of information shall be processed according to CareerSource's records management procedures. Records containing personally identifiable information and/or sensitive information may not be transferred or released from CareerSource to another agency, individual, the general public or the media without management approval. Care needs to be taken and the correct procedures followed to ensure that any personally identifiable information and/or sensitive information is not released to someone that may not treat the information in the same confidential manner as CareerSource.

Staff shall never give information, especially personally identifiable information and/or sensitive information, to the press or media. If asked, staff should politely decline any such requests and refer the individual to the CareerSource EEO Officer.

This restriction on the release of personally identifiable information and/or sensitive information applies to information in all formats, hard copies, electronic files, etc. as well as a verbal release or sharing of information in person or over the phone.

**E. Use of Email with personally identifiable information and/or sensitive information**

Staff should first review the need or requirement to transmit personally identifiable information and/or sensitive information in an outgoing email. If such information must be transmitted by email, staff should use identifiers such as the OSST Customer ID, the EFM State ID, or other identifiers that do not use personally identifiable information and/or sensitive information whenever possible. In addition, staff must follow the guidelines and standards described below:

- The information must be adequately encrypted and password protected with NSIT encryption applied such as using the Barracuda Email filter available within MS Outlook if sent by email outside of CareerSource Pinellas.
- Double check that the correct email address(es) are being used and all recipients have an official "need to know" and authorization to access such information before sending.
- Double check the attachment to make sure the right encrypted document has been selected.

- Set the following warning in the email signature block for all outgoing emails: “This email may contain information subject to the Privacy Act of 1974 and is “For Official Use Only.” Any misuse or unauthorized disclosure may result in both civil and criminal penalties.”

**F. Use of a printer, copier or fax with personally identifiable information and/or sensitive information**

If a staff must print, copy or transmit personally identifiable information and/or sensitive information through use of a printer, copier or fax machine, staff must

- Verify the printer/fax location prior to sending a document containing personally identifiable information and/or sensitive information.
- Set up and turn on “Locked Print” when sending any document containing personally identifiable information and/or sensitive information to the printer/copier; this will ensure the document does not print until the staff enters his/her password and selects print.
- Avoid use of a fax to transmit documents containing personally identifiable information and/or sensitive information whenever possible. If such information must be faxed, staff must validate the fax number prior to transmitting documents with personally identifiable information and/or sensitive information. Staff should also ensure the receiving fax machine is secured or attendant staff is standing by on the receiving end of the fax. Do not fax personally identifiable information and/or sensitive information to unattended fax machines.

**G. Storage and eventual destruction of records**

Records containing personally identifiable information and/or sensitive information must be correctly stored in a securely locked cabinet or securely locked room and eventually destroyed (in line with legal requirements and the CareerSource Records Management policy) by authorized personnel.

- All records must be stored in a secure, safe area where there is no access by unauthorized persons and limited possibility of damage by pests, vermin or environmental factors.
- Records may be stored only in authorized locations within the building.
- If hard copies of personally identifiable information and/or sensitive information must be transported, it must be done in a safe and confidential manner ensuring that access is only given to authorized staff.
- Records containing personally identifiable information and/or sensitive information should never be stored in a staffs’ car or residence.
- Any records or paperwork containing personally identifiable information and/or sensitive information that is no longer needed (for example, the paperwork has been scanned into the CareerSource ATLAS system) shall be placed in the locked bins for shredding.

#### **H. Medical records and records of domestic violence are subject to HIPAA Act of 1996**

Medical records, disability-related information and information on domestic violence from applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment must be stored in a manner that ensures confidentiality, and must be used only for the purposes of record-keeping and reporting; determining eligibility, where appropriate, for WIOA Title I-financially assisted programs or activities; determining the extent to which the recipient is operating its WIOA Title I-financially assisted program or activity in a nondiscriminatory manner; determining services that must be provided; or other use authorized by law. This information must be stored separately from all other information about a particular individual, and treated as confidential medical or domestic violence records.

Access to customer related disability information, medical information or domestic violence information shall be limited. A separate file containing this information (medical information form, medical documentation, assessment of domestic violence, safety plan, contacts with medical personnel or domestic violence providers, etc.) will be scanned into ATLAS separately and labeled "medical or domestic violence information). MIS will e-file this information into a separate folder/document and then restrict access to the file. No hard copies of the disability-related, medical information or domestic violence information will be kept by any staff.

#### **I. Reporting a violation of this policy**

It is the individual staff's responsibility to immediately report if he/she has committed a breach of or violated this Policy. Additionally, given the potential harm that CareerSource may suffer with the release of any personally identifiable information and/or sensitive information, all employees are required to report any suspected violation(s) of this policy.

If a staff is asked to divulge personally identifiable information and/or sensitive information about a customer by a person who has no authority to request this, the staff should report the matter to his/her supervisor immediately.

If a staff hears another person discussing personally identifiable information and/or sensitive information in an inappropriate way (e.g., chatting to a colleague in the office or lunchroom, telling friends in a social setting), the staff is required to report the matter to his/her supervisor immediately.

#### **J. Handling the disclosure of any personally identifiable information and/or sensitive information**

Management will determine how this region will respond to any incident of the disclosure of personally identifiable information and/or sensitive information. Consideration shall be given to determining when and how agencies and individuals should be notified, when and if a breach should be reported publicly, and what future actions should be taken to eliminate the possibility of the same breach in the future, if possible.

**ACTION STEPS REQUIRED:**

Following are the action steps each CareerSource employee, DEO staff located in a CareerSource facility, volunteer, intern, training vendor, program contractors and partners must take.

1. Each individual must review this policy directive. If the individual has a question about anything contained herein, it is his/her responsibility to immediately bring the question to the attention of his/her supervisor. If not resolved, the supervisor will contact the individual named under "Inquiries" below.
2. CareerSource contract managers and appropriate Directors shall provide this policy and any subsequent revisions to all partner agencies located in a CareerSource facility, program contractors and training vendors and require that each submit a letter stating that this policy was provided to all appropriate staff and that they shall abide by this policy.
3. It is the responsibility of each individual to immediately report any breach of this policy to their Director or to the attention of the individual shown under "Inquiries" below.
4. Each supervisor, manager, and director is responsible for informing employees of this policy.
5. Each individual must replace previous policies associated with personal Identifying Information with this policy reissuance.

**POLICY AMENDMENTS OR REVOCATION:**

Notwithstanding any of the foregoing, CareerSource reserves the right to revise or revoke this policy at any time.

This policy is written to establish local procedures and is not intended to supersede any applicable laws or regulations. Failure of CareerSource to adhere strictly to the steps outlined within this policy shall not be construed as a violation of any administrative procedures.

**INQUIRIES:**

Any question about this policy should be directed to the CareerSource HR Business Partner.



## Policy

<b>SECTION: HUMAN RESOURCES</b>	<b>POLICY #</b>	<b>PAGE 1 OF 3</b>
<b>TITLE: Family and Medical Leave Act (FMLA)</b>	<b>EFFECTIVE DATE: TBD</b>	
<b>APPROVED BY:</b>	<b>REPLACES: N/A</b>	

**PURPOSE:** The purpose of this policy is to formalize that Worknet Pinellas, Inc., dba CareerSource Pinellas and any independent contractor, training vendor, a CareerSource staff, a volunteer at CareerSource, an intern, or DEO staff located in CareerSource office will adhere to the understanding of the policy and procedures and all applicable laws governing FMLA.

**BACKGROUND:** The Family and Medical Leave Act of 1993 (FMLA) allows eligible employees to balance their work and family life by taking up to twelve weeks of unpaid leave for certain family or medical reasons. When family emergencies arise, requiring an employee to attend to his or her seriously ill children, parent(s), or be with newly-born or adopted children or children placed with the employee for foster care, or for their own or spouse's serious health condition, the employee needs reassurance that he or she will not need to choose between his or her job security and meeting these personal and family needs. On January 28, 2008, the President signed the National Defense Authorization Act for Fiscal Year 2008 into law. It includes provisions expanding the federal Family and Medical Leave Act to guarantee job-protected leave in certain circumstances for employees who are family members of active duty military personnel. The new law provides an extended period of leave for FMLA eligible employees who are covered family members to care for certain injured service members. It also creates a new qualifying reason for leave for eligible employees whose spouse, son, daughter or parent is on, or called to, active duty.

**POLICY:** This policy is to provide procedures and process for better understanding FMLA, including eligibility, reasons for and length of leave, requesting leave and requirements of leave.

### APPLICABILITY:

#### Who's eligible for FMLA?

Any exempt or classified status employee:

- employed by the Careersource for at least twelve (12) months (does not have to be consecutive) and

- worked at least 1,250 hours during the twelve (12) months immediately preceding the commencement of the leave

### **Why would I use FMLA?**

FMLA provides a guarantee of job security and continuation of employee benefits during the approved leave.

### **When can I use FMLA?**

FMLA provides that eligible employees may be entitled to up to 12 weeks of unpaid scheduled leave for continuous or intermittent absences due to any of the following:

- Pregnancy, prenatal care, bonding, or placement of a child for adoption or foster care
- Your own serious health condition
- To provide care for a qualifying family member with a serious health condition
- Service member family leave (up to 26 weeks in a 12-month period)
- Qualifying military exigency

**DEFINITIONS AND DETAILS:** Following are definitions and details that pertain to this policy. Note, use of the term “employee” or “staff” shall mean any of the individuals listed under “Applicability.”

### **A. Types of Leave-**

1. **Continuous Leave:** Leave is taken without working during the entire length of the leave.
2. **Intermittent Leave:** Leave is for medical needs with as little disruption to business, while working. Condition must be recertified every 6 months upon an absence related to the condition.
3. **Reduced Schedule:** A reduction in hours per workweek, or hours per day that is a set schedule.
4. **Qualifying Exigency and Service Member Leave:** A family member’s leave may include making alternative child care arrangements for a child of the deployed military member, attending certain military ceremonies and briefings, or making financial or legal arrangements to address the military member’s absence.
5. **Military Caregiver Leave:** Up to a total of 26 workweeks of unpaid, leave during a “single 12-month period” to care for a covered service member with a serious injury or illness. The employee must be the spouse, son, daughter, parent, or next of kin of the covered service member. The service member must be a current member of the Armed Forces, and the service member must be undergoing medical treatment, recuperation, or therapy; in outpatient status; or on the temporary disability retired list, and The service member must have a “serious injury or illness”

**B. Applying for Leave:**

- 1. When advance notice is possible:** Employees must submit a leave of absence request form. The request must indicate the reason for the leave, the starting and ending dates for the leave and the type of leave requested.  
If an employee is taking FMLA leave because of a birth or placement, or because of planned medical treatment, the leave request must be submitted at least 30 days before the leave begins.
- 2. When advance notice is not possible:** In the case of serious health condition, if advance leave is not possible, the employee must submit the request as soon as possible. Initial notification can be verbal or via email in this case.  
A family member, health care provider, or any person designated by the employee may notify the supervisor if the employee is unable to do so. When the initial request is verbal the supervisor is responsible for making sufficient inquiry into the nature of the leave so as to determine if the absence might qualify as a "serious health condition" as defined in this policy and verbally inform the employee (or caller) of any requirements under this policy. If there is insufficient information the supervisor may designate the leave as "FMLA pending" and request sufficient information in writing on the leave request form or otherwise. A leave request will be completed by the supervisor if the employee is unavailable to complete one. If requested information or documentation is not provided timely as requested, the leave request may not be classified as FMLA, and the job may not be protected.

