

Bill No. PCS (114778) for SB 870

Barcode 410196

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	The Committee on Commerce (Diaz de la Portilla) recommended		
12	the following amendment:		
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14	<b>Senate Amendment (with title amendment)</b>		
15	On page 40, between lines 18 and 19,		
16			
17	insert:		
18	Section 28. Section 445.002, Florida Statutes, is		
19	amended to read:		
20	445.002 Definitions.--As used in this chapter, the		
21	term:		
22	(1) "Agency" means the Agency for Workforce		
23	Innovation.		
24	(2) <u>"Board" means Workforce Florida Board.</u>		
25	(3) <del>(2)</del> "Services and one-time payments" or "services,"		
26	when used in reference to individuals who are not receiving		
27	temporary cash assistance, means nonrecurrent, short-term		
28	benefits designed to deal with a specific crisis situation or		
29	episode of need and other services; work subsidies; supportive		
30	services such as child care and transportation; services such		
31	as counseling, case management, peer support, and child care		

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1 information and referral; transitional services, job  
2 retention, job advancement, and other employment-related  
3 services; nonmedical treatment for substance abuse or mental  
4 health problems; teen pregnancy prevention; two-parent family  
5 support, including noncustodial parent employment;  
6 court-ordered supervised visitation, and responsible  
7 fatherhood services; and any other services that are  
8 reasonably calculated to further the purposes of the welfare  
9 transition program. Such terms do not include assistance as  
10 defined in federal regulations at 45 C.F.R. s. 260.31(a).

11 ~~(4)(3)~~ "Welfare transition services" means those  
12 workforce services provided to current or former recipients of  
13 temporary cash assistance under chapter 414.

14 Section 29. Section 445.003, Florida Statutes, is  
15 amended to read:

16 445.003 Implementation of the federal Workforce  
17 Investment Act of 1998.--

18 (1) WORKFORCE INVESTMENT ACT PRINCIPLES.--The state's  
19 approach to implementing the federal Workforce Investment Act  
20 of 1998, Pub. L. No. 105-220, should have six elements:

21 (a) Streamlining Services.--Florida's employment and  
22 training programs must be coordinated and consolidated at  
23 locally managed one-stop delivery system centers. When  
24 possible and feasible, programs should endeavor to use  
25 electronic services to expand customer access.

26 (b) Empowering Individuals.--Eligible participants  
27 will make informed decisions, choosing the qualified training  
28 program that best meets their needs.

29 (c) Universal Access.--Through a one-stop delivery  
30 system and the use of technology, every Floridian will have  
31 access to employment services.

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1           (d) Increased Accountability.--The state, localities,  
2 and training providers will be held accountable for their  
3 performance.

4           (e) Local Board and Private Sector Leadership.--Local  
5 boards will focus on strategic planning, policy development,  
6 and oversight of the local system, ~~choosing local managers to~~  
7 ~~direct the operational details of their one-stop delivery~~  
8 ~~system centers.~~

9           (f) Local Flexibility and Integration.--Localities  
10 will have exceptional flexibility to design local service  
11 delivery plans and processes ~~build on existing reforms.~~  
12 ~~Unified planning will free local groups from conflicting~~  
13 ~~micromanagement, while waivers and WorkFlex will allow local~~  
14 ~~innovations.~~

15           (2) FIVE-YEAR PLAN.--Workforce Florida, Inc., shall  
16 prepare and submit a 5-year plan, which includes secondary  
17 career education, to fulfill the early implementation  
18 requirements of Pub. L. No. 105-220 and applicable state  
19 statutes. Mandatory federal partners and optional federal  
20 partners shall be fully involved in designing the plan's  
21 one-stop delivery system strategy. The plan shall detail a  
22 process to clearly define each program's statewide duties and  
23 role relating to the system. Any optional federal partner may  
24 immediately choose to fully integrate its program's plan with  
25 this plan, which shall, notwithstanding any other state  
26 provisions, fulfill all their state planning and reporting  
27 requirements as they relate to the one-stop delivery system.  
28 The plan shall detail a process that would fully integrate all  
29 federally mandated and optional partners by the second year of  
30 the plan. All optional federal program partners in the  
31 planning process shall be mandatory participants in the second

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1 year of the plan.

