

Board of Directors Meeting Agenda

FEB. 20, 2020 • 8:30 A.M. – 12:30 P.M. ET

UNIVERSITY CENTER CLUB AT FLORIDA STATE UNIVERSITY

403 STADIUM DRIVE, TALLAHASSEE, FL 32306

MEETING ROOM: BALLROOM WEST – 3RD FLOOR

Chairman's Welcome & Remarks

Chairman Kevin Doyle

Mission Moment

Mark Wilson
Florida Chamber of Commerce

Consent Item

Chairman Doyle

- Dec. 11, 2019, Meeting Minutes

President's Report

Michelle Dennard

- Workforce Innovation and Opportunity Act: 2020-2024 Unified Plan
- Strategic Initiatives

Legislative Update

Monica Russell

Department of Economic Opportunity Report

Ruth Dillard

Panel Discussion: Developing Champions in Board Governance and Leadership

- **Michael Lawrence**, *Moderator, Community Workforce Advancements, LLC*
- **Jennifer Conoley**, *Chair, CareerSource Gulf Coast*
- **Arnie Girnun**, *Chairman, CareerSource Florida Finance Council*
- **Mike Jackson**, *Chair, CareerSource Southwest Florida*
- **Elaine Johnson**, *Chair, CareerSource Northeast Florida*

Council Report

- Strategic Policy and Performance Council

Council Chair Brittany Birken

Action Items

1. Workforce Development Boards Compliance and Accountability Policies

Council Chair Birken

- Board Governance and Leadership Strategic Policy
- Compliance and Accountability Administrative Policies (10)

Mary Lazor

Ruth Dillard

2. Career and Professional Education (CAPE) Certifications

Warren Davis
Tara Goodman, Dept. of Education

Local Partners Report

Robin King
Florida Workforce Development Association President

**Braiding Funding Streams for Improved Outcomes:
Integrated Services Pilot Project**

Sheryl Rehberg
CareerSource Escarosa

Open Discussion/Public Comment

Chairman's Closing Remarks

Chairman Doyle

Information Items


UPCOMING MEETINGS

Executive Committee Meeting – April 29-30, Orlando
Board and Council Meetings – June 3-4, Ponte Vedra



FLORIDA WORKFORCE 2030

*AN UPDATED LOOK AT BUILDING
AMERICA'S BEST WORKFORCE*



“A knowledgeable and skilled workforce is essential for future economic growth...”

GOVERNOR RON DESANTIS,
Executive Order Number 19-31
(Charting a Course for Florida to
Become Number 1 in the Nation
in Workforce Education by 2030
and Ensuring Florida Students are
Prepared for the Jobs of the Future)

FLORIDA
2030 GOAL:

60%

postsecondary
attainment

Currently at 49.3%



CURRENTLY:
Florida ranked

#20

in the nation in
postsecondary attainment

(Lumina Stronger Nation Report)



FLORIDA
2030 GOAL:

80%

of working
adults have
employability
skills by 2030



FLORIDA'S FOCUS ON TALENT DEVELOPMENT

Talent is an important element of our economy.

Economies grow when they maximize their talent pipeline to meet workforce shifts. These shifts include technological advancements, artificial intelligence, automation and other innovations. These factors should be considered when developing strategies to measure, develop and enhance talent. In order to remain globally competitive, Florida must lead in innovation, competitiveness and prosperity by developing, attracting and retaining a disproportionate share of the talent pool. Talent is the new incentive; employers and site selectors are increasingly ranking talent as the most important asset when considering a move to a state or region.

Educational attainment rate is a key metric used to measure the talent level in a community, region or state. ***Florida is ranked 20th in postsecondary attainment and has set a goal to become first in workforce education.*** The Florida Legislature created the Florida Talent Development Council (FTDC) to set a strategic blueprint—a coordinated, data-driven, statewide approach—to meet Florida's needs for a 21st century workforce. SAIL to 60 (Strengthening Alignment between Industry and Learning) is the initiative that sets the course to ensure that 60 percent of working-age adults have a high-value certificate, degree or training experience by 2030.



We can continue transforming learners to earners by preparing our students to compete in today's, and tomorrow's, global economy, better aligning programs and standards with future job demands, training and attracting the best and brightest for advancement and new careers, and increasing economic prosperity for all Floridians — starting with our youngest learners.

— MARK WILSON, President and CEO, Florida Chamber of Commerce



The work of the FTDC builds upon the **Florida Chamber Foundation's Florida 2030 Blueprint** report, which outlines targets and strategies to secure Florida's future. The report outlines a set of education goals that support pathways to higher paying jobs and prosperity for residents in all Florida zip codes. These goals include 80 percent of Florida's workforce acquiring employability skills and 60 percent of Floridians having a high-value certificate, degree, or training experience by 2030.

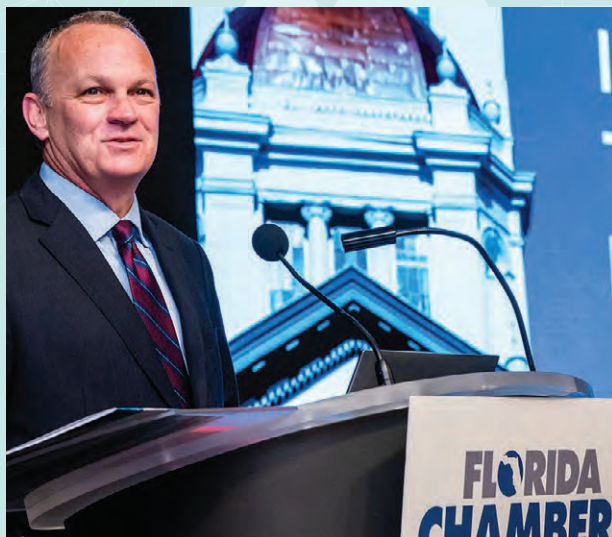
The Florida Chamber Foundation's Florida Jobs 2030 report provides an in-depth analysis of the state's 21st-century jobs. Its goal is to ensure that Florida leverages its strategic opportunities to prepare for the shifts in the workforce by producing the talent needed to meet industry demand. While agriculture, tourism and construction remain foundational sectors for the state, the **Florida Jobs 2030** report focuses on five additional industry sectors that represent over 30 percent of Florida jobs and 40 percent of the gross state product. The industries identified in the report include Aviation and Aerospace; Healthcare and Life Sciences; Manufacturing; Logistics and Distribution; and Professional and Financial Services with information technology cutting across all sectors. This **Workforce 2030** report provides an updated map to build American's best workforce and position Florida to be the leader in talent.



To prepare for projected shifts in Florida's labor market and the changing landscape of skills required for 21st-century jobs, the **Florida Jobs 2030** report also highlights five core recommendations for policymakers, educators, and Florida's business community:

- ▶ Deepen and expand cross-sector collaboration.
- ▶ Foster opportunities for targeted skills development that is responsive to economic shifts.
- ▶ Improve statewide career awareness and counseling.
- ▶ Streamline transitions between high school, postsecondary, and workforce and create a more seamless pipeline between education and the workforce.
- ▶ Adopt a data-driven approach to meeting Florida's needs for a 21st century workforce.

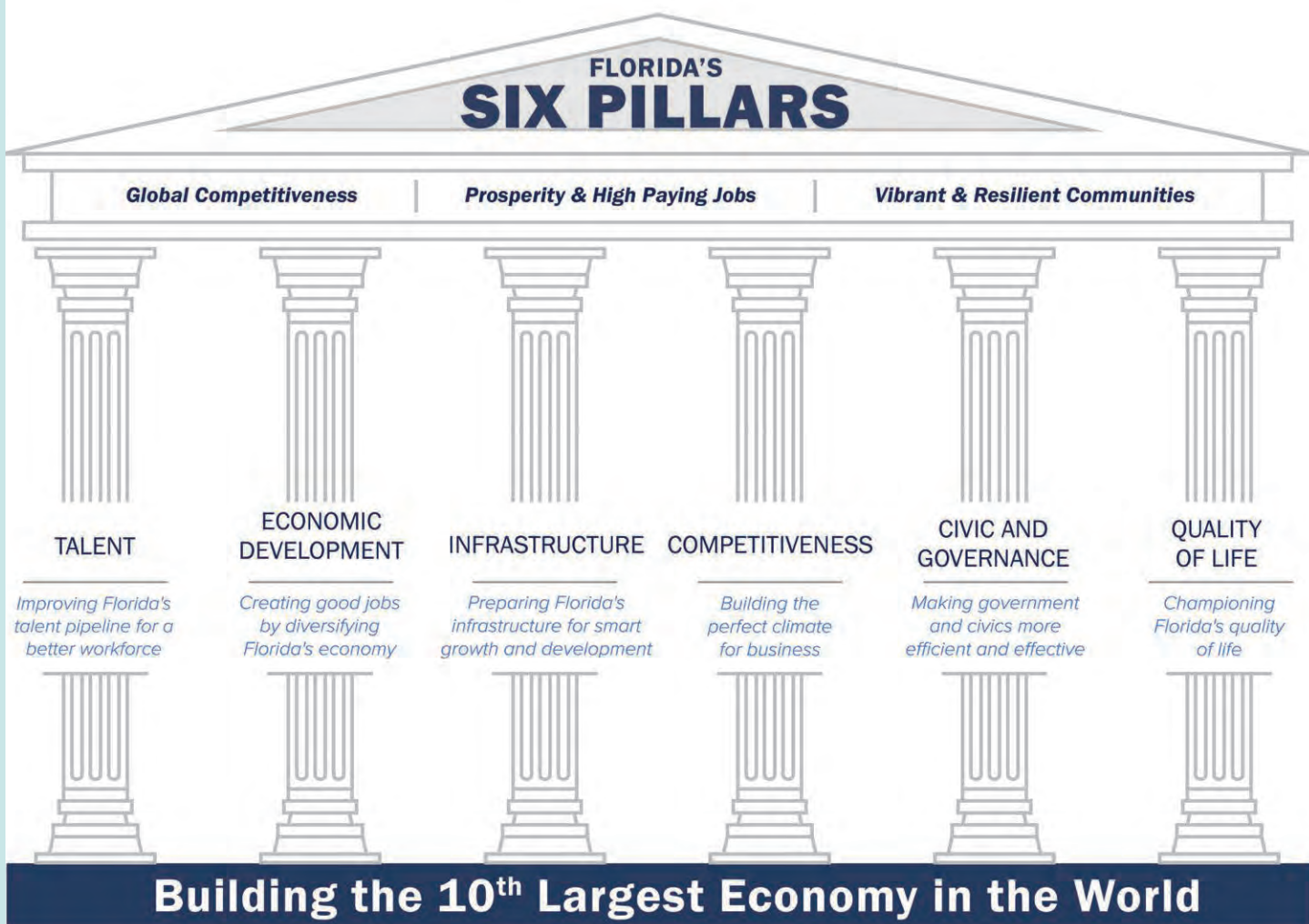
www.FloridaChamber.com/FloridaJobs2030



I applaud the Florida Chamber's focus on workforce education and supporting Governor DeSantis' goal of becoming the number one state in the nation for workforce education by 2030. With Florida's population growing to more than 26 million by 2030, it is imperative that we focus on building a talented and highly skilled workforce to fill the jobs of the future. I look forward to working with the Governor, Legislature and Chamber to ensure that goal.

— RICHARD CORCORAN, Commissioner of Education

The Florida Chamber Foundation's Six Pillars Framework is an organizational framework that identifies key factors that drive Florida's future economy and helps communities, agencies, and organizations speak with one voice.

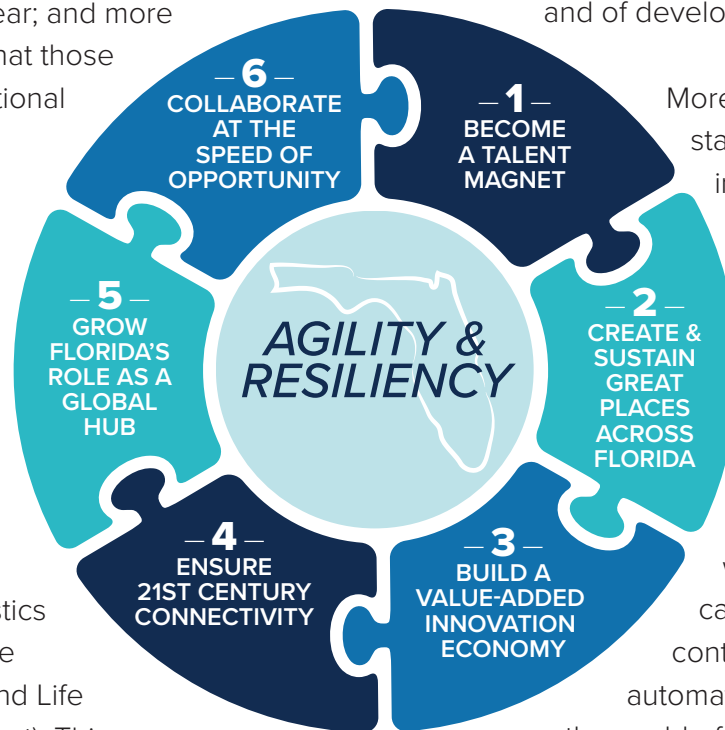


Building on our research, the Florida Chamber Foundation conducted a series of roundtables and surveys with business leaders in five target sectors to gain insights on talent development and the job outlook for each of the respective sectors.

In Manufacturing, more than 90 percent of those surveyed indicated they will be hiring new employees in the next year; and more than 80 percent stated that those new hires will need additional training. This was similar in the other sectors. The survey revealed that outside manufacturing, most Florida business leaders surveyed will be hiring in the next year. It is anticipated that about 70 percent of new hires will need additional training to be ready to work (with Logistics and Distribution being the lowest and Healthcare and Life Sciences being the highest). This suggests there is a need for clearer, better aligned, career pathways for traditional and non-traditional students as well as incumbent workers.

Leaders in the five sectors also noted the importance of work-based learning opportunities in developing a talented workforce. Florida business leaders in the Finance and Professional Services sector described internships and apprenticeships as “extremely valuable” and “a core component” when it comes to evaluating and hiring talent. In Aviation and Aerospace, employers recognized that they play a key role in providing opportunities to scale work-based opportunities. Overall, leaders expressed the importance of exposure to real-world learning

experiences. They emphasized that work-based learning should be a central aim of education and of developing employability skills.



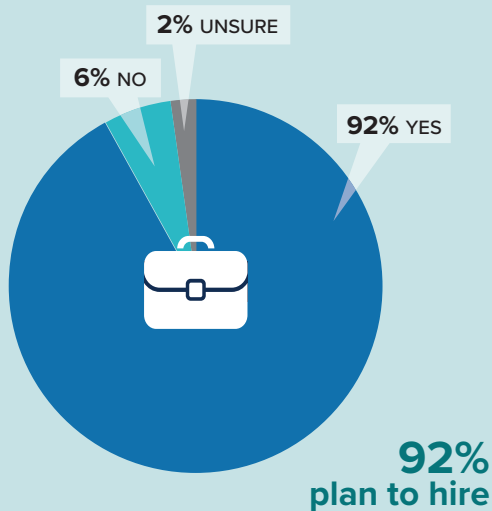
More than 80 percent of stakeholders emphasized the importance of employability skills. These skills which include communication, critical thinking and problem solving are universally valuable work competencies that are essential to adapting to shifting demands within and between careers. As technology continues to advance and automation increasingly changes the world of work, strong employability

skills will enable Floridians to interact critically with technology, collaborate effectively, and demonstrate agility as jobs and responsibilities continue to shift.

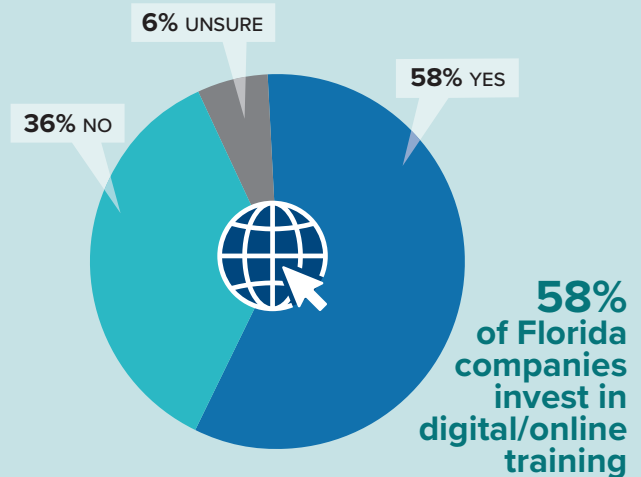
Employers were also keenly aware of the role that technological disruption will play in their sectors in the coming years. More than three-quarters of business leaders who participated in the roundtable and surveys indicated that disruption will play a factor in their business over the next 10 years. These disruptions include changes in core technologies, workforce generational shifts and impacts from artificial intelligence and automation.

More than 90 Florida business stakeholders participated in a Florida Chamber Foundation survey to identify workforce priorities for the future.

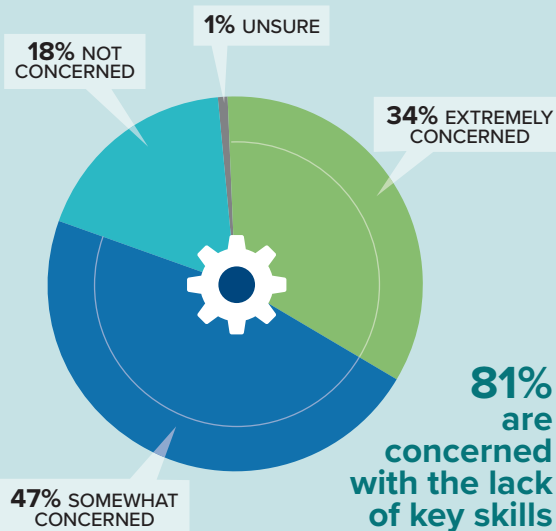
Over the next year, do you expect to hire new employees in Florida?



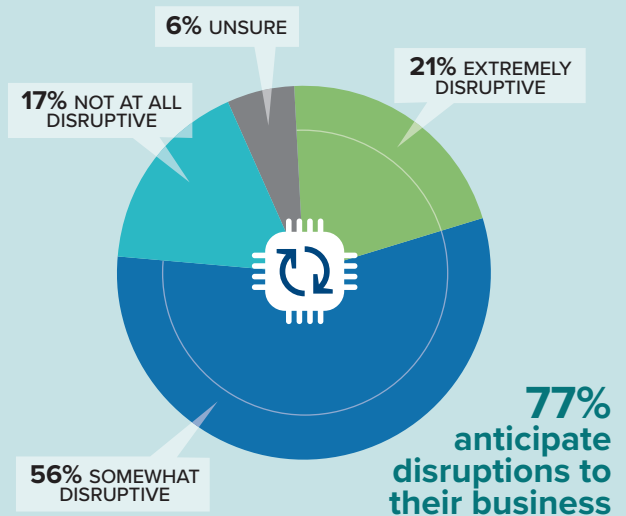
Is your company currently investing in digital (online/virtual) training?



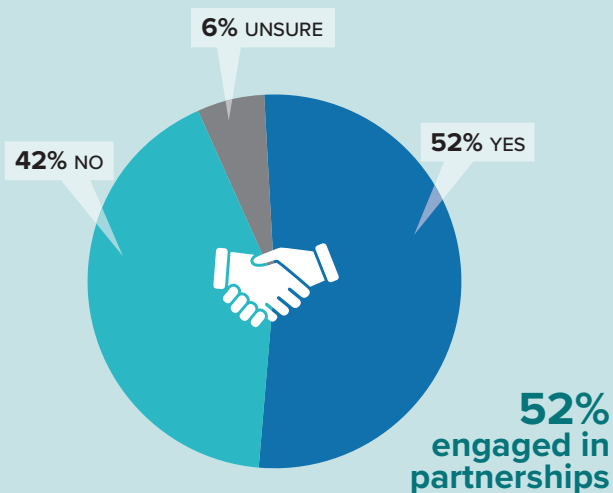
How concerned are you about the lack of key skills (employability skills, soft skills, digital skills) as a threat to your business?



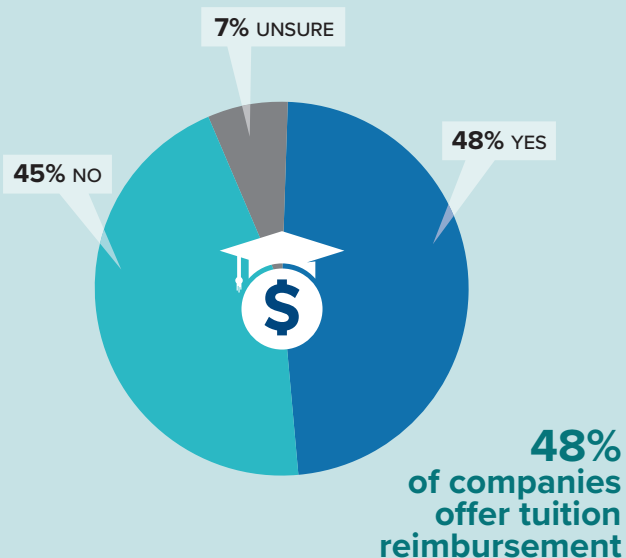
How disruptive do you think changes in core technologies, workforce generational shifts, or artificial intelligence will be for your business over the next 10 years?



Is your organization currently engaged in any public-private partnerships regarding workforce training or skills development including partnerships with local universities, community/state colleges, technical centers/colleges?



Does your company provide tuition reimbursement for re-skilling workers?



CareerSource Florida applauds the Florida Chamber Foundation for its ongoing work to help Governor DeSantis ensure our state becomes No. 1 in the nation in workforce education. We are grateful for the opportunity to contribute to this important research through state and local perspectives on the evolution of talent development needs for Florida's growing industries.

— MICHELLE DENNARD,
President and CEO, CareerSource Florida

It is clear that talent will continue to be an essential element of Florida's future prosperity. As Florida works to strengthen its talent pipeline, we must consider the following policy recommendations that incorporate data-driven strategies to develop clearer career pathways, opportunities for work-based learning, and incentives for adult training programs to ensure that all Floridians have access to economic mobility.

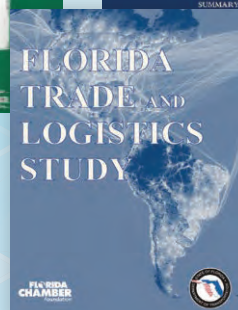
1

We must recommit to long-term, continuous strengthening of every stage of our education system by providing career pathways focused on industry needs. Career pathways should be designed to include adults needing to upskill or complete a credential to be competitive in the workplace, and for middle and high school students, in order to increase educational attainment levels for Floridians.

CAREERSOURCE FLORIDA's Sector Strategies are examples of business-driven workforce solutions that provide strong education to employment pathways for 16 career clusters in Florida.

2

Strategies that emphasize work-based learning opportunities should be an integral part of education in high school and beyond. Internships and apprenticeships provide students with real life work experiences that help them acquire necessary skills. All students should be encouraged to earn at least one high-quality, industry-recognized certification to ensure that they graduate with career and workforce competencies. These credentials are especially important to students who do not have the opportunity to engage directly with employers in work-based settings. Employers play a vital role as partners in creating these opportunities. An example of a successful public-private partnership is Northrop Grumman program with local high schools to provide internship opportunities. In addition, through the Think Florida portal, the **STATE UNIVERSITY SYSTEM** and **ENTERPRISE FLORIDA** are connecting employers with the talent they need.



3

In order to build a strong talent pipeline, it is essential to identify strategies that address equity gaps to ensure upward mobility opportunities for all Floridians. Educational attainment and labor participation rate gaps exist in Florida between racial and ethnic as well as urban and rural populations. Public and private sectors working together can promote equity and inclusion to help individuals access opportunities for meaningful work regardless of zip code. The **FLORIDA COLLEGE ACCESS NETWORK** is an example that connects with community organizations to address regional workforce needs with a focus on equity and attainment gaps.

4

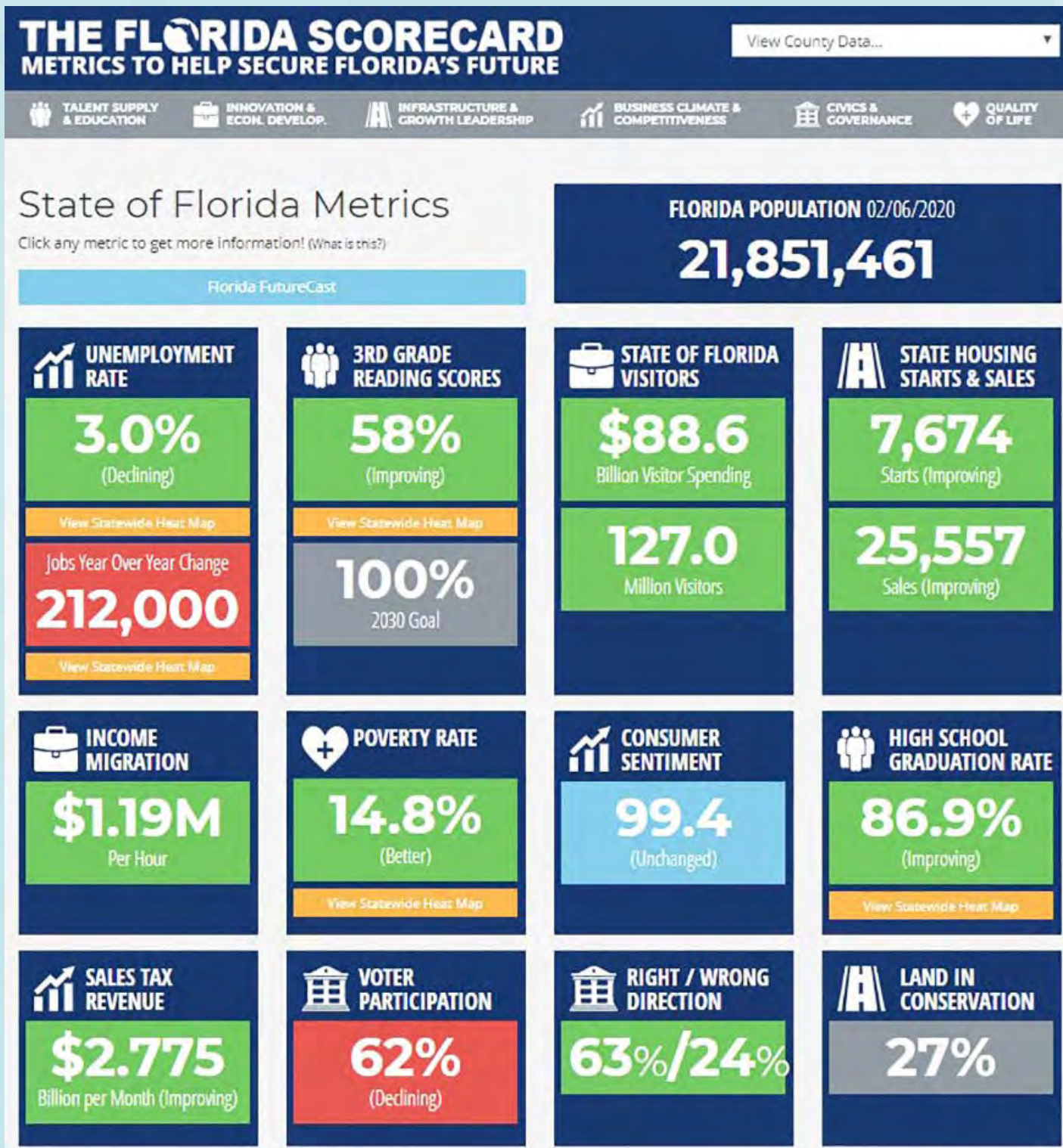
About half of employers surveyed stated that they are currently investing in either digital training or tuition reimbursement for their employees. Florida can leverage this momentum by investing economic development dollars in proven, scalable training programs for adults and incumbent workers. Creating public-private partnerships through targeted incentives, and re-training for high-demand jobs will help build local talent pipelines. This provides an opportunity for the two million Floridians with some college and no credentials. A recent example of an initiative to help adults complete their degree is the Last Mile Program launched through the **FLORIDA COLLEGE SYSTEM**.

5

Florida has a rich history of utilizing data to inform policy and practice. Through the **DEPARTMENT OF EDUCATION**, the state tracks measures that are critical to education attainment. The metrics include, kindergarten readiness, 3rd grade reading proficiency, 8th grade math skills, high school completion rates, postsecondary enrollment rates and completions that can be disaggregated by race, income, and other school and district factors to measure progress of all students. The **DEPARTMENT OF ECONOMIC OPPORTUNITY** tracks measures connected to employment and earnings. Finally, **THEFLORIDASCORECARD.ORG** provides a dashboard with key data points that help secure Florida's future. Data regarding talent supply and talent production, as well as demographics and geography, should inform strategies to develop the talent pipeline.



By 2030, 26 million people will call Florida home. To prepare for 4.5 million new residents, and ensure Florida remains globally competitive, we must lead in talent. There are direct benefits to every Floridian when Florida focuses on developing a talent pipeline. If we lead in talent, we will lead in innovation, competitiveness and prosperity.



SAVE THE DATE

www.FloridaChamber.com/Events



Join us at the Florida Chamber and Florida Chamber Foundation's Annual Business Leaders' Events

FLORIDA BUSINESS LEADERS SUMMIT ON PROSPERITY AND ECONOMIC OPPORTUNITY

May 19, 2020 • Sarasota

LEARNERS TO EARNERS WORKFORCE SUMMIT

June 16, 2020 • Orlando

ENVIRONMENTAL PERMITTING SUMMER SCHOOL

July 21–24, 2020 • Marco Island

INNOVATION, TECHNOLOGY & ECONOMIC DEVELOPMENT SUMMIT

August 2020

FUTURE OF FLORIDA FORUM AND FLORIDA CHAMBER ANNUAL MEETING

September 30–October 1, 2020 • Orlando

FLORIDA CHAMBER INSURANCE SUMMIT

November 2020 • Miami

TRANSPORTATION, GROWTH AND INFRASTRUCTURE SUMMIT

December 2020

www.FloridaChamber.com/Events



Florida's economy will need a skilled labor force for opportunities in health services, education, transportation, trade utilities, computing, as well as for jobs that require an industry certification or license. Enhancing Florida's workforce education will provide more economic opportunities for our graduates and support further diversification of Florida's economy.

— GOVERNOR RON DESANTIS, Executive Order Number 19-31
(Charting a Course for Florida to Become Number 1
in the Nation in Workforce Education by 2030 and
Ensuring Florida's Students are Prepared for Jobs of the Future)

HELP SECURE FLORIDA'S FUTURE AT
Florida2030.org

TRACK FLORIDA'S PROGRESS AT
TheFloridaScorecard.org

Consent Item 1

Approved _____
Disapproved _____

Consent Item 1

DECEMBER 11, 2019, BOARD MEETING MINUTES

In accordance with Article VII, Section 7.3 of the approved bylaws, the corporation is required to keep correct and complete books and records of accounts and shall keep minutes on the proceedings of the board of directors.

FOR CONSIDERATION

Approval of Dec. 11, 2019, Board Meeting Minutes, to include any modifications or changes noted by the board.

**DRAFT MINUTES
CAREERSOURCE FLORIDA
BOARD OF DIRECTORS MEETING
Dec. 11, 2019**

CALL TO ORDER

Arnie Girnun called the meeting of the CareerSource Florida Board of Directors to order at approximately 3:05 p.m. ET on December 11, 2019, by welcoming board members and partners to the final meeting of 2019. Mr. Girnun asked Lisa Cramer to call roll.

ROLL CALL/QUORUM

A quorum was present with the following board members in attendance:

Brittany Birken	Bill Johnson
Tim Center	Rick Matthews
Rose Conry	Tony McGee
Duane De Freese	Alex Mosely
Ruth Dillard*	Mike Myhre
Eric Hall*	Bryan Nelson
Robert Doyle	Todd Rebol
Arnie Girnun	Stephanie Smith
Elisha Gonzalez	

*Designee

Board members not in attendance were: Gov. Ron DeSantis, Chairman Kevin Doyle, Steve Capehart, Elli Hurst, Rep. Chris Latvala, Sen. Bill Montford and Joe York.

CHAIRMAN'S WELCOME & REMARKS

Mr. Girnun stated CareerSource Florida held a news conference in November announcing the new Information Technologies apprenticeship program at Inspired Technologies in Tallahassee. Mr. Girnun thanked CareerSource Capital Region and CEO Jim McShane's team for working with partners at the state Department of Education to build an apprenticeship program to meet this growing business's talent needs. Board colleagues Dr. Eric Hall, chancellor for innovation at DOE, and Ken Lawson, executive director of the state Department of Economic Opportunity, attended the event.

MISSION MOMENT

Mr. Girnun introduced Colleen Englert, executive director of Florida Ready to Work and a strategist for the national career readiness company WIN Learning. Ms. Englert gave a high-level overview of the Florida HIRE program. Ms. Englert said the program is a legislatively funded partnership between CareerSource Florida and the Department of Corrections and is managed by Florida Ready to Work. Florida HIRE is a pre-release employability and technical training program for inmates and helps them achieve employment success.

Ms. Englert introduced Stacy Campbell-Domineck, president and CEO of CareerSource Polk. Ms. Campbell-Domineck explained how the program is working in her area. CareerSource Polk has partnered with Polk Correctional Institution in the following areas:

- Florida Skills Assessment
- Hands-on assistance in using the Employ Florida portal
- Resume development
- Group discussion/activities
- Mock interviewing sessions

A copy of the presentation can be located [here](#).

CONSENT AGENDA

Arnie Girnun introduced the Consent Agenda:

Consent Item 1 – Consideration of September 2019 Board Meeting Minutes

Consent Item 2 – Consideration of Ruth Dillard as Florida Department of Economic Opportunity Designee to the board

Motion: Elisha Gonzalez

Second: Duane DeFreese

Mr. Girnun opened the floor for discussion and corrections. Hearing none, Mr. Girnun opened the floor for public comment. Hearing none, Mr. Girnun called for a vote. The motion passed. None opposed. President Dennard will sign and annotate the Meeting Minutes for the official record.

PRESIDENT'S REPORT

Arnie Girnun introduced President and CEO Michelle Dennard. President Dennard welcomed and thanked board members and partners for attending the teleconference meeting. Ms. Dennard aligned her report with CareerSource Florida's Corporate Goals:

COMMUNICATE THE VISION

President Dennard noted one of the corporate objectives and key results identified this year was related to board engagement. She thanked everyone for taking the time to complete the board member survey that was sent out and said the results have been very helpful.

During April's Executive Committee meeting, out of school youth and rural populations were specifically mentioned. To better understand this population, including how to reach, communicate and serve them, CareerSource Florida has initiated a research project to help inform how to be more successful in doing so. The goal is for this to inform the work and priorities of the local workforce development boards and result in an enhanced outreach effort to improve services to that population.

LEVERAGE STRATEGIC PARTNERSHIPS

The second corporate goal is to leverage strategic partnerships to cultivate local, regional and state capacity building that increases economic opportunity. Apprenticeship expansion remains a priority for this board and Governor DeSantis, who sets the CareerSource Florida vision. As the state workforce policy and investment board, CareerSource Florida has been a strong supporter of apprenticeship expansion, which is providing a pathway to middle and high-skill careers for Floridians in diverse industries that support Florida's growing economy. The most recent round of

apprenticeship expansion funding has been approved and will be released soon. CareerSource Florida's Business and Workforce Development team also is working to help local workforce development boards expand apprenticeship opportunities through Apprenticeship Academies.

President Dennard then announced the new structure of the Business and Workforce Development team, now organized around targeted sectors rather than by workforce territory. Each team member has an identified area or areas of expertise based on targeted sectors. This better aligns with partners such as Enterprise Florida, also organized by targeted sector, as well as the Florida Chamber and the Florida Council of 100. Since the needs of these sectors are statewide, this provides an enhanced opportunity for state-level partnerships and more efficient sector strategy implementation.

President Dennard provided an update on the Florida Talent Development Council. The Council convened and recommended a set of goals and priorities which will drive the work of all state level partners who have a stake in Florida's talent system. The professional team has participated in every workgroup and council meeting or conference call, prepared with the board's input and conversation that was had at the previous meeting. The professional team provided regular updates to the board on the progress of the council. The strategic plan will be delivered to the Governor and legislature by the end of the year. A copy will be shared with the board.

KEEPING THE SYSTEM ACCOUNTABLE

President Dennard told the board they will be provided an enhanced methodology for board orientation and training and should receive additional information in the next few days.

With direction from the Governor and state board regarding Florida priorities, CareerSource Florida has been working with state WIOA partners on the required WIOA four-year unified plan. The CareerSource Florida professional team convenes and staffs the workgroup across agencies working toward a plan, demonstrating this team's work, success, and the Governor's priorities to make Florida the No. 1 state for workforce education by 2030.

President Dennard stated the Governor has recommended \$9 million for Quick Response Training, a program that is touted nationally and well-received by businesses.

President Dennard said a technical bill has been requested to further clarify the roles of the state workforce development board. The proposed legislation does not change the governing and operating structure of the state workforce system. CareerSource Florida is working with the Department of Economic Opportunity and the legislature on the recommended language, while maintaining focus on supporting the Governor's board, responsible for developing state strategies and policies to carry out its mission and further strengthening the integrity and accountability of the entire workforce network.

President Dennard noted she looks forward to building on the strong record of leadership, collaboration, and achievement of the business-led state board and its professional team and concluded her report.

Department of Economic Opportunity Report

Mr. Girnun stated the Department of Economic Opportunity has been in ongoing discussions with the U.S. Department of Labor to address concerns about the administration of CareerSource Tampa Bay and CareerSource Pinellas. These concerns were initially raised about questionable

reporting practices and other troubling issues more than two years ago in 2017, under prior leadership of both the boards and the Department of Economic Opportunity. Many steps have been taken subsequently by all parties including this board to correct operational deficiencies and implement policies to ensure clarity around federal requirements and responsibility for maintaining the integrity of the workforce system. Mr. Girnun then introduced Ruth Dillard from the Department of Economic Opportunity to provide an update on the status of the federal inquiry.

Ms. Dillard stated the United States Department of Labor (USDOL) wants to provide technical assistance to the state. USDOL has set up a series of calls with DEO to address each of the findings. USDOL will provide technical assistance and guidance. USDOL wants to make sure processes are in place and DEO is involved in the review process for training that is developed. DEO is identifying guidance that is provided from USDOL on technical assistance calls that can inform an in-depth training program. DEO has met with leaders of the Florida Workforce Development Association and requested the FWDA provide a team to help develop a comprehensive training program.

Mr. Girnun asked if there were any questions. Bill Johnson asked if the local workforce development boards' annual independent audit includes an audit verifying individual placements. Ms. Dillard stated she will research his question and get back to him.

Mr. Girnun stated as a next step, while DEO is managing the process of responding to the outstanding issues raised by USDOL, he requests, at the chairman's direction, that the professional team at CareerSource Florida come back to the board at the February Strategic Policy and Performance Council and Board meetings with recommendations for strategic statewide policies and/or investments that may be needed to further address the issues raised in the report.

COUNCIL REPORT

Finance Council Update

Finance Council Chairman Arnie Girnun noted the council's unanimous approval to accept the audit for the fiscal year that ended June 30, 2019, prepared by Carr Riggins & Ingram, CPAs and Advisors. Mr. Girnun stated this was the 19th year consecutive year CareerSource Florida received an audit with zero findings. Chairman Girnun asked if there were any questions and, hearing none, concluded his report.