**C. Requirements for Leave:**

- 1.** Once FMLA has been requested you will receive FMLA information via email, which must be completed. All requests will require a Certification of Health Care Provider, Certification of Qualifying Exigency, or Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave. All Certifications must be signed by a licensed healthcare provider.
- 2.** Recertification may be required based on the minimum duration the healthcare provider states incapacity. All intermittent FMLA will require recertification from a licensed healthcare provider every 6 months. Recertification will be required when there is a significant change in circumstances described the last medical certification.
- 3.** A fitness for duty certification will be required before return to work following approved FMLA. This does not apply for intermittent leave, however, the Company reserves the right to request fitness for duty if there are reasonable safety concerns.

**D. Reinstatement:**

As a general rule, at the conclusion of your FMLA leave, you will be returned either to the same position held at the beginning of FMLA leave, or to an equivalent positions with equivalent pay, benefits and other conditions of employment, with the following exceptions.

A salaried “key employee” it is possible not to be reinstated at the end of FMLA leave if the reinstatement would result in substantial and grievous economic injury to operations.

**RESULTS OF FAILURE TO COMPLY WITH POLICY:** Failure of any individual listed under “Applicability” above, to follow this policy may result in loss of FMLA job-protected status. This may lead disciplinary action shown in the Employee Handbook.

1. If knowingly false information is provided regarding leave, or found to have violated Company policies, or where such violation would be a terminable offense, even if discovered during the course of leave, this may result in disciplinary action, up to and including termination.
2. Failure to return to work at the end of the approved leave and/or fail to take action to extend leave, termination will occur after 2 days following the conclusion of FMLA for “job abandonment”.
3. An employee on FMLA leave is not protected from actions that would have occurred if not on FMLA.

**PTO and INSURANCE PREMIUMS:**

When FMLA is approved you will be required to use all PTO during leave. Once PTO has been exhausted FMLA will continue unpaid. While on unpaid leave all insurance premiums will need to be paid by check, cashier’s check or money order, made payable to CareerSource Pinellas.

**POLICY AMENDMENTS OR REVOCATION:**

Notwithstanding any of the foregoing, CareerSource reserves the right to revise or revoke this policy at any time.

This policy is written to establish local procedures and is not intended to supersede any applicable laws or regulations. Failure of CareerSource to adhere strictly to the steps outlined within this policy shall not be construed as a violation of rights or administrative procedures.

**INQUIRIES:** Any question about this policy should be directed to the HR Business Partner.



## Action Item 9

### Strategic Policies

#### Background

As part of the Compliance Review, USDOL/DEO have requested CSPIN review and update three (3) Strategic Policies. The modification of these policies helps ensure alignment with rules and regulations outlined by United States Department of Labor (USDOL), Department of Economic Opportunity (DEO) and CareerSource Florida (CSF).

CSF Strategic Policies are high level principles or directional statements to inform or clarify federal or state legislation, policies or workforce system strategies that are approved by CSF Board.

As CSF approves new Administrative and/or Strategic Policies, CareerSource Pinellas will review to determine necessary action for creation of new policy or policy revisions. Additionally, CareerSource Pinellas is in the process of reviewing all existing CSF polices against the current CSPIN policies to identify required action.

The Compensation Committee reviewed and approved the CSF Conflict of Interest policy and the CSPIN Authorization of Bonuses and Pay Raised policy during its meeting on November 14, 2019. The Ethics and Transparency Policy was previously approved on October 31, 2018 the CSPIN Board of Directors meeting.

- Ethics and Transparency (*approved October 31, 2018*)
- Conflict of Interest
- CSPIN Authorization of Bonuses and Pay Raises

#### RECOMMENDATION

Approve and adopt the Conflict of Interest Policy and the Authorization of Bonuses and Pay Raises listed above.



2018.09.26.A.1

## Strategic Policy

<b>Title:</b>	<b>CareerSource Florida Ethics and Transparency Policy</b>
<b>Adopted:</b>	09/26/2018
<b>Effective:</b>	09/26/2018

### I. PURPOSE AND SCOPE

To effectively fulfill the mission of the CareerSource Florida network, volunteer leaders and workforce professionals statewide must ensure ethics and transparency guide their decision-making. This CareerSource Florida Board of Directors policy communicates expectations about ethics and transparency in Florida’s workforce system to maintain integrity, accountability and transparency in decisions and actions that earn and protect the public trust. Florida’s workforce system consists of CareerSource Florida, which provides policy oversight; the Florida Department of Economic Opportunity, the administrative entity for state workforce programs; and 24 local workforce development boards, to include the chief elected official and board of directors, as well as the career centers they direct.

At every level of the workforce system, there must be a unified commitment to conduct work in a manner that is business-driven, focuses on talent and continuous improvement, and assures accountability to public and private stakeholders including businesses, workers and job seekers.

State and local workforce development boards must conduct business in an open manner, comply with federal and state laws and ensure the public has electronic or simplified access to information including but not limited to:

- Information about state and local plans;
- Professional employment of workforce development board members;
- Selection of one-stop operators;
- Awards of grants or contracts to eligible training providers of workforce investment activities;
- Minutes of formal meetings of workforce development boards; and,
- Workforce development board by-laws.

State and local workforce development boards are expected to create and enforce policies about the importance of ethics in operations and transparency in public meetings. Boards must ensure these policies align with federal and state laws and communicate clear expectations to board members, their designees, employees and other stakeholders.

## **II. REGULATORY EXPECTATIONS FOR ETHICS AND TRANSPARENCY**

Chapter 445, Florida Statutes, creates the Florida workforce system. This law implements Public Law 113-128, the Workforce Innovation and Opportunity Act of 2014 (WIOA), and creates CareerSource Florida, Inc., the state workforce investment board, as the principal workforce policy organization for the state. The purpose of CareerSource Florida, Inc., is to design and implement strategies that help Floridians enter, remain and advance in the workplace so they may become more highly skilled and successful, benefiting these Floridians, Florida businesses and the entire state, and fostering development of the state's business climate.

It is the intent of the Florida Legislature that CareerSource Florida, Inc., operate in the most open and accessible manner consistent with its public purpose. The expectation of the CareerSource Florida Board of Directors is that the following laws, rules, and regulations referenced and described below are included in local policies and guide organizational decisions and professional actions.

U.S. Department of Labor Employment and Training Administration Advisory System Training and Employment Guidance Letter No. 35-10 was issued on June 16, 2011. The guidance letter (TEGL 35-10) states that providing responsible stewardship for and oversight of publicly funded workforce programs must be accomplished in a way that demonstrates strong integrity, accountability and transparency to preserve the public trust. The responsibility for this stewardship and oversight is shared in the public workforce system by federal, state and local entities.

Public Law 113-128, the Workforce Innovation and Opportunity Act, was signed into law on July 22, 2014. WIOA is designed to help job seekers access employment, education, training and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. WIOA Section 107(e) and 20 CFR 679 require local workforce development boards to make certain information available to the public, on a regular basis through electronic means, open meetings and upon request. Additional measures may be taken by state and local policymakers to ensure such information is readily accessible to the public.

The Code of Ethics for Public Officers and Employees, adopted by the Florida Legislature as Chapter 112, Part III, Florida Statutes, contains standards of ethical conduct and disclosures applicable to public officers, employees, candidates, lobbyists and others in state and local government. Workforce development board members and their designees are subject to the Code of Ethics for Public Officers and Employees.

The Florida Legislature specifically declared that CareerSource Florida, Inc., its board, councils, and any advisory committees or similar groups created by CareerSource Florida, Inc., are subject to the provisions of Chapter 119 relating to public records, and those provisions of Chapter 286 relating to public meetings (Chapter 445.004(1), Florida Statutes). Local workforce development boards are subject to Chapter 119, Florida Statutes and Chapter 286, Florida Statutes. Local workforce development boards also are subject to Section 24, Article I of the State Constitution, which describes Access to Public Records and Meetings.

Chapter 119, Florida Statutes, commonly known as Florida's Public Records Law, provides information on public records in Florida, including policies, definitions, exemptions, general information on records access, inspection, examination and duplication. It is the policy of the state of Florida that "all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is the duty of each agency" (Chapter 119.01, Florida Statutes). Included agencies are "public or private agencies, persons, partnerships, corporations or business entities acting on behalf of any public agency" (Chapter 119.011, Florida Statutes), "or other separate unit of government created or established by law" (Chapter 119.0701, Florida Statutes).

Chapter 286, Florida Statutes, also known as Florida's Sunshine Law, establishes a basic right of access to meetings of boards, commissions and other governing bodies of state and local governmental agencies or authorities. The law describes how boards conduct public meetings, how these meetings are noticed, who may attend, and how they may be accessed. This law also describes what records must be kept and made available to the public upon request.

CareerSource Florida and the Department of Economic Opportunity will collaborate with local workforce development boards to support best practices in organizational ethics and implementation of federal and state transparency requirements.

### III. AUTHORITIES

[U.S. Department of Labor, Employment and Training Administration Advisory System, Training and Employment Guidance Letter No. 35-10](#)

[Public Law 113-128, the U.S. Workforce Innovation and Opportunity Act Of 2014 \(WIOA\), Sections 106-110](#)

[20 CFR Part 679—Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act](#)

[Chapter 445.003-445.007, Florida Statutes](#)

[Chapter 112, Florida Statutes](#)

[Chapter 119, Florida Statutes](#)

[Chapter 286, Florida Statutes](#)



## **STATE AND LOCAL WORKFORCE DEVELOPMENT BOARD CONTRACTING CONFLICT OF INTEREST POLICY**

### **BACKGROUND**

The following policy was established in accordance with proviso language for Specific Appropriation 2214 of the 2010 General Appropriations Act and the 2010 Appropriations Implementation Bill and continued in accordance with Specific Appropriation 2006 of the 2011 General Appropriations Act.