2 (3) FUNDING.--

3 (a) Title I, Workforce Investment Act of 1998 funds;  
4 Wagner-Peyser funds; and NAFTA/Trade Act funds will be  
5 expended based on the 5-year plan of the agency ~~Workforce~~  
6 ~~Florida, Inc.~~ The plan shall outline and direct the method  
7 used to administer and coordinate various funds and programs  
8 that are operated by various agencies. The following  
9 provisions shall also apply to these funds:

10 1. At least 50 percent of the Title I funds for Adults  
11 and Dislocated Workers that are passed through to regional  
12 workforce boards shall be allocated to Individual Training  
13 Accounts unless a regional workforce board obtains a waiver  
14 from the agency ~~Workforce Florida, Inc.~~ Tuition and fees  
15 qualify as an Individual Training Account expenditure, as do  
16 other programs developed by regional workforce boards in  
17 compliance with policies of the agency ~~Workforce Florida, Inc.~~

18 2. Fifteen percent of Title I funding shall be  
19 retained at the state level and shall be dedicated to state  
20 administration and used to design, develop, induce, and fund  
21 innovative Individual Training Account pilots, demonstrations,  
22 and programs. Of such funds retained at the state level, \$2  
23 million shall be reserved for the Incumbent Worker Training  
24 Program, created under subparagraph 3. Eligible state  
25 administration costs include the costs of: funding for the  
26 board and staff of the agency ~~Workforce Florida, Inc.~~;  
27 operating fiscal, compliance, and management accountability  
28 systems through the agency ~~Workforce Florida, Inc.~~; conducting  
29 evaluation and research on workforce development activities;  
30 and providing technical and capacity building assistance to  
31 regions at the direction of the agency ~~Workforce Florida, Inc.~~

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1 Notwithstanding s. 445.004, such administrative costs shall  
2 not exceed 25 percent of these funds. An amount not to exceed  
3 75 percent of these funds shall be allocated to Individual  
4 Training Accounts and other workforce development strategies  
5 for other training designed and tailored by the agency  
6 ~~Workforce Florida, Inc.~~, including, but not limited to,  
7 programs for incumbent workers, displaced homemakers,  
8 nontraditional employment, and enterprise zones. The agency  
9 ~~Workforce Florida, Inc.~~, shall design, adopt, and fund  
10 Individual Training Accounts for distressed urban and rural  
11 communities.

12         3. The Incumbent Worker Training Program is created  
13 for the purpose of providing grant funding for continuing  
14 education and training of incumbent employees at existing  
15 Florida businesses. The program will provide reimbursement  
16 grants to businesses that pay for preapproved, direct,  
17 training-related costs.

18         a. The Incumbent Worker Training Program will be  
19 administered by the agency ~~Workforce Florida, Inc.~~ ~~Workforce~~  
20 ~~Florida, Inc., at its discretion, may contract with a private~~  
21 ~~business organization to serve as grant administrator.~~

22         b. To be eligible for the program's grant funding, a  
23 business must have been in operation in Florida for a minimum  
24 of 1 year prior to the application for grant funding; have at  
25 least one full-time employee; demonstrate financial viability;  
26 and be current on all state tax obligations. Priority for  
27 funding shall be given to businesses with 25 employees or  
28 fewer, businesses in rural areas, businesses in distressed  
29 inner-city areas, businesses in a qualified targeted industry,  
30 businesses whose grant proposals represent a significant  
31 upgrade in employee skills, or businesses whose grant

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1 proposals represent a significant layoff avoidance strategy.

2       c. All costs reimbursed by the program must be  
3 preapproved by the agency ~~Workforce Florida, Inc., or the~~  
4 ~~grant administrator~~. The program will not reimburse businesses  
5 for trainee wages, the purchase of capital equipment, or the  
6 purchase of any item or service that may possibly be used  
7 outside the training project. A business approved for a grant  
8 may be reimbursed for preapproved, direct, training-related  
9 costs including tuition; fees; books and training materials;  
10 and overhead or indirect costs not to exceed 5 percent of the  
11 grant amount.

12       d. A business that is selected to receive grant  
13 funding must provide a matching contribution to the training  
14 project, including, but not limited to, wages paid to trainees  
15 or the purchase of capital equipment used in the training  
16 project; must sign an agreement with the agency ~~Workforce~~  
17 ~~Florida, Inc., or the grant administrator~~ to complete the  
18 training project as proposed in the application; must keep  
19 accurate records of the project's implementation process; and  
20 must submit monthly or quarterly reimbursement requests with  
21 required documentation.