A copy of the audit can be located [here](#).

Strategic Policy and Performance Council Update

Chair Brittany Birken shared the following priority initiatives that have been the main areas of focus for the Strategic Policy and Performance Council:

- Florida's Continuous Improvement Performance Initiative – three primary metrics have been identified to provide incentives to improve performance outcomes: employment, training and business penetration. Two statewide webinars with local workforce development boards have been conducted with strong engagement from participants. CareerSource Florida is developing a performance website to provide ongoing

performance information updates. The development team is finalizing the site with an anticipated launch later this month.

- Study of the Gig Economy on Florida's Workforce System – Phase Two of the gig economy study is focused on stakeholder input, establishing a diverse gig economy multidisciplinary workgroup, developing a statewide digital toolkit and identifying data needs and analytics to help local workforce development boards serve independent workers.

Government in the Sunshine

Mr. Girnun introduced George Levesque with GrayRobinson. Mr. Levesque explained Florida's Sunshine Law is intended to ensure public access to the decision-making process of public boards and commissions. Mr. Levesque stated all meetings of public boards must be open to the public, reasonable notice of such meetings must be given and minutes of the meetings must be taken.

A copy of Mr. Levesque's presentation can be located [here](#).

Chairman Girnun asked if there were any questions for Mr. Levesque. Hearing none, Mr. Girnun noted training is important in keeping current on roles and responsibilities. As part of ongoing efforts, CareerSource Florida is providing an online training series that provides Florida-specific information about the roles and responsibilities under the federal Workforce Innovation and Opportunity Act, Wagner-Peyser and other governing statutes. Mr. Girnun encouraged board members to take advantage of the training. Mr. Girnun said a letter was received from the Florida Workforce Chairs' Alliance, reinforcing the importance of orientation for new members and refreshing that knowledge for existing members. Mr. Girnun asked President Dennard to follow the appropriate guidelines in making training available to the state board and local workforce development boards.

Ms. Dillard stated the importance of ensuring training meets USDOL training requirements. She said the messaging should be clear that the training being provided to the state board by CareerSource Florida should be foundational and additional training may be required. Ms. Dillard asked for the procurement process — as is customary and expected — to be transparent for acquiring this training product if it will be distributed to local workforce development boards.

PARTNER'S UPDATE

Mr. Girnun welcomed CareerSource Flagler Volusia President and CEO and Florida Workforce Development Association President Robin King. Ms. King provided an update on activities underway across the CareerSource Florida network.

OPEN DISCUSSION/PUBLIC COMMENT

Mr. Girnun opened the floor for public comment. Hearing none, he continued with closing remarks.

CHAIRMAN'S CLOSING REMARKS

Mr. Girnun thanked everyone for their attention and engagement. He also thanked board members for their service and said they have his admiration and appreciation for their commitment to public service and to improving lives for Floridians and supporting businesses.

BOARD SECRETARY CERTIFICATION

In accordance with Article VII, Section 7.3, I hereby certify these minutes reflect the proceedings by the Board of Directors of CareerSource Florida, have been reviewed by the Board, and approved or approved with modifications which have been incorporated herein.

Michelle Dennard
Board Secretary

Date

WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

Florida's Unified State Plan

July 1, 2020 – June 30, 2024

>>[Click here](#) to view and comment on the 2020-2024 draft plan.

The vision of WIOA is to achieve and maintain an integrated, job-driven workforce system that links Florida's diverse, talented workforce to businesses and improves the quality of life for citizens.

Under WIOA, Florida's workforce system is supported by three key pillars:

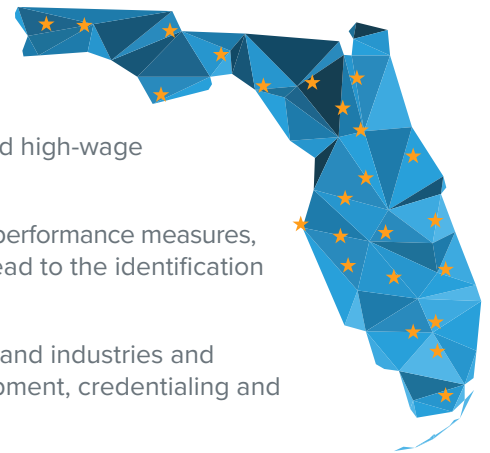
- 1** | The demands of businesses and workers drive workforce solutions.
- 2** | The workforce system supports strong regional economies.
- 3** | Career centers provide first-rate customer service to job seekers, employees and businesses.

Since the submission of Florida's first Unified State Plan in 2016, regular interagency meetings of the WIOA Core Program Partners addressed aspects of an advanced plan implementation. These meetings included leadership and subject matter experts from each of the WIOA core partners. Regular implementation meetings are conducted to share information, provide input for the modification of the unified plan and make recommendations.

Florida continues its ongoing collaboration with WIOA partners and key stakeholders to further enhance and expand the implementation of WIOA to position Florida as a global leader for talent.

FLORIDA'S VISION FOR IMPLEMENTING WIOA

- 1.** Enhance alignment and market responsiveness of workforce, education and economic development systems through improved service integration that provides businesses with skilled, productive and competitive talent—and Floridians with employment, education, training and support services to reduce welfare dependence and increase opportunities for self-sufficiency, high-skill and high-wage careers and lifelong learning.
- 2.** Promote accountable, transparent and data-driven workforce investments through performance measures, monitoring and evaluation that inform strategies, drive operational excellence, lead to the identification and replication of best practices and an efficient workforce delivery system.
- 3.** Improve career exploration, educational attainment and skills training for in-demand industries and occupations for Florida youth, leading to enhanced employment, career development, credentialing and postsecondary education opportunities.



GOALS OF WIOA

- 1** | **Increase** access to education, training and employment—particularly for people with barriers to employment.
- 2** | **Create** a comprehensive, high-quality workforce by aligning workforce investment, education and economic development.
- 3** | **Improve** the quality and labor market relevance of workforce investment, education and economic development efforts.
- 4** | **Promote** improvements in the structure and delivery of services.
- 5** | **Increase** the prosperity of workers and employers.
- 6** | **Reduce** welfare dependency, increase economic self-sufficiency, meet employer needs and enhance the productivity and competitiveness of the nation.

FLORIDA'S WIOA STRATEGIES

WIOA strategically coordinates the following core programs that design, implement and drive Florida's workforce development:

- Workforce investment and policy direction provided by the CareerSource Florida Board of Directors
- Adult, dislocated worker and youth programs administered by the Florida Department of Economic Opportunity
- Wagner-Peyser Act job search and placement services administered by the Florida Department of Economic Opportunity
- Adult education and family literacy programs administered by the Florida Department of Education
- Vocational Rehabilitation and Blind Services administered by the Florida Department of Education

Focusing on the Business Customer

- Evaluating and redefining standards and measures for business customer service to facilitate seamless access to tools and services across programs
- Using the market segmentation framework and planning tools developed by CareerSource Florida to ensure that businesses are identified for proactive talent support strategies
- Coordinating business services across core programs
- Using a Salesforce-based Customer Relationship Management platform to assess business customer participation

Strengthening Sector Strategies

- Enhancing sector strategies by prioritizing targeted industries to bolster Florida's economy
- Building capacity of the state and local workforce system through scalable sector strategies
- Supporting operationalization of sector strategies into design, delivery of job seeker and business services through policy development and performance improvement
- Empowering local systems to use sector partnerships to move beyond development of training programs to development of career pathways
- Expanding apprenticeship opportunities within the sector strategy framework

Establishing Career Pathways

- Developing career pathways through apprenticeship expansion, progressive policies and strategic funding investments that increase work-based opportunities statewide
- Participating in the integrated education and training model for Florida's Integrated Career and Academic Preparation System led by the Florida Department of Education
- Promoting the development of contextualized instruction with a specific career pathway focus, career development and transition services to be integrated into adult basic education
- Continuing cross-referral and provision of CareerSource Florida representatives directly to numerous adult education facilities and providing counseling and advisement related to awareness of workforce services

Enhancing Performance Measurement

- The CareerSource Florida Board of Directors is committed to driving performance by measuring local workforce development boards on customized metrics directly reflecting Florida's strategic workforce priorities including placement of and training for persons with barriers to employment and high-value services to strategic business sectors
- Providing technical assistance through webinars, one-on-one telephone consultations, training on world-class performance approaches and in-person presentations
- Evaluating and continuously improving performance management systems
- Driving the types of outcomes Florida's workforce network needs for the state to become a global leader for talent

Providing Quality Services to Individuals with Disabilities

- Implementing the Florida Abilities Work portal to better link employers to job seekers with disabilities
- Continuing collaboration through Employment First Florida to facilitate improved coordination of services to help people with disabilities gain employment and achieve self-sufficiency
- Providing priority assistance such as job search, career planning and skill building through Florida's Ticket to Work program led by Florida's Division of Vocational Rehabilitation

Enhanced Alignment with Florida's Workforce Network Partners

- Engaging across core programs through specialized workgroups focused on leadership, governance, transparency, accountability, performance and implementation of successful strategies
- Coordinating policy discussions and decisions with WIOA core program leadership to ensure alignment between workforce and education programs
- Expanding strategic partnerships through collaboration with additional stakeholders



By Senator Albritton

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A bill to be entitled

An act relating to state workforce development boards; amending s. 445.002, F.S.; defining the terms "for cause" and "state board"; amending s. 445.003, F.S.; replacing CareerSource Florida, Inc., with the state board or the Department of Economic Opportunity in provisions relating to the implementation of the federal Workforce Innovation and Opportunity Act; authorizing, rather than requiring, certain funds to be reserved for the Incumbent Worker Training Program; conforming provisions to changes made by the act; authorizing the state board to hire a director and staff; requiring the state board to authorize the director and staff to work with the department for specified reasons; amending s. 445.004, F.S.; revising provisions relating to the operation of CareerSource Florida, Inc.; revising the purpose of CareerSource Florida, Inc.; providing purpose for the state board; revising the organizational structure of CareerSource Florida, Inc.; providing requirements for the organizational structure of the state board; providing the state board with powers and authority previously held by CareerSource Florida, Inc.; revising the requirements related to such powers and authority; authorizing the department to consult with the state board to issue certain technical assistance letters; requiring the state board, rather than CareerSource Florida, Inc., to submit an annual report to the Governor and the Legislature; authorizing the Auditor

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General to conduct an audit of the state board and programs or entities created by the state board; requiring the state board, rather than CareerSource Florida, Inc., to establish certain uniform performance accountability measures; requiring the state board, in consultation with the department, to design the workforce development strategy for the state; requiring that the strategy be approved by the Governor; revising requirements relating to the workforce development system; amending s. 445.006, F.S.; requiring that the state board, rather than CareerSource Florida, Inc., take certain actions relating to the state plan for workforce development; amending s. 445.007, F.S.; replacing CareerSource Florida, Inc., with the state board or the department in provisions relating to local workforce development boards; deleting the definition of the term "cause"; authorizing a chief elected official for a local workforce development board to remove certain persons from the board for cause; requiring the department to provide certain guidance to specified entities; deleting an obsolete provision; making technical changes; amending s. 445.0071, F.S.; replacing CareerSource Florida, Inc., with the state board or the department in provisions relating to the Florida Youth Summer Jobs Pilot Program; amending s. 445.008, F.S.; revising authority relating to the Workforce Training Institute; requiring that certain donations and grants be reported to the state board and the

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department; amending s. 445.009, F.S.; replacing CareerSource Florida, Inc., with the state board or the department in provisions relating to one-stop delivery systems; deleting an obsolete provision; amending s. 445.011, F.S.; replacing CareerSource Florida, Inc., with the department in provisions relating to workforce information systems; requiring the department to consult with the state board in implementing certain automated information systems; deleting a provision requiring CareerSource Florida, Inc., to take certain actions when procuring workforce information systems; amending s. 445.028, F.S.; replacing CareerSource Florida, Inc., with the department in provisions relating to transitional benefits and services; amending s. 445.051, F.S.; replacing CareerSource Florida, Inc., with the state board in provisions relating to individual development accounts; amending ss. 11.45 and 443.171, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsections (2) and (3) of section 445.002, Florida Statutes, are redesignated as subsections (3) and (5), respectively, and new subsections (2) and (4) are added to that section, to read:

445.002 Definitions.—As used in this chapter, the term:
(2) "For cause" includes, but is not limited to, engaging

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in fraud or other criminal acts, incapacity, unfitness, neglect of duty, official incompetence and irresponsibility, misfeasance, malfeasance, nonfeasance, or lack of performance.

(4) "State board" means the state workforce development board established pursuant to the Workforce Innovation and Opportunity Act, Pub. L. No. 113-128, Title I, s. 101. The state board shall be supported by CareerSource Florida, Inc., which works at the direction of the state board in consultation with the department as required by this chapter.

Section 2. Subsections (2) and (3), paragraphs (b) and (c) of subsection (4), and subsection (5) of section 445.003, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

445.003 Implementation of the federal Workforce Innovation and Opportunity Act.—

(2) FOUR-YEAR PLAN.—The state board ~~CareerSource Florida, Inc.,~~ shall prepare and submit a 4-year plan, consistent with the requirements of the Workforce Innovation and Opportunity Act. Mandatory and optional federal partners shall be fully involved in designing the plan's one-stop delivery system strategy. The plan must clearly define each program's statewide duties and role relating to the system. The plan must detail a process that would fully integrate all federally mandated and optional partners.

(3) FUNDING.—

(a) Title I, Workforce Innovation and Opportunity Act funds; Wagner-Peyser funds; and NAFTA/Trade Act funds will be expended based on the 4-year plan of the state board ~~CareerSource Florida, Inc.~~ The plan must outline and direct the

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method used to administer and coordinate various funds and programs that are operated by various agencies. The following provisions apply to these funds:

1. At least 50 percent of the Title I funds for Adults and Dislocated Workers which are passed through to local workforce development boards shall be allocated to and expended on Individual Training Accounts unless a local workforce development board obtains a waiver from the state board ~~CareerSource Florida, Inc.~~ Tuition, books, and fees of training providers and other training services prescribed and authorized by the Workforce Innovation and Opportunity Act qualify as Individual Training Account expenditures.

2. Fifteen percent of Title I funding shall be retained at the state level and dedicated to state administration and shall be used to design, develop, induce, and fund innovative Individual Training Account pilots, demonstrations, and programs. Of such funds retained at the state level, \$2 million may ~~shall~~ be reserved for the Incumbent Worker Training Program created under subparagraph 3. Eligible state administration costs include the costs of funding for the state board and state board staff ~~of CareerSource Florida, Inc.~~; operating fiscal, compliance, and management accountability systems through the department ~~CareerSource Florida, Inc.~~; conducting evaluation and research on workforce development activities; and providing technical and capacity building assistance to local workforce development areas at the direction of the state board ~~CareerSource Florida, Inc.~~ Notwithstanding s. 445.004, such administrative costs may not exceed 25 percent of these funds. An amount not to exceed 75 percent of these funds shall be

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146 allocated to Individual Training Accounts and other workforce
147 development strategies for other training designed and tailored
148 by the department in consultation with the state board
149 ~~CareerSource Florida, Inc.~~, including, but not limited to,
150 programs for incumbent workers, nontraditional employment, and
151 enterprise zones. The department, in consultation with the state
152 board ~~CareerSource Florida, Inc.~~, shall design, adopt, and fund
153 Individual Training Accounts for distressed urban and rural
154 communities.

155 3. The Incumbent Worker Training Program is created for the
156 purpose of providing grant funding for continuing education and
157 training of incumbent employees at existing Florida businesses.
158 The program will provide reimbursement grants to businesses that
159 pay for preapproved, direct, training-related costs.

160 a. The Incumbent Worker Training Program will be
161 administered by CareerSource Florida, Inc., which may, at its
162 discretion, contract with a private business organization to
163 serve as grant administrator.

164 b. The program shall be administered pursuant to s.
165 134(d)(4) of the Workforce Innovation and Opportunity Act.
166 Priority for funding shall be given to businesses with 25
167 employees or fewer, businesses in rural areas, businesses in
168 distressed inner-city areas, businesses in a qualified targeted
169 industry, businesses whose grant proposals represent a
170 significant upgrade in employee skills, or businesses whose
171 grant proposals represent a significant layoff avoidance
172 strategy.

173 c. All costs reimbursed by the program must be preapproved
174 by CareerSource Florida, Inc., or the grant administrator. The

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175 program may not reimburse businesses for trainee wages, the
176 purchase of capital equipment, or the purchase of any item or
177 service that may possibly be used outside the training project.
178 A business approved for a grant may be reimbursed for
179 preapproved, direct, training-related costs including tuition,
180 fees, books and training materials, and overhead or indirect
181 costs not to exceed 5 percent of the grant amount.

182 d. A business that is selected to receive grant funding
183 must provide a matching contribution to the training project,
184 including, but not limited to, wages paid to trainees or the
185 purchase of capital equipment used in the training project; must
186 sign an agreement with CareerSource Florida, Inc., or the grant
187 administrator to complete the training project as proposed in
188 the application; must keep accurate records of the project's
189 implementation process; and must submit monthly or quarterly
190 reimbursement requests with required documentation.

191 e. All Incumbent Worker Training Program grant projects
192 shall be performance-based with specific measurable performance
193 outcomes, including completion of the training project and job
194 retention. CareerSource Florida, Inc., or the grant
195 administrator shall withhold the final payment to the grantee
196 until a final grant report is submitted and all performance
197 criteria specified in the grant contract have been achieved.

198 f. The state board ~~CareerSource Florida, Inc.,~~ may
199 establish guidelines necessary to implement the Incumbent Worker
200 Training Program.

201 g. No more than 10 percent of the Incumbent Worker Training
202 Program's total appropriation may be used for overhead or
203 indirect purposes.

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204 4. At least 50 percent of Rapid Response funding shall be
205 dedicated to Intensive Services Accounts and Individual Training
206 Accounts for dislocated workers and incumbent workers who are at
207 risk of dislocation. The department ~~CareerSource Florida, Inc.,~~
208 shall also maintain an Emergency Preparedness Fund from Rapid
209 Response funds, which will immediately issue Intensive Service
210 Accounts, Individual Training Accounts, and other federally
211 authorized assistance to eligible victims of natural or other
212 disasters. At the direction of the Governor, these Rapid
213 Response funds shall be released to local workforce development
214 boards for immediate use after events that qualify under federal
215 law. Funding shall also be dedicated to maintain a unit at the
216 state level to respond to Rapid Response emergencies and to work
217 with state emergency management officials and local workforce
218 development boards. All Rapid Response funds must be expended
219 based on a plan developed by the state board in consultation
220 with the department ~~CareerSource Florida, Inc.,~~ and approved by
221 the Governor.

222 (b) The administrative entity for Title I, Workforce
223 Innovation and Opportunity Act funds, and Rapid Response
224 activities is the department ~~of Economic Opportunity,~~ which
225 shall provide direction to local workforce development boards
226 regarding Title I programs and Rapid Response activities
227 ~~pursuant to the direction of CareerSource Florida, Inc.~~

228 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED
229 MODIFICATIONS.—

230 (b) The state board, in consultation with the department
231 ~~CareerSource Florida, Inc.,~~ may make modifications to the
232 state's plan, policies, and procedures to comply with federally

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mandated requirements that in its judgment must be complied with to maintain funding provided pursuant to Pub. L. No. 113-128. The state board shall provide written notice to the Governor, the President of the Senate, and the Speaker of the House of Representatives within 30 days after any such changes or modifications.

(c) The state board ~~CareerSource Florida, Inc.,~~ shall enter into a memorandum of understanding with the Florida Department of Education to ensure that federally mandated requirements of Pub. L. No. 113-128 are met and are in compliance with the state plan for workforce development.

(5) LONG-TERM CONSOLIDATION OF WORKFORCE DEVELOPMENT.—The state board ~~CareerSource Florida, Inc.,~~ may recommend workforce-related divisions, bureaus, units, programs, duties, commissions, boards, and councils for elimination, consolidation, or privatization.

(6) AUTHORITY TO HIRE DIRECTOR AND STAFF.—The state board may hire a director and staff to assist in carrying out the functions of the Workforce Innovation and Opportunity Act and in using funds made available through the act. The state board shall authorize the director and staff to work with the department in carrying out the functions of the Workforce Innovation and Opportunity Act.

Section 3. Section 445.004, Florida Statutes, is amended to read:

445.004 CareerSource Florida, Inc., and the state board; creation; purpose; membership; duties and powers.—

(1) CareerSource Florida, Inc., is created as a not-for-profit corporation, which shall be registered, incorporated,

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262 organized, and operated in compliance with chapter 617 and shall
263 operate at the direction of the state board. CareerSource
264 Florida, Inc., is not a unit or entity of state government and
265 is exempt from chapters 120 and 287. CareerSource Florida, Inc.,
266 shall apply the procurement and expenditure procedures required
267 by federal law for the expenditure of federal funds.
268 CareerSource Florida, Inc., shall be administratively housed
269 within the department and shall operate under agreement with the
270 department ~~of Economic Opportunity; however, CareerSource~~
271 ~~Florida, Inc., is not subject to control, supervision, or~~
272 ~~direction by the department in any manner~~. The Legislature finds
273 that public policy dictates that CareerSource Florida, Inc.,
274 operate in the most open and accessible manner consistent with
275 its public purpose. To this end, the Legislature specifically
276 declares that CareerSource Florida, Inc., its board, councils,
277 and any advisory committees or similar groups created by
278 CareerSource Florida, Inc., are subject to the provisions of
279 chapter 119 relating to public records, and those provisions of
280 chapter 286 relating to public meetings.

281 (2) CareerSource Florida, Inc., provides administrative
282 support for the state board, ~~is~~ the principal workforce policy
283 organization for the state. The purpose of the state board
284 ~~CareerSource Florida, Inc.,~~ is to design and implement
285 strategies that help Floridians enter, remain in, and advance in
286 the workplace, so that they may become more highly skilled and
287 successful, which benefits these Floridians, Florida businesses,
288 and the entire state, and fosters the development of the state's
289 business climate. CareerSource Florida, Inc., shall, consistent
290 with its agreement with the department, implement the policy

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directives of the state board and administer state workforce development programs as authorized by law.

(3) (a) ~~CareerSource Florida, Inc., shall be governed by a board of directors, whose membership and appointment must be consistent with Pub. L. No. 113-128, Title I, s. 101(b).~~ Members of the state board described in Pub. L. No. 113-128, Title I, s. 101(b) (1) (C) (iii) (I) (aa) shall be nonvoting members. The number of directors shall be determined by the Governor, who shall consider the importance of minority, gender, and geographic representation in making appointments to the board. When the Governor is in attendance, he or she shall preside at all meetings of the state board ~~of directors~~.

(b) The state board ~~of directors of CareerSource Florida, Inc.,~~ shall be chaired by a board member designated by the Governor pursuant to Pub. L. No. 113-128. A member may not serve more than two terms.

(c) Members appointed by the Governor may serve no more than two terms and must be appointed for 3-year terms. However, in order to establish staggered terms for board members, the Governor shall appoint or reappoint one-third of the board members for 1-year terms, one-third of the board members for 2-year terms, and one-third of the board members for 3-year terms beginning July 1, 2016. Subsequent appointments or reappointments shall be for 3-year terms, except that a member appointed to fill a vacancy on the board shall be appointed to serve only the remainder of the term of the member whom he or she is replacing, and may be appointed for a subsequent 3-year term. Private sector representatives of businesses, appointed by the Governor pursuant to Pub. L. No. 113-128, shall constitute a

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majority of the membership of the board. Private sector representatives shall be appointed from nominations received by the Governor, including, but not limited to, those nominations made by the President of the Senate and the Speaker of the House of Representatives. Private sector appointments to the board must be representative of the business community of this state; no fewer than one-half of the appointments must be representative of small businesses, and at least five members must have economic development experience. Members appointed by the Governor serve at the pleasure of the Governor and are eligible for reappointment.

(d) The board must include the vice chairperson of the board of directors of Enterprise Florida, Inc., and one member representing each of the Workforce Innovation and Opportunity Act partners, including the Division of Career and Adult Education, and other entities representing programs identified in the Workforce Innovation and Opportunity Act, as determined necessary.

(e) A member of the state board ~~of directors of CareerSource Florida, Inc.,~~ may be removed by the Governor for cause. Absence from three consecutive meetings results in automatic removal. The chair of the state board ~~CareerSource Florida, Inc.,~~ shall notify the Governor of such absences.

(f) Representatives of businesses appointed to the state board ~~of directors~~ may not include providers of workforce services.

(g) The state board serves as the board of directors of CareerSource Florida, Inc. The state board shall hire an executive director. The executive director is the president, the

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chief executive officer, and an employee of CareerSource
Florida, Inc.

(4) (a) The president of CareerSource Florida, Inc., ~~shall~~
~~be hired by the board of directors of CareerSource Florida,~~
~~Inc., and shall serve at the pleasure of the Governor in the~~
~~capacity of an executive director and secretary of CareerSource~~
~~Florida, Inc.~~

(b) The state board ~~of directors of CareerSource Florida,~~
~~Inc.,~~ shall meet at least quarterly and at other times upon the
call of its chair. The board and its committees, subcommittees,
or other subdivisions may use any method of telecommunications
to conduct meetings, including establishing a quorum through
telecommunications, if the public is given proper notice of the
telecommunications meeting and is given reasonable access to
observe and, if appropriate, participate.

(c) A majority of the total current membership of the state
~~board of directors of CareerSource Florida, Inc.,~~ constitutes a
quorum.

(d) A majority of those voting is required to organize and
conduct the business of the board, except that a majority of the
entire board of directors is required to adopt or amend the
bylaws.

(e) Except as delegated or authorized by the state board ~~of~~
~~directors of CareerSource Florida, Inc.,~~ individual members have
no authority to control or direct the operations of CareerSource
Florida, Inc., or the actions of its officers and employees,
~~including the president.~~

(f) Members of the state board ~~of directors of CareerSource~~
~~Florida, Inc.,~~ and its committees serve without compensation,

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but these members, the president, and the employees of CareerSource Florida, Inc., may be reimbursed for all reasonable, necessary, and actual expenses pursuant to s. 112.061.

(g) The state board ~~shall of directors of CareerSource Florida, Inc., may~~ establish an executive committee consisting of the chair and at least six additional board members selected by the chair, one of whom must be a representative of organized labor. The executive committee and the president have such authority as the board delegates to them, except that the state board of directors may not delegate to the executive committee authority to take action that requires approval by a majority of the entire state board of directors.

(h) The chair may appoint committees to fulfill the board's responsibilities, to comply with federal requirements, or to obtain technical assistance, and must incorporate members of local workforce development boards into its structure.

(i) Each member of the state board of directors who is not otherwise required to file a financial disclosure pursuant to s. 8, Art. II of the State Constitution or s. 112.3144 must file disclosure of financial interests pursuant to s. 112.3145.

(5) The state board ~~CareerSource Florida, Inc.,~~ shall have all the powers and authority not explicitly prohibited by statute which are necessary or convenient to carry out and effectuate its purposes as determined by statute, Pub. L. No. 113-128, and the Governor, as well as its functions, duties, and responsibilities, including, but not limited to, the following:

(a) Serving as the state's Workforce Development Board pursuant to Pub. L. No. 113-128. Unless otherwise required by

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407 federal law, at least 90 percent of workforce development
408 funding must go toward direct customer service.

409 (b) Providing ~~oversight and~~ policy direction to ensure that
410 the following programs are administered by the department
411 consistent in compliance with approved plans ~~and under contract~~
412 ~~with CareerSource Florida, Inc.:~~

413 1. Programs authorized under Title I of the Workforce
414 Innovation and Opportunity Act, Pub. L. No. 113-128, with the
415 exception of programs funded directly by the United States
416 Department of Labor under Title I, s. 167.

417 2. Programs authorized under the Wagner-Peyser Act of 1933,
418 as amended, 29 U.S.C. ss. 49 et seq.

419 3. Activities authorized under Title II of the Trade Act of
420 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade
421 Adjustment Assistance Program.

422 4. Activities authorized under 38 U.S.C. chapter 41,
423 including job counseling, training, and placement for veterans.

424 5. Employment and training activities carried out under
425 funds awarded to this state by the United States Department of
426 Housing and Urban Development.

427 6. Welfare transition services funded by the Temporary
428 Assistance for Needy Families Program, created under the
429 Personal Responsibility and Work Opportunity Reconciliation Act
430 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
431 of the Social Security Act, as amended.

432 7. The Florida Bonding Program, provided under Pub. L. No.
433 97-300, s. 164(a)(1).

434 8. The Food Assistance Employment and Training Program,
435 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.

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2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
and the Hunger Prevention Act, Pub. L. No. 100-435.

9. The Quick-Response Training Program, provided under ss.
288.046-288.047. Matching funds and in-kind contributions that
are provided by clients of the Quick-Response Training Program
shall count toward the requirements of s. 288.904, pertaining to
the return on investment from activities of Enterprise Florida,
Inc.

10. The Work Opportunity Tax Credit, provided under the Tax
and Trade Relief Extension Act of 1998, Pub. L. No. 105-277, and
the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

11. Offender placement services, provided under ss.
944.707-944.708.

(c) The department may adopt rules necessary to administer
this chapter which relate to implementing and administering the
programs listed in paragraph (b) as well as rules related to
eligible training providers and auditing and monitoring
subrecipients of the workforce system grant funds. The
department may consult with the state board to issue technical
assistance letters on the operation of federal programs and the
expenditure of federal funds by the state board or any local
workforce development board. A technical assistance letter must
be in writing, must be posted on the department's website, and
remains in effect until superseded or terminated. A technical
assistance letter is not a declaratory statement issued pursuant
to s. 120.565, an order issued pursuant to s. 120.569, or a rule
of general applicability under s. 120.54. Section 120.53 does
not apply to technical assistance letters.

(d) Contracting with public and private entities as

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necessary to further the directives of this section. All contracts executed by CareerSource Florida, Inc., must include specific performance expectations and deliverables. All CareerSource Florida, Inc., contracts, including those solicited, managed, or paid by the department pursuant to s. 20.60(5)(c) are exempt from s. 112.061, but shall be governed by subsection (1).

(e) Notifying the Governor and the department of statewide or local workforce development and training needs that may require policy changes or an update to the state plan required under s. 445.003, and notifying the Governor, the President of the Senate, and the Speaker of the House of Representatives of noncompliance by the department or other agencies or obstruction of the state board's efforts by such agencies. Upon such notification, the Executive Office of the Governor shall assist agencies to bring them into compliance with board objectives.

(f) Ensuring that the state does not waste valuable training resources. The state board's policy shall be ~~board shall direct~~ that all resources, including equipment purchased for training Workforce Innovation and Opportunity Act clients, be available for use at all times by eligible populations as first priority users. At times when eligible populations are not available, such resources shall be used for any other state-authorized education and training purpose. The state board ~~CareerSource Florida, Inc.,~~ may authorize expenditures to award suitable framed certificates, pins, or other tokens of recognition for performance by a local workforce development board, its committees and subdivisions, and other units of the workforce system. The state board ~~CareerSource Florida, Inc.,~~

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may also authorize expenditures for promotional items, such as t-shirts, hats, or pens printed with messages promoting the state's workforce system to employers, job seekers, and program participants. However, such expenditures are subject to federal regulations applicable to the expenditure of federal funds.

(g) Establishing a dispute resolution process for all memoranda of understanding or other contracts or agreements entered into between the department and local workforce development boards.

(h) Archiving records with the Bureau of Archives and Records Management of the Division of Library and Information Services of the Department of State.

(6) The state board ~~CareerSource Florida, Inc.~~, may take action that it deems necessary to achieve the purposes of this section, including, but not limited to:

(a) Creating a state employment, education, and training policy that ensures that programs to prepare workers are responsive to present and future business and industry needs and complement the initiatives of Enterprise Florida, Inc.

(b) Establishing policy direction for a funding system that provides incentives to improve the outcomes of career education, registered apprenticeship, and work-based learning programs and that focuses resources on occupations related to new or emerging industries that add greatly to the value of the state's economy.

(c) Establishing a comprehensive policy related to the education and training of target populations such as those who have disabilities, are economically disadvantaged, receive public assistance, are not proficient in English, or are dislocated workers. This approach should ensure the effective

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use of federal, state, local, and private resources in reducing the need for public assistance.

(d) Designating Institutes of Applied Technology composed of public and private postsecondary institutions working together with business and industry to ensure that career education programs use the most advanced technology and instructional methods available and respond to the changing needs of business and industry.

(e) Providing policy direction for a system to project and evaluate labor market supply and demand using the results of the Workforce Estimating Conference created in s. 216.136 and the career education performance standards identified under s. 1008.43.

(f) Reviewing the performance of public programs that are responsible for economic development, education, employment, and training. The review must include an analysis of the return on investment of these programs.

(g) Expanding the occupations identified by the Workforce Estimating Conference to meet needs created by local emergencies or plant closings or to capture occupations within emerging industries.

(7) By December 1 of each year, the state board ~~CareerSource Florida, Inc.,~~ shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Senate Minority Leader, and the House Minority Leader a complete and detailed annual report setting forth:

(a) All audits, including any audit conducted under subsection (8).

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(b) The operations and accomplishments of the board, including the programs or entities specified in subsection (6).

(8) Pursuant to his or her own authority or at the direction of the Legislative Auditing Committee, the Auditor General may conduct an audit of the state board and CareerSource Florida, Inc., or the programs or entities created by the state board ~~CareerSource Florida, Inc.~~ The Office of Program Policy Analysis and Government Accountability, pursuant to its authority or at the direction of the Legislative Auditing Committee, may review the systems and controls related to performance outcomes and quality of services of CareerSource Florida, Inc.

(9) The state board ~~CareerSource Florida, Inc.~~, in collaboration with the local workforce development boards and appropriate state agencies and local public and private service providers, shall establish uniform performance accountability measures that apply across the core programs to gauge the performance of the state and local workforce development boards in achieving the workforce development strategy.

(a) The performance accountability measures for the core programs consist of the primary indicators of performance, any additional indicators of performance, and a state-adjusted level of performance for each indicator pursuant to Pub. L. No. 113-128, Title I, s. 116(b).

(b) The performance accountability measures for each local area consist of the primary indicators of performance, any additional indicators of performance, and a local level of performance for each indicator pursuant to Pub. L. No. 113-128. The local level of performance is determined by the local board,

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the chief elected official, and the Governor pursuant to Pub. L. No. 113-128, Title I, s. 116(c).

(c) Performance accountability measures shall be used to generate performance reports pursuant to Pub. L. No. 113-128, Title I, s. 116(d).

(d) The performance accountability measures of success that are adopted by the state board ~~CareerSource Florida, Inc.~~, or the local workforce development boards must be developed in a manner that provides for an equitable comparison of the relative success or failure of any service provider in terms of positive outcomes.

(10) The workforce development strategy for the state shall be designed by the state board, in consultation with the department, and approved by the Governor ~~CareerSource Florida, Inc.~~ The strategy must include efforts that enlist business, education, and community support for students to achieve long-term career goals, ensuring that young people have the academic and occupational skills required to succeed in the workplace. The strategy must also assist employers in upgrading or updating the skills of their employees and assisting workers to acquire the education or training needed to secure a better job with better wages. The strategy must assist the state's efforts to attract and expand job-creating businesses offering high-paying, high-demand occupations.

(11) The workforce development system must encourage ~~use a charter-process approach aimed at encouraging~~ local design and control of service delivery and targeted activities. The state board, in consultation with the department ~~CareerSource Florida, Inc.~~, shall be responsible for ensuring that ~~granting charters~~

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to local workforce development boards ~~that~~ have a membership consistent with the requirements of federal and state law and have developed a plan consistent with the state's workforce development strategy. The plan must specify methods for allocating the resources and programs in a manner that eliminates unwarranted duplication, minimizes administrative costs, meets the existing job market demands and the job market demands resulting from successful economic development activities, ensures access to quality workforce development services for all Floridians, allows for pro rata or partial distribution of benefits and services, prohibits the creation of a waiting list or other indication of an unserved population, serves as many individuals as possible within available resources, and maximizes successful outcomes. The state board ~~As part of the charter process, CareerSource Florida, Inc.,~~ shall establish incentives for effective coordination of federal and state programs, outline rewards for successful job placements, and institute collaborative approaches among local service providers. ~~Local decisionmaking and control shall be important components for inclusion in this charter application.~~

(12) CareerSource Florida, Inc., under the direction of the state board, shall enter into agreement with Space Florida and collaborate with vocational institutes, community colleges, colleges, and universities in this state to develop a workforce development strategy to implement the workforce provisions of s. 331.3051.

Section 4. Section 445.006, Florida Statutes, is amended to read:

445.006 State plan for workforce development.—

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639 (1) STATE PLAN.—The state board ~~CareerSource Florida, Inc.~~,
640 in conjunction with state and local partners in the workforce
641 system, shall develop a state plan that produces an educated and
642 skilled workforce. The state plan must consist of strategic and
643 operational planning elements. The state plan shall be submitted
644 by the Governor to the United States Department of Labor
645 pursuant to the requirements of Pub. L. No. 113-128.

646 (2) STRATEGIC PLANNING ELEMENTS.—The state board
647 ~~CareerSource Florida, Inc.~~, in conjunction with state and local
648 partners in the workforce system, shall develop strategic
649 planning elements, pursuant to Pub. L. No. 113-128, Title I, s.
650 102, for the state plan.

651 (a) The strategic planning elements of the state plan must
652 include, but need not be limited to, strategies for:

653 1. Fulfilling the workforce system goals and strategies
654 prescribed in s. 445.004;

655 2. Aggregating, integrating, and leveraging workforce
656 system resources;

657 3. Coordinating the activities of federal, state, and local
658 workforce system partners;

659 4. Addressing the workforce needs of small businesses; and

660 5. Fostering the participation of rural communities and
661 distressed urban cores in the workforce system.

662 (b) The strategic planning elements must include criteria
663 for allocating workforce resources to local workforce
664 development boards. With respect to allocating funds to serve
665 customers of the welfare transition program, such criteria may
666 include weighting factors that indicate the relative degree of
667 difficulty associated with securing and retaining employment

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668 placements for specific subsets of the welfare transition
669 caseload.

670 (3) OPERATIONAL PLANNING ELEMENTS.—The state board
671 ~~CareerSource Florida, Inc.~~, in conjunction with state and local
672 partners in the workforce system, shall develop operational
673 planning elements, pursuant to Pub. L. No. 113-128, Title I, s.
674 102, for the state plan.