The proviso language for Specific Appropriation 2006 prohibited the use of state or federal funds by a regional workforce board “for any contract exceeding \$25,000 between a regional workforce board] and a member of that board that has any relationship with the contracting vendor, unless the contract has been reviewed by the Agency for Workforce Innovation and [CareerSource Florida, Inc. (CSF)]” The proviso language was incorporated into and made a part of this policy.

This policy was modified in 2011 to prohibit a contract between local workforce development boards (local) and their board members or other persons or entities that may benefit financially from a contract (as defined in paragraph I(g) below), providing four exemptions to the prohibition to allow the workforce boards to provide statutorily-mandated services.

This policy was again modified in 2012 to comply with the Legislature’s adoption of Chapter 2012-29, Laws of Florida, requiring contracts under \$25,000 to be reported to CSF and requiring that contracts with relatives of workforce board employees be approved by a two-thirds vote and go through the review and approval process.

The policy currently complies with section 445.007(1) and (11), Florida Statutes.

### **POLICY**

#### **I) Definitions**

For the purposes of this policy, the following definitions apply:

- a) “Board” means one of Florida’s 24 local boards or CSF.
- b) “Contract” means a written agreement funded by state or federal funds, to which a local board or CSF is one of the parties. It includes the initial contract and all amendments, renewals or extensions. For the purposes of this policy, “contract” includes the proposed contract. This term does not include:

- i) Retail purchases for which no written contract is executed;
  - ii) The purchase of utility services for use by a board;
  - iii) Staff employment contracts (other than contracts with members of a board or relatives of board members); and,
  - iv) Membership fees and sponsorships to professional organizations.
- c) "Entire board" means the complete membership of the board at the time a contract is submitted to a vote. It includes board members who have a relationship with the contracting vendor and who therefore must abstain on the vote on the contract. Membership of the board includes non-voting members.
- d) "Quorum" means that minimum number of members of the board required to be present for the board to transact business as established by the board's bylaws (or, in the absence of bylaws, as has otherwise been established by the board.)
- e) "When a quorum has been established" means the contemporaneous meeting of a sufficient number of members to constitute a quorum, in person and/or through accepted electronic means.
- f) "has any relationship with the contracting vendor" means the member is an owner or a principal of the vendor, or a principal of the vendor has retained the member, or the parent organization or subsidiary of a corporate principal of the vendor has retained the member or a member's known relative or member's business associate is an owner of the vendor. For purposes of this policy, vendor, contractor and sub recipient are the same.
- g) "benefit financially from a contract" means the special private financial gain to a member, a special private financial gain to any principal who retains the member, the special private financial gain of the parent organization or subsidiary of a corporate principal who retains the member or the special private financial gain to any member's relative or business associate or to a board employee or a board employee's relative and such benefit is not remote or speculative. "Personally benefit financially" means a special private financial gain to a member only.
- h) "Owner" means any ownership interest in a privately owned contracting entity or a majority interest in a publicly held contracting entity.
- i) "Principal of a contractor" means an owner or high-level management employee with decision-making authority.
- j) "Employee" means a person employed full-time by a local board working in a managerial or supervisory capacity or who has direct contract management or direct fiscal involvement with the contract being voted on by a board.

- k) "Relative" is defined as "father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law." Section 12.3143(1)(c), Florida Statutes.
- l) "Utility services" include telephone, cable, electricity, water, gas, waste and sewage services, and other similar services.
- m) "Federal, state or other governmental workforce programs" means Incumbent Worker Training (section.445.003(3)(a)(3), F.S.), Quick Response Training (Section 288.047, Florida Statutes), Employed Worker Training, On the Job Training, customized training and other career center training provider services.

## **II) Prohibition Against a Board Contracting with its Board Members**

No board (CSF or a local board) shall enter into a contract with its board members, with organizations represented by its board members or with entities in which its board members have a relationship with the contracting vendor.

At a board's discretion, the following may be exempted from the above paragraph:

- a) A contract with an agency (as defined in section 112.312(2), Florida Statutes, including, but not limited to, those statutorily required to be board members) when said agency is represented by a board member and said member does not personally benefit financially from such contracts.
- b) A contract with a board member or a vendor (when a board member has any relationship with the contracting vendor) in which the contract relates to that member's appointment to the board under section 107(a)(2), Public Law 113–128, Workforce Innovation and Opportunity Act of 2014 (WIOA).
- c) A contract with a board member receiving a grant for workforce services under federal, state or other governmental workforce programs.
- d) A contract between a board and a board member which is not exempted under paragraphs II(a), II(b) or II(c) in which the board documents exceptional circumstances and/or need and the board member does not personally benefit financially from the contract. Based upon criteria developed by CSF, DEO shall review the board's documentation and assure compliance.
- e) Each contract that is exempted from the general prohibition in paragraph II must meet the requirements set forth in paragraph III below, including, but not limited to, the requirements of the criteria established in the "conflict of interest" provisions under section 101(f), Workforce Innovation and Opportunity Act of 2014. However, since section 445.007(11), FS requires CSF to perform the review and approval process pertaining to local board contracts, CSF contracts shall not be subject those provisions of this policy pertaining to review and approval processes.

### **III) Requirements of Section 445.007, Florida Statutes**

A board must comply with all requirements of section 445.007, Florida Statutes, prior to contracting with a board member or other person or entity who could benefit financially from a contract (as defined in paragraph I(g) above). These requirements are:

- a) All contracts between a board and a board member or other person or entity who may benefit financially from a contract (as defined in paragraph I(g) above) must be approved by a two-thirds vote of the board when a quorum has been established and the approval of such contracts shall not be delegated to staff or committees.
- b) The fact that a board member or other person or entity could benefit financially from a contract (as defined in paragraph I(g) above) must be disclosed in a board meeting and must be recorded in the minutes of said meeting before a vote is taken. The board member's absence from the meeting does not relieve the board from the disclosure and two-thirds vote requirements. All other known conflicts must be disclosed before a vote can take place. If a board member or employee discovers a conflict of interest after the vote, then the conflict must be disclosed in a procedure consistent with section 112.3143(4)(b), Florida Statutes. Board members who could benefit financially from the contract or who have any relationship with the contracting vendor (as defined in paragraph I(f) above) must abstain from voting on the contract. A board member's designee cannot vote in the place of a board member who is required to abstain.
- c) Board contracts equal to or greater than \$25,000 shall not be executed prior to the written approval of CSF.
- d) A board must submit all contracts equal to or greater than \$25,000 with board members or other persons or entities who could benefit financially from the contract to DEO along with documentation, as specified by this policy, demonstrating compliance with section 445.007, Florida Statutes.
- e) A contract of less than \$25,000 between a local board and a member of that board or between a relative of a board member or of an employee of the board is not required to have the prior approval of CSF, but must be approved by a two-thirds vote of the board, once a quorum is established and after full disclosure, with the member's abstention and must be reported to DEO and CSF within 30 days after approval.
- f) Contracts with a board member or other persons or entities who could benefit financially from the contract (as defined in paragraph I(g) above) in which the board will receive monies or other compensation (such as a board member paying rent to the board or paying for board services) are exempt from this policy.
- g) The term "contract" includes the initial contract and all amendments, renewals, or extensions. Renewals or extensions of contracts with a board member or persons or entities who could benefit financially from said contract must be approved under the

same procedure as original contracts. Any amendments to a contract that could benefit financially a board member or another person or entity (as defined in paragraph I(g) above) must be approved under the same procedure as if the amendment were an original contract. Any amendments that do not benefit financially a board member or other person or entity (as defined in paragraph I(g) above) may be approved by a regular majority vote when there is a quorum according to board rules and/or bylaws.

- h) All other requirements of section 445.007, Florida Statutes, must be met. For example, a board member must continue to disclose any conflict of interest in a manner that is consistent with the procedures outlined in section [112.3143, Florida Statutes](#).
- i) To comply with the requirements of section 445.007, Florida Statutes, a board's policy shall advise and require board employees to disclose known conflicts of interest and notify the board of any contracts which may benefit them personally or their relatives. To comply with the requirements of section 445.007, Florida Statutes, a board's policy shall advise and require all parties to a contract to disclose all known conflicts of interest and notify the board of all board members or other persons or entities known to benefit financially from the contract (as defined in paragraph I(g) above).
- j) A contract that is initially subject to the requirements of section 445.007, Florida Statutes, due to a board member's, an employee's, an employee's relative's, or another person's or an entity's conflicts of interest at the time of approving the contract is not subject to these procedures after the departure of the member from the board membership, the departure of the employee from the board's employment or other actions have removed the conflicts of interest.
- k) The above requirements do not eliminate or diminish a board's obligations to comply with the "conflict of interest" provisions under section 101(f), Public Law 113-128, (WIOA).

#### **IV) Review Criteria**

Contracts equal to or greater than \$25,000 with a board member or other person or entity who could benefit financially from the contract (as defined in paragraph I(g) above) must be reviewed by DEO to ensure that these requirements have been met:

- a) The contract met one or more of the exemptions to the prohibition under paragraph II;
- b) The board approved the contract with a two-thirds vote when a quorum was established;
- c) Board members who could benefit financially from the contract or board members who have any relationship with the contracting vendor disclosed any such conflicts prior to the board vote on the contract; and,

- d) Board members who could benefit financially from the contract or board members who have any relationship with the contracting vendor abstained from voting.

## V) **Required Documentation**

For each contract equal to or greater than \$25,000, a board must electronically submit, after the board's approval of the contract, a completed contract information form certified by the board chair or vice chair as correct and true to [WorkforceContract.Review@deo.myflorida.com](mailto:WorkforceContract.Review@deo.myflorida.com) containing the following information:

- a) Identification of all parties to the contract;
- b) Description of goods and services to be procured;
- c) Value of the contract, contract renewal or contract extension;
- d) Contract term including starting date and ending date;
- e) Contract number or identifying information, if any;
- f) Identification of board member or employee whose conflict of interest required the board's approval of the contract by a two-thirds vote;
- g) The nature of the conflict of interest in the contract;
- h) A certified board membership roster listing all members on the board at the time of the vote on the approval of the contract with a vote tally indicating attendance or absence at the meeting and, for those in attendance, the affirmative and negative votes and abstentions for each member;
- i) Dated and executed conflict of interest forms, which are consistent with the procedures outlined in section 112.3143, Florida Statutes, submitted at or before the board meeting in which the vote took place, for board members who have any relationship with the contracting vendor (as defined in paragraph I(f) above); and,
- j) Other information as specified on the contract information form.

