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## Strategic Policy

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

### I. PURPOSE AND SCOPE

To effectively fulfill the mission of the CareerSource Florida network, volunteer board leaders and workforce professionals statewide must ensure business is conducted with the highest level of integrity. This CareerSource Florida Board of Directors policy communicates expectations about ethics and transparency in Florida’s workforce system to maintain integrity, accountability and transparency in decisions and actions that earn and protect the public trust. Florida’s workforce development system consists of CareerSource Florida, which provides policy oversight; the Florida Department of Economic Opportunity, the administrative entity for state workforce programs; and 24 local workforce development boards, to include the chief elected officials and boards of directors, as well as the career centers they direct.

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.

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

- Information about state and local plans;
- Professional employment of workforce development board members;
- Selection of one-stop operators;
- Awards of grants or contracts to eligible training providers of workforce investment activities;

- Minutes of formal meetings of workforce development boards; and,
- Workforce development board bylaws.

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

## **II. REGULATORY EXPECTATIONS FOR ETHICS AND TRANSPARENCY**

Chapter 445, Florida Statutes, creates the Florida workforce development system and implements Public Law 113-128, the Workforce Innovation and Opportunity Act (WIOA) of 2014. CareerSource Florida, Inc., is a not-for-profit corporation that operates at the direction of the state board. The CareerSource Florida Board of Directors, which serves as the state workforce development board, is created to design and implement strategies that help Floridians enter, remain and advance in the workplace so they may become more highly skilled and successful, benefiting these Floridians, Florida businesses and the entire state, and fostering development of the state's business climate.

CareerSource Florida, Inc., operates in the most open and accessible manner consistent with its public purpose. The CareerSource Florida Board of Directors requires that the following laws, rules, and regulations, referenced and described below are included in local policies and guide organizational decisions and professional actions.

U.S. Department of Labor Employment and Training Administration Advisory System Training and Employment Guidance Letter No. 35-10 was issued on June 16, 2011. The guidance letter (TEGL 35-10) states that providing responsible stewardship for and oversight of publicly funded workforce programs must be accomplished in a way that demonstrates strong integrity, accountability and transparency to preserve the public trust. The responsibility for this stewardship and oversight is shared in the public workforce development system by federal, state and local entities.

Public Law 113-128, the Workforce Innovation and Opportunity Act, was signed into law on July 22, 2014. WIOA is designed to help job seekers access employment, education, training and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. WIOA Section 107(e) and 20 CFR 679 require local workforce development boards to make certain information available to the public, on a regular basis through electronic means, open meetings and upon request. Additional measures may be taken by state and local policymakers to ensure such information is readily accessible to the public.

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

CareerSource Florida, Inc., its board, councils and any advisory committees or similar groups created by CareerSource Florida, Inc., are subject to the provisions of Chapter 119 relating to public records, and to those provisions of Chapter 286 relating to public meetings (Chapter 445.004(1), Florida Statutes). Local workforce development boards are subject to Chapter 119, Florida Statutes and to Chapter 286, Florida Statutes. Local

workforce development boards also are subject to Section 24, Article I of the Florida Constitution, which describes Access to Public Records and Meetings.

Chapter 119, Florida Statutes, commonly known as Florida's Public Records Law, provides information on public records in Florida, including policies, definitions, exemptions, general information on records access, inspection, examination and duplication. It is the policy of the state of Florida that "all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is the duty of each agency" (Chapter 119.01, Florida Statutes). Included agencies are "public or private agencies, persons, partnerships, corporations or business entities acting on behalf of any public agency" (Chapter 119.011, Florida Statutes), "or other separate unit of government created or established by law" (Chapter 119.0701, Florida Statutes).

Chapter 286, Florida Statutes, also known as Florida's Sunshine Law, establishes a basic right of access to meetings of boards, commissions and other governing bodies of state and local governmental agencies or authorities. The law describes how boards conduct public meetings, how these meetings are noticed, who may attend, and how they may be accessed. This law also describes what records must be kept and made available to the public upon request.

## **FINANCIAL DISCLOSURES**

Each member of a local workforce development board 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. The executive director or designated person responsible for the operational and administrative functions of the local board 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.

Each local workforce development board'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 local board or employment ends.

## **CONTRACT DISCLOSURES**

All contracts between a local board and a member of the local board; a relative, as defined in Section 112.3143(1)(c), Florida Statutes, of a local board member; an organization or individual represented on the local board; or an employee of the local board must be published on the local board's website within 10 days after approval by the local board. Such contracts must remain published on the website for at least one year after termination of the contract.

## **BUDGET DISCLOSURES**

Each local workforce development board shall develop a budget for the purpose of carrying out the duties of the local board, subject to the approval of the chief elected official. Each local board shall submit its annual budget for review by the Department of

Economic Opportunity no later than two weeks after the chair approves the budget. The local board shall publish the budget on its website within 10 days after approval by the department. The budget shall remain published on the website for the duration of the fiscal year for which it accounts for the expenditure of funds.

### **EMPLOYEE COMPENSATION DISCLOSURES**

Each local workforce development board shall annually, within 30 days after the end of the fiscal year, disclose to the department, 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 local board's website for a period of three years after it is first published.

### **INTERNAL REVENUE SERVICE FORM 990 DISCLOSURE**

Each local workforce development board 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 local board'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 the Department of Economic Opportunity will collaborate with local workforce development boards to support best practices in organizational ethics and implementation of federal and state transparency requirements.

## **III. AUTHORITIES**

[Training and Employment Guidance Letter No. 35-10](#)

[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](#)

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

[Chapter 112, Florida Statutes](#)

[Chapter 119, Florida Statutes](#)

[Chapter 286, Florida Statutes](#)

[Department of Economic Opportunity-Local Workforce Development Board Grantee Subgrantee Agreement](#)

**IV. HISTORY**

<b>Date</b>	<b>Description</b>
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