675 Section 5. Subsection (1), paragraph (b) of subsection (2),
676 and subsections (3) through (7) and (9) through (13) of section
677 445.007, Florida Statutes, are amended, and paragraph (c) is
678 added to subsection (2) of that section, to read:

679 445.007 Local workforce development boards.—

680 (1) One local workforce development board shall be
681 appointed in each designated service delivery area and shall
682 serve as the local workforce development board pursuant to Pub.
683 L. No. 113-128. The membership of the local board must be
684 consistent with Pub. L. No. 113-128, Title I, s. 107(b). If a
685 public education or training provider is represented on the
686 local board, a representative of a private education provider
687 must also be appointed to the local board. The state board
688 ~~CareerSource Florida, Inc.~~, may waive this requirement if
689 requested by a local workforce development board if it is
690 demonstrated that such representatives do not exist in the
691 region. The importance of minority and gender representation
692 shall be considered when making appointments to the local board.
693 The local board, its committees, subcommittees, and
694 subdivisions, and other units of the workforce system, including
695 units that may consist in whole or in part of local governmental
696 units, may use any method of telecommunications to conduct

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meetings, including establishing a quorum through telecommunications, provided that the public is given proper notice of the telecommunications meeting and reasonable access to observe and, when appropriate, participate. Local workforce development boards are subject to chapters 119 and 286 and s. 24, Art. I of the State Constitution. If the local workforce development board enters into a contract with an organization or individual represented on the local board ~~of directors~~, the contract must be approved by a two-thirds vote of the local board, a quorum having been established, and the local board member who could benefit financially from the transaction must abstain from voting on the contract. A local board member must disclose any such conflict in a manner that is consistent with the procedures outlined in s. 112.3143. Each member of a local workforce development board who is not otherwise required to file a full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution or s. 112.3144 shall file a statement of financial interests pursuant to s. 112.3145. The executive director or designated person responsible for the operational and administrative functions of the local workforce development board who is not otherwise required to file a full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution or s. 112.3144 shall file a statement of financial interests pursuant to s. 112.3145.

(2)

(b) The Governor may remove a member of the local board, the executive director of the local board, or the designated person responsible for the operational and administrative

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functions of the local board for cause. ~~As used in this paragraph, the term "cause" includes, but is not limited to, engaging in fraud or other criminal acts, incapacity, unfitness, neglect of duty, official incompetence and irresponsibility, misfeasance, malfeasance, nonfeasance, or lack of performance.~~

(c) The chief elected official for the local workforce development board may remove a member of the local board, the executive director of the local board, or the designated person responsible for the operational and administrative functions of the local board for cause.

(3) ~~The department of Economic Opportunity, under the direction of CareerSource Florida, Inc.,~~ shall assign staff to meet with each local workforce development board annually to review the local board's performance and to certify that the local board is in compliance with applicable state and federal law.

(4) In addition to the duties and functions specified by the state board ~~CareerSource Florida, Inc.,~~ and by the interlocal agreement approved by the local county or city governing bodies, the local workforce development board shall have the following responsibilities:

(a) Develop, submit, ratify, or amend the local plan pursuant to Pub. L. No. 113-128, Title I, s. 108 and this act.

(b) Conclude agreements necessary to designate the fiscal agent and administrative entity. A public or private entity, including an entity established pursuant to s. 163.01, which makes a majority of the appointments to a local workforce development board may serve as the local board's administrative entity if approved by the department ~~CareerSource Florida, Inc.,~~

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based upon a showing that a fair and competitive process was used to select the administrative entity.

(c) ~~Complete assurances required for the charter process of CareerSource Florida, Inc., and~~ Provide ongoing oversight related to administrative costs, duplicated services, career counseling, economic development, equal access, compliance and accountability, and performance outcomes.

(d) Oversee the one-stop delivery system in its local area.

(5) The department, in conjunction with the state board ~~CareerSource Florida, Inc.,~~ shall implement a training program for the local workforce development boards to familiarize local board members with the state's workforce development goals and strategies.

(6) The local workforce development board shall designate all local service providers and may not transfer this authority to a third party. Consistent with the intent of the Workforce Innovation and Opportunity Act, local workforce development boards should provide the greatest possible choice of training providers to those who qualify for training services. A local workforce development board may not restrict the choice of training providers based upon cost, location, or historical training arrangements. However, a local board may restrict the amount of training resources available to any one client. Such restrictions may vary based upon the cost of training in the client's chosen occupational area. The local workforce development board may be designated as a one-stop operator and direct provider of intake, assessment, eligibility determinations, or other direct provider services except training services. Such designation may occur only with the

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784 agreement of the chief elected official and the Governor as
785 specified in 29 U.S.C. s. 2832(f)(2). The state board
786 ~~CareerSource Florida, Inc.,~~ shall establish procedures by which
787 a local workforce development board may request permission to
788 operate under this section and the criteria under which such
789 permission may be granted. The criteria shall include, but need
790 not be limited to, a reduction in the cost of providing the
791 permitted services. Such permission shall be granted for a
792 period not to exceed 3 years for any single request submitted by
793 the local workforce development board.

794 (7) Local workforce development boards shall adopt a
795 committee structure consistent with applicable federal law and
796 state policies established by the state board ~~CareerSource~~
797 ~~Florida, Inc.~~

798 (9) For purposes of procurement, local workforce
799 development boards and their administrative entities are not
800 state agencies and are exempt from chapters 120 and 287. The
801 local workforce development boards shall apply the procurement
802 and expenditure procedures required by federal law and policies
803 of the department ~~of Economic Opportunity~~ and the state board
804 ~~CareerSource Florida, Inc.,~~ for the expenditure of federal,
805 state, and nonpass-through funds. The making or approval of
806 smaller, multiple payments for a single purchase with the intent
807 to avoid or evade the monetary thresholds and procedures
808 established by federal law and policies of the department ~~of~~
809 ~~Economic Opportunity~~ and the state board ~~CareerSource Florida,~~
810 ~~Inc.,~~ is grounds for removal for cause. Local workforce
811 development boards, their administrative entities, committees,
812 and subcommittees, and other workforce units may authorize

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expenditures to award suitable framed certificates, pins, or other tokens of recognition for performance by units of the workforce system. Local workforce development boards; their administrative entities, committees, and subcommittees; and other workforce units may authorize expenditures for promotional items, such as t-shirts, hats, or pens printed with messages promoting Florida's workforce system to employers, job seekers, and program participants. However, such expenditures are subject to federal regulations applicable to the expenditure of federal funds. All contracts executed by local workforce development boards must include specific performance expectations and deliverables.

(10) State and federal funds provided to the local workforce development boards may not be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of local workforce development boards, the state board CareerSource Florida, Inc., or the department ~~of Economic Opportunity~~ except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel expenses may be reimbursed. Such reimbursement shall be at the standard travel reimbursement rates established in s. 112.061 and shall be in compliance with all applicable federal and state requirements. The department shall provide fiscal and programmatic guidance CareerSource Florida, Inc., ~~shall develop a statewide fiscal policy applicable to the state board, CareerSource Florida, Inc., and~~ all local workforce development boards, to hold both the state and local workforce development boards strictly accountable for adherence to the policy and subject to regular and periodic

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monitoring by the department of ~~Economic Opportunity~~, the
administrative entity for ~~CareerSource Florida, Inc.~~ Local
boards are prohibited from expending state or federal funds for
entertainment costs and recreational activities for local board
members and employees as these terms are defined by 2 C.F.R.
part 200 ~~230~~.

(11) To increase transparency and accountability, a local
workforce development board must comply with the requirements of
this section before contracting with a member of the local board
or a relative, as defined in s. 112.3143(1)(c), of a local board
member or of an employee of the local board. Such contracts may
not be executed before or without the prior approval of the
department ~~CareerSource Florida, Inc.~~ Such contracts, as well as
documentation demonstrating adherence to this section as
specified by the department ~~CareerSource Florida, Inc.~~, must be
submitted to the department of ~~Economic Opportunity~~ for review
and approval ~~recommendation according to criteria to be~~
~~determined by CareerSource Florida, Inc.~~ Such a contract must be
approved by a two-thirds vote of the local board, a quorum
having been established; all conflicts of interest must be
disclosed before the vote; and any member who may benefit from
the contract, or whose relative may benefit from the contract,
must abstain from the vote. A contract under \$25,000 between a
local workforce development board and a member of that board or
between a relative, as defined in s. 112.3143(1)(c), of a local
board member or of an employee of the local board is not
required to have the prior approval of the department
~~CareerSource Florida, Inc.~~, but must be approved by a two-thirds
vote of the local board, a quorum having been established, and

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must be reported to the department ~~of Economic Opportunity~~ and
the state board ~~CareerSource Florida, Inc.~~, within 30 days after
approval. If a contract cannot be approved by the department
~~CareerSource Florida, Inc.~~, a review of the decision to
disapprove the contract may be requested by the local workforce
development board or other parties to the disapproved contract.

(12) Each local workforce development board shall develop a
budget for the purpose of carrying out the duties of the local
board under this section, subject to the approval of the chief
elected official. Each local workforce development board shall
submit its annual budget for review to the department
~~CareerSource Florida, Inc.~~, no later than 2 weeks after the
chair approves the budget.

~~(13) By March 1, 2018, CareerSource Florida, Inc., shall
establish regional planning areas in accordance with Pub. L. No.
113-128, Title I, s. 106(a)(2). Local workforce development
boards and chief elected officials within identified regional
planning areas shall prepare a regional workforce development
plan as required under Pub. L. No. 113-128, Title I, s.
106(e)(2).~~

Section 6. Subsections (1) and (4) of section 445.0071,
Florida Statutes, are amended to read:

445.0071 Florida Youth Summer Jobs Pilot Program.—

(1) CREATION.—Contingent upon appropriations, there is
created the Florida Youth Summer Jobs Pilot Program within
workforce development district 22 served by the Broward
Workforce Development Board. The board shall, in consultation
with the state board ~~CareerSource Florida, Inc.~~, provide a
program offering at-risk and disadvantaged children summer jobs

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in partnership with local communities and public employers.

(4) GOVERNANCE.—

(a) The pilot program shall be administered by the local workforce development board in consultation with the state board ~~CareerSource Florida, Inc.~~

(b) The local workforce development board shall report to the state board and the department ~~CareerSource Florida, Inc.,~~ the number of at-risk and disadvantaged children who enter the program, the types of work activities they participate in, and the number of children who return to school, go on to postsecondary school, or enter the workforce full time at the end of the program. The state board ~~CareerSource Florida, Inc.,~~ shall report to the Legislature by November 1 of each year on the performance of the program.

Section 7. Subsections (1) and (2) of section 445.008, Florida Statutes, are amended to read:

445.008 Workforce Training Institute.—

(1) The state board, through CareerSource Florida, Inc., may create the Workforce Training Institute, which shall be a comprehensive program of workforce training courses designed to meet the unique needs of, and shall include Internet-based training modules suitable for and made available to, professionals integral to the workforce system, including advisors and counselors in educational institutions.

(2) The state board, through CareerSource Florida, Inc., may enter into a contract for the provision of administrative support services for the institute and shall adopt policies for the administration and operation of the institute and establish admission fees in an amount which, in the aggregate, does not

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exceed the cost of the program. CareerSource Florida, Inc., may accept donations or grants of any type for any function or purpose of the institute. All donations and grants received by CareerSource Florida, Inc., must be reported to the state board and the department.

Section 8. Subsections (2), (3), and (4), paragraph (b) of subsection (6), subsection (7), paragraphs (a), (c), and (d) of subsection (8), and subsection (9) of section 445.009, Florida Statutes, are amended to read:

445.009 One-stop delivery system.—

(2) (a) Subject to a process designed by the state board ~~CareerSource Florida, Inc.~~, and in compliance with Pub. L. No. 113-128, local workforce development boards shall designate one-stop delivery system operators.

(b) A local workforce development board may designate as its one-stop delivery system operator any public or private entity that is eligible to provide services under any state or federal workforce program that is a mandatory or discretionary partner in the local workforce development area's one-stop delivery system if approved by the department ~~CareerSource Florida, Inc.~~, upon a showing by the local workforce development board that a fair and competitive process was used in the selection. As a condition of authorizing a local workforce development board to designate such an entity as its one-stop delivery system operator, the department ~~CareerSource Florida, Inc.~~, must require the local workforce development board to demonstrate that safeguards are in place to ensure that the one-stop delivery system operator will not exercise an unfair competitive advantage or unfairly refer or direct customers of

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the one-stop delivery system to services provided by that one-stop delivery system operator. A local workforce development board may retain its current one-stop career center operator without further procurement action if the board has an established one-stop career center that has complied with federal and state law.

(c) The local workforce development board must enter into a memorandum of understanding with each mandatory or optional partner participating in the one-stop delivery system which details the partner's required contribution to infrastructure costs, as required by Pub. L. No. 113-128, s. 121(h). ~~If the local workforce development board and the one-stop partner are unable to come to an agreement regarding infrastructure costs by July 1, 2017, the costs shall be allocated pursuant to a policy established by the Governor.~~

(3) Local workforce development boards shall enter into a memorandum of understanding with the department ~~of Economic Opportunity~~ for the delivery of employment services authorized by the federal Wagner-Peyser Act. This memorandum of understanding must be performance based.

(a) Unless otherwise required by federal law, at least 90 percent of the Wagner-Peyser funding must go into direct customer service costs.

(b) Employment services must be provided through the one-stop delivery system, under the guidance of one-stop delivery system operators. One-stop delivery system operators shall have overall authority for directing the staff of the workforce system. Personnel matters shall remain under the ultimate authority of the department. However, the one-stop delivery

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system operator shall submit to the department information concerning the job performance of employees of the department who deliver employment services. The department shall consider any such information submitted by the one-stop delivery system operator in conducting performance appraisals of the employees.

(c) The department shall retain fiscal responsibility and accountability for the administration of funds allocated to the state under the Wagner-Peyser Act. An employee of the department who is providing services authorized under the Wagner-Peyser Act shall be paid using Wagner-Peyser Act funds.

(4) One-stop delivery system partners shall enter into a memorandum of understanding pursuant to Pub. L. No. 113-128, Title I, s. 121, with the local workforce development board. Failure of a local partner to participate cannot unilaterally block the majority of partners from moving forward with their one-stop delivery system, and the state board, in conjunction with the department, may notify the Governor CareerSource Florida, Inc., pursuant to s. 445.004(5)(c), may make notification of a local partner that fails to participate.

(6)

(b) To expand electronic capabilities, the state board and the department CareerSource Florida, Inc., working with local workforce development boards, shall develop a centralized help center to assist local workforce development boards in fulfilling core services, minimizing the need for fixed-site one-stop delivery system centers.

(7) Intensive services and training provided pursuant to Pub. L. No. 113-128 shall be provided to individuals through Intensive Service Accounts and Individual Training Accounts. The

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1016 state board ~~CareerSource Florida, Inc.,~~ shall develop an
1017 implementation plan, including identification of initially
1018 eligible training providers, transition guidelines, and criteria
1019 for use of these accounts. Individual Training Accounts must be
1020 compatible with Individual Development Accounts for education
1021 allowed in federal and state welfare reform statutes.

1022 (8) (a) Individual Training Accounts must be expended on
1023 programs that prepare people to enter high-wage occupations
1024 identified by the Workforce Estimating Conference created by s.
1025 216.136, and on other programs recommended by the state board
1026 and approved by the department ~~as approved by CareerSource~~
1027 ~~Florida, Inc.~~

1028 (c) The department ~~CareerSource Florida, Inc.,~~ shall
1029 periodically review Individual Training Account pricing
1030 schedules developed by local workforce development boards and
1031 present findings and recommendations for process improvement to
1032 the President of the Senate and the Speaker of the House of
1033 Representatives.

1034 (d) To the maximum extent possible, training providers
1035 shall use funding sources other than the funding provided under
1036 Pub. L. No. 113-128. The state board ~~CareerSource Florida, Inc.,~~
1037 shall develop a system to encourage the leveraging of
1038 appropriated resources for the workforce system and shall report
1039 on such efforts as part of the required annual report.

1040 (9) (a) The state board ~~CareerSource Florida, Inc.,~~ working
1041 with the department, shall coordinate among the agencies a plan
1042 for a One-Stop Electronic Network made up of one-stop delivery
1043 system centers and other partner agencies that are operated by
1044 authorized public or private for-profit or not-for-profit

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agents. The plan shall identify resources within existing revenues to establish and support this electronic network for service delivery that includes Government Services Direct. If necessary, the plan shall identify additional funding needed to achieve the provisions of this subsection.

(b) The network shall assure that a uniform method is used to determine eligibility for and management of services provided by agencies that conduct workforce development activities. The Department of Management Services shall develop strategies to allow access to the databases and information management systems of the following systems in order to link information in those databases with the one-stop delivery system:

1. The Reemployment Assistance Program under chapter 443.
2. The public employment service described in s. 443.181.
3. The public assistance information system used by the Department of Children and Families and the components related to temporary cash assistance, food assistance, and Medicaid eligibility.
4. The Student Financial Assistance System of the Department of Education.
5. Enrollment in the public postsecondary education system.
6. Other information systems determined appropriate by the state board in consultation with the department ~~CareerSource Florida, Inc.~~

Section 9. Section 445.011, Florida Statutes, is amended to read:

445.011 Workforce information systems.—

(1) The department, in consultation with the state board ~~CareerSource Florida, Inc.~~, shall implement, subject to

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legislative appropriation, automated information systems that are necessary for the efficient and effective operation and management of the workforce development system. These information systems shall include, but need not be limited to, the following:

(a) An integrated management system for the one-stop service delivery system, which includes, at a minimum, common registration and intake, screening for needs and benefits, case planning and tracking, training benefits management, service and training provider management, performance reporting, executive information and reporting, and customer-satisfaction tracking and reporting.

1. The system should report current budgeting, expenditure, and performance information for assessing performance related to outcomes, service delivery, and financial administration for workforce programs pursuant to s. 445.004(5) and (9).

2. The information system should include auditable systems and controls to ensure financial integrity and valid and reliable performance information.

3. The system should support service integration and case management by providing for case tracking for participants in welfare transition programs.

(b) An automated job-matching information system that is accessible to employers, job seekers, and other users via the Internet, and that includes, at a minimum:

1. Skill match information, including skill gap analysis; resume creation; job order creation; skill tests; job search by area, employer type, and employer name; and training provider linkage;

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2. Job market information based on surveys, including local, state, regional, national, and international occupational and job availability information; and

3. Service provider information, including education and training providers, child care facilities and related information, health and social service agencies, and other providers of services that would be useful to job seekers.

~~(2) The department In procuring workforce information systems, CareerSource Florida, Inc., shall employ competitive processes, including requests for proposals, competitive negotiation, and other competitive processes to ensure that the procurement results in the most cost-effective investment of state funds.~~

~~(3) CareerSource Florida, Inc.,~~ may procure independent verification and validation services associated with developing and implementing any workforce information system.

~~(3)-(4)~~ The department ~~CareerSource Florida, Inc.,~~ shall coordinate development and implementation of workforce information systems with the state chief information officer to ensure compatibility with the state's information system strategy and enterprise architecture.

Section 10. Section 445.028, Florida Statutes, is amended to read:

445.028 Transitional benefits and services.—In cooperation with the department ~~CareerSource Florida, Inc.,~~ the Department of Children and Families shall develop procedures to ensure that families leaving the temporary cash assistance program receive transitional benefits and services that will assist the family in moving toward self-sufficiency. At a minimum, such procedures

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must include, but are not limited to, the following:

(1) Each recipient of cash assistance who is determined ineligible for cash assistance for a reason other than a work activity sanction shall be contacted by the workforce system case manager and provided information about the availability of transitional benefits and services. Such contact shall be attempted prior to closure of the case management file.

(2) Each recipient of temporary cash assistance who is determined ineligible for cash assistance due to noncompliance with the work activity requirements shall be contacted and provided information in accordance with s. 414.065(1).

(3) The department, in consultation with the board of directors of CareerSource Florida, Inc., shall develop informational material, including posters and brochures, to better inform families about the availability of transitional benefits and services.

(4) The department ~~CareerSource Florida, Inc.~~, in cooperation with the Department of Children and Families shall, to the extent permitted by federal law, develop procedures to maximize the utilization of transitional Medicaid by families who leave the temporary cash assistance program.

Section 11. Subsections (6), (8), and (13) of section 445.051, Florida Statutes, are amended to read:

445.051 Individual development accounts.—

(6) The state board ~~CareerSource Florida, Inc.~~, shall establish procedures for local workforce development boards to include in their annual program and financial plan an application to offer an individual development account program as part of their TANF allocation. These procedures must include,

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but need not be limited to, administrative costs permitted for the fiduciary organization and policies relative to identifying the match ratio and limits on the deposits for which the match will be provided in the application process. The state board ~~CareerSource Florida, Inc.~~, shall establish policies and procedures necessary to ensure that funds held in an individual development account are not withdrawn except for one or more of the qualified purposes described in this section.

(8) The state board ~~CareerSource Florida, Inc.~~, shall establish procedures for controlling the withdrawal of funds for uses other than qualified purposes, including specifying conditions under which an account must be closed.

(13) Pursuant to policy direction by the state board ~~CareerSource Florida, Inc.~~, the department ~~of Economic Opportunity~~ shall adopt such rules as are necessary to implement this act.

Section 12. Paragraph (p) of subsection (3) of section 11.45, Florida Statutes, is amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The Auditor General may, pursuant to his or her own authority, or at the direction of the Legislative Auditing Committee, conduct audits or other engagements as determined appropriate by the Auditor General of:

(p) CareerSource Florida, Inc.; the state board, as that term is defined in s. 445.002; ~~or the programs or entities created by the state board CareerSource Florida, Inc.~~, created pursuant to s. 445.004.

Section 13. Subsection (1) of section 443.171, Florida

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Statutes, is amended to read:

443.171 Department of Economic Opportunity and commission; powers and duties; records and reports; proceedings; state-federal cooperation.—

(1) POWERS AND DUTIES.—The Department of Economic Opportunity shall administer this chapter. The department may employ persons, make expenditures, require reports, conduct investigations, and take other action necessary or suitable to administer this chapter. The department shall annually submit information to the state board, as defined in s. 445.002 ~~CareerSource Florida, Inc.~~, covering the administration and operation of this chapter during the preceding calendar year for inclusion in the strategic plan under s. 445.006 and may make recommendations for amendment to this chapter.

Section 14. This act shall take effect July 1, 2020.

1 A bill to be entitled
2 An act relating to state economic development
3 entities; amending s. 445.002, F.S.; defining the
4 terms "for cause" and "state board"; amending s.
5 445.003, F.S.; replacing CareerSource Florida, Inc.,
6 with the state board or the Department of Economic
7 Opportunity in provisions relating to the
8 implementation of the federal Workforce Innovation and
9 Opportunity Act; authorizing, rather than requiring,
10 certain funds to be reserved for the Incumbent Worker
11 Training Program; conforming provisions to changes
12 made by the act; authorizing the state board to hire a
13 director and staff; requiring the state board to
14 authorize the director and staff to work with the
15 department for specified reasons; amending s. 445.004,
16 F.S.; revising provisions relating to the operation of
17 CareerSource Florida, Inc.; revising the purpose of
18 CareerSource Florida, Inc.; providing purpose for the
19 state board; revising the organizational structure of
20 CareerSource Florida, Inc.; providing requirements for
21 the organizational structure of the state board;
22 providing the state board with powers and authority
23 previously held by CareerSource Florida, Inc.;
24 revising the requirements related to such powers and
25 authority; requiring the state board, rather than

CareerSource Florida, Inc., to submit an annual report to the Governor and the Legislature; authorizing the Auditor General to conduct an audit of the state board and programs or entities created by the state board; requiring the state board, rather than CareerSource Florida, Inc., to establish certain uniform performance accountability measures; requiring the state board, in consultation with the department, to design the workforce development strategy for the state; requiring that the strategy be approved by the Governor; revising requirements relating to the workforce development system; authorizing the department to consult with the state board to issue certain technical assistance letters; amending s. 445.006, F.S.; requiring that the state board, rather than CareerSource Florida, Inc., take certain actions relating to the state plan for workforce development; amending s. 445.007, F.S.; replacing CareerSource Florida, Inc., with the state board or the department in provisions relating to local workforce development boards; deleting the definition of the term "cause"; authorizing a chief elected official for a local workforce development board to remove certain persons from the board for cause; requiring the department to provide certain guidance to specified entities;

51 deleting an obsolete provision; making technical
52 changes; amending s. 445.0071, F.S.; replacing
53 CareerSource Florida, Inc., with the state board or
54 the department in provisions relating to the Florida
55 Youth Summer Jobs Pilot Program; amending s. 445.008,
56 F.S.; revising authority relating to the Workforce
57 Training Institute; requiring that certain donations
58 and grants be reported to the state board and the
59 department; amending s. 445.009, F.S.; replacing
60 CareerSource Florida, Inc., with the state board or
61 the department in provisions relating to one-stop
62 delivery systems; deleting an obsolete provision;
63 amending s. 445.011, F.S.; replacing CareerSource
64 Florida, Inc., with the department in provisions
65 relating to workforce information systems; requiring
66 the department to consult with the state board in
67 implementing certain automated information systems;
68 deleting a provision requiring CareerSource Florida,
69 Inc., to take certain actions when procuring workforce
70 information systems; amending s. 445.014, F.S.;
71 replacing CareerSource Florida, Inc., with the state
72 board in provisions relating to the establishment of
73 one-stop delivery systems; amending s. 445.021, F.S.;
74 replacing CareerSource Florida, Inc., with the state
75 board in provisions relating to the relocation

76 assistance program; amending s. 445.022, F.S.;

77 replacing CareerSource Florida, Inc., with the state

78 board in provisions relating to Retention Incentive

79 Training Accounts; amending s. 445.024, F.S.;

80 replacing CareerSource Florida, Inc., with the state

81 board in provisions relating to certain contract

82 exceptions; amending s. 445.026, F.S.; replacing

83 CareerSource Florida, Inc., with the state board in

84 provisions relating to cash assistance severance

85 benefits; amending s. 445.028, F.S.; replacing

86 CareerSource Florida, Inc., with the department in

87 provisions relating to transitional benefits and

88 services; amending s. 445.030, F.S.; replacing

89 CareerSource Florida, Inc., with the state board in

90 provisions relating to transitional education and

91 training; amending s. 445.033, F.S.; replacing

92 CareerSource Florida, Inc., with the state board in

93 provisions relating to evaluations of TANF-funding

94 programs; amending s. 445.035, F.S.; replacing

95 CareerSource Florida, Inc., with the state board in

96 provisions relating to data collection and reporting;

97 amending s. 445.048, F.S.; replacing CareerSource

98 Florida, Inc., with the state board in provisions

99 relating to the Passport to Economic Progress program;

100 amending s. 445.051, F.S.; replacing CareerSource

Florida, Inc., with the state board in provisions relating to individual development accounts; amending s. 445.055, F.S.; replacing CareerSource Florida, Inc., with the state board in provisions relating to the establishment of an employment advocacy and assistance program targeting a certain group; amending ss. 11.45, 288.901, 331.369, 413.405, 414.045, 420.622, 443.171, 443.181, 446.71, 1011.80, and 1011.801, F.S.; conforming provisions to changes made by the act; amending s. 20.60, F.S.; requiring the executive director of the department to serve as the chair of the board of directors of the Florida Development Finance Corporation; requiring the department to include specified information in its annual report and develop annual performance standards for the corporation; conforming provisions to changes made by the act; amending s. 288.9604, F.S.; revising the membership of the board of directors of the corporation; conforming provisions to changes made by the act; providing for future repeals; requiring the current chair and vice chair of the board of directors of the corporation to serve as appointed directors after a specified date; providing construction; amending s. 288.9610, F.S.; requiring the corporation to submit an annual report containing specified

126 information to the department; providing that certain
127 contracts and interlocal agreements remain in effect
128 and binding under certain circumstances; providing an
129 effective date.

130
131 Be It Enacted by the Legislature of the State of Florida:

132
133 Section 1. Subsections (2) and (3) of section 445.002,
134 Florida Statutes, are renumbered as subsections (3) and (5),
135 respectively, and new subsections (2) and (4) are added to that
136 section to read:

137 445.002 Definitions.—As used in this chapter, the term:

138 (2) "For cause" includes, but is not limited to, engaging
139 in fraud or other criminal acts, incapacity, unfitness, neglect
140 of duty, official incompetence and irresponsibility,
141 misfeasance, malfeasance, nonfeasance, or lack of performance.

142 (4) "State board" means the state workforce development
143 board established pursuant to the Workforce Innovation and
144 Opportunity Act, Pub. L. No. 113-128, Title I, s. 101. The state
145 board shall be supported by CareerSource Florida, Inc., which
146 works at the direction of the state board in consultation with
147 the department as required by this chapter.

148 Section 2. Subsections (2), (3), (4), and (5) of section
149 445.003, Florida Statutes, are amended, and subsection (6) is
150 added to that section, to read:

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151 445.003 Implementation of the federal Workforce Innovation
152 and Opportunity Act.—

153 (2) FOUR-YEAR PLAN.—The state board ~~CareerSource Florida,~~
154 ~~Inc.~~, shall prepare and submit a 4-year plan, consistent with
155 the requirements of the Workforce Innovation and Opportunity
156 Act. Mandatory and optional federal partners shall be fully
157 involved in designing the plan's one-stop delivery system
158 strategy. The plan must clearly define each program's statewide
159 duties and role relating to the system. The plan must detail a
160 process that would fully integrate all federally mandated and
161 optional partners.

162 (3) FUNDING.—

163 (a) Title I, Workforce Innovation and Opportunity Act
164 funds; Wagner-Peyser funds; and NAFTA/Trade Act funds will be
165 expended based on the 4-year plan of the state board
166 ~~CareerSource Florida, Inc.~~ The plan must outline and direct the
167 method used to administer and coordinate various funds and
168 programs that are operated by various agencies. The following
169 provisions apply to these funds:

170 1. At least 50 percent of the Title I funds for Adults and
171 Dislocated Workers which are passed through to local workforce
172 development boards shall be allocated to and expended on
173 Individual Training Accounts unless a local workforce
174 development board obtains a waiver from the state board
175 ~~CareerSource Florida, Inc.~~ Tuition, books, and fees of training

176 providers and other training services prescribed and authorized
177 by the Workforce Innovation and Opportunity Act qualify as
178 Individual Training Account expenditures.

179 2. Fifteen percent of Title I funding shall be retained at
180 the state level and dedicated to state administration and shall
181 be used to design, develop, induce, and fund innovative
182 Individual Training Account pilots, demonstrations, and
183 programs. Of such funds retained at the state level, \$2 million
184 may ~~shall~~ be reserved for the Incumbent Worker Training Program
185 created under subparagraph 3. Eligible state administration
186 costs include the costs of funding for the state board and state
187 board staff ~~of CareerSource Florida, Inc.~~; operating fiscal,
188 compliance, and management accountability systems through the
189 department ~~CareerSource Florida, Inc.~~; conducting evaluation and
190 research on workforce development activities; and providing
191 technical and capacity building assistance to local workforce
192 development areas at the direction of the state board
193 ~~CareerSource Florida, Inc.~~ Notwithstanding s. 445.004, such
194 administrative costs may not exceed 25 percent of these funds.
195 An amount not to exceed 75 percent of these funds shall be
196 allocated to Individual Training Accounts and other workforce
197 development strategies for other training designed and tailored
198 by the department in consultation with the state board
199 ~~CareerSource Florida, Inc.~~, including, but not limited to,
200 programs for incumbent workers, nontraditional employment, and

201 enterprise zones. The department, in consultation with the state
202 board CareerSource Florida, Inc., shall design, adopt, and fund
203 Individual Training Accounts for distressed urban and rural
204 communities.

205 3. The Incumbent Worker Training Program is created for
206 the purpose of providing grant funding for continuing education
207 and training of incumbent employees at existing Florida
208 businesses. The program will provide reimbursement grants to
209 businesses that pay for preapproved, direct, training-related
210 costs.

211 a. The Incumbent Worker Training Program will be
212 administered by CareerSource Florida, Inc., which may, at its
213 discretion, contract with a private business organization to
214 serve as grant administrator.

215 b. The program shall be administered pursuant to s.
216 134(d)(4) of the Workforce Innovation and Opportunity Act.
217 Priority for funding shall be given to businesses with 25
218 employees or fewer, businesses in rural areas, businesses in
219 distressed inner-city areas, businesses in a qualified targeted
220 industry, businesses whose grant proposals represent a
221 significant upgrade in employee skills, or businesses whose
222 grant proposals represent a significant layoff avoidance
223 strategy.

224 c. All costs reimbursed by the program must be preapproved
225 by CareerSource Florida, Inc., or the grant administrator. The

226 program may not reimburse businesses for trainee wages, the
227 purchase of capital equipment, or the purchase of any item or
228 service that may possibly be used outside the training project.
229 A business approved for a grant may be reimbursed for
230 preapproved, direct, training-related costs including tuition,
231 fees, books and training materials, and overhead or indirect
232 costs not to exceed 5 percent of the grant amount.

233 d. A business that is selected to receive grant funding
234 must provide a matching contribution to the training project,
235 including, but not limited to, wages paid to trainees or the
236 purchase of capital equipment used in the training project; must
237 sign an agreement with CareerSource Florida, Inc., or the grant
238 administrator to complete the training project as proposed in
239 the application; must keep accurate records of the project's
240 implementation process; and must submit monthly or quarterly
241 reimbursement requests with required documentation.

242 e. All Incumbent Worker Training Program grant projects
243 shall be performance-based with specific measurable performance
244 outcomes, including completion of the training project and job
245 retention. CareerSource Florida, Inc., or the grant
246 administrator shall withhold the final payment to the grantee
247 until a final grant report is submitted and all performance
248 criteria specified in the grant contract have been achieved.

249 f. The state board ~~CareerSource Florida, Inc.,~~ may
250 establish guidelines necessary to implement the Incumbent Worker

251 Training Program.

252 g. No more than 10 percent of the Incumbent Worker
253 Training Program's total appropriation may be used for overhead
254 or indirect purposes.

255 4. At least 50 percent of Rapid Response funding shall be
256 dedicated to Intensive Services Accounts and Individual Training
257 Accounts for dislocated workers and incumbent workers who are at
258 risk of dislocation. The department ~~CareerSource Florida, Inc.,~~
259 shall also maintain an Emergency Preparedness Fund from Rapid
260 Response funds, which will immediately issue Intensive Service
261 Accounts, Individual Training Accounts, and other federally
262 authorized assistance to eligible victims of natural or other
263 disasters. At the direction of the Governor, these Rapid
264 Response funds shall be released to local workforce development
265 boards for immediate use after events that qualify under federal
266 law. Funding shall also be dedicated to maintain a unit at the
267 state level to respond to Rapid Response emergencies and to work
268 with state emergency management officials and local workforce
269 development boards. All Rapid Response funds must be expended
270 based on a plan developed by the state board in consultation
271 with the department ~~CareerSource Florida, Inc.,~~ and approved by
272 the Governor.

273 (b) The administrative entity for Title I, Workforce
274 Innovation and Opportunity Act funds, and Rapid Response
275 activities is the department ~~of Economic Opportunity,~~ which

276 shall provide direction to local workforce development boards
277 regarding Title I programs and Rapid Response activities
278 ~~pursuant to the direction of CareerSource Florida, Inc.~~

279 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED
280 MODIFICATIONS.—

281 (a) The state board ~~CareerSource Florida, Inc.,~~ may
282 provide indemnification from audit liabilities to local
283 workforce development boards that act in full compliance with
284 state law and board policy.

285 (b) The state board, in consultation with the department
286 ~~CareerSource Florida, Inc.,~~ may make modifications to the
287 state's plan, policies, and procedures to comply with federally
288 mandated requirements that in its judgment must be complied with
289 to maintain funding provided pursuant to Pub. L. No. 113-128.
290 The state board shall provide written notice to the Governor,
291 the President of the Senate, and the Speaker of the House of
292 Representatives within 30 days after any such changes or
293 modifications.

294 (c) The state board ~~CareerSource Florida, Inc.,~~ shall
295 enter into a memorandum of understanding with the Florida
296 Department of Education to ensure that federally mandated
297 requirements of Pub. L. No. 113-128 are met and are in
298 compliance with the state plan for workforce development.

299 (5) LONG-TERM CONSOLIDATION OF WORKFORCE DEVELOPMENT.—The
300 state board ~~CareerSource Florida, Inc.,~~ may recommend workforce-

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related divisions, bureaus, units, programs, duties, commissions, boards, and councils for elimination, consolidation, or privatization.

(6) AUTHORITY TO HIRE DIRECTOR AND STAFF.—The state board may hire a director and staff to assist in carrying out the functions of the Workforce Innovation and Opportunity Act and in using funds made available through the act. The state board shall authorize the director and staff to work with the department in carrying out the functions of the Workforce Innovation and Opportunity Act.

Section 3. Section 445.004, Florida Statutes, is amended to read:

445.004 CareerSource Florida, Inc., and the state board; creation; purpose; membership; duties and powers.—

(1) CareerSource Florida, Inc., is created as a not-for-profit corporation, which shall be registered, incorporated, organized, and operated in compliance with chapter 617 and shall operate at the direction of the state board. CareerSource

Florida, Inc., is not a unit or entity of state government and is exempt from chapters 120 and 287. CareerSource Florida, Inc., shall apply the procurement and expenditure procedures required by federal law for the expenditure of federal funds.

CareerSource Florida, Inc., shall be administratively housed within the department and shall operate under agreement with ~~of Economic Opportunity; however, CareerSource Florida, Inc., is~~

326 ~~not subject to control, supervision, or direction by the~~
327 ~~department in any manner.~~ The Legislature finds that public
328 policy dictates that CareerSource Florida, Inc., operate in the
329 most open and accessible manner consistent with its public
330 purpose. To this end, the Legislature specifically declares that
331 CareerSource Florida, Inc., its board, councils, and any
332 advisory committees or similar groups created by CareerSource
333 Florida, Inc., are subject to the provisions of chapter 119
334 relating to public records, and those provisions of chapter 286
335 relating to public meetings.

336 (2) CareerSource Florida, Inc., provides administrative
337 support for the state board, ~~is~~ the principal workforce policy
338 organization for the state. The purpose of the state board
339 ~~CareerSource Florida, Inc.,~~ is to design and implement
340 strategies that help Floridians enter, remain in, and advance in
341 the workplace, so that they may become more highly skilled and
342 successful, which benefits these Floridians, Florida businesses,
343 and the entire state, and fosters the development of the state's
344 business climate. CareerSource Florida, Inc., shall, consistent
345 with its agreement with the department, implement the policy
346 directives of the state board and administer state workforce
347 development programs as authorized by law.

348 (3) (a) ~~CareerSource Florida, Inc., shall be governed by a~~
349 ~~board of directors, whose membership and appointment must be~~
350 ~~consistent with Pub. L. No. 113-128, Title I, s. 101(b).~~ Members

351 of the state board described in Pub. L. No. 113-128, Title I, s.
352 101(b)(1)(C)(iii)(I)(aa) are ~~shall be~~ nonvoting members. The
353 number of members is ~~directors shall be~~ determined by the
354 Governor, who shall consider the importance of minority, gender,
355 and geographic representation in making appointments to the
356 state board. When the Governor is in attendance, he or she shall
357 preside at all meetings of the state board ~~of directors~~.

358 (b) The state board ~~of directors of CareerSource Florida,~~
359 ~~Inc.,~~ shall be chaired by a ~~board~~ member designated by the
360 Governor pursuant to Pub. L. No. 113-128. A member may not serve
361 more than two terms.