DEO and CSF will review this documentation to ensure compliance with the statutory requirements listed in paragraph III above. Failure to timely provide all required documentation or failure to complete the form shall result in immediate disapproval of the contract and require resubmission of documentation and form. DEO will electronically submit in writing to CSF, within five (5) business days of receiving all of the required documentation, its recommendation of whether the statutory requirements were met. CSF will then electronically transmit in writing within three (3) business days after receipt of DEO's written recommendation its approval or disapproval.

The board may not execute the contract until CSF approves the contract. However, the contract must be executed and performance begun within a reasonable time following approval. Seeking “blanket” approval for potential future contracts with board members is not within the spirit of the policy and all such attempts shall be denied.

#### **VI) Request for Review When Contract Approval Is Denied**

A party to the contract may request a review of CSF’s disapproval of a contract. Strict compliance with the following procedures is required:

- a) The request for review must be in writing, must state specific grounds for review and must provide all information required for review of the stated grounds. Failure to state specific grounds may be cause for denial of the request without further review.
- b) The request for review must be received by CSF not later than ten (10) calendar days from the date of CSF’s denial. The request may be submitted electronically to CSF’s administrative entity for contract review, the Department of Economic Opportunity (DEO), through the email address [WorkforceContract.Review@deo.myflorida.com](mailto:WorkforceContract.Review@deo.myflorida.com) or directly to CSF by any other means of delivery, i.e. mail service, hand delivery, facsimile. etc.. Any request for review that is not received by CSF or DEO within this timeframe will be rejected without further consideration.
- c) Within seven (7) calendar days of receipt, the CSF President or designee will issue a final decision on the request for review. The Chair of the CSF Board of Directors or its Board of Directors may direct the President to present such reviews to the Executive Committee. No review under this policy will be presented to the CSF Board of Directors unless, at the discretion of the Chair, such full board review is deemed to be necessary.

#### **VII) Effective Dates of Policy**

- a) These modifications shall be in effect upon CSF’s adoption at its May 17, 2017, Board of Directors meeting.



## Policy

<b>SECTION: HUMAN RESOURCES</b>	<b>POLICY #</b>	<b>PAGE 1 OF 1</b>
<b>TITLE: Authorized Compensation Policy</b>	<b>EFFECTIVE DATE: TBD</b>	
<b>APPROVED BY:</b>	<b>REPLACES: N/A</b>	

**PURPOSE:** The purpose of this policy is to communicate Worknet Pinellas, Inc., dba CareerSource Pinellas (“CareerSource”) to formalize the policy for all **increases and bonuses forms of compensation of for** CareerSource employees.

**BACKGROUND:** As a recommendation outlined in the United States Department of Labor Compliance Review, all increases in compensation should be approved by the Local Workforce Development Board.

**POLICY:** The Local Workforce Development Board will approve all **forms of compensation for CareerSource employees, including but not limited to,** pay increases, performance evaluation increases/stipends, bonuses, pay ranges, **and** benefit stipends~~s., etc.~~

### **POLICY AMENDMENTS OR REVOCATION:**

Notwithstanding any of the foregoing, CareerSource reserves the right to revise or revoke this policy at any time.

This policy is written to establish local policy and is not intended to supersede any applicable laws or regulations. Failure of CareerSource to adhere strictly to the steps outlined within this policy shall not be construed as a violation of rights or administrative procedures.

**INQUIRIES:** Any question about this policy should be directed to the HR Business Partner.



## **Action Item 10**

### **Employee Onboarding Checklist**

#### **Background**

As part of the Compliance Review, USDOL/DEO have requested CSPIN review and update the Employee Onboarding Checklist. The template utilized for the checklist was provided by the HR Business Partner.

The Compensation Committee reviewed and approved the enclosed Employee Onboarding Checklist during its meeting on November 14, 2019.

#### **RECOMMENDATION**

Approve and adopt the CSPIN 2019 Employee Onboarding Checklist.



## EMPLOYEE ONBOARDING CHECKLIST

Applicant Name: \_\_\_\_\_ Position Title: \_\_\_\_\_  
Location \_\_\_\_\_

Conditional offer date: \_\_\_\_\_ Salary: \_\_\_\_\_

accepted       declined      Start Date \_\_\_\_\_

### PRE-HIRE

Request from Supervisor: asset number, \_\_\_\_\_ copier number \_\_\_\_\_ company property necessary for this position \_\_\_\_\_

- Email pre-hire docs: application, the Sarma Background Check Form, Individual Non-disclosure & Computer Policy Form \_\_\_\_\_. (add reminder to calendar in 5 days to follow up if not rec'd)  
Date Returned \_\_\_\_\_
- Start Background check and Drug Screen through Sarma \_\_\_\_\_  
\*\*NEW Feb 2019 Background check, MVR check and Drug Screen all go through Sarma (one consent Form)
- Send acknowledgment email that pre-hire docs rec'd and drug screen info will follow. \_\_\_\_\_
- When EE returns IT Security form and **after the background check is successfully completed**, email IT/MIS the IT Security Form, Confidentiality Form, Asset number & requested company property. \_\_\_\_\_ (IT will set up email, access and assign co property. Supervisor will prepare applicable Access Forms for Supervisor Orientation).
- Email: \_\_\_\_\_  
Login \_\_\_\_\_ P/W \_\_\_\_\_
- Email EE when Background Check is successfully completed and include Orientation information. Attach Handbook, Emergency contact form, Demographic and other information form, Policy acknowledgement form, Media release form, and Employment of Relatives Disclosure Statement. \_\_\_\_\_
- Send Calendar Invite to EE & Supervisor \_\_\_\_\_

### HIRE/ORIENTATION

ADP New Hire Set Up (add stipend and 401(k) clock) \_\_\_\_\_

#### Emails:

- Send Onboarding email with benefit booklets. (EE will complete I-9, W-4, Direct Deposit and Emergency Contact Info, Policy Acknowledgements and Benefits Enrollment through ADP) \_\_\_\_\_
- Set up Tier One Access & send Employee Tier One Email \_\_\_\_\_ Add to tracker. Add 3 & 6 month Outlook reminder \_\_\_\_\_
- Extreme Customer Service Email \_\_\_\_\_ Add to tracker and 1 month Outlook Reminder \_\_\_\_\_
- IT Security Email \_\_\_\_\_

- Add an Outlook Reminder at the beginning of the 6<sup>th</sup> month of employment to Verify 401k eligibility date through ADP 401(k) site- **Employees > Review eligibility**
- After verification, remove Clock Code in Workforce now prior to payroll processing of eligibility. People > Pay > Pay Profile > Clock and Data Control (under Other Pay Settings)

Employee Action Form Signed by CEO \_\_\_\_\_

Set up Orientation Schedule for Director Level position with Leadership Team \_\_\_\_\_

**EPI CENTER Employees:**

**Request Badge Form from Administrative Lead \_\_\_\_\_ Address should be on the form.**

- Badge Acknowledgement
- Phone List
- Center locations
- Workstation Access and Phone Voicemail Set up
- Walk through (breakroom, bathrooms, printers etc)

Completed on \_\_\_\_\_

# EMPLOYEE ONBOARDING CHECKLIST

Employee Name \_\_\_\_\_ Date of Hire \_\_\_\_\_

## Collect Documents:

Collect I-9 Supporting Documents and New Hire Docs \_\_\_\_\_

## EMAIL

Confirm receipt of and review deadlines:

- Benefits email \_\_\_\_\_ Due first 20 days of employment.
- Tier 1 Email \_\_\_\_\_ Complete within 6 months from date of hire.
- Extreme Customer Service Email \_\_\_\_\_ Complete within 30 days of hire.
- IT Security Email \_\_\_\_\_ (EE can work on these emails between HR & Supervisor orientation)

## ADP Verify Access

Walk Through I-9, W-4 & Direct Deposit through Onboarding Module

- **Home Page:** EE News, Job Vacancy & Company News > HR Happenings
- **Resources** > Company Policies > EE Handbook
- Resources > **Tools & References** > 2019 Payroll Schedule, EE Handbook & Benefit Summaries
- Myself: **PTO & Timecards**
- Review Pay dates

## PTO

- Accrues as of date of hire at the rate of 5.23 hours per 80 hours worked; Max Annual 136
- Eligible after 90 days
- Personal Days: Eligible for \_\_\_\_\_

## BENEFITS

- Benefit & Stipend Eligibility Date: On the first of the month after 30 days of employment \_\_\_\_\_
- Enroll in Benefits in ADP > Myself > Enrollments in the first 20 days of employment
- 401(k) Eligibility Date: After 6 months of employment \_\_\_\_\_ 5% Non-Elective Contribution by CSPIN
  - Limits for 2019: \$18,000 with additional \$6,000 for Catch Up Contribution (over 50) for total of \$24,000

Employee can review Security Power Point in between HR & Supervisor

## POLICIES ON ADP

- Resources > Policies: Read and acknowledge each policy
- List of all policies, sign and date once complete to upload in personnel file
- Completion date should be within first two (2) weeks of hire date