22       e. All Incumbent Worker Training Program grant  
23 projects shall be performance-based with specific measurable  
24 performance outcomes, including completion of the training  
25 project and job retention. The agency ~~Workforce Florida, Inc.,~~  
26 ~~or the grant administrator~~ shall withhold the final payment to  
27 the grantee until a final grant report is submitted and all  
28 performance criteria specified in the grant contract have been  
29 achieved.

30       f. The agency ~~Workforce Florida, Inc.,~~ may establish  
31 guidelines necessary to implement the Incumbent Worker

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1 Training Program.

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

5           4. At least 50 percent of Rapid Response funding shall  
6 be dedicated to Intensive Services Accounts and Individual  
7 Training Accounts for dislocated workers and incumbent workers  
8 who are at risk of dislocation. The agency ~~Workforce Florida,~~  
9 ~~Inc.,~~ shall also maintain an Emergency Preparedness Fund from  
10 Rapid Response funds which will immediately issue Intensive  
11 Service Accounts and Individual Training Accounts as well as  
12 other federally authorized assistance to eligible victims of  
13 natural or other disasters. At the direction of the Governor,  
14 for events that qualify under federal law, these Rapid  
15 Response funds shall be released to regional workforce boards  
16 for immediate use. Funding shall also be dedicated to maintain  
17 a unit at the state level to respond to Rapid Response  
18 emergencies around the state, to work with state emergency  
19 management officials, and to work with regional workforce  
20 boards. All Rapid Response funds must be expended based on a  
21 plan developed by the agency ~~Workforce Florida, Inc.,~~ and  
22 approved by the Governor.

23           (b) The administrative entity for Title I, Workforce  
24 Investment Act of 1998 funds, and Rapid Response activities,  
25 shall be the Agency for Workforce Innovation, which shall  
26 provide direction to regional workforce boards regarding Title  
27 I programs and Rapid Response activities. ~~pursuant to the~~  
28 ~~direction of Workforce Florida, Inc.~~

29           ~~(4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED~~  
30 ~~MODIFICATIONS.~~

31           ~~(a) Workforce Florida, Inc., may provide~~

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1 ~~indemnification from audit liabilities to regional workforce~~  
2 ~~boards that act in full compliance with state law and the~~  
3 ~~board's policies.~~

4 ~~(b) Workforce Florida, Inc., may negotiate and settle~~  
5 ~~all outstanding issues with the United States Department of~~  
6 ~~Labor relating to decisions made by Workforce Florida, Inc.,~~  
7 ~~any predecessor workforce organization, and the Legislature~~  
8 ~~with regard to the Job Training Partnership Act, making~~  
9 ~~settlements and closing out all JTPA program year grants.~~

10 ~~(c) Workforce Florida, Inc., may make modifications to~~  
11 ~~the state's plan, policies, and procedures to comply with~~  
12 ~~federally mandated requirements that in its judgment must be~~  
13 ~~complied with to maintain funding provided pursuant to Pub. L.~~  
14 ~~No. 105-220. The board shall notify in writing the Governor,~~  
15 ~~the President of the Senate, and the Speaker of the House of~~  
16 ~~Representatives within 30 days after any such changes or~~  
17 ~~modifications.~~

18 ~~(5) LONG-TERM CONSOLIDATION OF WORKFORCE~~  
19 ~~DEVELOPMENT.--Workforce Florida, Inc., may recommend~~  
20 ~~workforce-related divisions, bureaus, units, programs, duties,~~  
21 ~~commissions, boards, and councils that can be eliminated,~~  
22 ~~consolidated, or privatized.~~

23 Section 30. Section 445.004, Florida Statutes, is  
24 amended to read:

25 445.004 Workforce Florida Board, Inc.; creation;  
26 purpose; membership; duties and powers.--

27 (1) There is created the Workforce Florida Board  
28 within the Agency for Workforce Innovation. The Agency for  
29 Workforce Innovation shall provide staff and administrative  
30 support for the board. ~~a not for profit corporation, to be~~  
31 ~~known as "Workforce Florida, Inc.," which shall be registered,~~