362 (c) Members appointed by the Governor may serve no more
363 than two terms and must be appointed for 3-year terms. However,
364 in order to establish staggered terms for board members, the
365 Governor shall appoint or reappoint one-third of the board
366 members for 1-year terms, one-third of the board members for 2-
367 year terms, and one-third of the board members for 3-year terms
368 beginning July 1, 2016. Subsequent appointments or
369 reappointments shall be for 3-year terms, except that a member
370 appointed to fill a vacancy on the board shall be appointed to
371 serve only the remainder of the term of the member whom he or
372 she is replacing, and may be appointed for a subsequent 3-year
373 term. Private sector representatives of businesses, appointed by
374 the Governor pursuant to Pub. L. No. 113-128, shall constitute a
375 majority of the membership of the board. Private sector

representatives shall be appointed from nominations received by the Governor, including, but not limited to, those nominations made by the President of the Senate and the Speaker of the House of Representatives. Private sector appointments to the state board must be representative of the business community of this state; no fewer than one-half of the appointments must be representative of small businesses, and at least five members must have economic development experience. Members appointed by the Governor serve at the pleasure of the Governor and are eligible for reappointment.

(d) The state board must include the vice chairperson of the board of directors of Enterprise Florida, Inc., and one member representing each of the Workforce Innovation and Opportunity Act partners, including the Division of Career and Adult Education, and other entities representing programs identified in the Workforce Innovation and Opportunity Act, as determined necessary.

(e) A member of the state board ~~of directors of CareerSource Florida, Inc.,~~ may be removed by the Governor for cause. Absence from three consecutive meetings results in automatic removal. The chair of the state board ~~CareerSource Florida, Inc.,~~ shall notify the Governor of such absences.

(f) Representatives of businesses appointed to the state board ~~of directors~~ may not include providers of workforce services.

401 (g) The state board serves as the board of directors of
402 CareerSource Florida, Inc. The state board shall hire an
403 executive director for CareerSource Florida, Inc. The executive
404 director serves as the president, the chief executive officer,
405 and an employee of CareerSource Florida, Inc. The president of
406 CareerSource Florida, Inc., serves at the pleasure of the
407 Governor.

408 ~~(4)(a) The president of CareerSource Florida, Inc., shall~~
409 ~~be hired by the board of directors of CareerSource Florida,~~
410 ~~Inc., and shall serve at the pleasure of the Governor in the~~
411 ~~capacity of an executive director and secretary of CareerSource~~
412 ~~Florida, Inc.~~

413 ~~(a)(b)~~ The state board ~~of directors of CareerSource~~
414 ~~Florida, Inc.,~~ shall meet at least quarterly and at other times
415 upon the call of its chair. The state board and its committees,
416 subcommittees, or other subdivisions may use any method of
417 telecommunications to conduct meetings, including establishing a
418 quorum through telecommunications, if the public is given proper
419 notice of the telecommunications meeting and is given reasonable
420 access to observe and, if appropriate, participate.

421 ~~(b)(e)~~ A majority of the total current membership of the
422 state board ~~of directors of CareerSource Florida, Inc.,~~
423 constitutes a quorum and is required to organize and conduct the
424 business of the state board, except that a majority of the
425 executive committee is required to adopt or amend the bylaws.

426 ~~(d) A majority of those voting is required to organize and~~
427 ~~conduct the business of the board, except that a majority of the~~
428 ~~entire board of directors is required to adopt or amend the~~
429 ~~bylaws.~~

430 (c)(e) Except as delegated or authorized by the state
431 ~~board of directors of CareerSource Florida, Inc.,~~ individual
432 members have no authority to control or direct the operations of
433 CareerSource Florida, Inc., or the actions of its officers and
434 employees, ~~including the president.~~

435 (d)(f) Members of the state board ~~of directors of~~
436 ~~CareerSource Florida, Inc.,~~ and its committees serve without
437 compensation, but these members and, the president, ~~and the~~
438 employees of CareerSource Florida, Inc., may be reimbursed for
439 all reasonable, necessary, and actual expenses as provided under
440 ~~pursuant to~~ s. 112.061.

441 (e)(g) The state board shall ~~of directors of CareerSource~~
442 ~~Florida, Inc.,~~ may establish an executive committee consisting
443 of the chair and at least six additional ~~board~~ members selected
444 by the chair, one of whom must be a representative of organized
445 labor. The executive committee and the president of CareerSource
446 Florida, Inc., have such authority as the state board delegates
447 to them, except that the state board ~~of directors~~ may not
448 delegate to the executive committee authority to take action
449 that requires approval by a majority of the entire state board
450 ~~of directors.~~

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451 ~~(f)-(h)~~ The chair may appoint committees to fulfill the
452 state board's responsibilities, to comply with federal
453 requirements, or to obtain technical assistance, and must
454 incorporate members of local workforce development boards into
455 its structure.

456 ~~(g)-(i)~~ Each member of the state board ~~of directors~~ who is
457 not otherwise required to file a financial disclosure under
458 ~~pursuant to~~ s. 8, Art. II of the State Constitution or s.
459 112.3144 must file disclosure of financial interests under
460 ~~pursuant to~~ s. 112.3145.

461 (5) The state board has ~~CareerSource Florida, Inc., shall~~
462 ~~have~~ all the powers and authority not explicitly prohibited by
463 statute which are necessary or convenient to carry out and
464 effectuate its purposes as determined by statute, Pub. L. No.
465 113-128, and the Governor, as well as its functions, duties, and
466 responsibilities, including, but not limited to, the following:

467 (a) Serving as the state's workforce development board
468 pursuant to Pub. L. No. 113-128. Unless otherwise required by
469 federal law, at least 90 percent of workforce development
470 funding must go toward direct customer service.

471 (b) Providing ~~oversight and~~ policy direction to ensure
472 that the following programs are administered by the department
473 consistent in compliance with approved plans ~~and under contract~~
474 ~~with CareerSource Florida, Inc.:~~

475 1. Programs authorized under Title I of the Workforce

476 Innovation and Opportunity Act, Pub. L. No. 113-128, with the
477 exception of programs funded directly by the United States
478 Department of Labor under Title I, s. 167.

479 2. Programs authorized under the Wagner-Peyser Act of
480 1933, as amended, 29 U.S.C. ss. 49 et seq.

481 3. Activities authorized under Title II of the Trade Act
482 of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade
483 Adjustment Assistance Program.

484 4. Activities authorized under 38 U.S.C. chapter 41,
485 including job counseling, training, and placement for veterans.

486 5. Employment and training activities carried out under
487 funds awarded to this state by the United States Department of
488 Housing and Urban Development.

489 6. Welfare transition services funded by the Temporary
490 Assistance for Needy Families Program, created under the
491 Personal Responsibility and Work Opportunity Reconciliation Act
492 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
493 of the Social Security Act, as amended.

494 7. The Florida Bonding Program, provided under Pub. L. No.
495 97-300, s. 164(a)(1).

496 8. The Food Assistance Employment and Training Program,
497 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.
498 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
499 ~~and the Hunger Prevention Act, Pub. L. No. 100-435; and the~~
500 Agriculture Improvement Act of 2018, Pub. L. No. 115-334.

501 9. The Quick-Response Training Program, provided under ss.
502 288.046-288.047. Matching funds and in-kind contributions that
503 are provided by clients of the Quick-Response Training Program
504 ~~shall~~ count toward the requirements of s. 288.904, pertaining to
505 the return on investment from activities of Enterprise Florida,
506 Inc.

507 10. The Work Opportunity Tax Credit, provided under the
508 Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,
509 and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

510 11. Offender placement services, provided under ss.
511 944.707-944.708.

512 ~~(e)~~
513 The department may adopt rules necessary to administer this
514 chapter which relate to implementing and administering the
515 programs listed in this paragraph ~~(b)~~ as well as rules related
516 to eligible training providers and auditing and monitoring
517 subrecipients of the workforce system grant funds.

518 (c)~~(d)~~ Contracting with public and private entities as
519 necessary to further the directives of this section. All
520 contracts executed by the state board or CareerSource Florida,
521 Inc., must include specific performance expectations and
522 deliverables. All ~~CareerSource Florida, Inc.,~~ contracts,
523 including those solicited, managed, or paid by the department
524 under ~~pursuant to~~ s. 20.60(5)(c), are exempt from s. 112.061,
525 but shall be governed by subsection (1).

526 (d)-(e) Notifying the Governor and the department of
527 statewide or local workforce development and training needs that
528 may require policy changes or an update to the state plan
529 required under s. 445.003, and notifying the Governor, the
530 President of the Senate, and the Speaker of the House of
531 Representatives of noncompliance by the department or other
532 agencies or obstruction of the state board's efforts by such
533 agencies. Upon such notification, the Executive Office of the
534 Governor shall assist agencies to bring them into compliance
535 with state board objectives.

536 (e)-(f) Ensuring that the state does not waste valuable
537 training resources. The state board's policy is ~~board shall~~
538 ~~direct~~ that all resources, including equipment purchased for
539 training Workforce Innovation and Opportunity Act clients, be
540 available for use at all times by eligible populations as first
541 priority users. At times when eligible populations are not
542 available, such resources shall be used for any other state-
543 authorized education and training purpose. The state board
544 ~~CareerSource Florida, Inc.,~~ may authorize expenditures to award
545 suitable framed certificates, pins, or other tokens of
546 recognition for performance by a local workforce development
547 board, its committees and subdivisions, and other units of the
548 workforce system. The state board ~~CareerSource Florida, Inc.,~~
549 may also authorize expenditures for promotional items, such as
550 t-shirts, hats, or pens printed with messages promoting the

551 state's workforce system to employers, job seekers, and program
552 participants. However, such expenditures are subject to federal
553 regulations applicable to the expenditure of federal funds.

554 (f)~~(g)~~ Establishing a dispute resolution process for all
555 memoranda of understanding or other contracts or agreements
556 entered into between the department and local workforce
557 development boards.

558 (g)~~(h)~~ Archiving records with the Bureau of Archives and
559 Records Management of the Division of Library and Information
560 Services of the Department of State.

561 (6) The state board ~~CareerSource Florida, Inc.,~~ may take
562 action that it deems necessary to achieve the purposes of this
563 section, including, but not limited to:

564 (a) Creating a state employment, education, and training
565 policy that ensures that programs to prepare workers are
566 responsive to present and future business and industry needs and
567 complement the initiatives of Enterprise Florida, Inc.

568 (b) Establishing policy direction for a funding system
569 that provides incentives to improve the outcomes of career
570 education, registered apprenticeship, and work-based learning
571 programs and that focuses resources on occupations related to
572 new or emerging industries that add greatly to the value of the
573 state's economy.

574 (c) Establishing a comprehensive policy related to the
575 education and training of target populations such as those who

576 have disabilities, are economically disadvantaged, receive
577 public assistance, are not proficient in English, or are
578 dislocated workers. This approach should ensure the effective
579 use of federal, state, local, and private resources in reducing
580 the need for public assistance.

581 (d) Designating Institutes of Applied Technology composed
582 of public and private postsecondary institutions working
583 together with business and industry to ensure that career
584 education programs use the most advanced technology and
585 instructional methods available and respond to the changing
586 needs of business and industry.

587 (e) Providing policy direction for a system to project and
588 evaluate labor market supply and demand using the results of the
589 Workforce Estimating Conference created in s. 216.136 and the
590 career education performance standards identified under s.
591 1008.43.

592 (f) Reviewing the performance of public programs that are
593 responsible for economic development, education, employment, and
594 training. The review must include an analysis of the return on
595 investment of these programs.

596 (g) Expanding the occupations identified by the Workforce
597 Estimating Conference to meet needs created by local emergencies
598 or plant closings or to capture occupations within emerging
599 industries.

600 (7) By December 1 of each year, the state board

601 ~~CareerSource Florida, Inc.,~~ shall submit to the Governor, the
602 President of the Senate, the Speaker of the House of
603 Representatives, the Senate Minority Leader, and the House
604 Minority Leader a complete and detailed annual report setting
605 forth:

606 (a) All audits, including any audit conducted under
607 subsection (8).

608 (b) The operations and accomplishments of the state board,
609 including the programs or entities specified in subsection (6).

610 (8) Pursuant to his or her own authority or at the
611 direction of the Legislative Auditing Committee, the Auditor
612 General may conduct an audit of the state board and CareerSource
613 Florida, Inc., or the programs or entities created by the state
614 board ~~CareerSource Florida, Inc.~~ The Office of Program Policy
615 Analysis and Government Accountability, pursuant to its
616 authority or at the direction of the Legislative Auditing
617 Committee, may review the systems and controls related to
618 performance outcomes and quality of services of the state board
619 and CareerSource Florida, Inc.

620 (9) The state board ~~CareerSource Florida, Inc.,~~ in
621 collaboration with the local workforce development boards and
622 appropriate state agencies and local public and private service
623 providers, shall establish uniform performance accountability
624 measures that apply across the core programs to gauge the
625 performance of the state and local workforce development boards

in achieving the workforce development strategy.

(a) The performance accountability measures for the core programs consist of the primary indicators of performance, any additional indicators of performance, and a state-adjusted level of performance for each indicator pursuant to Pub. L. No. 113-128, Title I, s. 116(b).

(b) The performance accountability measures for each local area consist of the primary indicators of performance, any additional indicators of performance, and a local level of performance for each indicator pursuant to Pub. L. No. 113-128. The local level of performance is determined by the local board, the chief elected official, and the Governor pursuant to Pub. L. No. 113-128, Title I, s. 116(c).

(c) Performance accountability measures shall be used to generate performance reports pursuant to Pub. L. No. 113-128, Title I, s. 116(d).

(d) The performance accountability measures of success that are adopted by the state board ~~CareerSource Florida, Inc.,~~ or the local workforce development boards must be developed in a manner that provides for an equitable comparison of the relative success or failure of any service provider in terms of positive outcomes.

(10) The workforce development strategy for the state shall be designed by the state board, in consultation with the department, and approved by the Governor ~~CareerSource Florida,~~

651 ~~Inc.~~ The strategy must include efforts that enlist business,
652 education, and community support for students to achieve long-
653 term career goals, ensuring that young people have the academic
654 and occupational skills required to succeed in the workplace.
655 The strategy must also assist employers in upgrading or updating
656 the skills of their employees and assisting workers to acquire
657 the education or training needed to secure a better job with
658 better wages. The strategy must assist the state's efforts to
659 attract and expand job-creating businesses offering high-paying,
660 high-demand occupations.

661 (11) The workforce development system must encourage ~~use a~~
662 ~~charter-process approach aimed at encouraging~~ local design and
663 control of service delivery and targeted activities. The state
664 board, in consultation with the department CareerSource Florida,
665 ~~Inc., is shall be~~ responsible for ensuring that ~~granting~~
666 ~~charters to~~ local workforce development boards ~~that~~ have a
667 membership consistent with the requirements of federal and state
668 law and have developed a plan consistent with the state's
669 workforce development strategy. The plan must specify methods
670 for allocating the resources and programs in a manner that
671 eliminates unwarranted duplication, minimizes administrative
672 costs, meets the existing job market demands and the job market
673 demands resulting from successful economic development
674 activities, ensures access to quality workforce development
675 services for all Floridians, allows for pro rata or partial

676 distribution of benefits and services, prohibits the creation of
677 a waiting list or other indication of an unserved population,
678 serves as many individuals as possible within available
679 resources, and maximizes successful outcomes. The state board ~~As~~
680 ~~part of the charter process, CareerSource Florida, Inc.,~~ shall
681 establish incentives for effective coordination of federal and
682 state programs, outline rewards for successful job placements,
683 and institute collaborative approaches among local service
684 providers. ~~Local decisionmaking and control shall be important~~
685 ~~components for inclusion in this charter application.~~

686 (12) CareerSource Florida, Inc., under the direction of
687 the state board, shall enter into agreement with Space Florida
688 and collaborate with vocational institutes, community colleges,
689 colleges, and universities in this state to develop a workforce
690 development strategy to implement the workforce provisions of s.
691 331.3051.

692 (13) The department may consult with the state board to
693 issue technical assistance letters on the operation of federal
694 programs and the expenditure of federal funds by the state board
695 or any local workforce development board. A technical assistance
696 letter must be in writing, must be posted on the department's
697 website, and remains in effect until superseded or terminated. A
698 technical assistance letter is not a rule of general
699 applicability under s. 120.54 and is not a declaratory statement
700 issued under s. 120.565 or an order issued under s. 120.569.

701 Section 120.53 does not apply to technical assistance letters.

702 Section 4. Section 445.006, Florida Statutes, is amended
703 to read:

704 445.006 State plan for workforce development.—

705 (1) STATE PLAN.—The state board ~~CareerSource Florida,~~
706 ~~Inc.~~, in conjunction with state and local partners in the
707 workforce system, shall develop a state plan that produces an
708 educated and skilled workforce. The state plan must consist of
709 strategic and operational planning elements. The state plan
710 shall be submitted by the Governor to the United States
711 Department of Labor pursuant to the requirements of Pub. L. No.
712 113-128.

713 (2) STRATEGIC PLANNING ELEMENTS.—The state board
714 ~~CareerSource Florida, Inc.~~, in conjunction with state and local
715 partners in the workforce system, shall develop strategic
716 planning elements, pursuant to Pub. L. No. 113-128, Title I, s.
717 102, for the state plan.

718 (a) The strategic planning elements of the state plan must
719 include, but need not be limited to, strategies for:

720 1. Fulfilling the workforce system goals and strategies
721 prescribed in s. 445.004;

722 2. Aggregating, integrating, and leveraging workforce
723 system resources;

724 3. Coordinating the activities of federal, state, and
725 local workforce system partners;

726 4. Addressing the workforce needs of small businesses; and
727 5. Fostering the participation of rural communities and
728 distressed urban cores in the workforce system.

729 (b) The strategic planning elements must include criteria
730 for allocating workforce resources to local workforce
731 development boards. With respect to allocating funds to serve
732 customers of the welfare transition program, such criteria may
733 include weighting factors that indicate the relative degree of
734 difficulty associated with securing and retaining employment
735 placements for specific subsets of the welfare transition
736 caseload.

737 (3) OPERATIONAL PLANNING ELEMENTS.—The state board
738 ~~CareerSource Florida, Inc.~~, in conjunction with state and local
739 partners in the workforce system, shall develop operational
740 planning elements, pursuant to Pub. L. No. 113-128, Title I, s.
741 102, for the state plan.

742 Section 5. Subsection (1), paragraph (b) of subsection
743 (2), and subsections (3) through (7) and (9) through (13) of
744 section 445.007, Florida Statutes, are amended, and paragraph
745 (c) is added to subsection (2) of that section, to read:

746 445.007 Local workforce development boards.—

747 (1) One local workforce development board shall be
748 appointed in each designated service delivery area and shall
749 serve as the local workforce development board pursuant to Pub.
750 L. No. 113-128. The membership of the local board must be

751 consistent with Pub. L. No. 113-128, Title I, s. 107(b). If a
752 public education or training provider is represented on the
753 local board, a representative of a private education provider
754 must also be appointed to the local board. The state board
755 ~~CareerSource Florida, Inc.,~~ may waive this requirement if
756 requested by a local workforce development board if it is
757 demonstrated that such representatives do not exist in the
758 region. The importance of minority and gender representation
759 shall be considered when making appointments to the local board.
760 The local board, its committees, subcommittees, and
761 subdivisions, and other units of the workforce system, including
762 units that may consist in whole or in part of local governmental
763 units, may use any method of telecommunications to conduct
764 meetings, including establishing a quorum through
765 telecommunications, provided that the public is given proper
766 notice of the telecommunications meeting and reasonable access
767 to observe and, when appropriate, participate. Local workforce
768 development boards are subject to chapters 119 and 286 and s.
769 24, Art. I of the State Constitution. If the local workforce
770 development board enters into a contract with an organization or
771 individual represented on the local board ~~of directors~~, the
772 contract must be approved by a two-thirds vote of the local
773 board, a quorum having been established, and the local board
774 member who could benefit financially from the transaction must
775 abstain from voting on the contract. A local board member must

776 disclose any such conflict in a manner that is consistent with
777 the procedures outlined in s. 112.3143. Each member of a local
778 workforce development board who is not otherwise required to
779 file a full and public disclosure of financial interests under
780 ~~pursuant to~~ s. 8, Art. II of the State Constitution or s.
781 112.3144 shall file a statement of financial interests under
782 ~~pursuant to~~ s. 112.3145. The executive director or designated
783 person responsible for the operational and administrative
784 functions of the local workforce development board who is not
785 otherwise required to file a full and public disclosure of
786 financial interests under ~~pursuant to~~ s. 8, Art. II of the State
787 Constitution or s. 112.3144 shall file a statement of financial
788 interests under ~~pursuant to~~ s. 112.3145.

789 (2)

790 (b) The Governor may remove a member of the local board,
791 the executive director of the local board, or the designated
792 person responsible for the operational and administrative
793 functions of the local board for cause. ~~As used in this~~
794 ~~paragraph, the term "cause" includes, but is not limited to,~~
795 ~~engaging in fraud or other criminal acts, incapacity, unfitness,~~
796 ~~neglect of duty, official incompetence and irresponsibility,~~
797 ~~misfeasance, malfeasance, nonfeasance, or lack of performance.~~

798 (c) The chief elected official for the local workforce
799 development board may remove a member of the local board, the
800 executive director of the local board, or the designated person

801 responsible for the operational and administrative functions of
802 the local board for cause.

803 (3) The department ~~of Economic Opportunity, under the~~
804 ~~direction of CareerSource Florida, Inc.,~~ shall assign staff to
805 meet with each local workforce development board annually to
806 review the local board's performance and to certify that the
807 local board is in compliance with applicable state and federal
808 law.

809 (4) In addition to the duties and functions specified by
810 the state board ~~CareerSource Florida, Inc.,~~ and by the
811 interlocal agreement approved by the local county or city
812 governing bodies, the local workforce development board shall
813 have the following responsibilities:

814 (a) Develop, submit, ratify, or amend the local plan
815 pursuant to Pub. L. No. 113-128, Title I, s. 108 and this act.

816 (b) Conclude agreements necessary to designate the fiscal
817 agent and administrative entity. A public or private entity,
818 including an entity established under ~~pursuant to~~ s. 163.01,
819 which makes a majority of the appointments to a local workforce
820 development board may serve as the local board's administrative
821 entity if approved by the department ~~CareerSource Florida, Inc.,~~
822 based upon a showing that a fair and competitive process was
823 used to select the administrative entity.

824 (c) ~~Complete assurances required for the charter process~~
825 ~~of CareerSource Florida, Inc.,~~ and Provide ongoing oversight

826 related to administrative costs, duplicated services, career
827 counseling, economic development, equal access, compliance and
828 accountability, and performance outcomes.

829 (d) Oversee the one-stop delivery system in its local
830 area.

831 (5) The department, in conjunction with the state board
832 ~~CareerSource Florida, Inc.~~, shall implement a training program
833 for the local workforce development boards to familiarize local
834 board members with the state's workforce development goals and
835 strategies.

836 (6) The local workforce development board shall designate
837 all local service providers and may not transfer this authority
838 to a third party. Consistent with the intent of the Workforce
839 Innovation and Opportunity Act, local workforce development
840 boards should provide the greatest possible choice of training
841 providers to those who qualify for training services. A local
842 workforce development board may not restrict the choice of
843 training providers based upon cost, location, or historical
844 training arrangements. However, a local board may restrict the
845 amount of training resources available to any one client. Such
846 restrictions may vary based upon the cost of training in the
847 client's chosen occupational area. The local workforce
848 development board may be designated as a one-stop operator and
849 direct provider of intake, assessment, eligibility
850 determinations, or other direct provider services except

851 training services. Such designation may occur only with the
852 agreement of the chief elected official and the Governor as
853 specified in 29 U.S.C. s. 2832(f)(2). The state board
854 ~~CareerSource Florida, Inc.,~~ shall establish procedures by which
855 a local workforce development board may request permission to
856 operate under this section and the criteria under which such
857 permission may be granted. The criteria shall include, but need
858 not be limited to, a reduction in the cost of providing the
859 permitted services. Such permission shall be granted for a
860 period not to exceed 3 years for any single request submitted by
861 the local workforce development board.

862 (7) Local workforce development boards shall adopt a
863 committee structure consistent with applicable federal law and
864 state policies established by the state board ~~CareerSource~~
865 ~~Florida, Inc.~~

866 (9) For purposes of procurement, local workforce
867 development boards and their administrative entities are not
868 state agencies and are exempt from chapters 120 and 287. The
869 local workforce development boards shall apply the procurement
870 and expenditure procedures required by federal law and policies
871 of the department ~~of Economic Opportunity~~ and the state board
872 ~~CareerSource Florida, Inc.,~~ for the expenditure of federal,
873 state, and nonpass-through funds. The making or approval of
874 smaller, multiple payments for a single purchase with the intent
875 to avoid or evade the monetary thresholds and procedures

876 established by federal law and policies of the department ~~of~~
877 ~~Economic Opportunity~~ and the state board ~~CareerSource Florida,~~
878 ~~Inc.,~~ is grounds for removal for cause. Local workforce
879 development boards, their administrative entities, committees,
880 and subcommittees, and other workforce units may authorize
881 expenditures to award suitable framed certificates, pins, or
882 other tokens of recognition for performance by units of the
883 workforce system. Local workforce development boards; their
884 administrative entities, committees, and subcommittees; and
885 other workforce units may authorize expenditures for promotional
886 items, such as t-shirts, hats, or pens printed with messages
887 promoting Florida's workforce system to employers, job seekers,
888 and program participants. However, such expenditures are subject
889 to federal regulations applicable to the expenditure of federal
890 funds. All contracts executed by local workforce development
891 boards must include specific performance expectations and
892 deliverables.

893 (10) State and federal funds provided to the local
894 workforce development boards may not be used directly or
895 indirectly to pay for meals, food, or beverages for ~~board~~
896 members, staff, or employees of local workforce development
897 boards, the state board ~~CareerSource Florida, Inc.,~~ or the
898 department ~~of Economic Opportunity~~ except as expressly
899 authorized by state law. Preapproved, reasonable, and necessary
900 per diem allowances and travel expenses may be reimbursed. Such

reimbursement shall be at the standard travel reimbursement rates established in s. 112.061 and shall be in compliance with all applicable federal and state requirements. The department shall provide fiscal and programmatic guidance ~~CareerSource Florida, Inc., shall develop a statewide fiscal policy~~ applicable to the state board, CareerSource Florida, Inc., and all local workforce development boards, to hold both the state and local workforce development boards strictly accountable for adherence to the policy and subject to regular and periodic monitoring by the department ~~of Economic Opportunity, the administrative entity for CareerSource Florida, Inc.~~ Local boards are prohibited from expending state or federal funds for entertainment costs and recreational activities for local board members and employees as these terms are defined by 2 C.F.R. part 200 ~~230~~.

(11) To increase transparency and accountability, a local workforce development board must comply with the requirements of this section before contracting with a member of the local board or a relative, as defined in s. 112.3143(1)(c), of a local board member or of an employee of the local board. Such contracts may not be executed before or without the prior approval of the department ~~CareerSource Florida, Inc.~~ Such contracts, as well as documentation demonstrating adherence to this section as specified by the department ~~CareerSource Florida, Inc.~~, must be submitted to the department ~~of Economic Opportunity~~ for review

926 and approval ~~recommendation according to criteria to be~~
927 ~~determined by CareerSource Florida, Inc.~~ Such a contract must be
928 approved by a two-thirds vote of the local board, a quorum
929 having been established; all conflicts of interest must be
930 disclosed before the vote; and any member who may benefit from
931 the contract, or whose relative may benefit from the contract,
932 must abstain from the vote. A contract under \$25,000 between a
933 local workforce development board and a member of that board or
934 between a relative, as defined in s. 112.3143(1)(c), of a local
935 board member or of an employee of the local board is not
936 required to have the prior approval of the department
937 ~~CareerSource Florida, Inc.~~, but must be approved by a two-thirds
938 vote of the local board, a quorum having been established, and
939 must be reported to the department ~~of Economic Opportunity~~ and
940 the state board ~~CareerSource Florida, Inc.~~, within 30 days after
941 approval. If a contract cannot be approved by the department
942 ~~CareerSource Florida, Inc.~~, a review of the decision to
943 disapprove the contract may be requested by the local workforce
944 development board or other parties to the disapproved contract.

945 (12) Each local workforce development board shall develop
946 a budget for the purpose of carrying out the duties of the local
947 board under this section, subject to the approval of the chief
948 elected official. Each local workforce development board shall
949 submit its annual budget for review to the department
950 ~~CareerSource Florida, Inc.~~, no later than 2 weeks after the

chair approves the budget.

~~(13) By March 1, 2018, CareerSource Florida, Inc., shall establish regional planning areas in accordance with Pub. L. No. 113-128, Title I, s. 106(a)(2). Local workforce development boards and chief elected officials within identified regional planning areas shall prepare a regional workforce development plan as required under Pub. L. No. 113-128, Title I, s. 106(e)(2).~~

Section 6. Subsections (1) and (4) of section 445.0071, Florida Statutes, are amended to read:

445.0071 Florida Youth Summer Jobs Pilot Program.—

(1) CREATION.—Contingent upon appropriations, there is created the Florida Youth Summer Jobs Pilot Program within workforce development district 22 served by the Broward Workforce Development Board. The board shall, in consultation with the state board ~~CareerSource Florida, Inc.~~, provide a program offering at-risk and disadvantaged children summer jobs in partnership with local communities and public employers.

(4) GOVERNANCE.—

(a) The pilot program shall be administered by the local workforce development board in consultation with the state board ~~CareerSource Florida, Inc.~~

(b) The local workforce development board shall report to the state board and the department ~~CareerSource Florida, Inc.~~, the number of at-risk and disadvantaged children who enter the

976 program, the types of work activities they participate in, and
977 the number of children who return to school, go on to
978 postsecondary school, or enter the workforce full time at the
979 end of the program. The state board ~~CareerSource Florida, Inc.,~~
980 shall report to the Legislature by November 1 of each year on
981 the performance of the program.

982 Section 7. Subsections (1) and (2) of section 445.008,
983 Florida Statutes, are amended to read:

984 445.008 Workforce Training Institute.—

985 (1) The state board, through CareerSource Florida, Inc.,
986 may create the Workforce Training Institute, which shall be a
987 comprehensive program of workforce training courses designed to
988 meet the unique needs of, and shall include Internet-based
989 training modules suitable for and made available to,
990 professionals integral to the workforce system, including
991 advisors and counselors in educational institutions.

992 (2) The state board, through CareerSource Florida, Inc.,
993 may enter into a contract for the provision of administrative
994 support services for the institute and shall adopt policies for
995 the administration and operation of the institute and establish
996 admission fees in an amount which, in the aggregate, does not
997 exceed the cost of the program. CareerSource Florida, Inc., may
998 accept donations or grants of any type for any function or
999 purpose of the institute. All donations and grants received by
1000 CareerSource Florida, Inc., must be reported to the state board

1001 and the department.

1002 Section 8. Subsections (2), (3), and (4), paragraph (b) of
1003 subsection (6), subsection (7), paragraphs (a), (c), and (d) of
1004 subsection (8), and subsection (9) of section 445.009, Florida
1005 Statutes, are amended to read:

1006 445.009 One-stop delivery system.—

1007 (2)(a) Subject to a process designed by the state board
1008 ~~CareerSource Florida, Inc.~~, and in compliance with Pub. L. No.
1009 113-128, local workforce development boards shall designate one-
1010 stop delivery system operators.

1011 (b) A local workforce development board may designate as
1012 its one-stop delivery system operator any public or private
1013 entity that is eligible to provide services under any state or
1014 federal workforce program that is a mandatory or discretionary
1015 partner in the local workforce development area's one-stop
1016 delivery system if approved by the department ~~CareerSource~~
1017 ~~Florida, Inc.~~, upon a showing by the local workforce development
1018 board that a fair and competitive process was used in the
1019 selection. As a condition of authorizing a local workforce
1020 development board to designate such an entity as its one-stop
1021 delivery system operator, the department ~~CareerSource Florida,~~
1022 ~~Inc.~~, must require the local workforce development board to
1023 demonstrate that safeguards are in place to ensure that the one-
1024 stop delivery system operator will not exercise an unfair
1025 competitive advantage or unfairly refer or direct customers of

1026 the one-stop delivery system to services provided by that one-
1027 stop delivery system operator. A local workforce development
1028 board may retain its current one-stop career center operator
1029 without further procurement action if the local board has an
1030 established one-stop career center that has complied with
1031 federal and state law.

1032 (c) The local workforce development board must enter into
1033 a memorandum of understanding with each mandatory or optional
1034 partner participating in the one-stop delivery system which
1035 details the partner's required contribution to infrastructure
1036 costs, as required by Pub. L. No. 113-128, s. 121(h). ~~If the~~
1037 ~~local workforce development board and the one-stop partner are~~
1038 ~~unable to come to an agreement regarding infrastructure costs by~~
1039 ~~July 1, 2017, the costs shall be allocated pursuant to a policy~~
1040 ~~established by the Governor.~~

1041 (3) Local workforce development boards shall enter into a
1042 memorandum of understanding with the department ~~of Economic~~
1043 ~~Opportunity~~ for the delivery of employment services authorized
1044 by the federal Wagner-Peyser Act. This memorandum of
1045 understanding must be performance based.

1046 (a) Unless otherwise required by federal law, at least 90
1047 percent of the Wagner-Peyser funding must go into direct
1048 customer service costs.

1049 (b) Employment services must be provided through the one-
1050 stop delivery system, under the guidance of one-stop delivery

1051 system operators. One-stop delivery system operators shall have
1052 overall authority for directing the staff of the workforce
1053 system. Personnel matters shall remain under the ultimate
1054 authority of the department. However, the one-stop delivery
1055 system operator shall submit to the department information
1056 concerning the job performance of employees of the department
1057 who deliver employment services. The department shall consider
1058 any such information submitted by the one-stop delivery system
1059 operator in conducting performance appraisals of the employees.

1060 (c) The department shall retain fiscal responsibility and
1061 accountability for the administration of funds allocated to the
1062 state under the Wagner-Peyser Act. An employee of the department
1063 who is providing services authorized under the Wagner-Peyser Act
1064 shall be paid using Wagner-Peyser Act funds.

1065 (4) One-stop delivery system partners shall enter into a
1066 memorandum of understanding pursuant to Pub. L. No. 113-128,
1067 Title I, s. 121, with the local workforce development board.
1068 Failure of a local partner to participate cannot unilaterally
1069 block the majority of partners from moving forward with their
1070 one-stop delivery system, and the state board, in conjunction
1071 with the department, may notify the Governor ~~CareerSource~~
1072 ~~Florida, Inc., pursuant to s. 445.004(5)(c), may make~~
1073 ~~notification~~ of a local partner that fails to participate.

1074 (6)

1075 (b) To expand electronic capabilities, the state board and

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1076 the department ~~CareerSource Florida, Inc.~~, working with local
1077 workforce development boards, shall develop a centralized help
1078 center to assist local workforce development boards in
1079 fulfilling core services, minimizing the need for fixed-site
1080 one-stop delivery system centers.

1081 (7) Intensive services and training provided pursuant to
1082 Pub. L. No. 113-128 shall be provided to individuals through
1083 Intensive Service Accounts and Individual Training Accounts. The
1084 state board ~~CareerSource Florida, Inc.~~, shall develop an
1085 implementation plan, including identification of initially
1086 eligible training providers, transition guidelines, and criteria
1087 for use of these accounts. Individual Training Accounts must be
1088 compatible with Individual Development Accounts for education
1089 allowed in federal and state welfare reform statutes.

1090 (8)(a) Individual Training Accounts must be expended on
1091 programs that prepare people to enter high-wage occupations
1092 identified by the Workforce Estimating Conference created by s.
1093 216.136, and on other programs recommended by the state board
1094 and approved by the department ~~as approved by CareerSource~~
1095 ~~Florida, Inc.~~

1096 (c) The department ~~CareerSource Florida, Inc.~~, shall
1097 periodically review Individual Training Account pricing
1098 schedules developed by local workforce development boards and
1099 present findings and recommendations for process improvement to
1100 the President of the Senate and the Speaker of the House of

Representatives.

(d) To the maximum extent possible, training providers shall use funding sources other than the funding provided under Pub. L. No. 113-128. The state board ~~CareerSource Florida, Inc.~~, shall develop a system to encourage the leveraging of appropriated resources for the workforce system and shall report on such efforts as part of the required annual report.

(9) (a) The state board ~~CareerSource Florida, Inc.~~, working with the department, shall coordinate among the agencies a plan for a One-Stop Electronic Network made up of one-stop delivery system centers and other partner agencies that are operated by authorized public or private for-profit or not-for-profit agents. The plan shall identify resources within existing revenues to establish and support this electronic network for service delivery that includes Government Services Direct. If necessary, the plan shall identify additional funding needed to achieve the provisions of this subsection.

(b) The network shall assure that a uniform method is used to determine eligibility for and management of services provided by agencies that conduct workforce development activities. The Department of Management Services shall develop strategies to allow access to the databases and information management systems of the following systems in order to link information in those databases with the one-stop delivery system:

1. The Reemployment Assistance Program under chapter 443.

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2. The public employment service described in s. 443.181.

3. The public assistance information system used by the Department of Children and Families and the components related to temporary cash assistance, food assistance, and Medicaid eligibility.

4. The Student Financial Assistance System of the Department of Education.

5. Enrollment in the public postsecondary education system.

6. Other information systems determined appropriate by the state board, in consultation with the department ~~CareerSource Florida, Inc.~~

Section 9. Section 445.011, Florida Statutes, is amended to read:

445.011 Workforce information systems.—

(1) The department, in consultation with the state board ~~CareerSource Florida, Inc.~~, shall implement, subject to legislative appropriation, automated information systems that are necessary for the efficient and effective operation and management of the workforce development system. These information systems shall include, but need not be limited to, the following:

(a) An integrated management system for the one-stop service delivery system, which includes, at a minimum, common registration and intake, screening for needs and benefits, case

1151 planning and tracking, training benefits management, service and
1152 training provider management, performance reporting, executive
1153 information and reporting, and customer-satisfaction tracking
1154 and reporting.

1155 1. The system should report current budgeting,
1156 expenditure, and performance information for assessing
1157 performance related to outcomes, service delivery, and financial
1158 administration for workforce programs pursuant to s. 445.004(5)
1159 and (9).

1160 2. The information system should include auditable systems
1161 and controls to ensure financial integrity and valid and
1162 reliable performance information.

1163 3. The system should support service integration and case
1164 management by providing for case tracking for participants in
1165 welfare transition programs.

1166 (b) An automated job-matching information system that is
1167 accessible to employers, job seekers, and other users via the
1168 Internet, and that includes, at a minimum:

1169 1. Skill match information, including skill gap analysis;
1170 resume creation; job order creation; skill tests; job search by
1171 area, employer type, and employer name; and training provider
1172 linkage;

1173 2. Job market information based on surveys, including
1174 local, state, regional, national, and international occupational
1175 and job availability information; and

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1176 3. Service provider information, including education and
1177 training providers, child care facilities and related
1178 information, health and social service agencies, and other
1179 providers of services that would be useful to job seekers.

1180 (2) The department ~~In procuring workforce information~~
1181 ~~systems, CareerSource Florida, Inc., shall employ competitive~~
1182 ~~processes, including requests for proposals, competitive~~
1183 ~~negotiation, and other competitive processes to ensure that the~~
1184 ~~procurement results in the most cost-effective investment of~~
1185 ~~state funds.~~

1186 ~~(3) CareerSource Florida, Inc.,~~ may procure independent
1187 verification and validation services associated with developing
1188 and implementing any workforce information system.

