

By the Committee on Commerce and Economic Opportunities

310-909A-00

1 A bill to be entitled
 2 An act relating to workforce development;
 3 amending s. 288.9951, F.S.; revising
 4 requirements for a memorandum of understanding
 5 governing the delivery of employment services
 6 at One-Stop Career Centers; providing for
 7 submission of employee performance reports by
 8 the One-Stop Career Center operator;
 9 prescribing elements of the memorandum of
 10 understanding; authorizing leasing of state
 11 employees to One-Stop Career Center operators
 12 for the delivery of employment services;
 13 prescribing the elements of employee leasing
 14 agreements; providing for assistance from the
 15 Department of Management Services with such
 16 leasing agreements; providing for a review by
 17 the Workforce Development Board of the delivery
 18 of employment services; deleting obsolete
 19 provisions; making conforming revisions;
 20 providing for periodic review of individual
 21 training account pricing schedules; providing
 22 an effective date.

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 24 Be It Enacted by the Legislature of the State of Florida:
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26 Section 1. Subsections (4) and (7) and paragraph (c)
 27 of subsection (8) of section 288.9951, Florida Statutes, are
 28 amended to read:

29 288.9951 One-Stop Career Centers.--

30 (4) Notwithstanding any other provision of law, each
 31 ~~effective July 1, 1999,~~ regional workforce development board

1 annually ~~boards~~ shall enter into a memorandum of understanding
2 with the Department of Labor and Employment Security governing
3 ~~for~~ the delivery of employment services authorized by the
4 federal Wagner-Peyser Act. ~~Each For fiscal year 1999-2000, the~~
5 memorandum of understanding with the Department of Labor and
6 Employment Security must be performance-based, dedicating 15
7 percent of the funds to performance payments. Performance
8 payments shall be based on performance measures developed by
9 the Workforce Development Board.

10 (a) Unless otherwise required by federal law, at least
11 90 percent of the Wagner-Peyser funding must go into direct
12 customer service costs.

13 (b) Employment services must be provided through
14 One-Stop Career Centers, under the guidance of One-Stop Career
15 Center operators. Personnel matters shall remain under the
16 ultimate authority of the department; however, the One-Stop
17 Career Center operator shall submit to the department
18 information relating to the job performance of department
19 employees delivering employment services. The department shall
20 consider any such information submitted by the One-Stop Career
21 Center operator in conducting performance appraisals of the
22 employees.

23 (c) In addition to any elements required under s. 121
24 of Pub. L. No. 105-220, each memorandum of understanding under
25 this subsection, at a minimum, must specify:

26 1. The manner in which employment services shall be
27 integrated into and coordinated with other services and
28 activities performed under the management of the One-Stop
29 Career Center operator and by the other partners in the
30 One-Stop Career Center.

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1 2. Policies and procedures governing the guidance to
2 be provided by the One-Stop Career Center operator to
3 department employees delivering employment services at the
4 One-Stop Career Center.

5 3. Measures to assess the performance of the
6 department and department employees in delivering employment
7 services and sanctions for failure to meet such performance
8 measures. Performance measures developed under this
9 subparagraph must be consistent with the performance measures
10 developed by the Workforce Development Board under this
11 subsection.

12 (d) As a part of the memorandum of understanding under
13 this subsection, a regional workforce development board may
14 elect to enter into an agreement with the department under
15 which department employees delivering employment services
16 shall be leased to the One-Stop Career Center operator.
17 Notwithstanding any provisions in chapter 110 to the contrary,
18 a department employee shall retain the position classification
19 as a state employee that he or she held on the day before the
20 lease agreement takes effect, as well as any state employee
21 personnel rights or benefits associated with that position
22 classification. This lease agreement, at a minimum, must
23 specify that:

24 1. The department shall retain fiscal responsibility
25 and accountability for the administration of funds allocated
26 to the state under the Wagner-Peyser Act.

27 2. The department shall retain ultimate authority over
28 personnel matters relating to an employee covered by the lease
29 agreement; however, the employee shall be under the day-to-day
30 supervision of the One-Stop Career Center operator. The
31 One-Stop Career Center operator shall submit to the department

1 information relating to the job performance of department
2 employees, as provided in paragraph (b).

3 3. An employee covered by the lease agreement who is
4 providing employment services authorized under the
5 Wagner-Peyser Act shall be paid using Wagner-Peyser Act funds.

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7 The Department of Management Services shall assist a regional
8 workforce development board and the Department of Labor and
9 Employment Security with the implementation of the lease
10 agreement provisions under this paragraph. The Department of
11 Management Services may establish terms and conditions for
12 inclusion in such lease agreements.

13 (e) The Workforce Development Board, in consultation
14 with the Office of Program Policy Analysis and Government
15 Accountability, shall review the delivery of employment
16 services under the Wagner-Peyser Act and the integration of
17 those services with other activities performed at the One-Stop
18 Career Centers and shall provide recommendations to the
19 Legislature for improving the effectiveness of the delivery of
20 employment services in Florida. The Workforce Development
21 Board shall submit a report and recommendations to the
22 Governor, the President of the Senate, and the Speaker of the
23 House of Representatives by January 1, 2001.

24 (7) Intensive services and training provided pursuant
25 to Pub. L. No. 105-220, shall be provided to individuals
26 through Intensive Service Accounts and Individual Training
27 Accounts based upon an implementation plan developed by the
28 Workforce Development Board. ~~The Workforce Development Board~~
29 ~~shall develop, by July 1, 1999, an implementation plan,~~
30 ~~including identification of initially eligible training~~
31 ~~providers, transition guidelines, and criteria for use of~~

1 ~~these accounts~~. Individual Training Accounts must be
2 compatible with Individual Development Accounts for education
3 allowed in federal and state welfare reform statutes.

4 (8)

5 (c) The Workforce Development Board periodically shall
6 review Individual Training Account pricing schedules developed
7 by regional workforce development boards and present findings
8 and recommendations for process improvement to the President
9 of the Senate and the Speaker of the House of Representatives
10 ~~by January 1, 2000~~.

11 Section 2. This act shall take effect July 1, 2000.

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14 SENATE SUMMARY

15 Revises requirements for a memorandum of understanding
16 governing the delivery of employment services at One-Stop
17 Career Centers. Provides for submission of employee
18 performance reports by the operator of a center.
19 Authorizes the leasing of state employees to a center
20 operator for the delivery of employment services.
21 Prescribes the elements of employee leasing agreements.
22 Provides for a review by the Workforce Development Board
23 of the delivery of employment services. Provides for
24 periodic review of individual training account pricing
25 schedules.

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