



2018.09.26.A.1

## Workforce Policy

<b>Title:</b>	<b>Ethics and Transparency Policy</b>
<b>Adopted:</b>	09/26/2018
<b>Effective:</b>	12/09/2021

### I. PURPOSE AND SCOPE

Providing responsible stewardship for and oversight of publicly funded workforce programs demonstrates strong integrity, accountability, and transparency. The responsibility for this stewardship and oversight is shared in the Florida workforce development system by state and local entities. At every level of the workforce development system, there must be a unified commitment to conduct work in a manner that is business-driven, results-oriented, focused on continuous improvement, and assures accountability to public and private stakeholders including businesses, workers, job seekers, and taxpayers.

This CareerSource Florida Board of Directors policy communicates expectations about ethics and transparency in Florida's workforce system to maintain integrity, accountability and transparency in decisions and actions that earn and protect the public trust.

### II. KEY OBJECTIVES

Local workforce development boards (LWDB) must conduct business in an open manner, comply with federal and state laws, and ensure the public has electronic or simplified access to information, including but not limited to:

- Information about state and local plans.
- Professional employment of workforce development board members.
- Selection of one-stop operators.

- Awards of grants or contracts to eligible training providers of workforce investment activities.
- Minutes of formal meetings of workforce development boards; and,
- Workforce development board bylaws.

State and local workforce development boards are required to create and enforce policies reinforcing the importance of ethics in operations and transparency in public meetings. Boards must ensure these policies align with federal and state laws and communicate clear expectations to board members, their designees, employees, and other stakeholders.

### **III. MEASURABLE PERFORMANCE OUTCOMES**

- Compliance with applicable laws governing public meetings, public records, and ethics for public officers.
- Timely submission and review of all documents described in Section V.

### **IV. BACKGROUND**

The Workforce Innovation and Opportunity Act (WIOA) is designed to help job seekers access employment, education, training and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. Chapter 445, Florida Statutes, creates the Florida workforce development system and implements WIOA.

WIOA Section 107(e) and 20 CFR § 679.390 require LWDBs to make certain information available to the public on a regular basis through electronic means, open meetings and upon request. Additional measures may be taken by state and local policymakers to ensure such information is readily accessible to the public.

The Code of Ethics for Public Officers and Employees, adopted by the Florida Legislature as Chapter 112, Part III, Florida Statutes, contains standards of ethical conduct and disclosures applicable to public officers, employees, candidates, lobbyists, and others in state and local government. Workforce development board members and their designees are subject to the Code of Ethics for Public Officers and Employees.

The state and local workforce development boards are subject to the provisions of Article I, Section 24 of the Florida Constitution and Chapters 119 and 286, Florida Statutes, regarding access to public records and meetings.

Each year, Florida's Attorney General publishes the Government-In-The-Sunshine Manual ("Sunshine Manual"), a reference for compliance with Florida's public records and open meeting laws. The Sunshine Manual provides comprehensive information and guidance about the scope of these open government laws and incorporates relevant judicial decisions and Attorney General opinions. Additional information about Florida's Sunshine Laws, including answers to frequently asked questions, is available through [myfloridalegal.com](http://myfloridalegal.com).

## V. POLICY AND PROCEDURES

Florida's workforce development system consists of CareerSource Florida, which provides policy oversight; the Florida Department of Commerce (FloridaCommerce), the administrative entity for state workforce programs; and 21 LWDBs, to include the chief local elected officials (CLEO) and boards of directors, as well as the career centers they manage. The State Workforce Development Board requires that the laws, rules, and regulations, referenced and described below be included in local policies and guide organizational decisions and professional actions.

**(a) Financial Disclosures** – Each member of an LWDB who is not otherwise required to file a full and public disclosure of financial interests under Section 8, Article II of the state Constitution or Section 112.3144, Florida Statutes, shall file a statement of financial interests under Section 112.3145, Florida Statutes. § 445.004(4)(g), Fla. Stat. The executive director or designated person responsible for the operational and administrative functions of the LWDB who is not otherwise required to file a full and public disclosure of financial interests under Section 8, Article II of the State Constitution or Section 112.3144, Florida Statutes, shall file a statement of financial interests under Section 112.3145, Florida Statutes.