1189 ~~(3)-(4)~~ The department ~~CareerSource Florida, Inc.,~~ shall
1190 coordinate development and implementation of workforce
1191 information systems with the state chief information officer to
1192 ensure compatibility with the state's information system
1193 strategy and enterprise architecture.

1194 Section 10. Subsections (1) and (3) of section 445.014,
1195 Florida Statutes, are amended to read:

1196 445.014 Small business workforce service initiative.—

1197 (1) Subject to legislative appropriation, the state board
1198 ~~CareerSource Florida, Inc.,~~ shall establish a program to
1199 encourage local workforce development boards to establish one-
1200 stop delivery systems that maximize the provision of workforce

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1201 and human-resource support services to small businesses. Under
1202 the program, a local workforce development board may apply, on a
1203 competitive basis, for funds to support the provision of such
1204 services to small businesses through the local workforce
1205 development area's one-stop delivery system.

1206 (3) The state board ~~CareerSource Florida, Inc.,~~ shall
1207 establish guidelines governing the administration of this
1208 program and shall establish criteria to be used in evaluating
1209 applications for funding. Such criteria must include, but need
1210 not be limited to, a showing that the local workforce
1211 development board has in place a detailed plan for establishing
1212 a one-stop delivery system designed to meet the workforce needs
1213 of small businesses and for leveraging other funding sources in
1214 support of such activities.

1215 Section 11. Paragraphs (b), (c), and (d) of subsection (2)
1216 and subsection (4) of section 445.021, Florida Statutes, are
1217 amended to read:

1218 445.021 Relocation assistance program.—

1219 (2) The relocation assistance program shall involve five
1220 steps by the local workforce development board, in cooperation
1221 with the Department of Children and Families:

1222 (b) A determination that there is a basis for believing
1223 that relocation will contribute to the ability of the applicant
1224 to achieve self-sufficiency. For example, the applicant:

1225 1. Is unlikely to achieve economic self-sufficiency at the

current community of residence;

2. Has secured a job that provides an increased salary or improved benefits and that requires relocation to another community;

3. Has a family support network that will contribute to job retention in another community;

4. Is determined, pursuant to criteria or procedures established by the state board ~~of directors of CareerSource Florida, Inc.~~, to be a victim of domestic violence who would experience reduced probability of further incidents through relocation; or

5. Must relocate in order to receive education or training that is directly related to the applicant's employment or career advancement.

(c) Establishment of a relocation plan that includes such requirements as are necessary to prevent abuse of the benefit and provisions to protect the safety of victims of domestic violence and avoid provisions that place them in anticipated danger. The payment to defray relocation expenses shall be determined based on criteria approved by the state board ~~of directors of CareerSource Florida, Inc.~~ Participants in the relocation program shall be eligible for diversion or transitional benefits.

(d) A determination, pursuant to criteria adopted by the state board ~~of directors of CareerSource Florida, Inc.~~, that a

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community receiving a relocated family has the capacity to provide needed services and employment opportunities.

(4) The state board ~~of directors of CareerSource Florida, Inc.,~~ may establish criteria for developing and implementing relocation plans and for drafting agreements to restrict a family from applying for temporary cash assistance for a specified period after receiving a relocation assistance payment.

Section 12. Section 445.022, Florida Statutes, is amended to read:

445.022 Retention Incentive Training Accounts.—To promote job retention and to enable upward job advancement into higher skilled, higher paying employment, the state board ~~of directors of CareerSource Florida, Inc.,~~ and the local workforce development boards may assemble a list of programs and courses offered by postsecondary educational institutions which may be available to participants who have become employed to promote job retention and advancement.

(1) The state board ~~of directors of CareerSource Florida, Inc.,~~ may establish Retention Incentive Training Accounts (RITAs) to use Temporary Assistance to Needy Families (TANF) block grant funds specifically appropriated for this purpose. RITAs must complement the Individual Training Account required by the federal Workforce Innovation and Opportunity Act, Pub. L. No. 113-128.

1276 (2) RITAs may pay for tuition, fees, educational
1277 materials, coaching and mentoring, performance incentives,
1278 transportation to and from courses, child care costs during
1279 education courses, and other such costs as the local workforce
1280 development boards determine are necessary to effect successful
1281 job retention and advancement.

1282 (3) Local workforce development boards shall retain only
1283 those courses that continue to meet their performance standards
1284 as established in their local plan.

1285 (4) Local workforce development boards shall report
1286 annually to the Legislature on the measurable retention and
1287 advancement success of each program provider and the
1288 effectiveness of RITAs, making recommendations for any needed
1289 changes or modifications.

1290 Section 13. Paragraph (e) of subsection (5) of section
1291 445.024, Florida Statutes, is amended to read:

1292 445.024 Work requirements.—

1293 (5) USE OF CONTRACTS.—Local workforce development boards
1294 shall provide work activities, training, and other services, as
1295 appropriate, through contracts. In contracting for work
1296 activities, training, or services, the following applies:

1297 (e) The administrative costs associated with a contract
1298 for services provided under this section may not exceed the
1299 applicable administrative cost ceiling established in federal
1300 law. An agency or entity that is awarded a contract under this

1301 section may not charge more than 7 percent of the value of the
1302 contract for administration unless an exception is approved by
1303 the local workforce development board. A list of any exceptions
1304 approved must be submitted to the state board ~~of directors of~~
1305 ~~CareerSource Florida, Inc.,~~ for review, and the state board may
1306 rescind approval of the exception.

1307 Section 14. Subsection (6) of section 445.026, Florida
1308 Statutes, is amended to read:

1309 445.026 Cash assistance severance benefit.—An individual
1310 who meets the criteria listed in this section may choose to
1311 receive a lump-sum payment in lieu of ongoing cash assistance
1312 payments, provided the individual:

1313 (6) Signs an agreement not to apply for or accept cash
1314 assistance for 6 months after receipt of the one-time payment.
1315 In the event of an emergency, such agreement shall provide for
1316 an exception to this restriction, provided that the one-time
1317 payment shall be deducted from any cash assistance for which the
1318 family subsequently is approved. This deduction may be prorated
1319 over an 8-month period. The state board ~~of directors of~~
1320 ~~CareerSource Florida, Inc.,~~ shall adopt criteria defining the
1321 conditions under which a family may receive cash assistance due
1322 to such emergency.

1323
1324 Such individual may choose to accept a one-time, lump-sum
1325 payment of \$1,000 in lieu of receiving ongoing cash assistance.

Such payment shall only count toward the time limitation for the month in which the payment is made in lieu of cash assistance. A participant choosing to accept such payment shall be terminated from cash assistance. However, eligibility for Medicaid, food assistance, or child care shall continue, subject to the eligibility requirements of those programs.

Section 15. Section 445.028, Florida Statutes, is amended to read:

445.028 Transitional benefits and services.—In cooperation with the department ~~CareerSource Florida, Inc.~~, the Department of Children and Families shall develop procedures to ensure that families leaving the temporary cash assistance program receive transitional benefits and services that will assist the family in moving toward self-sufficiency. At a minimum, such procedures must include, but are not limited to, the following:

(1) Each recipient of cash assistance who is determined ineligible for cash assistance for a reason other than a work activity sanction shall be contacted by the workforce system case manager and provided information about the availability of transitional benefits and services. Such contact shall be attempted prior to closure of the case management file.

(2) Each recipient of temporary cash assistance who is determined ineligible for cash assistance due to noncompliance with the work activity requirements shall be contacted and provided information in accordance with s. 414.065(1).

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1351 (3) The department, in consultation with the state board
1352 ~~of directors of CareerSource Florida, Inc.~~, shall develop
1353 informational material, including posters and brochures, to
1354 better inform families about the availability of transitional
1355 benefits and services.

1356 (4) The department ~~CareerSource Florida, Inc.~~, in
1357 cooperation with the Department of Children and Families, shall,
1358 to the extent permitted by federal law, develop procedures to
1359 maximize the utilization of transitional Medicaid by families
1360 who leave the temporary cash assistance program.

1361 Section 16. Section 445.030, Florida Statutes, is amended
1362 to read:

1363 445.030 Transitional education and training.—In order to
1364 assist former recipients of temporary cash assistance who are
1365 working or actively seeking employment in continuing their
1366 training and upgrading their skills, education, or training,
1367 support services may be provided for up to 2 years after the
1368 family is no longer receiving temporary cash assistance. This
1369 section does not constitute an entitlement to transitional
1370 education and training. If funds are not sufficient to provide
1371 services under this section, the state board ~~of directors of~~
1372 ~~CareerSource Florida, Inc.~~, may limit or otherwise prioritize
1373 transitional education and training.

1374 (1) Education or training resources available in the
1375 community at no additional cost shall be used whenever possible.

(2) Local workforce development boards may authorize child care or other support services in addition to services provided in conjunction with employment. For example, a participant who is employed full time may receive child care services related to that employment and may also receive additional child care services in conjunction with training to upgrade the participant's skills.

(3) Transitional education or training must be job-related, but may include training to improve job skills in a participant's existing area of employment or may include training to prepare a participant for employment in another occupation.

(4) A local workforce development board may enter into an agreement with an employer to share the costs relating to upgrading the skills of participants hired by the employer. For example, a local workforce development board may agree to provide support services such as transportation or a wage subsidy in conjunction with training opportunities provided by the employer.

Section 17. Section 445.033, Florida Statutes, is amended to read:

445.033 Evaluation.—The state board ~~of directors of~~ ~~CareerSource Florida, Inc.,~~ and the Department of Children and Families shall arrange for evaluation of TANF-funded programs operated under this chapter, as follows:

1401 (1) If required by federal waivers or other federal
1402 requirements, the state board ~~of directors of CareerSource~~
1403 ~~Florida, Inc.,~~ and the department may provide for evaluation
1404 according to these requirements.

1405 (2) The state board ~~of directors of CareerSource Florida,~~
1406 ~~Inc.,~~ and the department shall participate in the evaluation of
1407 this program in conjunction with evaluation of the state's
1408 workforce development programs or similar activities aimed at
1409 evaluating program outcomes, cost-effectiveness, or return on
1410 investment, and the impact of time limits, sanctions, and other
1411 welfare reform measures set out in this chapter. Evaluation
1412 shall also contain information on the number of participants in
1413 work experience assignments who obtain unsubsidized employment,
1414 including, but not limited to, the length of time the
1415 unsubsidized job is retained, wages, and the public benefits, if
1416 any, received by such families while in unsubsidized employment.
1417 The evaluation must solicit the input of consumers, community-
1418 based organizations, service providers, employers, and the
1419 general public, and must publicize, especially in low-income
1420 communities, the process for submitting comments.

1421 (3) The state board ~~of directors of CareerSource Florida,~~
1422 ~~Inc.,~~ and the department may share information with and develop
1423 protocols for information exchange with the Florida Education
1424 and Training Placement Information Program.

1425 (4) The state board ~~of directors of CareerSource Florida,~~

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1426 ~~Inc.,~~ and the department may initiate or participate in
1427 additional evaluation or assessment activities that will further
1428 the systematic study of issues related to program goals and
1429 outcomes.

1430 (5) In providing for evaluation activities, the state
1431 ~~board of directors of CareerSource Florida, Inc.,~~ and the
1432 department shall safeguard the use or disclosure of information
1433 obtained from program participants consistent with federal or
1434 state requirements. Evaluation methodologies may be used which
1435 are appropriate for evaluation of program activities, including
1436 random assignment of recipients or participants into program
1437 groups or control groups. To the extent necessary or
1438 appropriate, evaluation data shall provide information with
1439 respect to the state, district, or county, or other substate
1440 area.

1441 (6) The state ~~board of directors of CareerSource Florida,~~
1442 ~~Inc.,~~ and the department may contract with a qualified
1443 organization for evaluations conducted under this section.

1444 Section 18. Section 445.035, Florida Statutes, is amended
1445 to read:

1446 445.035 Data collection and reporting.—The Department of
1447 Children and Families and the state ~~board of directors of~~
1448 ~~CareerSource Florida, Inc.,~~ shall collect data necessary to
1449 administer this chapter and make the reports required under
1450 federal law to the United States Department of Health and Human

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1451 Services and the United States Department of Agriculture.

1452 Section 19. Subsections (1), (2), and (3), paragraph (b)
1453 of subsection (4), and subsection (5) of section 445.048,
1454 Florida Statutes, are amended to read:

1455 445.048 Passport to Economic Progress program.—

1456 (1) AUTHORIZATION.—Notwithstanding any law to the
1457 contrary, the state board ~~CareerSource Florida, Inc.~~, in
1458 conjunction with the department and the Department of Children
1459 and Families ~~and the Department of Economic Opportunity~~, shall
1460 implement a Passport to Economic Progress program consistent
1461 with this section. The state board ~~CareerSource Florida, Inc.~~,
1462 may designate local workforce development boards to participate
1463 in the program. Expenses for the program may come from
1464 appropriated revenues or from funds otherwise available to a
1465 local workforce development board which may be legally used for
1466 such purposes. The state board ~~CareerSource Florida, Inc.~~, must
1467 consult with the applicable local workforce development boards
1468 and the applicable local offices of the Department of Children
1469 and Families which serve the program areas and must encourage
1470 community input into the implementation process.

1471 (2) WAIVERS.—If the state board ~~CareerSource Florida,~~
1472 ~~Inc.~~, in consultation with the Department of Children and
1473 Families, finds that federal waivers would facilitate
1474 implementation of the program, the department shall immediately
1475 request such waivers, and the state board ~~CareerSource Florida,~~

1476 ~~Inc.,~~ shall report to the Governor, the President of the Senate,
1477 and the Speaker of the House of Representatives if any refusal
1478 of the federal government to grant such waivers prevents the
1479 implementation of the program. If the state board ~~CareerSource~~
1480 ~~Florida, Inc.,~~ finds that federal waivers to provisions of the
1481 Food Assistance Program would facilitate implementation of the
1482 program, the Department of Children and Families shall
1483 immediately request such waivers in accordance with s. 414.175.

1484 (3) TRANSITIONAL BENEFITS AND SERVICES.—In order to assist
1485 them in making the transition to economic self-sufficiency,
1486 former recipients of temporary cash assistance participating in
1487 the passport program shall be eligible for the following
1488 benefits and services:

1489 (a) Notwithstanding the time period specified in s.
1490 445.030, transitional education and training support services as
1491 specified in s. 445.030 for up to 4 years after the family is no
1492 longer receiving temporary cash assistance;

1493 (b) Notwithstanding the time period specified in s.
1494 445.031, transitional transportation support services as
1495 specified in s. 445.031 for up to 4 years after the family is no
1496 longer receiving temporary cash assistance; and

1497 (c) Notwithstanding the time period specified in s.
1498 445.032, transitional child care as specified in s. 445.032 for
1499 up to 4 years after the family is no longer receiving temporary
1500 cash assistance.

1501
1502 All other provisions of ss. 445.030, 445.031, and 445.032 apply
1503 to such individuals, as appropriate. This subsection does not
1504 constitute an entitlement to transitional benefits and services.
1505 If funds are insufficient to provide benefits and services under
1506 this subsection, the state board ~~of directors of CareerSource~~
1507 ~~Florida, Inc.~~, or its agent, may limit such benefits and
1508 services or otherwise establish priorities for the provisions of
1509 such benefits and services.

1510 (4) INCENTIVES TO ECONOMIC SELF-SUFFICIENCY.—

1511 (b) The state board ~~CareerSource Florida, Inc.~~, in
1512 cooperation with the department and the Department of Children
1513 and Families ~~and the Department of Economic Opportunity~~, shall
1514 offer performance-based incentive bonuses as a component of the
1515 Passport to Economic Progress program. The bonuses do not
1516 represent a program entitlement and are contingent on achieving
1517 specific benchmarks prescribed in the self-sufficiency plan. If
1518 the funds appropriated for this purpose are insufficient to
1519 provide this financial incentive, the state board ~~of directors~~
1520 ~~of CareerSource Florida, Inc.~~, may reduce or suspend the bonuses
1521 in order not to exceed the appropriation or may direct the local
1522 workforce development boards to use resources otherwise given to
1523 the local workforce development board to pay such bonuses if
1524 such payments comply with applicable state and federal laws.

1525 (5) EVALUATIONS AND RECOMMENDATIONS.—The state board

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1526 ~~CareerSource Florida, Inc.~~, in conjunction with the department,
1527 the Department of Children and Families, ~~the Department of~~
1528 ~~Economic Opportunity,~~ and the local workforce development
1529 boards, shall conduct a comprehensive evaluation of the
1530 effectiveness of the program operated under this section.
1531 Evaluations and recommendations for the program shall be
1532 submitted by the state board ~~CareerSource Florida, Inc.,~~ as part
1533 of its annual report to the Legislature.

1534 Section 20. Subsections (6), (8), and (13) of section
1535 445.051, Florida Statutes, are amended to read:

1536 445.051 Individual development accounts.—

1537 (6) The state board ~~CareerSource Florida, Inc.,~~ shall
1538 establish procedures for local workforce development boards to
1539 include in their annual program and financial plan an
1540 application to offer an individual development account program
1541 as part of their TANF allocation. These procedures must include,
1542 but need not be limited to, administrative costs permitted for
1543 the fiduciary organization and policies relative to identifying
1544 the match ratio and limits on the deposits for which the match
1545 will be provided in the application process. The state board
1546 ~~CareerSource Florida, Inc.,~~ shall establish policies and
1547 procedures necessary to ensure that funds held in an individual
1548 development account are not withdrawn except for one or more of
1549 the qualified purposes described in this section.

1550 (8) The state board ~~CareerSource Florida, Inc.,~~ shall

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1551 establish procedures for controlling the withdrawal of funds for
1552 uses other than qualified purposes, including specifying
1553 conditions under which an account must be closed.

1554 (13) Pursuant to policy direction by the state board
1555 ~~CareerSource Florida, Inc.~~, the department of ~~Economic~~
1556 ~~Opportunity~~ shall adopt such rules as are necessary to implement
1557 this act.

1558 Section 21. Subsection (2) of section 445.055, Florida
1559 Statutes, is amended to read:

1560 445.055 Employment advocacy and assistance program
1561 targeting military spouses and dependents.—

1562 (2) The state board ~~CareerSource Florida, Inc.~~, shall
1563 establish an employment advocacy and assistance program
1564 targeting military spouses and dependents. This program shall
1565 deliver employment assistance services through military family
1566 employment advocates colocated within selected one-stop career
1567 centers. Persons eligible for assistance through this program
1568 include spouses and dependents of active duty military
1569 personnel, Florida National Guard members, and military
1570 reservists.

1571 Section 22. Paragraph (p) of subsection (3) of section
1572 11.45, Florida Statutes, is amended to read:

1573 11.45 Definitions; duties; authorities; reports; rules.—

1574 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The
1575 Auditor General may, pursuant to his or her own authority, or at

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the direction of the Legislative Auditing Committee, conduct audits or other engagements as determined appropriate by the Auditor General of:

(p) CareerSource Florida, Inc., the state board as defined in s. 445.002, or the programs or entities created by the state board under ~~CareerSource Florida, Inc., created pursuant to s.~~ 445.004.

Section 23. Paragraph (a) of subsection (5) of section 288.901, Florida Statutes, is amended to read:

288.901 Enterprise Florida, Inc.—

(5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.—

(a) In addition to the Governor or his or her designee, the board of directors shall consist of the following appointed members:

1. The Commissioner of Education or his or her designee.
2. The Chief Financial Officer or his or her designee.
3. The Attorney General or his or her designee.
4. The Commissioner of Agriculture or his or her designee.
5. The chairperson of the state board as defined in s. 445.002 ~~board of directors of CareerSource Florida, Inc.~~
6. The Secretary of State or his or her designee.
7. Twelve members from the private sector, six of whom shall be appointed by the Governor, three of whom shall be appointed by the President of the Senate, and three of whom shall be appointed by the Speaker of the House of

Representatives. Members appointed by the Governor are subject to Senate confirmation.

All board members shall serve without compensation, but are entitled to receive reimbursement for per diem and travel expenses pursuant to s. 112.061. Such expenses must be paid out of funds of Enterprise Florida, Inc.

Section 24. Subsection (5) of section 331.369, Florida Statutes, is amended to read:

331.369 Space Industry Workforce Initiative.—

(5) The state board as defined in s. 445.002 CareerSource ~~Florida, Inc.~~, as part of its statutorily prescribed annual report to the Legislature, shall provide recommendations for policies, programs, and funding to enhance the workforce needs of the aerospace industry.

Section 25. Paragraph (k) of subsection (1) and subsection (9) of section 413.405, Florida Statutes, are amended to read:

413.405 Florida Rehabilitation Council.—There is created the Florida Rehabilitation Council to assist the division in the planning and development of statewide rehabilitation programs and services, to recommend improvements to such programs and services, and to perform the functions listed in this section.

(1) The council shall be composed of:

(k) At least one representative of the state board as defined in s. 445.002 ~~board of directors of CareerSource~~

1626 ~~Florida, Inc.~~

1627 (9) In addition to the other functions specified in this
1628 section, the council shall, after consulting with the state
1629 board as defined in s. 445.002 ~~board of directors of~~

1630 ~~CareerSource Florida, Inc.:~~

1631 (a) Review, analyze, and advise the division regarding the
1632 performance of the responsibilities of the division under Title
1633 I of the act, particularly responsibilities relating to:

1634 1. Eligibility, including order of selection.

1635 2. The extent, scope, and effectiveness of services
1636 provided.

1637 3. Functions performed by state agencies which affect or
1638 potentially affect the ability of individuals with disabilities
1639 to achieve employment outcomes under Title I.

1640 (b) In partnership with the division:

1641 1. Develop, agree to, and review state goals and
1642 priorities in accordance with 34 C.F.R. s. 361.29(c); and

1643 2. Evaluate the effectiveness of the vocational
1644 rehabilitation program and submit reports of progress to the
1645 Governor, the President of the Senate, the Speaker of the House
1646 of Representatives, and the United States Secretary of Education
1647 in accordance with 34 C.F.R. s. 361.29(e).

1648 (c) Advise the department and the division and assist in
1649 the preparation of the state plan and amendments to the plan,
1650 applications, reports, needs assessments, and evaluations

required by Title I.

(d) To the extent feasible, conduct a review and analysis of the effectiveness of, and consumer satisfaction with:

1. The functions performed by state agencies and other public and private entities responsible for performing functions for individuals who have disabilities.

2. Vocational rehabilitation services:

a. Provided or paid for from funds made available under the act or through other public or private sources.

b. Provided by state agencies and other public and private entities responsible for providing vocational rehabilitation services to individuals who have disabilities.

3. The employment outcomes achieved by eligible individuals receiving services under this part, including the availability of health or other employment benefits in connection with those employment outcomes.

(e) Prepare and submit an annual report on the status of vocational rehabilitation programs in the state to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the United States Secretary of Education and make the report available to the public.

(f) Coordinate with other councils within Florida, including the Florida Independent Living Council, the advisory panel established under s. 612(a)(21) of the Individuals with Disabilities Education Act, 20 U.S.C. s. 1412(a)(21), the State

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1676 Planning Council described in s. 124 of the Developmental
1677 Disabilities Assistance and Bill of Rights Act, 42 U.S.C. s.
1678 15024, the state mental health planning council established
1679 under s. 1914 of the Public Health Service Act, 42 U.S.C. s.
1680 300x-3, and the state board as defined in s. 445.002 ~~board of~~
1681 ~~directors of CareerSource Florida, Inc.~~

1682 (g) Advise the department and division and provide for
1683 coordination and the establishment of working relationships
1684 among the department, the division, the Florida Independent
1685 Living Council, and centers for independent living in the state.

1686 (h) Perform other functions that are consistent with the
1687 duties and responsibilities of the council under this section.

1688 Section 26. Section 414.045, Florida Statutes, is amended
1689 to read:

1690 414.045 Cash assistance program.—Cash assistance families
1691 include any families receiving cash assistance payments from the
1692 state program for temporary assistance for needy families as
1693 defined in federal law, whether such funds are from federal
1694 funds, state funds, or commingled federal and state funds. Cash
1695 assistance families may also include families receiving cash
1696 assistance through a program defined as a separate state
1697 program.

1698 (1) For reporting purposes, families receiving cash
1699 assistance shall be grouped into the following categories. The
1700 department may develop additional groupings in order to comply

1701 with federal reporting requirements, to comply with the data-
1702 reporting needs of the state board as defined in s. 445.002
1703 ~~board of directors of CareerSource Florida, Inc.,~~ or to better
1704 inform the public of program progress.

1705 (a) Work-eligible cases.—Work-eligible cases shall
1706 include:

1707 1. Families containing an adult or a teen head of
1708 household, as defined by federal law. These cases are generally
1709 subject to the work activity requirements provided in s. 445.024
1710 and the time limitations on benefits provided in s. 414.105.

1711 2. Families with a parent where the parent's needs have
1712 been removed from the case due to sanction or disqualification
1713 shall be considered work-eligible cases to the extent that such
1714 cases are considered in the calculation of federal participation
1715 rates or would be counted in such calculation in future months.

1716 3. Families participating in transition assistance
1717 programs.

1718 4. Families otherwise eligible for temporary cash
1719 assistance which receive diversion services, a severance
1720 payment, or participate in the relocation program.

1721 (b) Child-only cases.—Child-only cases include cases that
1722 do not have an adult or teen head of household as defined in
1723 federal law. Such cases include:

1724 1. Children in the care of caretaker relatives, if the
1725 caretaker relatives choose to have their needs excluded in the

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1726 calculation of the amount of cash assistance.

1727 2. Families in the Relative Caregiver Program as provided
1728 in s. 39.5085.

1729 3. Families in which the only parent in a single-parent
1730 family or both parents in a two-parent family receive
1731 supplemental security income (SSI) benefits under Title XVI of
1732 the Social Security Act, as amended. To the extent permitted by
1733 federal law, individuals receiving SSI shall be excluded as
1734 household members in determining the amount of cash assistance,
1735 and such cases shall not be considered families containing an
1736 adult. Parents or caretaker relatives who are excluded from the
1737 cash assistance group due to receipt of SSI may choose to
1738 participate in work activities. An individual whose ability to
1739 participate in work activities is limited who volunteers to
1740 participate in work activities shall be assigned to work
1741 activities consistent with such limitations. An individual who
1742 volunteers to participate in a work activity may receive child
1743 care or support services consistent with such participation.

1744 4. Families in which the only parent in a single-parent
1745 family or both parents in a two-parent family are not eligible
1746 for cash assistance due to immigration status or other
1747 limitation of federal law. To the extent required by federal
1748 law, such cases shall not be considered families containing an
1749 adult.

1750 5. To the extent permitted by federal law and subject to

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1751 appropriations, special needs children who have been adopted
1752 pursuant to s. 409.166 and whose adopting family qualifies as a
1753 needy family under the state program for temporary assistance
1754 for needy families. Notwithstanding any provision to the
1755 contrary in s. 414.075, s. 414.085, or s. 414.095, a family
1756 shall be considered a needy family if:

1757 a. The family is determined by the department to have an
1758 income below 200 percent of the federal poverty level;

1759 b. The family meets the requirements of s. 414.095(2) and
1760 (3) related to residence, citizenship, or eligible noncitizen
1761 status; and

1762 c. The family provides any information that may be
1763 necessary to meet federal reporting requirements specified under
1764 Part A of Title IV of the Social Security Act.

1765 6. Families in the Guardianship Assistance Program as
1766 provided in s. 39.6225.

1767
1768 Families described in subparagraph 1., subparagraph 2., or
1769 subparagraph 3. may receive child care assistance or other
1770 supports or services so that the children may continue to be
1771 cared for in their own homes or in the homes of relatives. Such
1772 assistance or services may be funded from the temporary
1773 assistance for needy families block grant to the extent
1774 permitted under federal law and to the extent funds have been
1775 provided in the General Appropriations Act.

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1776 (2) Oversight by the state board as defined in s. 445.002
1777 ~~board of directors of CareerSource Florida, Inc.,~~ and the
1778 service delivery and financial planning responsibilities of the
1779 local workforce development boards apply to the families defined
1780 as work-eligible cases in paragraph (1)(a). The department shall
1781 be responsible for program administration related to families in
1782 groups defined in paragraph (1)(b), and the department shall
1783 coordinate such administration with the state board ~~of directors~~
1784 ~~of CareerSource Florida, Inc.,~~ to the extent needed for
1785 operation of the program.

1786 Section 27. Subsection (2) of section 420.622, Florida
1787 Statutes, is amended to read:

1788 420.622 State Office on Homelessness; Council on
1789 Homelessness.—

1790 (2) The Council on Homelessness is created to consist of
1791 17 representatives of public and private agencies who shall
1792 develop policy and advise the State Office on Homelessness. The
1793 council members shall be: the Secretary of Children and
1794 Families, or his or her designee; the executive director of the
1795 Department of Economic Opportunity, or his or her designee, who
1796 shall advise the council on issues related to rural development;
1797 the State Surgeon General, or his or her designee; the Executive
1798 Director of Veterans' Affairs, or his or her designee; the
1799 Secretary of Corrections, or his or her designee; the Secretary
1800 of Health Care Administration, or his or her designee; the

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Commissioner of Education, or his or her designee; the Executive Director of CareerSource Florida, Inc., or his or her designee; one representative of the Florida Association of Counties; one representative of the Florida League of Cities; one representative of the Florida Supportive Housing Coalition; the Executive Director of the Florida Housing Finance Corporation, or his or her designee; one representative of the Florida Coalition for the Homeless; and four members appointed by the Governor. The council members shall be nonpaid volunteers and shall be reimbursed only for travel expenses. The appointed members of the council shall be appointed to staggered 2-year terms, and the council shall meet at least four times per year. The importance of minority, gender, and geographic representation shall be considered in appointing members to the council.

Section 28. Subsections (1) and (4) of section 443.171, Florida Statutes, are amended to read:

443.171 Department of Economic Opportunity and commission; powers and duties; records and reports; proceedings; state-federal cooperation.—

(1) POWERS AND DUTIES.—The Department of Economic Opportunity shall administer this chapter. The department may employ persons, make expenditures, require reports, conduct investigations, and take other action necessary or suitable to administer this chapter. The department shall annually submit

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information to the state board as defined in s. 445.002
~~CareerSource Florida, Inc.~~, covering the administration and
operation of this chapter during the preceding calendar year for
inclusion in the strategic plan under s. 445.006 and may make
recommendations for amendment to this chapter.

(4) EMPLOYMENT STABILIZATION.—The Department of Economic
Opportunity, under the direction of the state board as defined
in s. 445.002 ~~CareerSource Florida, Inc.~~, shall take all
appropriate steps to reduce and prevent unemployment; to
encourage and assist in the adoption of practical methods of
career training, retraining, and career guidance; to
investigate, recommend, advise, and assist municipalities,
counties, school districts, and the state in the establishment
and operation of reserves for public works to be used in times
of business depression and unemployment; to promote the
reemployment of unemployed workers throughout the state in every
other way that may be feasible; to refer a claimant entitled to
extended benefits to suitable work that meets the criteria of
this chapter; and, to these ends, to carry on and publish the
results of investigations and research studies.

Section 29. Subsection (1) of section 443.181, Florida
Statutes, is amended to read:

443.181 Public employment service.—

(1) The one-stop delivery system established under s.
445.009 is this state's public employment service as part of the

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national system of public employment offices established under 29 U.S.C. s. 49. The Department of Economic Opportunity, under policy direction from the state board as defined in s. 445.002 CareerSource Florida, Inc., shall cooperate with any official or agency of the United States having power or duties under 29 U.S.C. ss. 49-491-1 and shall perform those duties necessary to secure to this state the funds provided under federal law for the promotion and maintenance of the state's public employment service. In accordance with 29 U.S.C. s. 49c, this state accepts 29 U.S.C. ss. 49-491-1. The department is designated the state agency responsible for cooperating with the United States Secretary of Labor under 29 U.S.C. s. 49c. The department shall appoint sufficient employees to administer this section. The department may cooperate with or enter into agreements with the Railroad Retirement Board for the establishment, maintenance, and use of one-stop career centers.

Section 30. Subsection (1) of section 446.71, Florida Statutes, is amended to read:

446.71 Everglades Restoration Agricultural Community Employment Training Program.—

(1) The Department of Economic Opportunity, in cooperation with the state board as defined in s. 445.002 CareerSource Florida, Inc., shall establish the Everglades Restoration Agricultural Community Employment Training Program within the Department of Economic Opportunity. The Department of Economic

1876 Opportunity shall use funds appropriated to the program by the
1877 Legislature to provide grants to stimulate and support training
1878 and employment programs that seek to match persons who complete
1879 such training programs to nonagricultural employment
1880 opportunities in areas of high agricultural unemployment, and to
1881 provide other training, educational, and information services
1882 necessary to stimulate the creation of jobs in the areas of high
1883 agricultural unemployment. In determining whether to provide
1884 funds to a particular program, the Department of Economic
1885 Opportunity shall consider the location of the program in
1886 proximity to the program's intended participants.

1887 Section 31. Subsection (9) of section 1011.80, Florida
1888 Statutes, is amended to read:

1889 1011.80 Funds for operation of workforce education
1890 programs.—

1891 (9) The State Board of Education and the state board as
1892 defined in s. 445.002 ~~CareerSource Florida, Inc.,~~ shall provide
1893 the Legislature with recommended formulas, criteria, timeframes,
1894 and mechanisms for distributing performance funds. The
1895 commissioner shall consolidate the recommendations and develop a
1896 consensus proposal for funding. The Legislature shall adopt a
1897 formula and distribute the performance funds to the State Board
1898 of Education for Florida College System institutions and school
1899 districts through the General Appropriations Act. These
1900 recommendations shall be based on formulas that would discourage

low-performing or low-demand programs and encourage through performance-funding awards:

(a) Programs that prepare people to enter high-wage occupations identified by the Workforce Estimating Conference created by s. 216.136 and other programs as approved by the state board as defined in s. 445.002 ~~CareerSource Florida, Inc.~~ At a minimum, performance incentives shall be calculated for adults who reach completion points or complete programs that lead to specified high-wage employment and to their placement in that employment.

(b) Programs that successfully prepare adults who are eligible for public assistance, economically disadvantaged, disabled, not proficient in English, or dislocated workers for high-wage occupations. At a minimum, performance incentives shall be calculated at an enhanced value for the completion of adults identified in this paragraph and job placement of such adults upon completion. In addition, adjustments may be made in payments for job placements for areas of high unemployment.

(c) Programs that are specifically designed to be consistent with the workforce needs of private enterprise and regional economic development strategies, as defined in guidelines set by the state board as defined in s. 445.002 ~~CareerSource Florida, Inc.~~ The state board ~~CareerSource Florida, Inc.~~, shall develop guidelines to identify such needs and strategies based on localized research of private employers and

economic development practitioners.

(d) Programs identified by the state board as defined in s. 445.002 ~~CareerSource Florida, Inc.~~, as increasing the effectiveness and cost efficiency of education.

Section 32. Subsection (3) of section 1011.801, Florida Statutes, is amended to read:

1011.801 Workforce Development Capitalization Incentive Grant Program.—The Legislature recognizes that the need for school districts and Florida College System institutions to be able to respond to emerging local or statewide economic development needs is critical to the workforce development system. The Workforce Development Capitalization Incentive Grant Program is created to provide grants to school districts and Florida College System institutions on a competitive basis to fund some or all of the costs associated with the creation or expansion of workforce development programs that serve specific employment workforce needs.

(3) The State Board of Education shall give highest priority to programs that train people to enter high-skill, high-wage occupations identified by the Workforce Estimating Conference and other programs approved by the state board as defined in s. 445.002, ~~CareerSource Florida, Inc.~~; programs that train people to enter occupations under the welfare transition program, ~~or~~ or programs that train for the workforce adults who are eligible for public assistance, economically disadvantaged,

disabled, not proficient in English, or dislocated workers. The State Board of Education shall consider the statewide geographic dispersion of grant funds in ranking the applications and shall give priority to applications from education agencies that are making maximum use of their workforce development funding by offering high-performing, high-demand programs.

Section 33. Paragraph (b) of subsection (5), subsection (6), paragraph (b) of subsection (10), and subsection (11) of section 20.60, Florida Statutes, are amended, and paragraph (c) is added to subsection (9) of that section, to read:

20.60 Department of Economic Opportunity; creation; powers and duties.—

(5) The divisions within the department have specific responsibilities to achieve the duties, responsibilities, and goals of the department. Specifically:

(c) The Division of Workforce Services shall:

1. Prepare and submit a unified budget request for workforce development in accordance with chapter 216 for, and in conjunction with, the state ~~CareerSource Florida, Inc., and its board as defined in s. 445.002.~~

2. Ensure that the state appropriately administers federal and state workforce funding by administering plans and policies of the state board as defined in s. 445.002 ~~CareerSource Florida, Inc., under contract with CareerSource Florida, Inc.~~ The operating budget and midyear amendments thereto must be part

of such contract.

a. All program and fiscal instructions to local workforce development boards shall emanate from the Department of Economic Opportunity pursuant to plans and policies of the state board as defined in s. 445.002 ~~CareerSource Florida, Inc.~~, which shall be responsible for all policy directions to the local workforce development boards.

b. Unless otherwise provided by agreement with the state board as defined in s. 445.002 ~~CareerSource Florida, Inc.~~, administrative and personnel policies of the Department of Economic Opportunity apply.

3. Implement the state's reemployment assistance program. The Department of Economic Opportunity shall ensure that the state appropriately administers the reemployment assistance program pursuant to state and federal law.

4. Assist in developing the 5-year statewide strategic plan required by this section.

(6)(a) The Department of Economic Opportunity is the administrative agency designated for receipt of federal workforce development grants and other federal funds. The department shall administer the duties and responsibilities assigned by the Governor under each federal grant assigned to the department. The department shall expend each revenue source as provided by federal and state law and as provided in plans developed by and agreements with the state board as defined in

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s. 445.002 ~~CareerSource Florida, Inc.~~ The department may serve as the contract administrator for contracts entered into by the state board under ~~CareerSource Florida, Inc., pursuant to s. 445.004 (5), as directed by CareerSource Florida, Inc.~~

(b) The Department of Economic Opportunity shall serve as the designated agency for purposes of each federal workforce development grant assigned to it for administration. The department shall carry out the duties assigned to it by the Governor, under the terms and conditions of each grant. The department shall have the level of authority and autonomy necessary to be the designated recipient of each federal grant assigned to it and shall disburse such grants pursuant to the plans and policies of the state board as defined in s. 445.002 ~~CareerSource Florida, Inc.~~ The executive director may, upon delegation from the Governor and pursuant to agreement with the state board ~~CareerSource Florida, Inc.~~, sign contracts, grants, and other instruments as necessary to execute functions assigned to the department. Notwithstanding other provisions of law, the department shall administer other programs funded by federal or state appropriations, as determined by the Legislature in the General Appropriations Act or other law.

(9) The executive director shall:

(c) Serve as the chair of the board of directors of the Florida Development Finance Corporation.

(10) The department, with assistance from Enterprise

Florida, Inc., shall, by November 1 of each year, submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the condition of the business climate and economic development in the state.

(b) The report must incorporate annual reports of other programs, including:

1. Information provided by the Department of Revenue under s. 290.014.

2. Information provided by enterprise zone development agencies under s. 290.0056 and an analysis of the activities and accomplishments of each enterprise zone.

3. The Economic Gardening Business Loan Pilot Program established under s. 288.1081 and the Economic Gardening Technical Assistance Pilot Program established under s. 288.1082.