# **Action Item 11**

## **Organizational Chart**

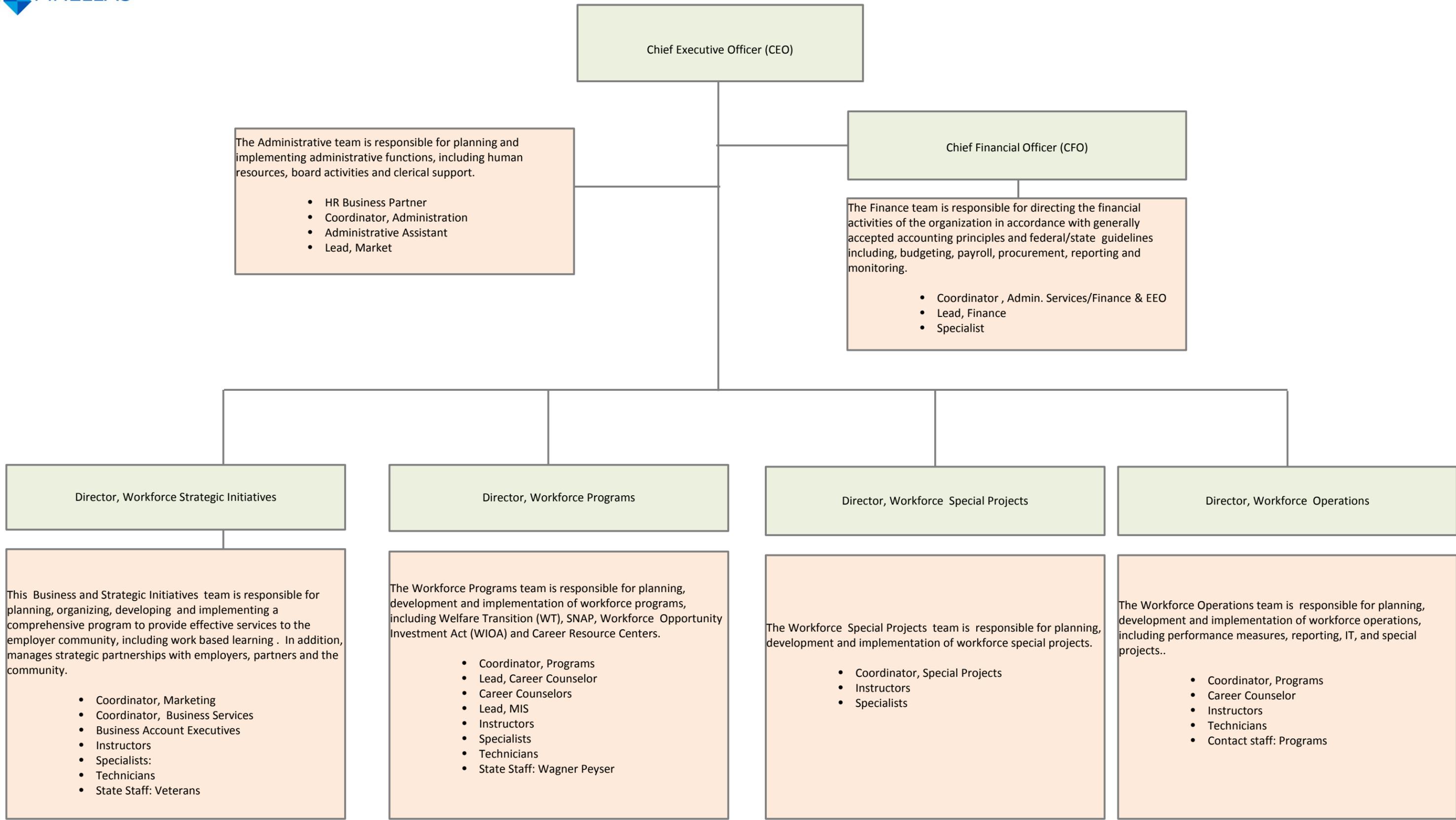
### **Background**

As part of the Compliance Review, USDOL/DEO have requested CSPIN review and update the Organizational Chart.

The Compensation Committee reviewed and approved the enclosed Organizational Chart during its meeting on November 14, 2019.

### **RECOMMENDATION**

Approve and adopt the CSPIN Organizational Chart



**PY'2019-2020**  
 CareerSource Pinellas  
 Employees: 70-72  
 Budget: \$5,009,605



## **Action Item 12**

### **Cybersecurity Protection Plan**

#### **Background**

On October 2, 2019 board members were notified that certain files and folders on CSP's servers had been corrupted. CTS, CSPIN's IT service provider, worked to remediate and isolate any issues arising from this incident while also preserving impacted files for further forensics testing. Web-based services, phone and mail systems were not affected. In addition, CSPIN engaged an outside computer forensic firm for further investigation of the incident as well as assisting in the restoration of data.

Currently, all unnecessary shares have been turned off, and unnecessary ports have been blocked from access internally and externally. The restoration of data is about 95% complete, and the security monitoring and assessment is ongoing. The majority of technology services is fully functioning and operational as of October 9th, 2019.

CSPIN next steps will be to develop a comprehensive security, remediation and rebuild plan based on recommendations from the forensic review.

Based on best practices, it is recommended that CSPIN procure Cybersecurity services to provide a full spectrum of cybersecurity consulting services to help plan, implement and maintain governance and/or compliance, assess security posture and train staff to create a culture of security.

The scope of engagement includes:

- 1) Cybersecurity Policy Review and Development
- 2) External/Internal Vulnerability & Security Controls Assessment
- 3) Network Penetration Test
- 4) 24/7 Cyber Lorica SIEM/SOC Monitoring
- 5) Managed Cybersecurity Awareness Training.

#### **RECOMMENDATION**

Approval of the issuance of an RFP for the provision of Cybersecurity services.



## Action Item 13

### Local Workforce Development Board Plan

The Department of Economic Opportunity has finalized the WIOA Local Plan Guidelines for the development of the comprehensive Local Workforce Development Board four-year plan (2020-2024). To facilitate the process, CareerSource Pinellas will seek the services of a consultant that is familiar with the process.

**Key Dates are as follows:**

Event	Date (On or Before)
Local Plan Guidelines Issued	November 1, 2019
Labor Market Analysis Sent to Local Boards	December 6, 2019
Local Plans Due	March 16, 2020
WIOA Statewide Unified Plan Due	March 30, 2020
WIOA Statewide Unified Plan Approved	May 1, 2020
Local Plans Approved	June 4, 2020
WIOA Program Year 2020 Begins	July 1, 2020

Based on the activities required to provide adequate input from stakeholders and board members, it is recommended that CSPIN secure a facilitator to assist with the development of the strategic plan. The scope of work would include the development of a comprehensive strategic plan that will help sustain growth and provide direction to the organization over the next four years. The process will be an inclusive one, engaging key community stakeholders, board members and staff.

The approach to strategic planning will be designed to ensure the following: data to drive decision making; time to allow for deliberation and reflection; and information on best practices and community strategy development process, and proven strategies. The process will accomplish the following: 1) engage the board, staff and stakeholders in a robust process; 2) create a strategy and identify strategic priorities that guide the organization over the next few years, and 2) obtain commitment at all levels that the direction identified is the direction all are committed to work toward. The estimated cost is up to \$15,000.

**RECOMMENDATION:**

Approval of the simple and informal procurement method of obtaining quotes in order to secure services to facilitate the strategic planning process required for the (2020-2024) Local Workforce Development Plan.

Additionally, as part of the process, CareerSource Pinellas staff seek to renew and update the below Memorandums of Understanding (MOU) agreements.

MOUs establish joint processes and procedures that enable Partner integration into the One-Stop Delivery System resulting in a seamless and comprehensive array of education, human service, job training, and other workforce development services to persons with disabilities in Pinellas County.

<b>Partner Program</b>	<b>Partner Organization</b>	<b>Authorization/Category</b>	<b>Co-Located</b>
AARP Foundation SCSEP	AARP Foundation	Senior Community Service Employment Program (SCSEP) authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.)	Yes
Career, Technical & Adult Education Programs	Pinellas County School Board	WIOA Title II Adult Education and Family Literacy Act (AEFLA) Program	Yes
Career, Technical & Adult Education Programs	Pinellas County School Board	Career and technical education programs at the postsecondary level, authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.)	Yes
Community Services Block Grant	Pinellas Opportunity Council	Employment and training activities carried out under the Community Services Block Grant Act (CSBG) (42 U.S.C. 9901 et seq.)	No
Division of Blind Services	FL Department of Education	State Vocational Rehabilitation (VR) Services program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), as amended by WIOA Title IV	No
Job Corps	Odle Management	Job Corps, WIOA Title I, Subtitle C	Yes
Vocational Rehabilitation	FL Department of Education	State Vocational Rehabilitation (VR) Services program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), as amended by WIOA Title IV	No



# Information Item 1

## USDOL Compliance Review Update

USDOL/ DEO Compliance Review Background: CareerSource Pinellas received the U.S. Department of Labor Employment and Training Administration (USDOL/ETA) Compliance Review of CareerSource Tampa Bay (CSTB) and Career Source Pinellas (CSPIN) on May 16, 2019. The report was submitted to Ken Lawson Executive Director Florida Department of Economic Opportunity (DEO) and was issued by the Atlanta Regional Office on May 15, 2019.

On June 28, 2019, the Florida Department of Economic Opportunity (DEO) submitted to the U.S. Department of Labor, Employment and Training Administration (ETA), Atlanta Regional Office, responses to the Findings contained in the ETA’s May 15, 2019 report of the Compliance Review.

On October 14, 2019, USDOL/ETA issued a letter of response to DEO. USDOL/ETA acknowledged DEO efforts in working with CareerSource Tampa Bay and CareerSource Pinellas to begin to implement many of the corrective actions that are required to resolve the Findings. However, as reflected in the Compliance Review Report, the documentation provided and corrective actions taken to date are insufficient to fully address the required actions in the Findings. As a result, 16 of the 17 Findings remain unresolved.

In response, DEO requested supplemental information from both CSTB and CSPIN. The supplemental information was due to DEO for review on or before November 12, 2019. DEO will review this information in an effort to provide a written response to USDOL/ETA as required by November 28, 2019.





## Information Item 2

### Science Center Relocation Update

On June 5, 2019 the Board of Directors entered into agreement with the City of St. Petersburg for the sale and purchase of the Science Center property.

**A closing date is set for November 20, 2019.**

Ever since, CareerSource Pinellas staff has been working diligently to relocate several large items, as well as various animals previously housed on the property to new homes.

Several of the fixtures have been donated to local organizations who will integrate and use them in their educational programs or to further STEM activities. The Historical Society accepted donation of archived photo albums and plaques stating the founding members of the Science Center. All of the animals have been adopted by individuals who previously cared for them.

Below is a table tracking this progress.

Item / Animal	Quantity	Estimated Value	Status	Recipient
Iguana Sanctuary	1	\$40,000	Adopted	SPCA
Touch Tank	1	\$3,000	Donated	Little Oceans
Aquariums	3	N/A	Donated	Little Oceans
Fossils	Multiple	N/A	Donated	Janine Cianciolo
Snake (Elliott)	1	N/A	Adopted	Paula Sandusky
Tarantula	1	N/A	Adopted	Angela Derriso
Cane Toads	2	N/A	Adopted	Angela Derriso
Ball Python (Layla)	1	N/A	Adopted	Paula Sandusky
Shell Exhibit	Multiple	N/A	Donated	St. Petersburg Shell Club
Arthropods	2	N/A	Adopted	Vicki Wilhelmi
Meade Telescope	1	\$4,000	Donated	St. Pete Astronomy Club
Mosaic Walk of States		N/A	Confirmed	City of St. Petersburg
Planetarium		N/A	Confirmed	City of St. Peterburg
Rocks in Geology Room	Multiple	\$2,500	Donated	St. Petersburg College
Vocational Training Equipment	Multiple			PTC South & PERC



### Information Item 3

#### DEO Daily Governor's Report – (Placement as reported in the Employ Florida system) Local Tracking for Program Year 2019-2020 and 2018-2019

CareerSource Pinellas				
PY 19/20	Placements	Composite Score	Ranking	Statewide Placements
July	371	104.17%	11	8,426
August	341	117.58%	12	6,985
September	385	120.49%	11	7,974
October	370	88.83%	14	9,831
November				
December				
January				
February				
March				
April				
May				
June				
Totals	1,467	107.77%	12.0	33,216

CareerSource Pinellas				
PY 18/19	Placements	Composite Score	Ranking	Statewide Placements
July	799	166.01%	8	10,973
August	938	161.75%	8	12,656
September	955	162.37%	6	12,922
October	1,020	155.32%	6	14,407
November	765	143.56%	8	11,914
December	658	148.21%	8	11,230
January	711	137.22%	6	12,219
February	703	165.17%	6	9,840
March	654	144.95%	6	10,266
April	610	139.04%	8	10,234
May	660	139.25%	9	11,061
June	455	121.38%	6	8,606
Totals	8,473	151.17%	7.1	127,722

### **DEO Definitions and report methodology**

The Monthly Job Placement Report - developed by the Florida Department of Economic Opportunity and [CareerSource Florida](#) - supports measurement, management and service improvements aimed at helping Floridians find jobs through services and resources provided by Florida's workforce system.