As set forth in Section 445.007, Florida Statutes, each LWDB's website must inform the public that each disclosure or statement has been filed with the Commission on Ethics and provide information about how each disclosure or statement may be reviewed. The notice to the public must remain on the website throughout the term of office or employment of the filer and until one year after the term on the LWDB or employment ends.

**(b) Contract Disclosures** – All contracts between a LWDB and a member of the LWDB; a relative, as defined in Section 112.3143(1)(c), Florida Statutes, of a board member; an organization or individual represented on the LWDB or their relative or an employee or their relative; an organization where a board member or their relatives or an employee or their relative holds a board position; or an employee of the LWDB must be published on the LWDB's website within 10 days after approval by the LWDB or FloridaCommerce, whichever is later. Such contracts must remain published on the board's website for at least one year after termination of the contract.

**(c) Budget Disclosures** – Each LWDB shall develop a budget for the purpose of carrying out the duties of the LWDB, subject to the approval of the CLEO. Each LWDB shall submit its annual budget for review and approval by FloridaCommerce no later than two weeks after the board chair approves the budget. The LWDB shall publish the budget on its website within 10 days after approval by FloridaCommerce. The budget shall remain published on the website for the duration of the fiscal year for which it accounts for the expenditure of funds.

**(d) Employee Compensation Disclosures** – Each LWDB shall annually, within 30 days after the end of the fiscal year, disclose to FloridaCommerce, in a manner determined by the department, the amount and nature of compensation paid to all executives, officers, directors, trustees, key employees, and the highest compensated employees, as defined for purposes of the Internal Revenue Service Form 990, Return of Organization Exempt from Income Tax, including salary, bonuses, present value of vested benefits including but not limited to retirement, accrued leave and paid time off, cashed-in leave, cash equivalents, severance pay, pension plan accruals and contributions, deferred compensation, real property gifts, and any other liability owed to such persons.

The disclosure must be accompanied by a written declaration, as provided for under Section 92.525(2), Florida Statutes, from the chief financial officer, or his or her designee, that he or she has read the foregoing document, and the facts stated in it are true. Such information must also be published on the LWDB's website for a period of three years after it is first published.

**(e) Internal Revenue Service Form 990 Disclosure** – Each LWDB shall annually publish its most recent Internal Revenue Service Form 990, Return of Organization Exempt from Income Tax, on its website. The form must be posted on the LWDB's website within 60 calendar days after it is filed with the Internal Revenue Service and shall remain posted for three years after it is filed.

CareerSource Florida and FloridaCommerce will collaborate with LWDBs to support best practices in organizational ethics and implementation of federal and state transparency requirements.

## **VI. IMPLEMENTATION AND OVERSIGHT**

At the local level, the LWDB must conduct oversight of the LWDB's processes for compliance with applicable laws governing public meetings, public records and ethics for public officers such as:

- Developing specific procedures, processes, and/or guidelines to ensure the LWDB conducts its business in an open, transparent manner as outlined in this policy.
- Developing tools and other resources to track and/or monitor its compliance with this policy.
- Monitoring the LWDB's compliance with this policy no less than annually.

FloridaCommerce will perform programmatic and financial monitoring and will review the local area's business processes and procedures during the annual monitoring review for compliance with federal and state laws and regulations. Findings and other noncompliance issues will be handled through the state's monitoring resolution process.

## **VII. AUTHORITIES**

[Public Law 113-128, the Workforce Innovation and Opportunity Act of 2014 \(WIOA\), Sections 106-110](#)

[20 CFR Part 679—Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act](#)

[Sections 445.003-445.007, Florida Statutes](#)

[Chapter 112, Florida Statutes](#)

[Chapter 119, Florida Statutes](#)

[Chapter 286, Florida Statutes](#)

[FloridaCommerce – Local Workforce Development Board Grantee-Subgrantee Agreement](#)

## VIII. HISTORY

<b>Date</b>	<b>Description</b>
<b>12/11/2024</b>	Updated to reflect roles of CareerSource Florida, FloridaCommerce, and LWDBs. Added Key Objectives and Measurable Outcomes.
12/09/2021	Updated to reflect changes to Florida Statutes and requirements of the 2021 Reimagining Education and Career Help (REACH) Act
09/26/2018	Approved by CareerSource Florida Board of Directors

## IX. RESOURCES

[Government in the Sunshine Manual](#)