4. A detailed report of the performance of the Black Business Loan Program and a cumulative summary of quarterly report data required under s. 288.714.

5. The Rural Economic Development Initiative established under s. 288.0656.

6. The Florida Unique Abilities Partner Program.

7. A detailed report of the performance of the Florida Development Finance Corporation and a summary of the corporation's report that is required under s. 288.9610.

(11) The department shall establish annual performance

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standards for Enterprise Florida, Inc., CareerSource Florida, Inc., the Florida Tourism Industry Marketing Corporation, the Florida Development Finance Corporation, and Space Florida and report annually on how these performance measures are being met in the annual report required under subsection (10).

Section 34. Subsection (2), paragraphs (a) and (c) of subsection (3), and subsection (4) of section 288.9604, Florida Statutes, are amended, and subsection (5) is added to that section, to read:

288.9604 Creation of the authority.—

(2)(a) The board of directors of the corporation shall consist of seven members. The executive director of the department, or his or her designee, shall serve as chair of the board of directors. The director of the Division of Bond Finance of the State Board of Administration, or his or her designee, shall serve as a director on the board. The Governor, subject to confirmation by the Senate, shall appoint the remaining five members of the board of directors ~~of the corporation, who shall be five in number.~~ At least three of the appointed directors of the corporation must be bankers or persons with experience in finance, and one of the appointed directors must be an economic development specialist.

(b) The terms of office for the appointed directors are ~~for shall be for~~ 4 years after ~~from~~ the date of their appointment. A vacancy occurring during a term of an appointed

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2076 director shall be filled for the unexpired term. An appointed A
2077 director is ~~shall be~~ eligible for reappointment. Each appointed
2078 director shall hold office until his or her successor has been
2079 appointed ~~At least three of the directors of the corporation~~
2080 ~~shall be bankers who have been selected by the Governor from a~~
2081 ~~list of bankers who were nominated by Enterprise Florida, Inc.,~~
2082 ~~and one of the directors shall be an economic development~~
2083 ~~specialist.~~

2084 (3) (a) 1. A director may not receive compensation for his
2085 or her services, but is entitled to necessary expenses,
2086 including travel expenses, incurred in the discharge of his or
2087 her duties. ~~Each director shall hold office until his or her~~
2088 ~~successor has been appointed.~~

2089 2. Directors are subject to ss. 112.313(1)-(8), (10),
2090 (12), and (15); 112.3135; and 112.3143(2). For purposes of
2091 applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
2092 112.3143(2) to activities of directors, directors are ~~shall be~~
2093 considered public officers and the corporation is ~~shall be~~
2094 considered their agency.

2095 (c) ~~The directors of the corporation shall annually elect~~
2096 ~~one of their members as chair and one as vice chair.~~ The
2097 corporation may employ a president, technical experts, and such
2098 other agents and employees, permanent and temporary, as it
2099 requires and determine their qualifications, duties, and
2100 compensation. For such legal services as it requires, the

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corporation may employ or retain its own counsel and legal staff.

(4) The board may remove an appointed ~~a~~ director for inefficiency, neglect of duty, or misconduct in office. An appointed director may be removed only after a hearing and only if he or she has been given a copy of the charges at least 10 days before such hearing and has had an opportunity to be heard in person or by counsel. The removal of an appointed ~~a~~ director ~~creates~~ ~~shall create~~ a vacancy on the board which must ~~shall~~ be filled pursuant to subsection (2).

(5) This section is repealed October 1, 2022, and October 1 of every fourth year thereafter, unless reviewed and saved from repeal by the Legislature.

Section 35. In order to implement the changes made by this act to s. 288.9604, Florida Statutes, the chair and vice chair of the board of directors of the Florida Development Finance Corporation on June 30, 2020, shall serve as appointed directors beginning on July 1, 2020. This act does not affect the terms of the current directors serving on the board on July 1, 2020.

Section 36. Section 288.9610, Florida Statutes, is amended to read:

288.9610 Annual reports of Florida Development Finance Corporation.—On or before 90 days after the close of the Florida Development Finance Corporation's fiscal year, the corporation shall submit to the Governor, the Legislature, the Auditor

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2126 General, the Department of Economic Opportunity, and the
2127 governing body of each public entity with which it has entered
2128 into an interlocal agreement a complete and detailed report
2129 setting forth:

2130 (1) The results of any audit conducted under ~~pursuant to~~
2131 s. 11.45.

2132 (2) The activities, operations, and accomplishments of the
2133 Florida Development Finance Corporation, including the number of
2134 businesses assisted by the corporation.

2135 (3) Its assets, liabilities, income, and operating
2136 expenses at the end of its most recent fiscal year, including a
2137 description of all of its outstanding revenue bonds.

2138 Section 37. A contract or interlocal agreement that exists
2139 before July 1, 2020, between the Florida Development Finance
2140 Corporation, or an entity or agent of the corporation, and any
2141 other entity or person shall remain in effect and be binding on
2142 the successor department, entity, or person responsible for the
2143 program, activity, or function that relates to the contract or
2144 interlocal agreement.

2145 Section 38. This act shall take effect July 1, 2020.

Approved _____
Disapproved _____

Action Item 01

WORKFORCE DEVELOPMENT BOARDS COMPLIANCE AND ACCOUNTABILITY POLICIES

As the state workforce development board, the CareerSource Florida Board of Directors continually focuses on its responsibility for development and continuous improvement of the state workforce development system. Essential to this effort is ensuring the system maintains integrity, accountability and transparency in decisions and actions that earn and protect the public trust. To effectively carry out the functions and expectations of the state workforce development board and local workforce development boards, all boards must comply with federal and state laws, regulations and standards.

Consistent with this foundational objective and, particularly, the federal Workforce Innovation and Opportunity Act, which establishes the functions of workforce boards, a series of strategic and administrative policies are being advanced for board consideration. (New and revised policies are identified in bold. Existing administrative policies that now must receive state board endorsement are identified with an asterisk.) All are designed to help ensure Florida's workforce system is best positioned to build on its state and local policies, programs and processes to effectively and efficiently address the employment and training needs of job seekers, workers and businesses.

The recommended policies are as follows:

- **Board Governance and Leadership**
- **Local Workforce Development Board Composition and Certification**
- **Negotiated Local Levels of Performance Requirements**
- **Sanctions for Local Workforce Development Boards' Failure to Meet Federal and State Standards**
- Employer Services*
- Job Seeker Registration*
- Job Orders and Placements*
- On-the-Job Training*
- Work-Based Training*
- **Memorandums of Understanding and Infrastructure Funding Agreements**
- **Priority of Service**

FOR CONSIDERATION

Approve the 11 strategic and administrative policies as recommended by the CareerSource Florida professional team and the Florida Department of Economic Opportunity Division of Workforce Services.



**Policy
Number TBD**

Strategic Policy

Title:	Board Governance and Leadership
Adopted:	
Effective:	

I. PURPOSE AND SCOPE

Effective state and local workforce board leadership must include compliance with federal and state laws, clear expectations, ethical conduct, transparency, quality customer service, and strategic planning and decision-making. State and local workforce development boards shall ensure the workforce investment system provides economic opportunity for everyone who wants to work, find a better job, or improve their skills to succeed in the 21st century workforce.

High-Performing Local Workforce Development Boards

Through this policy, the CareerSource Florida Board of Directors requires local workforce development boards to employ sound management practices and controls for the proper expenditure of funds and verification of program outcomes. Local workforce development boards shall place a strong emphasis on data-driven decisions and encourage board staff to employ proven measurement and improvement systems to evaluate performance.

Local workforce development boards will encourage discussion about key program improvements and outcomes, stressing the importance of communication within the organization. The board and its staff will understand key programmatic requirements and performance outcomes and how those data elements contribute to success.

Local Workforce Development Board Leadership

The chief elected official in a local area is authorized to appoint the members of the local workforce development board in accordance with criteria established in Public Law 113-128, Section 107, the Workforce Innovation and Opportunity Act, and Chapter 445.007, Florida Statutes.

The local workforce development board shall elect a chair to direct the business of the board. The local workforce development board may designate and direct the activities of standing committees to provide information and to assist the local workforce development board in carrying out activities described in Section, 107, WIOA. Such standing committees shall be chaired by

members of the board and shall include other individuals appointed by the local workforce development board and who the local workforce development board determines to have appropriate experience and expertise.

To effectively fulfill their responsibilities and expectations, local workforce development boards hire Executive Directors, Presidents and Chief Executive Officers to carry out the board-directed programmatic, financial and operational functions of the local workforce development board and one-stop delivery system centers.

Executive Directors, Presidents, Chief Executive Officers, Chief Operating Officers and Chief Financial Officers who represent a local workforce development board shall not personally contract with or otherwise represent more than one local workforce development board. Under extraordinary circumstances, local workforce development boards may request approval for a temporary exception to this prohibition from the state workforce development board and the Department of Economic Opportunity.

Both local workforce development board members and staff must maintain integrity, accountability and transparency in decisions and actions that earn and protect the public trust in compliance with CareerSource Florida Ethics and Transparency Policy 2018.09.26.A.1. This includes taking all necessary steps to avoid the appearance of conflicts of interest.

II. BACKGROUND

State Workforce Development Board

The Governor of Florida establishes the state workforce development board to guide workforce development for the state of Florida and provide oversight and policy direction for talent development programs administered by CareerSource Florida, the Department of Economic Opportunity and Florida's 24 local workforce development boards.

State board functions include but are not limited to those activities described in WIOA, Section 101(d) and Chapter 445.004, Florida Statutes.

Local Workforce Development Boards

Authorized by WIOA, local workforce development boards oversee the design and delivery of locally customized job training programs and workforce development initiatives.

Local workforce development board functions include but are not limited to those activities described in WIOA, Sections 107 and 108.

III. AUTHORITY

- [Public Law 113-128, Workforce Innovation and Opportunity Act \(2014\)](#)
- [20 CFR Part 679 – Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act](#)
- [U.S. Department of Labor, Employment and Training Administration Advisory System, Training and Employment Guidance Letter No. 35-10](#)

- [Chapter 445.003 – 445.007, Florida Statutes](#)
- [Chapter 112, Florida Statutes](#)
- [Chapter 119, Florida Statutes](#)
- [Chapter 286, Florida Statutes](#)
- [2018.09.26.A.1 – CareerSource Florida Ethics and Transparency Policy](#)



**POLICY
NUMBER
091**

Administrative Policy

Title:	Local Workforce Development Board Composition and Certification		
Program:	Workforce Innovation and Opportunity Act		
Effective:	June 8, 2016	Revised:	TBD

I. PURPOSE AND SCOPE

The purpose of this policy is to provide Local Workforce Development Boards (LWDBs) with the requirements for LWDB membership composition under the Workforce Innovation and Opportunity Act (WIOA) and Chapter 445, Florida Statutes (F. S.), as well as the process for certification of LWDBs.

II. BACKGROUND

Each local workforce development area in the state must establish a local workforce development board to carry out the functions specified for the local board under WIOA sec. 107(d) for such area. The CareerSource Florida Board of Directors shall be responsible for granting charters to local workforce development boards that have a membership consistent with the requirements of federal and state law and have developed a plan consistent with the state's workforce development plan.

III. AUTHORITY

[Workforce Innovation and Opportunity Act \(WIOA\), Sections 106 and 107](#)

[20 Code of Federal Regulations 679.320](#)

[Sections 445.004 and 445.007, F.S.](#)

IV. POLICIES AND PROCEDURES

Outlined below are the policies and procedures for certifying LWDBs and ensuring the composition of and appointment of members to LWDBs are consistent with the provisions of federal and state requirements.

A. LWDB Membership and Composition

The Governor, in partnership with CareerSource Florida as the state workforce development board, must establish criteria for use by Chief Local Elected Officials (CLEOs) for appointment of members of the local boards in accordance with WIOA sec. 107(b)(2). The composition of the local board must meet the following criteria:

1. Business

A majority of the local board members must represent businesses in the local area as individuals who:

- a. Are owners of a business, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
- b. Represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area (at least two representatives of small businesses must be included); and
- c. Are appointed from among individuals nominated by local business organizations and business trade associations.

2. Labor/Apprenticeships

No fewer than 20 percent of the members must be representatives of the workforce within the local area who:

- a. Include at least two representatives of labor organizations nominated by local labor federations. For a local area in which no employees are represented by such organizations, at least two other representatives of employees will be included.
- b. Include at least one representative of a labor organization or a training director from a joint labor-management apprenticeship program. If no such joint program exists in the area, at least one representative of an apprenticeship program in the area, if such a program exists.
- c. May include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or provide/support competitive integrated employment for individuals with disabilities.

- d. May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives or organizations that serve out-of-school youth.

3. Education

Each local board must include representatives of entities administering education and training activities in the local area who:

- a. Include a representative of eligible providers administering adult education and literacy activities under Title II of WIOA.
- b. Include a representative of institutions of higher education providing workforce investment activities (including community colleges).
- c. Include a private education provider. CareerSource Florida may waive this requirement if requested by a LWDB if it is demonstrated that such representative does not exist in the local area.
- d. May include representatives of local educational agencies and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.

When there is more than one institution in each of the types of educational entities listed above, nominations are solicited from representatives of each of these entities.

4. Governmental/Economic/Community Development

Each local board must include representatives of governmental, economic and community development entities serving the local area who:

- a. Represent economic and community development entities serving the local area.
- b. Represent Vocational Rehabilitation serving the local area.
- c. May represent agencies or entities serving the local area relating to transportation, housing, and public assistance.
- d. May represent philanthropic organizations serving the local area.

5. Other Entity Representation

Each local board may include other individuals or representatives of entities determined by the Chief Elected Official in the local areas to be appropriate.

Unlike the state board, members of the local board may be appointed as representative of more than one entity if the individual meets all the criteria for representation.

B. LWDB Chairperson

The members of the local board must elect a chairperson for the local board from among the members of the local board. The Chairperson of the LWDB must be from the business community and serve for a term of no more than two years and no more than two terms.

C. Standing Committees

The local board may designate and direct the activities of standing committees to provide information and to assist the local board in carrying out its required activities, as further prescribed in WIOA sec. 107(b)(4).

D. Authority of Board Members

Members of the board who represent organizations, agencies, or other entities must be individuals with optimum policymaking authority within the organizations, agencies or entities.

E. Board Member Nominations

CLEOs must develop a process for soliciting LWDB nominations and for selecting LWDB members, consistent with federal and state law and this policy. Documentation supporting the nomination/selection process, including names of nominating organizations and names of all candidates and their qualifications, must be retained for not less than five years.

The members of the board shall represent diverse geographic areas within the local area; the importance of minority and gender representation must be considered when making appointments to the local board.

F. Appointment of Board Members

The CLEO in a local area is authorized to appoint the members of the local board who meet the criteria outlined in **Section A.** of this policy. When a local area includes more than one unit of local government, the CLEOs of such units may execute an agreement that specifies the respective roles of the individual CLEOs with regard to:

- a. The selection, appointment, removal or reappointment of the members of the local board from the individuals nominated or recommended to be such members; and
- b. In carrying out any other responsibilities assigned to such officials in accordance with WIOA.

If after a reasonable effort the CLEOs are unable to reach agreement, the Governor may appoint the members of the local board from individuals so nominated or

recommended.

G. Removal of a Board Member

LWDB members who no longer hold the position or status that made them eligible appointees must resign or be removed by the Chief Local Elected Officials. Local workforce development board vacancies must be filled within a reasonable amount of time.

In accordance with [Chapter 445.007\(2\)\(b\), F.S.](#), the Governor may remove a member of an LWDB, as well as its Executive Director or the designated person responsible for operational and administrative functions for the board, for cause. Cause includes, but is not limited to, engaging in fraud or other criminal acts, incapacity, unfitness, neglect of duty, documented violation of conflict of interest, failure to meet local workforce development board representation requirements, official incompetence and irresponsibility, misfeasance, malfeasance, nonfeasance, or lack of performance.

H. Certification of Local Workforce Development Boards

1. Certification

Once every two years, one local workforce development board must be certified for each local area in the state, based on the criteria described in WIOA sec. 107(b). For a second or subsequent certification, certification must also be based on the extent to which the local area has ensured that workforce investment activities carried out in the local area have enabled a local area to meet the corresponding performance accountability measures and achieve fiscal integrity as defined in WIOA sec. 106(e)(2).

The CareerSource Florida Board of Directors shall recertify LWDBs every two years. DEO, in consultation with the CareerSource Florida Board of Directors, will issue instructions to the LWDBs for certification. LWDBs will submit certification documents to DEO. Upon satisfactory review of an LWDB's certification documents, DEO will provide a recommendation regarding certification to the CareerSource Florida Board of Directors. At the appropriate time intervals, instructions will be issued to LWDBs regarding the certification process, to include documentation requirements.

2. Failure to Achieve Certification

Failure of an LWDB to achieve certification shall result in appointment and certification of a new local board for the local area pursuant to WIOA sec. 107(c)(1).

I. Decertification of Local Workforce Development Boards

The Governor may decertify an LWDB in accordance with WIOA sec. 107(c)(3), as further prescribed in CareerSource Florida Administrative Policy, *Sanctions for Local Workforce Development Boards' Failure to Meet Federal and State Standards*.

V. DEFINITIONS

Small business is defined by the [Small Business Administration](#).

Economic agency is defined as including a local planning or zoning commission or board, a community development agency, or another local agency or institution responsible for regulating, promoting, or assisting in local economic development.

VI. REVISION HISTORY

Date	Description
	Approved by CareerSource Florida Board of Directors
06/08/2016	Agency for Workforce Innovation Final Guidance FG-073, rescinded and replaced by Administrative Policy 091, Local Workforce Development Board Composition, Certification and Decertification, dated June 8, 2016.



**POLICY
NUMBER
088**

Administrative Policy

Title:	Negotiated Local Levels of Performance Requirements		
Program:	Workforce Innovation and Opportunity Act		
Effective:	7/20/2015	Revised:	TBD

I. PURPOSE AND SCOPE

The purpose of this policy is to provide to Local Workforce Development Boards (LWDBs) the requirements for meeting negotiated local levels of performance and prescribe corrective actions for failure to meet these requirements.

II. BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) establishes performance accountability measures and reporting requirements to assess the effectiveness of states and LWDBs in achieving positive outcomes for individuals served by the adult, dislocated worker and youth programs (WIOA) and the employment services program (Wagner-Peyser). For each state, the performance accountability measures must consist of the primary indicators of performance outlined in WIOA sec. 116(b)(2)(A) and the additional indicators of performance identified by the state (if any). For each local area, the local performance accountability measures must consist of the applicable primary indicators of performance outlined in WIOA sec. 116(b)(2)(A), additional indicators of performance identified by the state (if any) and the local level of performance for each indicator. Each LWDB is subject to the same primary indicators of performance that apply to the state.

III. AUTHORITY

[Workforce Innovation and Opportunity Act \(WIOA\)](#), Sections 107, 116, 122 and 133

20 Code of Federal Regulations (CFR), [Parts 463.220](#) and [677](#)

Florida Statutes (F.S.) [Sections 445.004](#) and [445.007](#)

IV. POLICIES AND PROCEDURES

A. Negotiations and Adjustment Factors

LWDBs, Chief Local Elected Officials (CLEOs) and the Governor are required to negotiate and reach an agreement on local levels of performance based on the state negotiated levels of performance established under WIOA sec. 116(b)(3)(A). In negotiating the local levels of performance, adjustments shall be made for the expected economic conditions and characteristics of participants to be served by the LWDB using the statistical adjustment model developed pursuant to WIOA sec. 116(b)(3)(A)(viii). In addition, the negotiated local levels of performance applicable to a program year must be revised to reflect the actual economic conditions experienced and the characteristics of the populations served by the LWDB during such program year using the statistical adjustment model.

Negotiations for local levels of performance will be conducted every two years and will commence following the completion of the state's negotiations with the United States Department of Labor.

B. Required Threshold for Meeting Local Levels of Performance

For each performance indicator, an LWDB is determined to have met the standard if its performance is at or above 90 percent of the negotiated standard. Annual performance reports are available approximately 45 days after the end of the fourth quarter of a program year.

C. Annual Performance Review Meeting

The Department of Economic Opportunity (DEO) will meet with each LWDB annually to review the local area's performance outcomes as required by Chapter 445.007(3), F.S. During this meeting, DEO will communicate the performance standing for the program year (for each performance indicator), as well as provide a summary of programmatic and fiscal monitoring report findings.

D. Failure to Meet Local Levels of Performance

If an LWDB fails to meet the negotiated local levels of performance in any program year, technical assistance will be provided. The technical assistance may include:

1. Assistance in the development of a performance improvement plan;
2. The development of a modified local plan; or
3. Other actions designed to assist the LWDB in improving performance.

When providing technical assistance, DEO will take into consideration extenuating circumstances and/or variables not within the LWDB's control that may have impacted local performance when determining whether an LWDB failed to meet local performance standards, such as:

1. Natural disasters that impacted local program operations;
2. State and/or local economic and labor market conditions; and
3. Mass lay-offs in the local area that may have impacted elements of local performance.

Performance Improvement Plans

If it is determined that technical assistance will be provided to an LWDB in the form of assistance in the development of a performance improvement plan (PIP), consideration will be given to the extent and nature of the identified opportunity to improve. The LWDB and DEO, will develop and implement the PIP. Progress on the implementation of LWDB Performance Improvement Plans is evaluated by DEO.

For less serious failures to meet negotiated local levels of performance, examples of PIP elements include, but are not limited to:

1. Develop and implement a mandatory staff training plan that describes how the training helps to correct identified programmatic deficiencies and an assurance the training will be executed within the first three months of the PIP. Once the mandatory staff training is executed, the LWDB shall provide supporting documentation to DEO that the mandatory training has been executed, including verification that all relevant staff received the mandatory training.
2. Participate in one or more mandatory technical assistance activities provided in the deficient areas. The LWDB is required to provide a report on when and how recommendations/suggestions resulting from participation in the technical assistance activities will be incorporated into the LWDB's local operating procedures/program processes.
3. Complete monthly self-assessment reviews and submit summary reports to DEO for the duration of the PIP.
4. Conduct quarterly performance status meetings with DEO for the duration of the PIP.
5. Develop internal review processes to evaluate implementation of revised processes and policies and provide reports to DEO as part of the quarterly review.

For more serious failures to meet negotiated local levels of performance, examples of PIP elements include, but are not limited to:

1. Require the LWDB to assemble a team of experts or a workgroup to identify systemic issues that may have resulted in failure to meet performance. Using the workgroup's findings, develop local board approved strategies to address areas of poor performance that include benchmarks, timelines with achievement/performance improvement milestones, and performance indicators to measure quarterly performance improvements.
2. Submit a modified local plan that accurately reflects the revised direction for the local board.
3. Disqualify the LWDB for performance incentives.

DEO will review the LWDB's performance improvement efforts quarterly to determine if sufficient progress is being made towards achieving acceptable performance. DEO will evaluate and verify all reports submitted by the LWDB and make the following determinations regarding the status of the LWDB's PIP:

1. **PIP Closure** – an LWDB that has satisfactorily achieved performance standards through corrective action will be considered compliant and the PIP will be closed.
2. **Continuance** – The LWDB has not satisfactorily achieved performance compliance; however, is showing improvement. The LWDB will be required to continue to work towards performance compliance under the original PIP conditions.
3. **Continuance with Modifications** – The LWDB has not satisfactorily achieved performance compliance and will remain on a PIP; however, modifications will be made to promote compliance efforts.
4. Engage in sanctions as prescribed in CareerSource Florida Administrative Policy, *Sanctions for Local Workforce Development Boards' Failure to Meet Federal and State Standards*.

Sanctions

If an LWDB fails to meet the adjusted levels of performance for the same primary indicator of performance for a third consecutive program year, corrective action must be taken in accordance with WIOA sec. 116(g) and 20 CFR 677.220, as further prescribed in CareerSource Florida Administrative Policy, *Sanctions for Local Workforce Development Boards' Failure to Meet Federal and State Standards*. The corrective action must include the development of a reorganization plan in consultation with the Governor.

V. REVISION HISTORY

Date	Description
	Approved by CareerSource Florida Board of Directors
07/20/15	Administrative Policy FG-OSPS 88, Corrective Action and Reorganization for Failure to Meet Local Performance.

VI. RESOURCES

[Workforce Innovation and Opportunity Act, Statewide Unified Plan, Two-Year Modification](#)



**POLICY
NUMBER
TBD**

Administrative Policy

Title:	Sanctions for Local Workforce Development Boards' Failure to Meet Federal and State Standards
Program:	Workforce Innovation and Opportunity Act
Effective:	TBD

I. PURPOSE AND SCOPE

The purpose of this policy is to inform Local Workforce Development Boards (LWDBs) utilizing the Workforce Innovation and Opportunity Act (WIOA) Title I and other funds authorized by the CareerSource Florida Board of Directors and passed to the LWDBs and administered through the Florida Department of Economic Opportunity (DEO) about potential sanctions and remedies that will be imposed for failing to meet or violating federal and state laws, regulations, standards, performance measures, or the terms of agreements between the LWDBs and DEO.

II. BACKGROUND

The CareerSource Florida Board of Directors seeks to ensure all LWDBs, as subrecipients of authorized funds administered by DEO to the LWDBs, are accountable for failing to correct performance, programmatic and financial deficiencies. Correcting any deficiencies maintains credibility in administration of programs, reduces risk of compliance findings, and reduces the potential for a reduction or recapture of funds by the United States Department of Labor (USDOL) or other federal or state funders. To reduce performance, programmatic or financial deficiencies, and to increase programmatic integrity at the local level, any subrecipient not meeting the regulatory or statutory standards shall be subject to specific conditions, remedies, and sanctions consistent with applicable federal laws, regulations, and guidance.

III. AUTHORITY

[Public Law 113-128, Sections 107, 116, 124, 184](#)

[20 Code of Federal Regulations \(CFR\) Parts 677.220 and 225; 683.650; 683.720](#)

[2 CFR Parts 200.207; 200.338](#), Florida Statutes (F.S.) [Sections 445.004 and 445.007](#)

IV. POLICIES AND PROCEDURES

A. Deficiencies

In the following circumstances, corrective actions may be imposed on LWDBs:

1. Failure by the LWDB to execute a Grantee-Subgrantee Agreement between DEO and the LWDB within the timeframe prescribed by DEO, consistent with the review procedure set forth in WIOA sec. 121(c)(2)(A).
2. Failure by the LWDB's board members, staff, fiscal agent or administrative entity to appropriately oversee the delivery of services and ensure the effective and efficient use of funds.
3. Failure to:
 - a. Carry out the required functions of an LWDB as set forth in WIOA sec. 107(d).
 - b. Meet the negotiated levels of performance as set forth in WIOA sec. 116, the state plan, the local plan for the respective local area, and Administrative Policy 088.
 - c. Sustain program and fiscal integrity.
 - d. Properly use federal or state funds resulting in disallowed costs.
 - e. Act in a manner necessary to prevent waste, fraud, or abuse of federal or state funds.
 - f. Submit timely and accurate required financial and performance reports.
 - g. Take corrective actions to resolve findings of non-compliance identified during programmatic, fiscal, or investigative monitoring or audit reviews conducted by the USDOL, DEO, or other legally authorized entity.
 - h. Resolve or address sanctions within the timeframe determined by the authorized monitoring or reviewing authority.
 - i. Resolve or address all independent audit findings or questioned costs.
 - j. Submit required annual Single Audits or financial statement audits.
 - k. Comply with administrative and service contract requirements.
 - l. Retain and produce required service delivery, program participant and/or

financial records.

- m. Address and resolve reported threats to health and safety of program participants or staff, which may include investigating complaints, taking appropriate corrective actions, or making referrals to the appropriate authorities.

B. Actions

The CareerSource Florida Board of Directors as well as DEO may impose the following actions in response to the commitment of deficiencies noted in Section A, above.

1. **Corrective Notice** – DEO will provide notice that corrective action to secure prompt compliance is required. The notice may include additional performance, programmatic, or financial reviews, or additional technical assistance activities. The notice will include a timeline for required implementation and provide the opportunity for the LWDB to resolve any deficiencies.
2. **Specific Conditions** – Failure by the LWDB to fully resolve the deficiencies stated in the corrective notice may result in:
 - a. Placing the LWDB on cost-reimbursement status.
 - b. Requiring invoices and supporting documentation to be submitted to justify and support expenditures prior to approving future draw requests.
 - c. Establishing additional prior approval as deemed necessary by DEO.
 - d. Any additional action which the state workforce development board or DEO may determine as effective or necessary to correct the deficiency.
 - e. Full fiscal review of expenditures related to funds passed to the LWDBs through DEO.
 - f. Full programmatic review of participant eligibility and compliance with federal and state laws, regulations and guidance.
3. **Sanctions** – Failure by the LWDB to fully resolve the deficiencies stated in the corrective notice or failure to fulfill the specific conditions placed on the LWDB may result in:
 - a. Suspend or terminate, in whole or in part, the federal or state award.
 - b. Reduce or otherwise adjust the LWDB's funding (by disqualification from distributions of incentive monies, reallocated formula funding and/or state-level reserve funds).
 - c. Temporarily withhold reimbursement.
 - d. Disallow all or part of the cost or activity determined to be in non-compliance.
 - e. Reduce infrastructure funding allotment.
4. **Additional Sanctions** – Failure by the LWDB to fully cure the deficiencies

stated in the corrective notice or failure to fulfill the specific conditions or sanctions placed on the LWDB may result in:

- a. Issuance of a notice of intent to revoke approval of all or part of the local plan affected.
- b. Imposing a reorganization plan which may include:
 - i. Decertifying the LWDB and requiring that a new board be appointed and certified for the local area;
 - ii. Prohibiting the use of eligible providers and one-stop partners;
 - iii. Selecting an alternative entity as defined in WIOA Section 107 to administer the program for the local area involved;
 - iv. Merging the local area into one or more other local areas, after consultation with Chief Local Elected Official(s) in the local area; or
 - v. Making such other changes necessary to secure compliance.
- c. Initiate suspension or debarment proceedings.
- d. Any other penalty or action deemed appropriate by the Governor, the CareerSource Florida Board of Directors or DEO.

C. Appeal Processes

A local area that has been found in substantial violation of WIOA and has received notification that either all or part of the local plan will be revoked or that a reorganization will occur may appeal such sanctions to the Secretary of Labor, USDOL under 20 CFR 683.650. The appeal must be filed no later than 30 days after receipt of written notification of the revoked plan or imposed reorganization. A copy of the appeal must be simultaneously provided to the CareerSource Florida Board of Directors and the Governor. The sanctions do not become effective until the time for appeal has expired or USDOL has issued a decision. USDOL will notify the Governor and the appellant in writing of the Secretary's decision within 45 days after receipt of the appeal.

A local area that has failed to meet local performance indicators for three consecutive program years and has received the Governor's notice of intent to impose a reorganization plan may appeal to the Governor to rescind or revise such plan no later than 30 days after receiving written notice of the reorganization plan. The Governor must make a final decision within 30 days after receipt of the appeal. The local area may appeal the final decision of the Governor to USDOL under 20 CFR 677.225 no later than 30 days after receiving the Governor's final decision. Any appeal of the Governor's final decision must be appealed jointly by the LWDB and the Chief Elected Official. USDOL will make its final decision within 30 days after receipt of the appeal. The decision by the Governor on the appeal becomes effective at the time it is issued and remains effective unless USDOL rescinds or revises the reorganization plan.

V. REVISION HISTORY

Date	
	Approved by CareerSource Florida Board of Directors
	This administrative policy supersedes and replaces AWI FG 00-014, Workforce Investment Act Sanction Process, issued October 4, 2000.



**POLICY
NUMBER 098**

Administrative Policy

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

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 job seekers 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 job seekers and employers.¹
3. Maintain a system of clearing labor between the States², including the use of a standardized classification system.

¹ This is accomplished through the job referral process.

² 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 job seekers and employers by matching job seeker 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 job seekers to available job openings.
4. Conduct job seeker 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 job seekers. 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.

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 job seekers.
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.

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 job seekers and employers with job openings; and the recording of such referral in Employ Florida.

Prior to referring a job seeker to a job opening, LWDB staff must ensure the job seeker's qualifications match the minimum requirements listed in the job order by reviewing the job seeker'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 096**

Administrative Policy

Title:	Job Seeker Registration		
Program:	Wagner-Peyser		
Effective:	4/26/2017	Revised:	5/24/2019

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 job seeker 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 job seekers and employers who are seeking workers. Additionally, each state must administer a labor exchange system that can:

- Assist job seekers in finding employment, including promoting their familiarity with Employ Florida.
- Assist employers in filling jobs.
- Facilitate the match between job seekers 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 job seeker registration. 20 CFR 652.207

requires labor exchange services be made available to all job seekers, 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\(a\)\(3\)](#)

[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. Job Seeker Registration Requirements

Job seekers receiving Wagner-Peyser funded facilitated self-help and staff-assisted services must complete either a partial or full registration in [Employ Florida](#). Job seekers who use self-service may be registered, but registration is not required. However, job seekers 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. Job seekers may self-register or career center staff may register a job seeker. Prior to registering a job seeker, career center staff must first check to see if the job seeker is already registered in Employ Florida. If the job seeker is not already registered, career center staff must ensure they have obtained the job seeker's permission prior to creating a new registration. A case note must be included on the job seeker's account stating the job seeker 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 Job Seekers

The job seeker'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 job seeker's ability to become employed. Career center staff must record services provided to job seekers 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 job seeker.

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

- Enter "9" as the first digit.
- Enter the last two digits of the job seeker'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 job seeker.

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

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

Whenever a job seeker 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 job seeker 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 job seeker.

2. Staff must request the job seeker produce an original social security card, or certified copy if the original is unobtainable, and match it with the appropriate picture identification. If the job seeker does not provide a social security card, staff must request the job seeker 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 job seeker is unable to produce the original(s) documentation, staff must request the job seeker 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 job seeker to confirm ownership of the SSN.
4. Once the SSN is confirmed, staff must allow the job seeker 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. 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 job seeker'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 job seeker 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 job seeker 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 job seeker in the most recent four quarters, staff must determine whether the job seeker using the incorrect SSN resides in a different local area, and if so, contact the local area to explain the SSN error. If the job seeker 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 job seeker to whom the SSN is assigned in error and case note the efforts in Employ Florida.
 - i. Upon making contact with the job seeker, staff must request the job seeker provide appropriate documentation of their correct SSN. If the job seeker 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 job seeker 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 job seeker. These must be corrected when identified and verified that the duplicative registrations are the same job seeker. The account containing the correct SSN for the job seeker 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 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 job seeker is considered to have exited the program when the job seeker 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 job seeker is referred to as having “soft exited.” Additionally, a job seeker may be “hard exited” from the program if the job seeker:

- 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 job seeker’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, Job Seeker 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. **Job Seeker** – 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 job seeker 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 job seeker.
- 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

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

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 job seekers and employers who are seeking workers. Additionally, each state must administer a labor exchange system that can:

- Assist job seekers in finding employment, including promoting their familiarity with Employ Florida.
- Assist employers in filling jobs.
- Facilitate the match between job seekers and employers.
- Participate in a system for clearing labor among the states¹, 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.

¹ 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 1974](#)

[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 job seeker 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 1974](#) 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 job seeker 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 job seeker. 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 job seeker was hired and went to work at a higher wage, the higher wage should be entered on a case note on either the hired job seeker'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 job seekers and employers with job openings; and the recording of such referral in Employ Florida. Prior to referring a job seeker to a job opening, LWDB staff must ensure the job seeker's qualifications in their Employ Florida account match the minimum requirements listed in the job order by reviewing the job seeker'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 job seeker's qualifications, staff must ensure the job seeker 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 job seeker 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 job seeker prior to making any job referral.

Referrals Pending Review

When a job seeker 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 job seeker’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 job seeker’s service plan, they must verify when the last service that either triggered or extended program participation was recorded. If the job seeker secured employment within 180 days of receiving said last service, staff must select Service Code 880 –Obtained Employment Manual. If the job seeker 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 job seeker 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 job seeker 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 job seekers' SSNs in Employ

Florida. When a match is made, Employ Florida verifies when the job seeker last received a service that either triggered or extended program participation. If the job seeker secured employment within 180 days of receiving said last service, Employ Florida will record Service Code 881 – Obtained Employment Automated. If the job seeker 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 job seeker 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 job seeker.
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
009**

Administrative Policy

Title:	On-the-Job Training		
Program:	Workforce Innovation and Opportunity Act		
Effective:	May 30, 2000	Revised:	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 size¹ 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.

¹ 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 school²;
 - 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

²An 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 must³:

- 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.

³ 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)⁴

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

⁴ 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 commission⁵;
2. Seasonal in nature; or
3. Less than part-time⁶.

CI. 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 Local Operating Procedures (LOPs).

CII. 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.

⁵Salary based on sales and not an hourly wage.

⁶ 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 OJT's 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. Family⁷ means two or more persons related by blood, marriage, or decree of court, who are

⁷ 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 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 assessment⁸ 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.

⁸ 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 assessments⁹ 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.

⁹ 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 job seeker will take to

achieve educational and/or occupational goals, and includes a summary of the job seeker'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 100**

Administrative Policy

Title:	Work-Based Training
Program:	Workforce Innovation and Opportunity Act
Effective:	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 experience¹ for job seekers 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](#)

¹ 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 job seeker'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 characteristics² 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.

² 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 size³ 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 duration⁴, 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

³ The term “size of the employer” refers to the number of employees.

⁴ 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
TBD**

Administrative Policy

Title:	Memorandums of Understanding and Infrastructure Funding Agreements
Program:	Workforce Innovation and Opportunity Act
Effective:	

I. PURPOSE AND SCOPE

The purpose of this policy is to provide local workforce development boards (LWDBs) with the requirements and procedures for developing Memorandums of Understanding (MOU) and Infrastructure Funding Agreements (IFA) under the Workforce Innovation and Opportunity Act (WIOA).

II. BACKGROUND

The U.S. Department of Labor developed a uniform policy for acceptable methods of cost allocation and resource sharing with respect to funding the one-stop delivery system.

Under WIOA and consistent with the Uniform Guidance, funding provided by the one-stop partners to cover the operating costs, including infrastructure costs and additional costs, of the one-stop delivery system must be based on the partner program's proportionate use of the system and relative benefit received. WIOA requires LWDBs, with the agreement of the chief elected official, to develop and execute MOUs with required partners on the operation of the one-stop delivery system in the local service delivery area. Each LWDB must include an IFA in the MOU with required partners. The IFA details how infrastructure costs for the one-stop delivery system will be funded in the local area.

Local workforce development boards and career centers are expected to act in good faith and negotiate infrastructure costs and additional costs of operating a local one-stop delivery system in a transparent manner.

III. AUTHORITIES

Public Law 113-128, the Workforce Innovation and Opportunity Act, [Section 121\(C\)](#), [Section 121\(h\)\(1\)\(B\)\(i\)](#) and [121\(h\)\(2\)\(C\)\(i\)](#)

[Uniform Guidance at 2 Code of Federal Regulations \(CFR\) Part 200](#) Federal Cost Principles

[20 CFR 678.400](#) Required One-Stop Partners

[20 CFR 678 Subpart C](#) Memorandum of Understanding for One-Stop Delivery System

[20 CFR. 678.700 - 678.760 Subpart E](#) One-Stop Operating Costs

[20 CFR 678.800](#) One-Stop Certification

[34 CFR 361.500](#) What is the Memorandum of Understanding for the one-stop delivery system and what must be included in the Memorandum of Understanding?