The Monthly Job Placement Report provides real-time measurement of job placement performance by the state's [24 Local Workforce Development Areas](#) and the nearly 100 [CareerSource centers](#) they direct.



## **Information Item 4**

**Career Source Pinellas Workforce Operations  
Performance Dashboard  
(as of 11/08/2019)**

## Active

Adult	OST	OJT
<b>712</b>	<b>355</b>	<b>8</b>
DW	Apprenticeship	
<b>445</b>	<b>167</b>	
Youth	Work Experience	
<b>301</b>	<b>1</b>	

## PY 19-20 Totals

Employers Served		Individuals Served	
<b>456</b>		<b>8,245</b>	
Returning Employers	Returning %	Staff Assisted	Self Assisted
<b>361</b>	<b>79.17%</b>	<b>6,413</b>	<b>1,832</b>
Direct Placements	Job Orders	Individuals Employed	WP Average Wage
<b>51</b>	<b>263</b>	<b>2,024</b>	<b>\$13.33</b>

### WIOA AD

Adult EE	Adult Non-EE
<b>78</b>	<b>0</b>
Adult EE Rate	
<b>100 %</b>	
Adult Average Wage	Adult Median Wage
<b>\$21.28</b>	<b>\$25.06</b>

### WIOA DW

DW EE	DW Non-EE
<b>50</b>	<b>0</b>
DW EE Rate	
<b>100 %</b>	
DW Average Wage	DW Median Wage
<b>\$20.38</b>	<b>\$19.85</b>

### WIOA Youth

Youth Closed Positive	Youth Closed Non-Positive
<b>37</b>	<b>0</b>
Youth PO Rate	
<b>100 %</b>	
Youth Average Wage	Youth Median Wage
<b>\$11.56</b>	<b>\$11.13</b>



## **Information Item 5**

### **Finance Committee Reports through September 30<sup>th</sup>, 2019**

- 1. Statement of Activities: Current Year vs. Prior Year**
- 2. Statement of Activities: Current Year vs. Budget**
- 3. Cost Allocation/Expenditure Report for PE 09.30.19**
- 4. Pooled Cost Expenditure Report for PE 09.30.19**
- 5. Grants Status Report**

**CareerSource Pinellas**  
Statement of Revenues and Expenditures  
From 7/1/2019 Through 9/30/2019  
(In Whole Numbers)

		<u>Actual 2019-2020</u>	<u>Actual 2018-2019</u>	<u>Variance</u>
<b>Revenue</b>				
<b>Operating Revenue</b>				
<b>Grant Revenue</b>				
Grant Revenue - Federal	3000	1,997,085	2,256,231	(259,146)
Grant Revenue - State	3001	0	296,612	(296,612)
Grant Revenue - Local	3002	<u>63</u>	<u>(20)</u>	<u>83</u>
Total Grant Revenue		1,997,148	2,552,824	(555,676)
<b>Contributions</b>				
Corporate Revenue	3100	6,788	47	6,740
Sponsorship Revenue	3101	1,250	7,000	(5,750)
Donations	3102	<u>358</u>	<u>5,341</u>	<u>(4,983)</u>
Total Contributions		8,396	12,388	(3,993)
<b>Program Revenue</b>				
Ticket to Work Revenue	3103	31,738	27,975	3,763
STEM - Field Trips	3400	0	152	(152)
Camp Fees	3421	0	15,048	(15,048)
Before/After Care	3422	0	725	(725)
Cyber Security	3470	0	1,035	(1,035)
Rental Income	3491	<u>0</u>	<u>800</u>	<u>(800)</u>
Total Program Revenue		31,738	45,735	(13,997)
<b>Investment Income</b>				
Interest/Dividends	3200	1,005	405	600
Unrealized Gain/Loss	3201	<u>241</u>	<u>0</u>	<u>241</u>
Total Investment Income		1,247	405	842
<b>Other Income</b>				
Other Revenues	3300	<u>0</u>	<u>160</u>	<u>(160)</u>
Total Other Income		<u>0</u>	<u>160</u>	<u>(160)</u>
Total Operating Revenue		2,038,528	2,611,511	(572,983)
<b>Sales Revenue (net)</b>				
<b>Sales</b>				
Science Ctr Store Sales	3490	20	301	(281)
Sales Tax	5580	<u>0</u>	<u>(46)</u>	<u>46</u>
Total Sales		<u>20</u>	<u>255</u>	<u>(235)</u>
Total Sales Revenue (net)		<u>20</u>	<u>255</u>	<u>(235)</u>
Total Revenue		<u>2,038,548</u>	<u>2,611,766</u>	<u>(573,218)</u>
<b>Expenditures</b>				
<b>Personnel Expenses</b>				
Salary Expense	5000	869,104	1,211,030	341,926
Salary Expense - Benefit Stipend	5005	252,518	0	(252,518)
Payroll Taxes	5050	74,970	80,826	5,855
Health Ins	5070	0	846	846
Retirement	5090	<u>55,833</u>	<u>54,790</u>	<u>(1,044)</u>
Total Personnel Expenses		1,252,426	1,347,491	95,065
<b>Program Expenses</b>				
Operating Supplies	5303	8,383	3,290	(5,094)
Communications	5500	27,140	36,050	8,910
Outreach/Marketing	5520	15,107	32,151	17,044
Service Provider Contract	8000	77,804	120,454	42,650
One-Stop Operator	8100	11,875	0	(11,875)
OJT	8300	360	49,953	49,593
EWT	8310	(6,121)	75	6,196
Other Customer Support Services	8341	3,567	0	(3,567)

**CareerSource Pinellas**  
Statement of Revenues and Expenditures  
From 7/1/2019 Through 9/30/2019  
(In Whole Numbers)

		<u>Actual 2019-2020</u>	<u>Actual 2018-2019</u>	<u>Variance</u>
Customer Training	8342	724,821	460,877	(263,943)
Customer Supportive Services	8343	38,959	48,821	9,862
Licensures	8344	330	14,880	14,550
Training Related Material	8345	44,002	14,078	(29,924)
Fees/exams/certifications	8346	24,486	6,151	(18,335)
Non Reportable ITA	8347	<u>4,260</u>	<u>4,332</u>	<u>71</u>
Total Program Expenses		974,972	791,111	(183,861)
Professional Fees				
Accounting/Audit Fees	5100	1,575	0	(1,575)
Legal Fees	5101	26,184	15,940	(10,244)
Professional Service	5104	21	4,936	4,914
Contract Labor	5170	5,871	49,766	43,894
Contract IT Services	5171	<u>71,107</u>	<u>68,361</u>	<u>(2,746)</u>
Total Professional Fees		104,758	139,002	34,244
Supplies				
Office Supplies	5302	4,926	3,935	(991)
Postage/Shipping	5307	1,409	1,058	(350)
Document Shredding	5308	<u>225</u>	<u>375</u>	<u>150</u>
Total Supplies		6,560	5,369	(1,191)
Insurance				
Insurance - Commercial Property	5400	5,688	0	(5,688)
Insurance - General Liability	5401	18,896	0	(18,896)
Insurance - Workers Comp	5403	0	15,242	15,242
Insurance - Auto	5404	<u>2,056</u>	<u>1,806</u>	<u>(251)</u>
Total Insurance		26,640	17,047	(9,593)
Occupancy				
Office Rent/Lease	5200	67,989	61,474	(6,515)
Other Leases	5201	0	471	471
Utilities	5202	23,468	20,217	(3,251)
Repairs & Maintenance	5203	6,545	8,673	2,128
Security	5204	690	563	(127)
Janitorial Expense	5205	5,912	6,823	911
Pest Control	5206	<u>856</u>	<u>552</u>	<u>(305)</u>
Total Occupancy		105,460	98,772	(6,688)
Office Equipment				
Equipment Rent/Lease	5300	10,972	21,992	11,019
Copy Machine Usage/Maintenance	5301	5,539	2,139	(3,400)
Comp	5304	41,845	46,257	4,411
Software/License/Maintenance				
Equipment < \$5,000	5305	<u>0</u>	<u>1,560</u>	<u>1,560</u>
Total Office Equipment		58,357	71,948	13,591
Travel and Meetings				
Travel - Mileage	5540	4,125	2,239	(1,886)
Travel - Out of Town	5541	4,176	2,035	(2,141)
Meetings/Conferences	5560	<u>8,225</u>	<u>49</u>	<u>(8,176)</u>
Total Travel and Meetings		16,526	4,323	(12,203)
Licences, Dues and Other Fees				
Staff Training/Education	5052	1,099	349	(750)
Recruitment	5095	367	0	(367)
Payroll Processing Fees	5103	2,569	9,203	6,633
License/Dues & Other Fees	5581	10,665	7,691	(2,974)
FSA Administrative Expenses	5582	1,412	0	(1,412)
401k Administrative Fees	5583	2,658	0	(2,658)

**CareerSource Pinellas**  
Statement of Revenues and Expenditures  
From 7/1/2019 Through 9/30/2019  
(In Whole Numbers)

		<u>Actual 2019-2020</u>	<u>Actual 2018-2019</u>	<u>Variance</u>
HRIS Administrative Fees	5584	1,636	0	(1,636)
Total Licences, Dues and Other Fees		20,406	17,243	(3,163)
Amortization and Depreciation				
Amortization Expense	5902	542	0	(542)
Total Amortization and Depreciation		542	0	(542)
Miscellaneous				
Bank Fees	5102	442	1,501	1,059
Other Expense	5700	5,921	1,055	(4,866)
Vehicle Expenses	5701	668	2,427	1,759
Interest Exp	5900	7,612	8,072	459
Total Miscellaneous		14,644	13,054	(1,589)
Allocations				
Allocated Expense Payroll	9997	0	136,262	136,262
Allocated Expense	9999	0	(136,262)	(136,262)
Total Allocations		0	0	0
Total Expenditures		<u>2,581,292</u>	<u>2,505,361</u>	<u>(75,931)</u>
Net Revenue over (under) Expenditures		<u>(542,744)</u>	<u>106,406</u>	<u>(649,149)</u>