[34 CFR 463.700](#) What are one-stop infrastructure costs?

Training and Employment Guidance Letter ([TEGL No. 16-16](#)); ([TEGL No. 16-16, Change 1](#)) and ([TEGL No. 17-16](#))

Section [445.009\(2\)\(c\)](#), Florida Statutes

IV. POLICIES AND PROCEDURES

A. The Memorandum of Understanding

Each LWDB is required by the Workforce Innovation and Opportunity Act (WIOA), to enter into a Memorandum of Understanding (MOU) with its required one-stop partners. The MOU is an agreement that details the operations of the local one-stop delivery system, provision of programs and services, and apportionment of costs.

The LWDB has the option of entering into an umbrella MOU that addresses the issues relating to the one-stop delivery system for the LWDB, chief elected official and all partners. Alternatively, the LWDB with agreement of chief elected official, may enter into separate agreements between each partner or groups of partners.

1. The Required Partners

The LWDB must execute an agreement with the required partners. The required partners are:

- a. Programs authorized under title I of WIOA include:
 - i. Adults
 - ii. Dislocated workers
 - iii. Youth
 - iv. Job Corps
 - v. YouthBuild

- vi. Native American programs
- vii. Migrant and seasonal farmworker programs
- b. Wagner-Peyser Act Employment Service, as amended by WIOA Title III
- c. Adult Education and Family Literacy Act
- d. Division of Vocational Rehabilitation
- e. Division of Blind Services
- f. Senior Community Service Employment Program
- g. Career and technical education programs at the postsecondary level authorized under the Strengthening Career and Technical Education for the 21st Century Act (Perkins V)
- h. Trade Adjustment Assistance activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.)
- i. Jobs for Veterans State Grants Programs
- j. Employment and training activities carried out under the Community Services Block Grant
- k. Employment and training activities carried out by the Department of Housing and Urban Development
- l. Programs authorized under State unemployment compensation laws
- m. Programs authorized under sec. 212 of the Second Chance Act of 2007
- n. Temporary Assistance for Needy Families (TANF)

Pursuant to WIOA Sec. 121(b)(2)(B) and 20 CFR 678.410, 34 CFR 361.410, and 34 CFR 463.410, additional one-stop partners may be included with the approval of the LWDB and chief elected official based on needs of the local area. The LWDB must enter into a MOU with those partners to confirm the manner in which services will be offered.

2. Negotiating the MOU

LWDBs must work with one-stop partners to negotiate the terms of MOUs. In each MOU, LWDBs must establish how they will fund the infrastructure costs and other shared costs of the one-stop career centers. The LWDB and partners must document

the negotiations and efforts that have taken place in the MOU.

If an agreement regarding infrastructure costs is not reached upon completion of the MOU, pursuant to 20 CFR 678.715(c) an interim infrastructure funding agreement may be included for a period of up to six months. Once an infrastructure funding agreement is reached, the LWDB and one-stop partners must amend the MOU to include the infrastructure funding agreement.

3. Requirements of the MOU

LWDBs must ensure each MOU includes the following requirements:

- a. A description of services that will be provided through the one-stop delivery system. This must also include the way the services will be coordinated and delivered through the one-stop delivery system.
- b. Agreement between the LWDB and partners on funding the costs of the services and the operating costs of the system, including:
 - i. Funding of infrastructure costs of one-stop centers pursuant to 20 CFR 678.700 through 678.755.
 - ii. Funding of the shared services and operating costs of the one-stop delivery system pursuant to 20 CFR 678.760.
- c. Methods for referring individuals to either the one-stop operators or partners for appropriate services and activities.
- d. Methods to ensure the needs of workers, youth and individuals with barriers to employment, including individuals with disabilities, are addressed when providing access to services. Access may be provided to technology and materials that are available through the one-stop delivery system.
- e. The duration of the MOU and procedures for amending it.
- f. Assurances that the MOU will be reviewed and renewed, not less than once every three years, to ensure appropriate funding and delivery of services. Additionally, the MOU must be renewed if substantial changes occur prior to the three-year renewal period.
- g. The signatures of the chairperson of the LWDB, one-stop partners, the chief elected official(s), and the time period in which the agreement is effective. The MOU must be updated not less than every three (3) years to reflect any changes in the signatory official of the board, one-stop partners, and chief elected officials, or one-stop infrastructure funding. The MOU will not be considered executed without the signature of all parties.

- h. Any other provisions agreed to by the LWDB and partners. The provisions must be consistent with WIOA title I, the authorizing statutes and regulations of one-stop partner programs, and the WIOA regulations.
- i. An infrastructure funding agreement. The requirements related to infrastructure funding are outlined in section B of this policy.

B. Infrastructure Funding Agreements

Infrastructure Funding Agreements (IFAs) are a mandatory component of the local MOU. A LWDB may negotiate an umbrella IFA for all of its career centers or an individual IFA with each of its career centers. LWDBs must ensure the IFA contains an infrastructure costs budget. The other component of the operating budget consists of additional costs, which include applicable career services, and may include shared operating costs and shared services.

Local workforce development boards, career center partners and chief elected officials may negotiate the IFA, along with additional costs, when developing the operating budget for the local area. Pursuant to 20 CFR 678.755(b), the operating shared services budget must be included in the MOU. LWDBs must contribute toward infrastructure costs based on the proportionate use of the career centers and relative benefits received. All required and additional partners must contribute to infrastructure costs of the comprehensive career centers.

LWDBs must include the following elements within IFAs:

1. The period of time in which this infrastructure funding agreement is effective. This may be a different time period than the duration of the MOU.
2. Identification of an infrastructure and shared services budget that will be periodically reconciled against actual costs incurred and adjusted accordingly to ensure that it reflects a cost allocation methodology that demonstrates how infrastructure costs are charged to each partner in proportion to its use of the one-stop center and relative benefit received, and that complies with 2 CFR part 200 (or any corresponding similar regulation or ruling).
3. Identification of all one-stop partners, chief elected officials and LWDB participating in the infrastructure funding arrangement.
4. Steps the LWDB, chief elected officials and one-stop partners used to reach consensus or an assurance that the local area followed the guidance for the state funding process.
5. Description of the process to be used among partners to resolve issues during the MOU duration period when consensus cannot be reached.
6. Description of the periodic modification and review process to ensure equitable benefit among one-stop partners.

7. Signatures of individuals with authority to bind the signatories to an IFA, including all partners, chief elected officials and LWDBs participating in an IFA.

C. Allocation of Infrastructure Costs Process

To allocate infrastructure costs, LWDBs must:

- a. Identify one-stop career center operating costs, including infrastructure costs and additional costs.
- b. Develop the operating budget that includes an infrastructure costs budget and additional costs budget.
- c. Develop the cost allocation methodology, including the identification of cost pools and allocation bases.
- d. Determine estimated partner contributions.
- e. Prepare and agree to the IFAs.
- f. Allocate actual costs by each partner's proportionate use and relative benefit received.
- g. Conduct a periodic reconciliation (i.e., monthly or quarterly).
- h. Modify infrastructure costs budget and/or cost allocation methodology, as appropriate.
- i. Evaluate the existing process and prepare for the following program year.

The infrastructure funding mechanisms are subject to review by federal administering agencies and partners to ensure compliance with applicable requirements. LWDBs will use federal guidelines, this policy and tools supplied to work with all partners to determine and agree upon infrastructure funding.

D. Resolution of Issues in Memorandums of Understanding and/or Infrastructure Funding Agreements:

If a LWDB is unable to execute MOUs or agree on infrastructure costs with required partners, all parties shall attempt to resolve the issue in a timely and efficient manner. If resolved no further action is necessary.

If issues regarding MOUs and/or IFAs remain unresolved, LWDBs shall document the issue and efforts at resolution. Documentation is forwarded to the Department of Economic Opportunity, Division of Workforce Services (DEO) and the Chancellor for Career and Adult Education, the Director of the Division of Vocational Rehabilitation, the Director of the Division of Blind Services or the executive administrator(s) of agencies responsible for administering the partner's program. DEO and the appropriate division will work to resolve the impasse and secure an executed agreement. A joint decision shall be transmitted within 30 calendar days of receipt.

Issues will be remanded back to the local partners to execute recommended action. If issues remain unresolved, the LWDB must notify CareerSource Florida and include the details of the impasse. CareerSource Florida will work with the Commissioner of Education, the Executive Director of the Department of Economic Opportunity or other agency heads to resolve the impasse and provide a resolution response to the all parties. Decisions are considered final.

If recommended action or required resolution is not implemented, the State Funding Mechanism (SFM) will be initiated.

E. Funding Mechanism Requirements

Under the Local Funding Mechanism (LFM), one-stop career center partners may determine what funds they will use to pay for infrastructure costs. There are no specific caps on the amount or percentage of overall funding a partner may contribute to fund infrastructure costs under the LFM, except that contributions for administrative costs may not exceed the amount available for administrative costs. LFMs provide LWDBs and partners the flexibility to design and fund a one-stop delivery system through a consensus, to meet the needs of their local area by leveraging the funds and resources available to provide program services. The intent of the LFM is to encourage local areas to reach a consensus in developing a local IFA.

After all local MOU and IFA negotiation options have been exhausted, even when only one required partner is unable to come to agreement, the SFM is triggered.

The CareerSource Florida Board of Directors, represented by CareerSource Florida, consults with the Governor regarding the funding of infrastructure costs and is responsible for the development of the formula used by the Governor under the SFM to determine a one-stop career center's budget.

Under the SFM, the LWDB is required to calculate the statewide funding caps and the amount available for local areas that have not reached consensus and to determine the partners' contributions for infrastructure. The statewide caps are calculated by considering total funding for a partner against the statutory caps specified in WIOA for infrastructure costs. The SFM is only applicable to required partners and cannot be triggered by additional partners not reaching a consensus.

If the SFM is triggered:

Local workforce development boards must provide a notice they are unable to reach a consensus on infrastructure funding to the Governor, CareerSource Florida and the Department of Economic Opportunity. Notification must be provided by the specific date established in DEO's guidance on infrastructure funding.

The SFM requires complex calculations and determinations and seek the guidance of multiple parties. Reaching consensus on IFAs must be completed by the LWDBs no

later than March 30, prior to the beginning of the subsequent program year beginning July 1.

Local workforce development boards must provide local negotiation materials to the Department of Economic Opportunity. The following steps will be executed:

1. Determine one-stop career center infrastructure budget(s);
2. Establish cost allocation methodology;
3. Determine partners' proportionate shares;
4. Calculate statewide caps;
5. Assess the aggregate total of infrastructure contributions as it relates to the statewide cap; and
6. Adjust proportionate shares.

F. Infrastructure Funding Appeals Process

Local workforce development boards and partners may appeal the state funding mechanism and determination of shared infrastructure costs. The appeal may be founded on the basis that the determination is inconsistent with proportionate share requirements, the cost contribution limitations or the cost contribution caps consistent with the process described in the state plan.

Appeals must be sent within 21 days from the LWDB's receipt of the state's determination on shared infrastructure costs. Appeals must be filed in writing with the President and CEO of CareerSource Florida. Decisions on appeals will be documented in writing and considered final.

G. State and Local Monitoring

The Department of Economic Opportunity will monitor the requirements outlined in this policy.

V. DEFINITIONS

Infrastructure Costs – Non-personnel costs that are necessary for the general operation of the one-stop career center, including: rental of the facilities; utilities and maintenance; equipment (including assessment-related and assistive technology for individuals with disabilities); and technology to facilitate access to the career center, including technology used for the center's planning and outreach activities.

Local Funding Mechanism (LFM) – A process where the LWDBs, chief elected official(s) and career center partners negotiate and agree to the amounts that each partner will contribute for one-stop infrastructure funding, and the methods of calculating the

amounts to include the infrastructure funding terms in the MOU as an IFA, and to sign the MOU and accompanying IFA.

State Funding Mechanism (SFM) – A process triggered if the career center partners cannot agree on infrastructure contributions under the LFM. The Governor conducts a structured process for determining the final infrastructure funding if all options to agree on a locally negotiated infrastructure funding agreement have been exhausted. SFM only applies to infrastructure costs, not additional shared costs. SFM does not apply to non-required partners.

VI. REVISION HISTORY

Date	Description
	This administrative policy aligns with Section III(b)(2) and Section VI(a)(1)(d) of the State of Florida Workforce Innovation and Opportunity Act Unified Plan.
	Under the Workforce Investment Act of 1998 (WIA), costs that were shared among partners, including infrastructure costs, were outlined and funded through Resource Sharing Agreements between local boards and one-stop partners. The U.S. Department of Labor developed a uniform policy on acceptable methodologies for cost allocation and resource sharing with respect to funding the one-stop delivery system. The funding arrangements were incorporated into a Memorandum of Understanding (MOU).
	This administrative policy replaces AWI Final Guidance 00-001 Final Guidance Procedures for Developing Memorandums of Understanding Under the Workforce Investment Act of 1998 and the Workforce Florida Act of 1996 as Amended – Memorandum of Understanding.

VII. ATTACHMENTS

Florida WIOA [Unified State Plan](#)

VIII. RESOURCES

[Sample MOU and Infrastructure Costs Toolkit](#)

FAQs: [Infrastructure Funding Guidance](#)

[State of Florida IFA Template](#)



**POLICY
NUMBER TBD**

Administrative Policy

Title:	Priority of Service
Program:	Workforce Innovation and Opportunity Act
Effective:	

I. PURPOSE AND SCOPE

The purpose of this administrative policy is to outline to local workforce development boards (LWDBs) the requirements for providing priority of service to eligible individuals under the Workforce Innovation and Opportunity Act (WIOA).

II. BACKGROUND

The Workforce Innovation and Opportunity Act requires priority be given to public assistance recipients, other low-income individuals and individuals who are basic skills deficient, when providing individualized career services and training services for adult participants. The U.S. Department of Labor (USDOL) Jobs for Veterans Act (JVA) and the Veterans' Benefits, Healthcare, and Information Technology Act of 2006 outlines the Priority of Service for WIOA-eligible veterans and eligible spouses. Other eligible individuals may be served only after first serving individuals who meet the established veteran priority of service criteria. Priority of service applies to participants served in the WIOA adult program. Priority of service does not apply to participants served in the WIOA dislocated worker program.

III. AUTHORITIES

Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128, the [Sections 3 and 134\(c\)\(3\)\(E\)](#)

20 Code of Federal Regulations (C.F.R.) [20 C.F.R. 680.600 - 680.660](#); [20 C.F.R. 683.230](#) and [20 CFR Part 1010](#)

Title 38, United States Code ([38 U.S.C. 4213](#))

[Training and Employment Guidance Letter \(TEGL\) No. 19-16](#) and [TEGL 10-09](#)

[Section 445.004](#) , Florida Statutes (F.S.)

IV. POLICIES AND PROCEDURES

Priority of service means adults who meet the criteria outlined in this administrative policy must be served before other persons for the receipt of individualized career services and training services.

A. Statutory Priority for Adult Funds

WIOA focuses on serving individuals with barriers to employment and ensures access to these services on a priority basis. LWDBs must give priority for the provision of individualized career and training services in the following sequential order:

1. Recipients of public assistance.
2. Low-income individuals. Payments for unemployment compensation, child support payments and old-age survivors' insurance are not excluded from income calculations for determining if an individual is low income.
3. Individuals who are basic skills deficient.

B. Veteran and Adult Priority of Service

Veterans and eligible spouses receive priority of service for all USDOL-funded job training programs, which include WIOA programs. However, when programs are statutorily required to provide priority for a particular group, such as the WIOA priority for adult funds described above, priority must be provided in the order described below. Veterans who receive priority of service must meet all WIOA adult program eligibility requirements. For income-based eligibility determinations, amounts paid while on active duty or paid by the Department of Veterans Affairs (VA) for vocational rehabilitation, disability payments, or related VA-funded programs cannot be considered income for eligibility purposes.

LWDBs must ensure veterans and eligible spouses are made aware of their eligibility to priority of service, the full array of workforce programs and services available to them, and any applicable eligibility requirements for those programs and services.

Priority of service must be provided to eligible WIOA adult program participants in the following order:

1. Veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, including the underemployed, or individuals who are basic skills deficient.
2. Individuals who are not veterans or eligible spouses who are included in the groups given WIOA priority selection criteria, (public assistance recipient, other low-income individuals including underemployed or basic skills deficient).
3. All other veterans and eligible spouses who are not included in the WIOA priority groups (see above items 1 and 2).

4. Other individuals who do not meet the statutory priority, but who are identified as priority populations established by the Governor and/or local workforce development boards.
5. Other individuals who do not meet the statutory priority and who do not meet the Governor's or local workforce development board's discretionary priority, but who do meet the WIOA adult program eligibility.

C. Veterans' Registration in Employ Florida

A veteran's self-registration in the state's management information system, Employ Florida, will automatically record service code 089 - Notification of Veterans Priority of Service. Veterans and individuals who register in Employ Florida, or who are entered in Employ Florida by staff must be advised of their eligibility to priority of service and the code 189 must be entered on the service plan screen by staff. The 089 and 189 service codes are priority of service indicators.

D. Local Operating Procedures

Local operating procedures (LOPs) guide how LWDBs operationalize policies related to their priority of services. Each LWDB must develop LOPs that at a minimum:

1. Establish standardized procedures for implementing priority of service for WIOA Adult Program participants.
2. Provide comprehensive, customer-driven and seamless priority of services that offers adults, veterans and eligible spouses a full range of employment and training services.
3. Establish a process to identify additional priority individuals who are eligible to receive priority of service and ensure the process is consistent with priority of service for veterans and the provisions of WIOA.
4. Any additional priority populations identified by the LWDB or the state should be reflected in WIOA local area plan(s).

E. State and Local Monitoring

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

1. The roles of the employer, participant and LWDB staff and
2. Monitoring procedures of employers and worksites to ensure all parties are and remain in compliance.

LWDBs must ensure participating employers 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. DEFINITIONS

1. **Basic Skills Deficient** – An individual who 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.
2. **Eligible Spouse** - The spouse of:
 - a. Any veteran who died of a service-connected disability;
 - b. Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - i. Missing in Action;
 - ii. Captured in line of duty by a hostile force; or
 - iii. Forcibly detained or interned in line of duty by a foreign government or power;
 - c. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs;
 - d. Any veteran who died while a disability was in existence.
3. **Low Income** – An individual who:
 - a. Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received, assistance through the Supplemental Nutrition Assistance Program (SNAP) established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for Temporary Assistance for Needy Families (TANF) program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the Supplemental Security Income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or state or local income-based public assistance;
 - b. Is in a family with total family income that does not exceed the poverty line; or 70 percent of the Lower Living Standard Income Level;
 - c. Is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a (2)));
 - d. Receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);
 - e. Is a foster child for whom state or local government payments are made; or
 - f. Is an individual with a disability whose own income meets the income requirement, but who is a member of a family whose income does not meet this income requirement.

4. **Public Assistance Recipient** – An individual who receives, or in the past six months has received, or is a member of a family that receives or in the past six months has received, assistance through one or more of the following:
 - a. Supplemental Nutrition Assistance Program;
 - b. Temporary Assistance for Needy Families;
 - c. Supplemental Security Income; or
 - d. Other state or local income-based assistance.
5. **Veteran** – An individual who served in the active military, naval, or air service, and was discharged or released under conditions other than dishonorable. Active service includes full-time duty in the National Guard or a Reserve component, other than full-time duty for training purposes. 38 U.S.C. 101(2)
6. **Veteran Priority of Service** – Veterans and eligible spouses are given priority over non-covered persons for the receipt of employment, training and placement services provided under a qualified job training program. Priority means veterans and eligible spouses are entitled to precedence over non-covered persons for services. This means a veteran or an eligible spouse either receives access to a service earlier in time than a non-covered person or, if the resource is limited, the veteran or eligible spouse receives access to the services instead of or before the non-covered person.

VI. RESOURCES

[Workforce Innovation and Opportunity Act, Statewide Unified Plan, Two-Year Modification](#)

Approved _____
Disapproved _____

Action Item 2

CAREER AND PROFESSIONAL EDUCATION (CAPE) ACT 2020-2021 INDUSTRY CERTIFICATIONS

The Career and Professional Education (CAPE) Act was created by the Florida Legislature in 2007 to improve Florida's talent pipeline to better attract and retain targeted, high-value industries and develop a knowledge-based economy. The CAPE Act seeks to ensure education, industry, workforce and economic development partners in every community collaborate to create new and meaningful opportunities for students. CAPE supports diversification of Florida's economy by providing students with cutting-edge training and earned industry certifications required for high-skill, high-wage jobs in Florida's target and infrastructure industries.

The implementation of the Act requires coordination among CareerSource Florida, the Florida Department of Education (FDOE), the Florida Department of Economic Opportunity (DEO) and the Florida Department of Agriculture and Consumer Services. Each year in August, submissions are received from Local Workforce Development Boards (LWDBs) and school principals through CareerSource Florida's online submission portal. Submissions are requests for additions to the approved list of industry certifications. Upon the closing of the submission process in September 2019, 259 unduplicated requests for new additions to the current list of approved certifications were received from LWDBs and school districts.

A comprehensive analysis of all certifications was conducted by CareerSource Florida, DEO and FDOE to determine eligibility and to ensure required endorsements were received. Upon completion of this in-depth review, the following recommendation for 218 certifications is made for consideration and action by the CareerSource Florida Board. This includes 198 new submissions plus three new Adobe Bundles and 17 certifications that were approved in 2019-2020.

Recommendations by the CareerSource Florida Board are forwarded to FDOE by the required deadline of March 1. FDOE makes its final determination on certifications eligible for 2020-2021 CAPE bonus funding.

The State Board of Education approves the final CAPE Funding list at its meeting in August.

FOR CONSIDERATION

- **Approve recommendations of 218 certifications.**
- **Authorize the CareerSource Florida professional team in collaboration with Department of Education staff to revise approved certifications due to certifying entities making changes; upgrading existing products; releasing newer versions; or changes that relate to eligibility of certification requirements.**

Career and Professional Education Act (CAPE) 2020-2021 Recommendations



Career and Professional Education (CAPE) Industry Certifications 2020-2021

The [Florida Career and Professional Education \(CAPE\) Act](#) was created in 2007 to provide a statewide planning partnership between the business and education communities to attract, expand and retain targeted, high-value industry to sustain a strong, knowledge-based economy. The primary purpose of the Florida Career and Professional Education Act is to:

- Improve middle and high school academic performance by providing rigorous and relevant curriculum opportunities.
- Provide rigorous and relevant career-themed courses that articulate to postsecondary-level coursework and lead to industry certification.
- Support local and regional economic development.
- Respond to Florida's critical workforce needs.
- Provide state residents with access to high-wage and high-demand careers.

The law has become a critical component of the efforts to ensure Florida can achieve Gov. Ron DeSantis' vision for Florida to become No. 1 in the nation in workforce education, as outlined in his [Executive Order 19-31](#), "Charting a Course for Florida to Become No. 1 in the Nation in Workforce Education by 2030 and Ensuring Florida Students are Prepared for Jobs of the Future".

Additionally, the attainment of industry-recognized credentials by Florida students supports critical progress toward Florida's educational attainment goal established in law by the Florida Legislature and Gov. DeSantis. [Florida Statutes, 1004.013](#), identifies the "Strengthening Alignment Between Industry and Learning (SAIL) to 60 Initiative" to increase the percentage of working-age adults in Florida with a high-value postsecondary certificate, degree or training experience by 2030.

Industry certification is a voluntary process through which students are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills and competencies and, under the CAPE Act, resulting in the award of a credential that is nationally recognized and must be at least one of the following:

- Within an industry that addresses a critical local or statewide economic need.
- Linked to an occupation that is included in the workforce system's targeted occupation list.
- Linked to an occupation that is identified as emerging.

The CareerSource Florida Board of Directors annually considers, approves and recommends to the State Board of Education a list of CAPE industry certifications that meet the criteria for inclusion in the Florida Department of Education's CAPE Funding List for which public schools may earn additional state funds for their educational programs.

In preparing the 2020-2021 CAPE industry certification recommendations for the CareerSource Florida Board of Directors, previously approved certifications from prior years were required to be resubmitted, along with any newly requested certifications, to be evaluated in accordance with the criteria established in Florida law and [State Board of Education rule 6A-6.0573](#), Florida Administrative Code. The following Florida Statutes contain important provisions of the CAPE Act:

- [Section 1003.4203](#) – Digital materials, CAPE Digital Tool certificates and technical assistance
- [Section 1003.491](#) – Florida Career and Professional Education Act
- [Section 1003.492](#) – Industry-certified career education programs
- [Section 1003.493](#) – Career and professional academies and career-themed courses
- [Section 1003.4935](#) – Middle grades career and professional academy courses and career-themed courses

- [Section 1008.44](#) – CAPE Industry Certification Funding List and CAPE Postsecondary Industry Certification Funding List
- [Section 1011.62\(1\)\(o\)](#) – Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.491, 1003.492, and 1003.493, or courses with embedded CAPE industry certifications or CAPE Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education or CAPE Digital Tool certificates pursuant to s. 1003.4203

The certification submissions were reviewed by a leadership team from Florida Department of Education, CareerSource Florida and the Department of Economic Opportunity. Upon completion of the CAPE Review Team's in-depth review, 218 certifications are being recommended to the CareerSource Florida Board of Directors for inclusion on the 2020-2021 CAPE list. This includes 198 new submissions plus three new Adobe Bundles and 17 certifications that were approved in 2019-2020. Sixty-one certifications are not being recommended including 12 that have been discontinued by the certifying agencies.

Further, to assist in the transition regarding certain certifications, the Florida Department of Education is seeking to allow the following certifications, on the list being recommended for inclusion, to be offered in 2020-2021, under parameters set by the Department of Education, to allow for a transition to a higher standard for the skills associated with the Microsoft Office Specialist and Adobe certifications (*FDOE certification code):

- MICRO069*: Microsoft Office Specialist Bundle (3 of 6: Access, Excel, Outlook, PowerPoint, SharePoint and Word)
- ADOBE022*: Adobe Certified Associate Photoshop
- ADOBE010*: Adobe Certified Associate Dreamweaver
- ADOBE011*: Adobe Certified Associate Flash/Animate
- ADOBE020*: Adobe Certified Associate Illustrator
- ADOBE021*: Adobe Certified Associate InDesign
- ADOBE018*: Adobe Certified Associate Premiere Pro

These certifications as well as their higher-level and related bundles will be available in 2020-2021. Beginning in 2021-2022, the Microsoft Office Specialist and Adobe certifications listed above will be replaced by the related higher-level bundled certifications.

The timeline that follows provides an overview of the review process and is followed by the listing of certifications recommended for inclusion on the 2020-2021 CAPE Industry Certification Funding List as well as those that are not being recommended, pending approval by the CareerSource Florida Board of Directors.

CAPE Industry Certifications Recommendations

Timeline/Process for Review

Date	Action
June 18, 2019	Memo to Career and Technical Education Directors regarding new submission process including the requirement for certifications added prior to 2019-2020 to be resubmitted, as well as notice of upcoming training sessions.
July 11, 2019	Webinar presented to Career and Technical Education stakeholders demonstrating updated guidelines and online submission form.
July 16, 2019	Presentation to stakeholders at the Florida Association for Career and Technical Education (FACTE) Conference demonstrating updated guidelines and online submission form.
July 18, 2019	Tutorial video posted to CareerSource Florida website demonstrating updated guidelines, timeline and online submission form.
July 18, 2019	Information sent to stakeholders providing details about updated guidelines, timeline and online submission form.
Aug. 1, 2019	Online submission period opens.
Sept. 15, 2019	Online submission period closes.
Sept. 16 – Dec. 31, 2019	Proposed certifications are reviewed/vetted by representatives from CareerSource Florida, the Florida Department of Education, the Department of Economic Opportunity, industry associations, Florida businesses and other pertinent groups as deemed necessary by CareerSource Florida.
Jan. 6-10, 2020	Local workforce development boards or public-school principals who submitted certification applications were notified about the CAPE Review Team's recommendation for each certification that was submitted.
Jan. 11 – Feb. 4, 2020	Submitters provided with the CAPE Review Team's initial recommendations and an opportunity to submit additional information to address any deficiencies with a certification or its submission.
Jan. 29, 31, 2020	CareerSource Florida hosted appointments on each certification for which a submitter wanted to provide additional information.
Feb. 7, 2020	CareerSource Florida hosted a call with submitters to announce the CAPE Review Team's final recommendations on the certifications discussed on the Jan. 29 and Jan. 31 calls. The Florida Department of Education announced a transition plan for one year to allow school districts to offer certain certifications to 12 th graders only for the 2020-2021 year.

Recommended for inclusion on the 2020-21 CAPE Industry Certification Funding List

Pending approval by CareerSource Florida Board

* These certifications are being recommended for the 2020-21 year only.

DOE Cert Code (if available)	Is this on the 2019-20 List?	Name of the Certification	Certifying Agency
	No	Adobe Certified Associate (ACA) Video Design Specialist: After Effects, Premiere Pro and Photoshop	Adobe Systems
	No	Adobe Certified Associate (ACA) Visual Design Specialist: Illustrator, InDesign and Photoshop	Adobe Systems
	No	Adobe Certified Associate (ACA) Web Design Specialist: Animate, Dreamweaver and Photoshop	Adobe Systems
*ADOBE010	Yes	Adobe Certified Associate (ACA) - Dreamweaver (Creative Cloud 2015 or later)	Adobe Systems
*ADOBE011	Yes	Adobe Certified Associate (ACA) - Animate (Creative Cloud 2015 or later)	Adobe Systems
*ADOBE018	Yes	Adobe Certified Associate (ACA) - Premiere Pro (Creative Cloud 2015 or later)	Adobe Systems
*ADOBE020	Yes	Adobe Certified Associate (ACA) - Illustrator (Creative Cloud 2015 or later)	Adobe Systems
*ADOBE021	Yes	Adobe Certified Associate (ACA) - InDesign (Creative Cloud 2015 or later)	Adobe Systems
*ADOBE022	Yes	Adobe Certified Associate (ACA) - Photoshop (Creative Cloud 2015 or later)	Adobe Systems
*MICRO069	Yes	Microsoft Office Specialist (MOS) Bundle Certification (3 of 6: Access, Excel, Outlook, PowerPoint, SharePoint, Word)	Microsoft Corporation
ABAYC003	Yes	Marine Electrical Certification	American Boat & Yacht Council
ACSMD002	Yes	Certified Personal Trainer	American College of Sports Medicine
ADESK029	Yes	Autodesk Certified Professional - 3ds Max	Autodesk
ADESK021	Yes	Autodesk Certified Professional - AutoCAD	Autodesk
ADESK023	Yes	Autodesk Certified Professional - Civil 3D	Autodesk
ADESK024	Yes	Autodesk Certified Professional - Inventor	Autodesk
ADESK025	Yes	Autodesk Certified Professional - Revit Architecture	Autodesk
ADESK031	Yes	Autodesk Certified User - 3ds Max	Autodesk
ADESK002	Yes	Autodesk Certified User - AutoCAD	Autodesk
ADESK032	Yes	Autodesk Certified User - Fusion 360	Autodesk
ADESK011	Yes	Autodesk Certified User - Inventor	Autodesk
ADESK030	No	Autodesk Certified User - Maya	Autodesk
ADESK008	Yes	Autodesk Certified User - Revit Architecture	Autodesk
AHCSM001	No	Certified Registered Central Service Technician (CRCST)	International Association of Healthcare Central Sterile Material Management (IAHCSMM)
AMAMA001	Yes	Certified Medical Assistant (CMA)	American Associates of Medical Assistants
AMDDA002	Yes	Certified Apprentice Drafter - Architectural	American Design Drafting Association
AMDDA005	Yes	Certified Apprentice Drafter - Mechanical	American Design Drafting Association
AMDDA003	Yes	Certified Drafter - Architectural	American Design Drafting Association
AMDDA004	Yes	Certified Drafter - Mechanical	American Design Drafting Association
AMEDT004	No	Registered Medical Assistant (RMA)	American Medical Technologists (AMT)
AMEDT005	Yes	Registered Phlebotomy Technician (RPT)	American Medical Technologists (AMT)
AMSPT002	Yes	Certified Phlebotomy Technician	American Society of Phlebotomy Technicians
APPLE021	Yes	Apple App Development with Swift Certification Level 1	Apple, Inc.
AWELD003	Yes	AWS Certified Welder - FCAW Plate	American Welding Society
AWELD004	Yes	AWS Certified Welder - GMAW Plate	American Welding Society
AWELD011	Yes	AWS Certified Welder - SMAW Pipe	American Welding Society

Recommended for inclusion on the 2020-21 CAPE Industry Certification Funding List

Pending approval by CareerSource Florida Board

* These certifications are being recommended for the 2020-21 year only.

DOE Cert Code (if available)	Is this on the 2019-20 List?	Name of the Certification	Certifying Agency
AWELD012	Yes	AWS Certified Welder - SMAW Plate	American Welding Society
CARCH002	Yes	Chief Architect Certified Apprentice	Chief Architect, Inc.
CERHB001	Yes	Biotechnician Assistant	Center for Excellence for Regenerative Health Biotechnology at University of Florida
COMPT001	Yes	CompTIA A+	Computing Technology Industry Association (CompTIA)
COMPT005	Yes	CompTIA Linux+	Computing Technology Industry Association (CompTIA)
COMPT006	Yes	CompTIA Network+	Computing Technology Industry Association (CompTIA)
COMPT007	Yes	CompTIA Project+	Computing Technology Industry Association (CompTIA)
COMPT008	Yes	COMPTIA Security+	Computing Technology Industry Association (CompTIA)
COMPT009	Yes	CompTIA Server+	Computing Technology Industry Association (CompTIA)
COMPT016	Yes	CompTIA Cybersecurity Analyst (CySA+)	Computing Technology Industry Association (CompTIA)
COMPT018	Yes	CompTIA IT Fundamentals+	Computing Technology Industry Association (CompTIA)
CPREC001	Yes	Child Development Associate (CDA)	Council for Professional Recognition
ESRIC001	Yes	ArcGIS Desktop Entry	ESRI
ETAIN006	Yes	Avionics Electronics Technician	Electronics Technician Association International
ETAIN008	Yes	Certified Electronics Technician Associate (CETa)	Electronics Technician Association International
FDMQA002	Yes	Certified Nursing Assistant CNA	Florida Department of Health
FDMQA030	Yes	911 Public Safety Telecommunicator	Florida Department of Health
FEDAA002	Yes	FAA Aviation Maintenance Technician - General	Federal Aviation Administration
FEDAA004	Yes	FAA Aviation Mechanic Technician - Airframe	Federal Aviation Administration
FEDAA010	Yes	FAA Maintenance Technician - Powerplant	Federal Aviation Administration
FEDAA011	Yes	FAA Private Pilot	Federal Aviation Administration
FEDAA013	Yes	FAA Ground School	Federal Aviation Administration
FEDAA015	Yes	FAA Ground Instructor - Basic	Federal Aviation Administration
FLADA001	Yes	Florida Automobile Dealers Association (FADA) Certified Technician	Florida Automobile Dealers Association
FLDEP003	Yes	Wastewater Treatment Plant Operator Level C	Florida Department of Environmental Protection
FLDEP006	Yes	Water Treatment Plant Operator Level C	Florida Department of Environmental Protection
FLENG001	Yes	Engineering Core Certification	Florida Engineering Society
FLSFM005	Yes	Fire Fighter I	Florida Department of Financial Services, State Fire Marshal, Bureau of Fire Standards & Training
FLVMA002	Yes	Certified Veterinary Assistant (CVA)	Florida Veterinary Medical Association
FNGLA003	Yes	Certified Landscape Maintenance Technician	Florida Nursery Growers and Landscape Association
FNGLA004	Yes	Certified Landscape Technician	Florida Nursery Growers and Landscape Association
GRBI1002	No	LEED Green Associate	US Green Building Council (USGBC)
HBINS002	Yes	HBI Pre-Apprenticeship Certificate Training (PACT), Building Construction Technology	Home Builders Institute

Recommended for inclusion on the 2020-21 CAPE Industry Certification Funding List

Pending approval by CareerSource Florida Board

* These certifications are being recommended for the 2020-21 year only.

DOE Cert Code (if available)	Is this on the 2019-20 List?	Name of the Certification	Certifying Agency
	No	HBI Pre-Apprenticeship Certificate Training (PACT), Carpentry	Home Builders Institute
	No	HBI Pre-Apprenticeship Certificate Training (PACT), Core	Home Builders Institute
	No	HBI Pre-Apprenticeship Certificate Training (PACT), Core Green	Home Builders Institute
	No	HBI Pre-Apprenticeship Certificate Training (PACT), Electrical	Home Builders Institute
HVACE001	Yes	HVAC Excellence Employment Ready - Heat Pump	HVAC Excellence
HVACE002	Yes	HVAC Excellence Employment Ready - Air Conditioning	HVAC Excellence
HVACE011	Yes	HVAC Excellence Employment Ready - Electrical	HVAC Excellence
ICOEC005	Yes	EC-Council Cyber Forensics Associate	EC-Council
ICOEC006	Yes	EC-Council Ethical Hacker Associate	EC-Council
INTUT001	Yes	Quickbooks Certified User	Intuit
LINPI001	Yes	Linux Essentials 010	Linux Professional Institute
MICRO017	Yes	Microsoft Office Specialist Master	Microsoft Corporation
MICRO070	Yes	Microsoft Technology Associate (MTA) - Database Fundamentals	Microsoft Corporation
MICRO074	Yes	Microsoft Technology Associate (MTA) - Software Development Fundamentals	Microsoft Corporation
MICRO076	Yes	Microsoft Technology Associate (MTA) - Windows OS Fundamentals	Microsoft Corporation
MICRO077	Yes	Microsoft Technology Associate (MTA) - Security Fundamentals	Microsoft Corporation
MICRO078	Yes	Microsoft Technology Associate - Networking Fundamentals	Microsoft Corporation
MICRO080	Yes	Microsoft Technology Associate (MTA) - HTML5 Application Developer Fundamentals	Microsoft Corporation
MICRO102	Yes	Microsoft Technology Associate (MTA) - Mobility and Devices Fundamentals	Microsoft Corporation
MICRO104	Yes	Microsoft Technology Associate (MTA) - Introduction to Programming Using JavaScript	Microsoft Corporation
MICRO105	Yes	Microsoft Technology Associate (MTA) - Introduction to Programming Using HTML and CSS	Microsoft Corporation
MICRO112	Yes	Microsoft Technology Associate (MTA) - Introduction to Programming Using Python	Microsoft Corporation
MICRO113	Yes	Microsoft Technology Associate (MTA) - Cloud Fundamentals	Microsoft Corporation
MICRO114	Yes	Microsoft Technology Associate (MTA) - Introduction to Programming Using Java	Microsoft Corporation
MICRO115	Yes	Microsoft Technology Associate (MTA) - Windows Server Administration Fundamentals	Microsoft Corporation
MSSCN001	Yes	MSSC Certified Production Technician (CPT)	Manufacturing Skill Standards Council (MSSC)
MSSCN002	Yes	MSSC Certified Logistics Technician	Manufacturing Skill Standards Council (MSSC)
NASME001	Yes	NASM Certified Personal Trainer (CPT)	National Academy Sports Medicine
NATEX001	Yes	Air Conditioning Service Technician	North American Technician Excellence
NATEX002	Yes	Air Conditioning Installation Specialization	North American Technician Excellence
NATEX003	Yes	Air to Air Heat Pump Installation Technician	North American Technician Excellence
NATHA002	Yes	Certified EKG Technician (CET)	National Healthcare Association
NATHA003	Yes	Certified Medical Administrative Assistant (CMAA)	National Healthcare Association
NATHA006	Yes	Certified Patient Care Technician (CPCT)	National Healthcareer Association

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DOE Cert Code (if available)	Is this on the 2019-20 List?	Name of the Certification	Certifying Agency
NATHA007	Yes	Certified Phlebotomy Technician (CPT)	National Healthcareer Association
NATHA009	No	Certified Clinical Medical Assistant (CCMA)	National Healthcareer Association
NATHA010	Yes	Certified Pharmacy Technician (CPhT)	National Healthcareer Association
NATHA011	Yes	Certified Electronic Health Record Specialist (CEHRS)	National Healthcareer Association
NCATT001	Yes	Aircraft Electronics Technician (AET)	National Center for Aerospace and Transportation Technologies (NCATT)
NCATT003	Yes	Aerospace/ Aircraft Assembly (AAA)	National Center for Aerospace and Transportation Technologies (NCATT)
NCCER005	Yes	NCCER Carpentry - Level 1 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER032	Yes	NCCER Carpentry - Level 2 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER033	Yes	NCCER Carpentry - Level 3 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER034	Yes	NCCER Carpentry - Level 4 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER036	Yes	NCCER Concrete Finishing - Level 1 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER008	Yes	NCCER Construction Technology (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER010	Yes	NCCER Electrical - Level 1 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER038	Yes	NCCER Electrical - Level 2 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER039	Yes	NCCER Electrical - Level 3 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER040	Yes	NCCER Electrical - Level 4 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER018	Yes	NCCER HVAC - Level 1 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER081	Yes	NCCER HVAC - Level 2 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER082	Yes	NCCER HVAC - Level 3 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER083	Yes	NCCER HVAC - Level 4 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER084	Yes	NCCER Industrial Maintenance Mechanic - Level 1 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER085	Yes	NCCER Industrial Maintenance Mechanic - Level 2 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER086	Yes	NCCER Industrial Maintenance Mechanic - Level 3 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER025	Yes	NCCER Masonry - Level 1 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER044	Yes	NCCER Masonry - Level 2 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER045	Yes	NCCER Masonry - Level 3 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER026	Yes	NCCER Plumbing - Level 1 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER069	Yes	NCCER Plumbing - Level 2 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER070	Yes	NCCER Plumbing - Level 3 (Secondary)	National Center for Construction Education & Research (NCCER)

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NCCER071	Yes	NCCER Plumbing - Level 4 (Secondary)	National Center for Construction Education & Research (NCCER)
NCCER062	Yes	NCCER Welding - Level 2 (Secondary)	National Center for Construction Education & Research (NCCER)
NCFCT001	No	National Certified ECG Technician (NCET)	National Center for Competency Testing (NCCT)
NCFCT003	No	National Certified Phlebotomy Technician (NCPT)	National Center for Competency Testing (NCCT)
NCSBN002	Yes	National Licensed Practical Nurse (NCLEX-PN)	National Council of State Boards of Nursing
NIASE076	Yes	ASE Auto Maintenance and Light Repair (G1)	The National Institute for Automotive Service Excellence (ASE)
NIASE005	Yes	ASE Automobile/Light Truck Technician: Automatic Transmission/Transaxle (A2)	National Institute for Automotive Service Excellence
NIASE007	Yes	ASE Automobile/Light Truck Technician: Brakes (A5)	National Institute for Automotive Service Excellence
NIASE008	Yes	ASE Automobile/Light Truck Technician: Electrical/Electronic Systems (A6)	National Institute for Automotive Service Excellence
NIASE009	Yes	ASE Automobile/Light Truck Technician: Engine Performance (A8)	National Institute for Automotive Service Excellence
NIASE010	Yes	ASE Automobile/Light Truck Technician: Engine Repair (A1)	National Institute for Automotive Service Excellence
NIASE011	Yes	ASE Automobile/Light Truck Technician: Heating and Air Conditioning (A7)	National Institute for Automotive Service Excellence
NIASE012	Yes	ASE Automobile/Light Truck Technician: Manual Drive Train and Axles (A3)	National Institute for Automotive Service Excellence
NIASE014	Yes	ASE Automobile/Light Truck Technician: Suspension and Steering (A4)	National Institute for Automotive Service Excellence
NIASE017	Yes	ASE Collision Repair and Refinishing Technician: Mechanical and Electrical Components (B5)	National Institute for Automotive Service Excellence
NIASE029	Yes	ASE Collision Repair and Refinishing Technician: Painting and Refinishing (B2)	National Institute for Automotive Service Excellence
NIASE077	Yes	ASE Entry-level - Auto: Automatic Transmission/Transaxle (AT)	National Institute for Automotive Service Excellence
NIASE078	Yes	ASE Entry-level - Auto: Automobile Service Technology (AS)	National Institute for Automotive Service Excellence
NIASE079	Yes	ASE Entry-level - Auto: Brakes (BR)	National Institute for Automotive Service Excellence
NIASE080	Yes	ASE Entry-level - Auto: Electrical/Electronic Systems (EE)	National Institute for Automotive Service Excellence
NIASE081	Yes	ASE Entry-level - Auto: Engine Performance (EP)	National Institute for Automotive Service Excellence
NIASE082	Yes	ASE Entry-level - Auto: Engine Repair (ER)	National Institute for Automotive Service Excellence
NIASE083	Yes	ASE Entry-level - Auto: Heating and Air Conditioning (AC)	National Institute for Automotive Service Excellence
NIASE084	Yes	ASE Entry-level - Auto: Manual Drive Train and Axles (MD)	National Institute for Automotive Service Excellence
NIASE085	Yes	ASE Entry-level - Auto: Suspension and Steering (SS)	National Institute for Automotive Service Excellence
NIASE086	Yes	ASE Entry-level - Collision: Mechanical and Electrical (ME)	National Institute for Automotive Service Excellence
NIASE087	Yes	ASE Entry-level - Collision: Non-structural Analysis and Damage Repair (NS)	National Institute for Automotive Service Excellence

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DOE Cert Code (if available)	Is this on the 2019-20 List?	Name of the Certification	Certifying Agency
NIASE088	Yes	ASE Entry-level - Collision: Painting and Refinishing (PR)	National Institute for Automotive Service Excellence
NIASE089	Yes	ASE Entry-level - Collision: Structural Analysis and Damage Repair (SR)	National Institute for Automotive Service Excellence
NIASE090	Yes	ASE Entry-level - Truck: Brakes (TB)	National Institute for Automotive Service Excellence
NIASE091	Yes	ASE Entry-level - Truck: Diesel Engines (DE)	National Institute for Automotive Service Excellence
NIASE092	Yes	ASE Entry-level - Truck: Electrical/Electronic Systems (TE)	National Institute for Automotive Service Excellence
NIASE093	Yes	ASE Entry-level - Truck: Steering & Suspension (TS)	National Institute for Automotive Service Excellence
	No	ASE Entry-level - Truck: Inspection, Maintenance, and Minor Repair (IM)	National Institute for Automotive Service Excellence
NIASE016	Yes	ASE Medium/Heavy Truck Technician: Brakes (T4)	National Institute for Automotive Service Excellence
NIASE020	Yes	ASE Medium/Heavy Truck Technician: Diesel Engines (T2)	National Institute for Automotive Service Excellence
NIASE021	Yes	ASE Medium/Heavy Truck Technician: Drive Train (T3)	National Institute for Automotive Service Excellence
NIASE023	Yes	ASE Medium/Heavy Truck Technician: Electrical/Electronic Systems (T6)	National Institute for Automotive Service Excellence
NIASE026	Yes	ASE Medium/Heavy Truck Technician: Heating, Ventilation, and A/C (HVAC) (T7)	National Institute for Automotive Service Excellence
NIASE031	Yes	ASE Medium/Heavy Truck Technician: Preventive Maintenance Inspection (PMI) (T8)	National Institute for Automotive Service Excellence
NIASE033	Yes	ASE Medium/Heavy Truck Technician: Suspension and Steering (T5)	National Institute for Automotive Service Excellence
NIFMS001	Yes	NIMS Machining - CNC Milling Programming Setup & Operations	National Institute for Metalworking Skills (NIMS)
NIFMS002	Yes	NIMS Machining - CNC Lathe Programming Setup & Operations	National Institute for Metalworking Skills (NIMS)
NIFMS008	Yes	NIMS Machining - Turning 1 (Between Centers)	National Institute for Metalworking Skills (NIMS)
NIFMS010	Yes	NIMS Machining - Turning 1 (Chucking)	National Institute for Metalworking Skills (NIMS)
NIFMS013	Yes	NIMS Machining - Drill Press I	National Institute for Metalworking Skills (NIMS)
NIFMS014	Yes	NIMS Machining - CNC Mill Operations	National Institute for Metalworking Skills (NIMS)
NIFMS016	Yes	NIMS Machining - Grinding II	National Institute for Metalworking Skills (NIMS)
NIFMS017	Yes	NIMS Machining - Milling I	National Institute for Metalworking Skills (NIMS)
NIFMS019	Yes	NIMS Machining - Milling II	National Institute for Metalworking Skills (NIMS)
NRAEF003	Yes	Certified Food Protection Manager (ServSafe®)	National Restaurant Association Education Foundation
NREMT001	Yes	Emergency Medical Technician (EMT)	National Registry of Emergency Medical Technicians
NRFSP001	Yes	Certified Food Safety Manager	National Registry of Food Safety Professionals
ORACL004	Yes	Oracle Certified Associate (OCA): Java Programmer	Oracle Corporation

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DOE Cert Code (if available)	Is this on the 2019-20 List?	Name of the Certification	Certifying Agency
ORACL005	Yes	Oracle Certified Professional (OCP): Java Programmer	Oracle Corporation
PROSO003	Yes	Certified Internet Web (CIW) E-Commerce Specialist	Certification Partners
PROSO006	Yes	Certified Internet Web (CIW) Database Design Specialist	Certification Partners
PROSO017	Yes	Certified Internet Web (CIW) JavaScript Specialist	Certification Partners
PROSO022	Yes	Certified Internet Web (CIW) Web Design Specialist	Certification Partners
PROSO024	Yes	Certified Internet Web (CIW) Web Foundations Associate	Certification Partners
PROSO025	Yes	Certified Internet Web (CIW) Web Security Associate	Certification Partners
PROSO027	Yes	Certified Internet Web (CIW) Advanced HTML5 & CSS3 Specialist	Certification Partners
	No	Certified Internet Web (CIW) Data Analyst Specialist	Certification Partners
	No	Certified Internet Web (CIW) Social Media Strategist	Certification Partners
	No	Certified Internet Web (CIW) User Interface Designer	Certification Partners
PTCBD001	Yes	Pharmacy Technician	Pharmacy Technician Certification Board
RECFN001	Yes	RECF Pre-Engineering Certification	Robotics Education and Competition Foundation
RECFN002	Yes	RECF Robotics Certification	Robotics Education and Competition Foundation
SALES001	Yes	Salesforce Certified Administrator	Salesforce
SOCTE004	Yes	Broadband Premises Installer (BPI)	Society of Cable Telecommunications Engineers
SOLID003	Yes	Certified SOLIDWORKS Associate-Academic (CSWA-Academic)	Dassault Systems Solidworks Corporation
SOLID004	No	Certified SOLIDWORKS Professional - Academic (CSWP-Academic)	Dassault Systems Solidworks Corporation
TAFLP001	Yes	Accredited Legal Professional (ALP)	NALS...the Association for Legal Professionals
TBOOM001	Yes	Toon Boom Certified Associate (Harmony Premium)	Toon Boom Animation
TBOOM003	Yes	Toon Boom Certified Associate (Storyboard Pro)	Toon Boom Animation
TBOOM004	Yes	Toon Boom Certified Associate (Harmony Advanced)	Toon Boom Animation
USINS001	Yes	Small UAS Safety Certification	Unmanned Safety Institute
USINS002	Yes	Visual Line of Sight System Operator (VSO)	Unmanned Safety Institute
	No	Certified Fundamentals Cook	American Culinary Federation
	No	Cisco Certified Network Associate (CCNA)	Cisco Systems
	No	HACCP Certification	National Registry of Food Safety Professionals
	No	National Certified Insurance and Coding Specialist (NCICS)	National Center for Competency Testing (NCCT)
	No	National Certified Medical Office Assistant (NCMOA)	National Center for Competency Testing (NCCT)
	No	National Certified Patient Care Technician (NCPCT)	National Center for Competency Testing (NCCT)
	No	Unity Certified Associate	Unity Technologies
	No	Unity Certified User: Programmer	Unity Technologies

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DOE Cert Code (if available)	Is this on the 2019-20 List?	Name of the Certification	Certifying Agency
	No	Adobe Certified Associate - After Effects	Adobe Systems
ADOBE002	Yes	Adobe Certified Expert (ACE) - After Effects	Adobe Systems
ADOBE003	Yes	Adobe Certified Expert (ACE) - Illustrator	Adobe Systems
ADOBE004	Yes	Adobe Certified Expert (ACE) - InDesign	Adobe Systems
ADOBE005	Yes	Adobe Certified Expert (ACE) - Photoshop	Adobe Systems
ADOBE007	Yes	Adobe Certified Expert (ACE) - Premiere Pro	Adobe Systems
APPLE020	Yes	Apple Certified Pro (ACP) - Final Cut Pro X	Apple, Inc.
	No	ASE Entry-level - Auto: Maintenance and Light Repair (MR)	National Institute for Automotive Service Excellence
AVIDT001	Yes	Avid Media Composer Certified User	Avid
	No	Certified Food Associate (CFA)	International Food Service Executives Association (IFSEA)
AHLAE010	Yes	Certified Front Desk Supervisor	American Hotel and Lodging Association Educational Institute
FNGLA001	Yes	Certified Horticulture Professional	Florida Nursery Growers and Landscape Association
PROSO016	Yes	Certified Internet Web (CIW) Internet Business Associate	Certification Partners
PROSO018	Yes	Certified Internet Web (CIW) Network Technology Associate	Certification Partners
PROSO020	Yes	Certified Internet Web (CIW) Site Development Associate	Certification Partners
NINSC001	Yes	Certified LabVIEW Associate Developer (CLAD)	National Instruments Corporation
	No	Certified SOLIDWORKS Professional (CWSP)	Dassault Systems Solidworks
AWELD001	No	Certified Welder	American Welding Society
CARCH001	Yes	Chief Architect User Certification	Chief Architect, Inc.
CISCO003	Yes	Cisco Certified Entry Network Technician (CCENT)	Cisco Systems
CISCO011	Yes	Cisco Certified Network Associate Security (CCNA Security)	Cisco Systems
CISCO013	Yes	Cisco Certified Network Associate Wireless (CCNA Wireless)	Cisco Systems
IHKBZ001	Yes	CNC Production Specialist (CCI)	IHK-Bildungszentrum
ISCET002	Yes	Electronics Systems Associate	International Society for Certified Electronics Technicians
IEMSR001	Yes	Emergency Medical Responder	International EMS Registry
NREMT003	Yes	Emergency Medical Responder (EMR)	National Registry of Emergency Medical Technicians
	No	Entrepreneurship and Small Business	Intuit
FANUC001	Yes	FANUC Certified Robot Operator - 1 (FCR-01)	FANUC America Corporation
	No	Federal Aviation Administration's Remote Pilot-In-Command Certificate Part 107 License	Federal Aviation Administration
	No	Festo - DC Electricity	NC3 - National Coalition of Certification Centers
	No	Festo - Hydraulics Level 1	NC3 - National Coalition of Certification Centers
	No	Festo - Introduction to Industry 4.0	NC3 - National Coalition of Certification Centers
	No	Festo - Introduction to Mechatronics	NC3 - National Coalition of Certification Centers
	No	Festo - Introduction to PLC Programming (Allen Bradley)	NC3 - National Coalition of Certification Centers
	No	Festo - Introduction to Robotics	NC3 - National Coalition of Certification Centers

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DOE Cert Code (if available)	Is this on the 2019-20 List?	Name of the Certification	Certifying Agency
	No	Festo - Introduction to Sensor Technology	NC3 - National Coalition of Certification Centers
	No	Festo - Mechanical Systems	NC3 - National Coalition of Certification Centers
	No	Festo - Pneumatics Level 1	NC3 - National Coalition of Certification Centers
	No	Festo- AC Electricity	NC3 - National Coalition of Certification Centers
	No	G Suite Certification	Google Cloud
	No	I-CAR Non-Structural Pro Level 1 Platinum	Inter-Industry Conference on Auto Collision Repair (I-CAR)
	No	I-CAR Refinish Technician Platinum Pro level 1	Inter-Industry Conference on Auto Collision Repair (I-CAR)
	No	Interim Credentials (Version 2)	Electrical Training ALLIANCE (IBEW/NECA)
	No	Maritime Transportation Associate	Career and Technical Education Consortium of States, Inc.
CNCSI002	No	Mastercam Associate Certification - Mill Design and Toolpaths	CNC Software, Inc.
CNCSI001	Yes	Mastercam Certified Programmer Mill Level 1 (CPgM1)	CNC Software, Inc.
	No	Microsoft Office Specialist Expert (for Office 2019 and later)	Microsoft Corporation
	No	Microsoft Office Specialist: Associate (Office 365 and Office 2019)	Microsoft Corporation
	No	Mike Holt Electrician Level 1	Mike Holt Enterprises
	No	Mike Holt Electrician Level 2	Mike Holt Enterprises
NACFS001	Yes	Modeling & Simulation (M&S) Certification	National Center for Simulation
NRAEF002	Yes	National ProStart Certificate of Achievement	National Restaurant Association
NCCER201	No	NCCER Carpentry 1 (Postsecondary)	National Center for Construction Education & Research (NCCER).
NCCER202	No	NCCER Carpentry 2 (Postsecondary)	National Center for Construction Education & Research (NCCER)
NCCER001	No	NCCER Craft Laborer - Core	National Center for Construction Education & Research (NCCER)
NIFMS015	Yes	NIMS Machining Level I - CNC Turning: Operations	National Institute for Metalworking Skills (NIMS)
IHKBZ005	Yes	Precision Machinist	IHK-Bildungszentrum
	No	Southwest Airlines Professional Communications	Southwest Airlines
DIGIT002	Yes	SPACE Geospatial Certification	DigitalQuest, Inc.
DIGIT001	Yes	STARS GIS Technician	DigitalQuest, Inc.
	No	Yamaha Introduction to Outboard Systems	Yamaha

Information Items



Moderator and Panelist Bios

Michael Lawrence



Mike Lawrence's 41 years of workforce development experience includes serving as executive director of the North Central Workforce Board in Pennsylvania for 23 years. Later, he served at Penn State University as the Director of Workforce Development Initiatives in the Office of Economic and Workforce Development. In this position, he helped Local Boards with various planning activities focused on development of online learning. He also delivered statewide staff professional development for Pennsylvania's One-Stop system and facilitated a statewide U.S. Department of Labor Plastics Industry Initiative.

As a consultant, Mike has assisted numerous local workforce development boards, nonprofit organizations, community-based agencies, community colleges and other stakeholders in prioritizing and aligning their staffing and resources under the public workforce system. He recently led a team that completed federal Workforce Innovation and Opportunity Act strategic planning activities for five of the eight workforce regions and 21 of 23 local boards in Pennsylvania. Mike also has led and managed two U.S. Department of Labor National Emergency Grants for the Commonwealth of Pennsylvania emphasizing On-the-Job Training and other available education opportunities. Through the support of various foundation resources, he has assisted post-secondary educational institutions integrating with the public workforce system in relation to college completion and prior learning assessment. Mike assisted the U.S. Department of Labor with the H1B and Reentry Employment Opportunities programs.

Mike holds a Bachelor of Science in Education from Clarion University of Pennsylvania and completed coursework at Penn State University in the Master of Science in Workforce Education program with emphasis in Human Resources and Training. Mike serves as Chair of the Board of the Maryland Rural Development Corporation (MRDC) and chairs the American National Standards Institute (ANSI) Certificate Accreditation Program Accreditation Committee (CAPAC).

Jennifer Conoley



Jennifer Conoley is the senior economic development project manager for Gulf Power. After her non-profit public relations career morphed into the economic development profession, Jennifer has been working to enable Northwest Florida to create new, quality jobs through assisting companies in locating or expanding their business to the region. Since 2009, Conoley has played key roles in growing jobs through successful projects including:

- Selection of Santa Rosa County's Whiting Aviation Park by Leonardo, an aerospace and defense company, to construct a 100,000 square foot support center for the US Navy's TH-37A helicopter fleet that will employ 40-50 new employees
- Creation of the marketing strategy to promote the \$1.5 billion Triumph Gulf Coast funds for economic diversification of the coastal Northwest Florida counties disproportionately affected by the 2010 BP Oil Spill
- Implementation of Gulf Power's Florida First Sites program – an industrial site certification program focusing on ensuring industrial sites are “deal ready” after undergoing a rigorous third party analysis; two companies have chosen these sites to grow their business and add over 250 jobs
- Expansion of high-tech firm NantHealth, originally a start-up firm named iSirona, with more than 100 employees

Conoley is part of Gulf Power's economic development team and is responsible for assisting companies in locating or expanding their business in Northwest Florida as well as development marketing strategies designed to promote the area as an ideal business location. She joined Gulf Power in January 2013 after serving as project and marketing manager with the Bay County Economic Development Alliance in Panama City, Florida. She is the current chair of the CareerSource Gulf Coast Board of Directors.

Arnie Girnun



Arnie Girnun is a serial entrepreneur, education ambassador, technology specialist and community-oriented business leader.

Arnie leads FVI School of Nursing and Technology as the Chief Success Officer. These organizations offer high-impact career education in the healthcare and information technology sectors, paving the way to fulfilling careers. Additionally, he is the CEO of New Horizons Computer Learning Centers of South Florida and the Caribbean, the largest IT training company in South Florida serving both industry and individuals. New Horizons' commitment

and focus on people has resulted in being selected a multi-year Best Place to Work Finalist by the South Florida Business Journal and Florida Trend.

Arnie serves as a Governor-appointed board member for CareerSource Florida and chairs the CareerSource Florida Finance Council. Additionally, he has been extensively involved on the boards of various organizations, including the South Florida Healthcare Information Systems Society, Entrepreneurs Organization of South Florida, and the Microsoft Worldwide Partner Learning Council.

In his role of building a tech-savvy and more interconnected community, he currently Co-Chairs TechHire Miami, focused on expanding technology career opportunities for opportunity youth. This collaborative organization is responsible for operating the largest series of summer technology bootcamps nationwide to empower economically excluded youth who are avidly interested in all things cybersecurity and coding.

Mike Jackson, APR



For more than 10 years, Mike Jackson has served in various organizations as a workforce and economic development advocate and public relations counsel. He has served as president of the board of CareerSource Southwest Florida since 2016 and been a member of the board since 2008. Mike also serves as the Vice Chair of the Florida Workforce Chairs Alliance and as Vice President of Programs for the Florida Public Relations Association of Southwest Florida.

Mike's prior experience includes economic development director for the city of Cape Coral, marketing director for the Ohio Department of Development, and head of

Jackson Communications Management Inc. in Chicago following a successful career as a broadcast journalist.

Mr. Jackson has his B.A. from the University of Illinois and his MBA from Northwestern University.

Elaine Johnson, SPHR, SHRM-SCP



Elaine Johnson is a senior level business executive with more than 25 years of experience in corporate development, human resources and management consulting. Her background includes strategy development, organizational design and development, large-scale project management, and business transformation/acquisition with national and international organizations.

Johnson is currently a principal in the Corporate Development and Strategic Investments area of GuideWell/Florida Blue, where she leads strategic investment and business development initiatives, including acquisitions, joint ventures, business consulting and divestitures. She is engaged in all aspects of the transaction lifecycle from deal qualification to transaction execution to post-acquisition integration and management.

She earned an MBA from the University of North Florida, where she was named Outstanding College Alumna in 2006 and Outstanding Graduate Alumna in 1999, and her Bachelor of Science in Management (cum laude) from the University of South Florida. She is nationally accredited as a Senior Professional in Human Resources (SPHR), Senior Certified Professional through SHRM (SHRM-SCP) and is a certified NLP Master Practitioner and Coach.

Johnson chairs the board of CareerSource Northeast Florida and is past chair of the Business Advisory Council for the Coggin College of Business. She was recognized as the *Women in Business Corporate Leader* for North Florida in 2014, the Florida Economic Development Council *Volunteer of the Year for Northeast Florida* for 2012, and The Business Journal's *Women of Influence* Honoree in 2011.

Speaker Bios

Mark Wilson



Mark Wilson serves as president and chief executive officer of Florida's largest and most influential business advocacy organization. Wilson leads the substantial political, lobbying, grassroots, and economic research operations of the Florida Chamber of Commerce. The Florida Chamber focuses on creating a business climate that generates prosperity and high-paying jobs, vibrant communities and global competitiveness in the state of Florida by focusing on job creation and the Six Pillars of Florida's Future Economy: Talent Supply & Education, Innovation & Economic Development, Infrastructure & Growth Leadership,

Business Climate & Competitiveness, Civic & Governance Systems and Quality of Life & Quality Places.

Through his focus on unifying the business community, Wilson created the Florida Business Agenda and the Florida Chamber Grassroots Network, which mobilizes the business community on issues ranging from taxes and talent to insurance and constitutional amendment reform. Wilson also was the first president of the Florida Justice Reform Institute, a Florida Chamber partner organization focused on reducing frivolous lawsuits.

In addition to his legislative successes, Wilson is the architect of groundbreaking statewide political campaigns in 2004 and 2006 that passed significant constitutional amendment reforms as well as numerous legislative and issue campaigns. In 2010, he served as treasurer and co-chair of the Vote No on 4 campaign, an anti-growth proposal, in one of the most successful political campaigns in Florida's history.

Wilson serves on the Board of Directors of Florida Association of Chamber Professionals, Enterprise Florida, Leadership Florida, the Florida Chamber of Commerce, the Florida Chamber Foundation and the Council of State Chambers as well as serving as an active member of the Florida Council of 100, the U.S. Chamber's Committee of 100, and the American Chamber of Commerce Executives.

A native of Illinois, Wilson received his undergraduate degree from the University of Georgia and has earned the national designation of Certified Chamber Executive (CCE). Prior to joining the Florida Chamber in 1998, Wilson served as vice president of the Chicagoland Chamber and previously served with the U.S. Chamber of Commerce.



Tara Goodman

Tara Goodman is the bureau chief of Budget, Accountability and Assessment for the Florida Department of Education's Division of Career and Adult Education. She serves as the division's lead on implementation of the Career and Professional Education Act in addition to policy leadership for secondary and postsecondary career and technical education budget and accountability issues.

Tara has been with the Florida Department of Education since 2005. She holds a Master of Political Science from Florida State University and a Bachelor of Arts from Truman State University. She has six years of experience conducting policy review on workforce education, student progression and other higher education issues for the Council for Education Policy, Research and Improvement and the Postsecondary Education Planning commission and four years of experience in enrollment management for the Florida Board of Regents.

Sheryl Rehberg



Sheryl Rehberg began her work as Executive Director at CareerSource Escarosa on December 1, 2017. She previously served as Executive Director of CareerSource North Florida for more than 10 years and has prior experience in executive leadership in the non-profit sector, including services to children and families in collaboration with both public and private sector partners. She led a community collaborative organization, under the umbrella of the Georgia Family Connection Partnership, based in Southwest Georgia, for approximately eight years. Ms. Rehberg earned her degree in Organizational Leadership from LaGrange College in LaGrange, Georgia.

Continuous Improvement Performance Initiative Quarterly Performance Report

Program Year Quarter 1: July 1 – Sept. 30, 2019

Training and Business Metrics

Introduction

It is a priority of the CareerSource Florida Board of Directors to remain transparent and accountable as Florida continues to enhance performance in serving businesses and job seekers, with a focus on targeted industries, training and opportunity populations. In 2019, the board authorized the development and implementation of the Continuous Improvement Performance Initiative and allocated \$5 million to recognize local workforce development board performance based on initiative metrics for state fiscal year 2019-2020. The initiative is supported by a website, which can be accessed at <https://performance.careersourceflorida.com/CIP>.

Authorized by Florida law (FS 445.004(6)(b)), this initiative represents the evolution of how performance within Florida's workforce system is measured, tracked and continuously improved. The initiative is aligned with the goals and strategies of the state of Florida, the federal Workforce Innovation and Opportunity Act, and CareerSource Florida's corporate goals.

The initiative includes three key metrics with additional credit for serving individuals with barriers to employment and for providing staff-assisted, high-value services to business establishments in up to five industry sectors selected by each local workforce development board:

- **Employment Rate 1st Quarter After Exit:** The percentage of Workforce Innovation and Opportunity Act and Wagner-Peyser participants who exited the system and had certified wages in the first quarter after exit
- **Participant Training Rate:** The percentage of Workforce Innovation and Opportunity Act participants who received training services
- **Business Penetration:** The number of business establishments provided a staff-assisted, high-value service by a local workforce development board

Performance Results Summary for 24 Local Workforce Development Boards (LWDB)

Note 1: All quarterly performance targets based on 10% improvement compared to same quarter, previous year.

Note 2: Employment Rate 1st Quarter After Exit not included in this report due to data lag. Results will be available on the next Quarterly Performance Report.

Metric	Continuous Improvement Performance Initiative Targets Met		Total Participants Trained	Training Participant Number of Barriers to Employment	Business Establishments Served	Number of High Value Services to Targeted Industries
	Number	Percent	Number	Number	Number	Number
Participant Training Rate	21	88%	11,227	15,685		
Business Penetration	13	54%			9,689	8,883
Total	34	71%				

Top barriers during this quarter include low income (8,330), single parents including single pregnant women (1,706), long-term unemployed (1,154), and ex-offenders (1,083).

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New CareerSource Florida study sheds light on gig economy and implications for Florida

Tallahassee, Fla. – CareerSource Florida is releasing [*The Study on The Gig Economy and Florida's Workforce System*](#), the result of a six-month, research-driven exploration that is among the first of its kind in the nation.

The study, commissioned by the state workforce development board, presents findings about the characteristics of independent workers and the expanding nature of gig work, which includes a variety of non-traditional work arrangements often enabled through online platforms. Drawing on national and Florida-specific data, the study identifies challenges and opportunities associated with the growing trend for both workers and industry. The report reinforces the importance of adapting education and training programs to meet Florida's changing workforce needs.

"The emerging gig economy is constantly evolving and transforming how Floridians can make a living," said **Governor Ron DeSantis**. "The findings of this study can help inform statewide policy and maximize prosperity for Florida's workers and businesses."

Historically, gig work has been more prevalent across creative and professional service industries and in occupations well-suited to task or project-based work. Now, the gig economy is expanding to include a wider variety of professional, technical, business and consumer services and includes a greater diversity of skill levels.

"With its business-friendly climate and quality of life, Florida already is a draw for entrepreneurs. Encouraging gig and non-traditional work arrangements could further strengthen our state's position in the national and global economy," said **CareerSource Florida President and CEO Michelle Dennard**. "On the individual level, gig work is shown to provide unemployed or underemployed workers with opportunities to gain work experience and build transferable skills – an important priority of our state board."

CareerSource Florida has established a multidisciplinary workgroup of business, industry and community leaders from across the state to help determine how Florida's workforce system can meet the demands of businesses and workers in the gig economy.

"Florida's workforce system is diving even deeper into this data to explore innovative ways to respond and support both businesses and working Floridians as business models evolve," said workgroup leader **Stephanie Smith, Senior Manager of Public Policy at Uber** and a member of CareerSource Florida's Board of Directors.

The study shows workers enter the gig economy for numerous reasons. Both full-time and part-time gig workers cite flexibility, freedom, independence, lifestyle, opportunity and earnings potential. The range of talent and skills available to businesses allows them to use gig workers to fill a variety of workforce needs, from seasonal work in hospitality or retail to immediate access to specialty skills, language or niche needs. Gig workers can provide valuable support for the launch of a new product, entering new markets, or even integrating new software.

“CareerSource Florida is a pioneer in undertaking this kind of research,” **said Evan Enarson-Hering of Cambridge Systematics**, which conducted the study. “Our research revealed areas of opportunity that will help CareerSource Florida and its collaborative partners lead the national conversation on the growing gig economy.”

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THE **GIG ECONOMY** AND **FLORIDA'S** **WORKFORCE SYSTEM**

AN OVERVIEW

INTRODUCTION

CareerSource Florida commissioned a comprehensive study, which began in 2019, on the potential impacts of the emerging gig economy on Florida's workforce system. The resulting study, *The Gig Economy and Florida's Workforce System*, considered national research and data on the gig economy; gathered Florida-specific data and trends; and engaged workforce, education, economic development and business partners in discussions about the future of work in Florida.

CareerSource Florida is among the first state workforce development organizations nationally to explore the implications of gig work and entrepreneurship in a comprehensive, research-driven manner. Following are some of the key findings synthesized by Cambridge Systematics from national and Florida-specific research.

DEFINITIONS AND DATA

- Gig work includes on-call and contract workers, temporary staffing agency and seasonal workers, independent contractors and the self-employed, and independent workers in the online platform community.
- The terms gig, sharing, on-demand and online economy are often used to describe the emerging market for temporary work arrangements that is enabled through online work marketplaces and web-based gig work platforms.
- According to a survey of 6,000 U.S. workers, 35 percent (more than 1 in 3 Americans) freelanced in 2018.
- Key participants in the gig economy include gig workers and gig platforms, the online or app-based services that link gig workers to hiring parties. They also include contracting businesses and contracting individuals, both of whom hire gig workers.
- With the continued growth in online gig platform providers that cater to a wider variety of professional, technical, business and consumer services, the gig economy is expanding into new industries and reaching a greater diversity of occupations and skill levels.
- Skills advertised on online platforms include coding or software programming languages; experience in design and editing software programs; familiarity with common customer support or management software packages; proficiency in foreign language or technical editing; and finance, accounting, legal, architecture, and other accepted accreditations.



DEMOGRAPHICS

While gig economy workers represent a cross section of the workforce, the independent workforce shows some demographic patterns.



EDUCATION

Independent workers are slightly more educated than the overall U.S. workforce.

- 39 to 43 percent* of independent workers have a bachelor's degree or higher, compared to only 29 percent of workers in Florida.
- 67 percent* of workers participating in online, electronically mediated work have a bachelor's degree or higher, compared to 41 percent of all workers nationwide.

(* Does not include temporary staffing agency and on-call workers.)



AGE

Independent workers are more likely to be younger than employees in traditional work arrangements.

- Of Americans self-reporting that they were gig workers in 2017, 43 percent were ages 25 to 34.



GENDER

National data show more men than women are doing independent work. Men are substantially more likely than women to rely on independent work full-time, and women are more likely to earn supplemental income and to work part-time.

- 60 percent of freelancers in 2018 were men.
- 37 percent of female freelancers indicate they do so because of family-related issues (such as childcare), compared to 12 percent of male freelancers.



GEOGRAPHY

Independent workers are more likely than traditional workers to live in an urban area, with a higher concentration of these workers in Western states.

UNDERSTANDING INDEPENDENT WORKERS

Workers participate in the gig economy for a variety of reasons. Top rationales cited by both full-time and part-time gig workers include flexibility, freedom, independence, lifestyle, opportunity and earning potential.

OPPORTUNITY. Gig work offers a greater variety of assignments, tasks, and opportunities than traditional full-time work, and workers are more likely to prioritize lifestyle and value work-life balance over earning potential.

- 60 percent of all gig workers participate in the gig economy out of choice rather than necessity.
- 51 percent of gig workers suggest there is no amount of additional money that would make them take a traditional job.

INTEREST. Gig economy platforms such as Etsy, eBay and Shutterstock enable workers to leverage interests in arts and crafts, design, cooking, photography, music and other creative tasks to earn income.

INCOME. Supplemental earners may do so to make ends meet, to meet unexpected needs, to pay down debt or to meet savings and retirement goals. One study reported that one-third of respondents were working specifically to save for retirement.

FLEXIBILITY. Independent work offers flexibility in work hours, locations, tasks, and time commitment and greater independence for self-directed work.

- 44 percent of one survey's respondents cited flexibility as the reason they gig.
- 42 percent work less than weekly; 30 percent work weekly; and 28 percent work daily.
- According to one study, the majority of gig participants are active in gig/independent work just one to three months a year.

NECESSITY. Physical disabilities, vocational limitations or other mobility challenges may limit full-time work opportunities for some individuals who find temporary or online work achievable.

- 29 percent of freelance workers reported health concerns as the primary reason why an ongoing traditional work role was not an option.



The study describes six working archetypes of independent workers, who may fall into one or more of these categories.

THE SUBSCRIBER

Chooses gig work for flexibility; more likely to be highly skilled and engaged on a full-time equivalent basis

THE SUPPLEMENTER

Chooses gig work to provide additional income, often with sporadic or infrequent commitments

THE ALTERNATIVE

Chooses gig work out of necessity because traditional jobs are not available to them

THE RELUCTANT

Chooses gig work out of need or to keep active during periods of unemployment, transition or recovery

THE RETIREE

Chooses gig work to supplement a fixed income or simply to stay active and engaged

THE ENTHUSIAST

Chooses gig work to produce goods or crafts, or to support a favorite cause or organization

TOP GIG EMPLOYERS

Some of the largest companies that use gig workers include:

fiverr

freelancer

GIGSTER

guru

peopleperhour

Uber

upwork™

BUSINESSES AND THE GIG ECONOMY

The workforce needs of businesses engaged in the gig economy can be viewed from the following archetypes:

UTILIZERS

Use gig workers to supplement their existing workforce (ex: tax preparation or IT services)

PROVIDERS

Have a workforce primarily composed of gig workers (ex: companies such as Uber and Instacart)

FACILITATORS

Connect businesses to online workers and assume some responsibility for recruitment, training and management of these workers (ex: WeGoLook, a company that provides temporary adjusters for the insurance industry)

WORKFORCE TRAINING

- The primary reasons gig workers are interested in training are to keep up with changing technologies, grow work through marketable skills, expand professional networks and learn about other work opportunities.
- Upwork's 2018 *Freelancing in America* survey found freelancers were twice as likely as non-freelancers to save money for education purposes.
- Educational partners, private businesses and workforce programs offer a variety of skills training workshops, online courses, certificates and other flexible learning opportunities.
- For some professional services gig workers, engaging in the gig economy through a platform provider may be the first step toward launching their own incorporated business or moving toward more traditional work arrangements as a self-employed consultant or contractor.

CONCLUSION

Future trends indicate the nature of work is changing and independent work and non-traditional work arrangements are likely to continue to grow as a share of the labor force. What will this mean for tomorrow's workers and businesses? Workers may enjoy the flexibility and potential of entrepreneurship but miss out on the traditional worker protections and access to benefits, such as health insurance and retirement savings plans. Businesses may turn to the gig economy to manage costs, improve agility and expand talent availability. As the growing gig economy continues to make its impacts known, CareerSource Florida will use this information to identify areas of opportunities for Florida's businesses and workforce.