**CareerSource Pinellas**  
Statement of Revenues and Expenditures  
From 7/1/2019 Through 9/30/2019  
(In Whole Numbers)

		Actual YTD	Budget YTD	Variance	FY Budget	Budgeted Remaining
Revenue						
Operating Revenue						
Grant Revenue - Federal	3000	1,997,085	2,540,643	(543,558)	10,285,591	(8,288,506)
Grant Revenue - Local	3002	63	14,000	(13,937)	14,000	(13,937)
Corporate Revenue	3100	6,788	6,000	788	24,000	(17,213)
Sponsorship Revenue	3101	1,250	3,000	(1,750)	12,000	(10,750)
Donations	3102	358	0	358	0	358
Ticket to Work Revenue	3103	31,738	24,000	7,738	96,000	(64,262)
Interest/Dividends	3200	1,005	360	645	1,440	(435)
Unrealized Gain/Loss	3201	241	0	241	0	241
Total Operating Revenue		<u>2,038,528</u>	<u>2,588,003</u>	<u>(549,475)</u>	<u>10,433,031</u>	<u>(8,394,503)</u>
Sales Revenue (net)						
Science Ctr Store Sales	3490	<u>20</u>	<u>0</u>	<u>20</u>	<u>0</u>	<u>20</u>
Total Sales Revenue (net)		<u>20</u>	<u>0</u>	<u>20</u>	<u>0</u>	<u>20</u>
Total Revenue		<u>2,038,548</u>	<u>2,588,003</u>	<u>(549,455)</u>	<u>10,433,031</u>	<u>(8,394,483)</u>
Expenditures						
Personnel Expenses						
Salary Expense	5000	869,104	890,828	21,724	3,548,202	2,679,098
Salary Expense - Benefit Stipend	5005	252,518	227,713	(24,805)	907,887	655,369
Payroll Taxes	5050	74,970	86,136	11,166	344,091	269,121
Retirement	5090	<u>55,833</u>	<u>52,084</u>	<u>(3,749)</u>	<u>209,425</u>	<u>153,592</u>
Total Personnel Expenses		<u>1,252,426</u>	<u>1,256,761</u>	<u>4,335</u>	<u>5,009,605</u>	<u>3,757,179</u>
Program Expenses						
Operating Supplies	5303	8,383	1,125	(7,258)	4,200	(4,183)
Communications	5500	27,140	26,986	(154)	97,054	69,914
Outreach/Marketing	5520	15,107	22,621	7,514	52,984	37,877
Service Provider Contract	8000	77,804	125,000	47,196	575,000	497,196
One-Stop Operator	8100	11,875	0	(11,875)	0	(11,875)
OJT	8300	360	45,500	45,140	182,000	181,640
EWT	8310	(6,121)	37,500	43,621	150,000	156,121
Other Customer Support Services	8341	3,567	0	(3,567)	0	(3,567)
Customer Training	8342	724,821	605,750	(119,071)	2,421,000	1,696,179
Customer Supportive Services	8343	38,959	94,045	55,086	370,388	331,429
Licensures	8344	330	0	(330)	0	(330)
Training Related Material	8345	44,002	40,775	(3,227)	163,100	119,098
Fees/exams/certifications	8346	24,486	11,538	(12,948)	54,960	30,474
Non Reportable ITA	8347	4,260	0	(4,260)	0	(4,260)

**CareerSource Pinellas**  
Statement of Revenues and Expenditures  
From 7/1/2019 Through 9/30/2019  
(In Whole Numbers)

		Actual YTD	Budget YTD	Variance	FY Budget	Budgeted Remaining
Total Program Expenses		974,972	1,010,840	35,868	4,070,686	3,095,714
Professional Fees						
Accounting/Audit Fees	5100	1,575	8,750	7,175	43,500	41,925
Legal Fees	5101	26,184	15,000	(11,184)	60,000	33,816
Professional Service	5104	21	12,813	12,792	51,884	51,863
Contract Labor	5170	5,871	6,250	379	27,500	21,629
Contract IT Services	5171	71,107	68,400	(2,707)	273,600	202,493
Total Professional Fees		104,758	111,213	6,455	456,484	351,726
Supplies						
Office Supplies	5302	4,926	6,022	1,096	23,047	18,121
Postage/Shipping	5307	1,409	2,088	679	7,455	6,046
Document Shredding	5308	225	320	95	1,340	1,115
Total Supplies		6,560	8,430	1,870	31,842	25,282
Insurance						
Insurance - Commercial Property	5400	5,688	5,760	72	20,310	14,622
Insurance - General Liability	5401	18,896	16,065	(2,831)	56,920	38,024
Insurance - Workers Comp	5403	0	11,931	11,931	47,584	47,584
Insurance - Auto	5404	2,056	2,400	344	9,600	7,544
Total Insurance		26,640	36,156	9,516	134,414	107,774
Occupancy						
Office Rent/Lease	5200	67,989	66,023	(1,966)	264,436	196,447
Other Leases	5201	0	195	195	780	780
Utilities	5202	23,468	19,440	(4,028)	57,960	34,492
Repairs & Maintenananc	5203	6,545	4,260	(2,285)	14,040	7,495
Security	5204	690	435	(255)	1,050	360
Janitorial Expense	5205	5,912	6,030	118	22,950	17,038
Pest Control	5206	856	948	92	3,096	2,240
Total Occupancy		105,460	97,331	(8,129)	364,312	258,852
Office Equipment						
Equipment Rent/Lease	5300	10,972	12,075	1,103	44,250	33,278
Copy Machine Usage/Maintenance	5301	5,539	4,620	(919)	17,730	12,191
Comp Software/License/Maintenance	5304	41,845	31,025	(10,820)	73,300	31,455
Equipment < \$5,000	5305	0	4,200	4,200	16,500	16,500
Total Office Equipment		58,357	51,920	(6,437)	151,780	93,423
Travel and Meetings						
Travel - Mileage	5540	4,125	3,950	(175)	15,800	11,675
Travel - Out of Town	5541	4,176	12,075	7,899	41,300	37,124
Meetings/Conferences	5560	8,225	2,175	(6,050)	11,675	3,450

**CareerSource Pinellas**  
Statement of Revenues and Expenditures  
From 7/1/2019 Through 9/30/2019  
(In Whole Numbers)

		Actual YTD	Budget YTD	Variance	FY Budget	Budgeted Remaining
Total Travel and Meetings		16,526	18,200	1,674	68,775	52,249
Licences, Dues and Other Fees						
Staff Training/Education	5052	1,099	1,725	626	6,900	5,801
Recruitment	5095	367	1,365	998	5,460	5,093
Payroll Processing Fees	5103	2,569	2,040	(529)	10,324	7,755
License/Dues & Other Fees	5581	10,665	7,475	(3,190)	31,515	20,850
FSA Administrative Expenses	5582	1,412	240	(1,172)	1,135	(277)
401k Administrative Fees	5583	2,658	2,880	222	11,520	8,862
HRIS Administrative Fees	5584	1,636	1,725	89	6,900	5,264
Total Licences, Dues and Other Fees		20,406	17,450	(2,956)	73,754	53,348
Amortizaton and Depreciation						
Depreciation Expense	5901	0	0	0	42,000	42,000
Amortization Expense	5902	542	0	(542)	0	(542)
Total Amortizaton and Depreciation		542	0	(542)	42,000	41,458
Miscellaneous						
Bank Fees	5102	442	675	233	2,700	2,258
Other Expense	5700	5,921	1,188	(4,733)	4,752	(1,169)
Vehicle Expenses	5701	668	1,400	732	5,600	4,932
Interest Exp	5900	7,612	0	(7,612)	0	(7,612)
Total Miscellaneous		14,644	3,263	(11,381)	13,052	(1,592)
Total Expenditures		2,581,292	2,611,564	30,272	10,416,704	7,835,412
Net Revenue over (under) Expenditures		(542,744)	(23,561)	(519,183)	16,327	(559,071)

**CareerSource Pinellas  
Cost Allocation/Expenditure Report  
For the Three Months Ended September 30, 2019**

	WIOA	Employment Services	WTP	SNAP	TAA	Total Direct Grants and Spec Projects	Total
Approved 2019-2020 Planning Budget	<b>5,411,763</b>	<b>1,231,500</b>	<b>2,279,121</b>	<b>470,000</b>	<b>348,000</b>	<b>692,647</b>	<b>10,433,031</b>
<b>Expenditures to Date:</b>							
<b>Pooled Costs</b>							-
Case Management	15,438	1,644	28,066	4,503	17	-	<b>49,668</b>
Business Services	204,868	39,407	61,289	34,371	-	-	<b>339,935</b>
One-Stop Operating	853	127,672	-	5,133	4,632	-	<b>138,290</b>
MIS\Technology	418	65,665	-	2,670	2,521	-	<b>71,274</b>
Outreach and Marketing	-	18,528	-	1,038	576	-	<b>20,142</b>
Administrative	150,147	39,434	55,852	5,618	-	21,189	<b>272,240</b>
<b>Total Pooled Costs</b>	<b>371,724</b>	<b>292,350</b>	<b>145,207</b>	<b>53,333</b>	<b>7,746</b>	<b>21,189</b>	<b>891,549</b>
	26%	91%	25%	49%	74%	15%	35%
<b>Direct Costs</b>							
Personnel Expenses	185,748	24,083	355,244	53,996	255	72,693	692,019
Service Provider Contracts	76,515	-	1,289	-	-	-	77,804
Subsidized Employment (OJT/PWE/EWT)	(5,761)	-	-	-	-	-	(5,761)
Training and Support Services	775,171	19	51,660	1,129	2,440	10,005	840,424
Other Direct Operating Costs	22,600	3,785	17,375	1,334	-	40,163	85,257
<b>Total Direct Costs</b>	<b>1,054,273</b>	<b>27,887</b>	<b>425,568</b>	<b>56,459</b>	<b>2,695</b>	<b>122,861</b>	<b>1,689,743</b>
	74%	9%	75%	51%	26%	85%	65%
<b>Total Costs</b>	<b>1,425,997</b>	<b>320,237</b>	<b>570,775</b>	<b>109,792</b>	<b>10,441</b>	<b>144,050</b>	<b>2,581,292</b>
<b>Unexpended Budget Balance</b>	<b>3,985,766</b>	<b>911,263</b>	<b>1,708,346</b>	<b>360,208</b>	<b>337,559</b>	<b>548,597</b>	<b>7,851,739</b>
<b>Percentage of Budget Expended</b>	<b>26.3%</b>	<b>26.0%</b>	<b>25.0%</b>	<b>23.4%</b>	<b>3.0%</b>	<b>20.8%</b>	<b>24.7%</b>

**CareerSource Pinellas**  
**Pooled Cost Expenditure Report**  
**For the Three Months Ended September 30, 2019**

Expenditure	Admin	MIS/Tech Cost Pool	Outreach & Marketing Cost Pool	One-Stop Cost Pool	Case Mgmt Cost Pool	Business Services Cost Pool	Total
Salary Expense	155,081	-	-	-	26,432	212,611	394,124
Salary Expense - Stipend	44,692	-	-	-	5,387	60,340	110,419
Payroll Taxes	10,847	-	-	-	1,654	18,627	31,128
Retirement	9,751	-	-	-	1,082	13,904	24,737
<b>Total Salary and Benefits</b>	<b>220,371</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>34,555</b>	<b>305,482</b>	<b>560,408</b>
Contract IT Services	-	71,107	-	-	-	-	71,107
Office Rent/Lease	2,903	-	-	39,107	5,972	20,007	67,989
Communications	2,698	-	39	19,181	1,239	1,867	25,024
Legal Fees	23,629	-	-	-	-	-	23,629
Utilities	27	-	-	22,403	-	-	22,430
Insurance - General Liability	1,961	-	-	11,442	2,550	2,158	18,111
Outreach/Marketing	-	-	15,025	-	-	-	15,025
One-Stop Operator	-	-	-	11,875	-	-	11,875
Equipment Rent/Lease	(79)	-	-	9,317	353	1,181	10,772
License/Dues & Other Fees	1,285	-	4,781	479	300	3,000	9,845
Meetings/Conferences	2,690	-	-	-	2,471	1,188	6,349
Copy Machine Usage/Maintenance	475	-	-	3,112	731	1,719	6,037
Janitorial Expense	164	-	-	5,748	-	-	5,912
Repairs & Maintenance	-	-	-	4,913	-	772	5,685
Insurance - Commercial Property	25	-	-	5,191	37	37	5,290
Travel - Out of Town	2,550	-	-	-	434	984	3,968
Office Supplies	1,528	-	-	1,082	375	50	3,035
401k Administrative Fees	2,658	-	-	-	-	-	2,658
Payroll Processing Fees	2,569	-	-	-	-	-	2,569
HRIS Administrative Fees	1,636	-	-	-	-	-	1,636
Accounting/Audit Fees	1,575	-	-	-	-	-	1,575
FSA Administrative Expenses	1,412	-	-	-	-	-	1,412
Postage/Shipping	277	-	-	1,107	25	-	1,409
Travel - Mileage	118	-	-	-	-	1,240	1,358
Operating Supplies	-	-	-	969	225	-	1,194
Staff Training/Education	1,099	-	-	-	-	-	1,099
Contract Labor	-	-	-	940	-	-	940
Comp Software/License/Maintenance	-	167	297	-	401	-	865
Pest Control	-	-	-	834	-	-	834
Bank Fees	442	-	-	-	-	-	442
Recruitment	117	-	-	-	-	250	367
Security	-	-	-	365	-	-	365
Document Shredding	-	-	-	225	-	-	225
Other Expense/Rounding	109	-	(1)	1	-	1	111
<b>Total Expenses to Date</b>	<b>272,240</b>	<b>71,274</b>	<b>20,142</b>	<b>138,290</b>	<b>49,668</b>	<b>339,935</b>	<b>891,549</b>

CareerSource Pinellas													
Grant Status Report													
As of 10/17/19													
MIP Fund #	Year	NFA ID	Program Name	Start Date	End Date	NFA Award	Cash Drawn thru 10/16/2019	Funds Available	LTD Expenditures As of 9/30/19	Unexpended Funds	2019/2020 Budget	2019/2020 Spending	Notes
<b>Workforce Innovation &amp; Opportunity Act</b>													
0303/0403	2018	37288	WIOA Youth 2018	4/1/2018	6/30/2020	1,294,216	440,000	854,216	432,899	861,317	800,000	188,492	
0304/0404	2019	38112	WIOA Youth 2019	4/1/2019	6/30/2021	1,036,082	-	1,036,082	-	1,036,082	802,382	-	
0103	2018	37502	WIOA - Adult - 2018	7/1/2018	6/30/2020	1,630,544	1,553,363	77,181	1,528,686	101,858	750,000	490,529	
0104	2019	38285	WIOA - Adult - 2019-2021	7/1/2019	6/30/2021	1,354,050	-	1,354,050	-	1,354,050	1,049,381	-	
0203	2018	37478	WIOA - Dislocated Worker - 2018	7/1/2018	6/30/2020	1,829,952	1,460,000	369,952	1,443,466	386,486	700,000	710,192	
0204	2019	38309	WIOA - Dislocated Worker - 2019-2020	7/1/2019	6/30/2021	1,816,778	-	1,816,778	-	1,816,778	1,150,000	-	
0507	2016	35259	Sector Strategies - IT Training	7/1/2019	9/30/2019	86,248	42,000	44,248	35,660	50,588		35,660	Roll-over of 0503 Funds
0511	2019	37380	SFY 19-20 Supplemental WIOA State Level	7/1/2019	12/31/2020	137,135	-	137,135	-	137,135		-	
0505	2017	35629	Governors Challenge 2017 - Hurricane	1/1/2018	9/30/2019	21,280	1,000	20,280	655	20,625		-	
520/521/522	2019	37918	Apprenticeship Expansion	2/1/2019	8/31/2020	100,000	1,000	100,000	376	99,624	90,000	376	
0542	2019	37958	WIOA Soft Skills	2/1/2019	8/31/2020	100,000	2,000	100,000	954	99,046	70,000	747	
						<b>9,406,285</b>	<b>3,499,363</b>	<b>5,909,922</b>	<b>3,442,696</b>	<b>5,963,589</b>	<b>5,411,763</b>	<b>1,425,998</b>	
<b>Employment Services</b>													
1404	2018	37736	Local Veterans -2018	10/1/2018	9/30/2019	50,757	48,464	2,293	45,792	4,965	9,000	4,706	
			Local Veterans -2019-2020								32,500	-	
1304	2019	37753	Disabled Veterans -2018	10/1/2018	9/30/2019	181,642	142,261	39,381	137,825	43,817	20,000	36,519	
			Disabled Veterans -2019-2020								90,000	-	
1103	2018	37451	Wagner Peyser -2018	7/1/2018	9/30/2019	699,686	699,686	-	699,686	-	140,000	217,744	
1104	2019	38236	Wagner Peyser -2019-2020	7/1/2019	9/30/2020	695,318	-	695,318	-	695,318	545,000	-	
3105	2019	38014	Reemployment and Eligibility Assessments -2019	1/1/2019	3/31/2020	336,280	108,500	227,780	92,786	243,494	280,000	61,269	
			RESEA -2020-2021								70,000	-	
1604	2018	37708	Reemployment Assistance Program -2018	10/1/2018	9/30/2019	45,711	45,711	-	45,711	-	5,000	-	
			Reemployment Assistance Program -2019-2020								40,000	-	
						<b>2,009,394</b>	<b>1,044,622</b>	<b>964,772</b>	<b>1,021,799</b>	<b>987,595</b>	<b>1,231,500</b>	<b>320,238</b>	
<b>Supplemental Nutrition Assistance Program</b>													
1504	2018	37579	Supplemental Nutrition Assistance Prog - SNAP 2018	10/1/2018	9/30/2019	419,802	419,802	-	415,709	4,093	115,000	109,790	
			Supplemental Nutrition Assistance Prog - SNAP 2019								355,000	-	
						<b>419,802</b>	<b>419,802</b>	<b>-</b>	<b>415,709</b>	<b>4,093</b>	<b>470,000</b>	<b>109,790</b>	
<b>Welfare Transition</b>													
2604	2018	37610	Welfare Transition Prog - Oct - June 2019	10/1/2018	6/30/2019	1,774,532	1,774,532	-	1,774,532	0	-	997	
2605	2019	38193	Welfare Transition Prog - July - Sept 2019	7/1/2019	9/30/2019	569,779	569,779	-	569,779	-	2,279,121	569,779	
			Welfare Transition Prog - Oct - June 2020	10/1/2019	6/30/2020		75,000						
						<b>2,344,311</b>	<b>2,419,311</b>	<b>-</b>	<b>2,344,311</b>	<b>0</b>	<b>2,279,121</b>	<b>570,776</b>	
<b>Trade Adjustment Assistance</b>													
2203	2017	36549	Trade Adj Assistance - TAA Administration - 2017	7/1/2017	9/30/2019	54,121	53,621	500	51,029	3,092	-	-	
			Trade Adj Assistance - TAA Administration - 2019								36,000	-	
2003	2018	37633	Trade Adj Assistance - Training 2018	7/1/2018	9/30/2019	240,864	233,364	7,500	219,962	20,902		2,440	
			Trade Adj Assistance - Training 2019								240,000	-	
2103	2018	37653	Trade Adj Assistance - Case Management	7/1/2018	9/30/2019	71,489	49,500	21,989	43,939	27,550		8,001	
			Trade Adj Assistance - Case Management 2019								72,000	-	
						<b>366,474</b>	<b>336,485</b>	<b>29,989</b>	<b>314,930</b>	<b>51,544</b>	<b>348,000</b>	<b>10,441</b>	
<b>Direct Services</b>													
6101	2016		USDOL Youthbuild 2016	10/17/2016	2/16/2020	1,100,000	964,799	135,201	973,544	126,456	72,443	5,272	
6102	2019		USDOL Youthbuild 2019	2/1/2019	5/31/2022	1,100,000	66,426	1,033,574	144,856	955,144	472,764	96,975	
6803			JWB Youth Innovators- 2018-2019	10/1/2018	9/30/2019	40,808	22,690	18,118	23,824	16,984	14,000	758	
8000			Corporate\Unrestricted			-			-		133,440	18,261	
8500			Science Center						-			22,784	
						<b>2,240,808</b>			<b>1,142,224</b>		<b>692,647</b>	<b>144,050</b>	
						<b>16,787,074</b>	<b>7,719,583</b>	<b>6,904,683</b>	<b>8,681,669</b>	<b>7,006,822</b>	<b>10,433,031</b>	<b>2,581,292</b>	