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1 ~~incorporated, organized, and operated in compliance with~~  
2 ~~chapter 617, and which shall not be a unit or entity of state~~  
3 ~~government and shall be exempt from chapters 120 and 287.~~  
4 ~~Workforce Florida, Inc., shall apply the procurement and~~  
5 ~~expenditure procedures required by federal law for the~~  
6 ~~expenditure of federal funds. Workforce Florida, Inc., shall~~  
7 ~~be administratively housed within the Agency for Workforce~~  
8 ~~Innovation; however, Workforce Florida, Inc., shall not be~~  
9 ~~subject to control, supervision, or direction by the Agency~~  
10 ~~for Workforce Innovation in any manner. The Legislature~~  
11 ~~determines, however, that public policy dictates that~~  
12 ~~Workforce Florida, Inc., operate in the most open and~~  
13 ~~accessible manner consistent with its public purpose. To this~~  
14 ~~end, the Legislature specifically declares that Workforce~~  
15 ~~Florida, Inc., its board, councils, and any advisory~~  
16 ~~committees or similar groups created by Workforce Florida,~~  
17 ~~Inc., are subject to the provisions of chapter 119 relating to~~  
18 ~~public records, and those provisions of chapter 286 relating~~  
19 ~~to public meetings.~~

20       (2) Pursuant to Pub. L. No. 105-440, Title I, s.  
21 111(d), the Workforce Florida Board serves as the state  
22 workforce investment board. Workforce Florida, Inc., is the  
23 principal workforce policy organization for the state. The  
24 purpose of the Workforce Florida Board, Inc., is to assist the  
25 Governor and the agency with the duties and functions  
26 specified in Pub. L. No. 105-220, Title I, s. 111(d)(1)-(9)  
27 and to provide advice and recommendations to the agency  
28 concerning workforce policies and ~~design and implement~~  
29 strategies that help Floridians enter, remain in, and advance  
30 in the workplace, becoming more highly skilled and successful,  
31 benefiting these Floridians, Florida businesses, and the

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1 entire state, and to assist in developing the state's business  
2 climate.

3 (3)(a) The Workforce Florida Board, Inc., shall be  
4 composed of members appointed ~~governed by a board of~~  
5 ~~directors, the number of directors to be determined~~ by the  
6 Governor, whose membership and appointment must be consistent  
7 with Pub. L. No. 105-220, Title I, s. 111(b), and contain one  
8 member representing the licensed nonpublic postsecondary  
9 educational institutions authorized as individual training  
10 account providers, one member from the staffing service  
11 industry, at least one member who is a current or former  
12 recipient of welfare transition services as defined in s.  
13 445.002(4) ~~s. 445.002(3)~~ or workforce services as provided in  
14 s. 445.009(1), and five representatives of organized labor who  
15 shall be appointed by the Governor. Members described in Pub.  
16 L. No. 105-220, Title I, s. 111(b)(1)(C)(vi) shall be  
17 nonvoting members. The importance of minority, gender, and  
18 geographic representation shall be considered when making  
19 appointments to the board.

20 (b) The ~~board of directors of~~ Workforce Florida Board,  
21 ~~Inc.~~, shall be chaired by a board member designated by the  
22 Governor pursuant to Pub. L. No. 105-220 and shall serve no  
23 more than two terms.

24 (c) Members appointed by the Governor may serve no  
25 more than two terms and must be appointed for 3-year terms.  
26 However, in order to establish staggered terms for board  
27 members, the Governor shall appoint or reappoint one-third of  
28 the board members for 1-year terms, one-third of the board  
29 members for 2-year terms, and one-third of the board members  
30 for 3-year terms beginning July 1, 2005. Following that date,  
31 the Governor shall appoint or reappoint board members for

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1 3-year terms exclusively, except that, When a board member is  
2 replaced before the end of a 3-year term, the replacement  
3 shall be appointed to serve only the remainder of that term,  
4 after which the replacement may be appointed for a full 3-year  
5 term. Private sector representatives of businesses, appointed  
6 by the Governor pursuant to Pub. L. No. 105-220, shall  
7 constitute a majority of the membership of the board. Private  
8 sector representatives shall be appointed from nominations  
9 received by the Governor, including, but not limited to, those  
10 nominations made by the President of the Senate and the  
11 Speaker of the House of Representatives. Private sector  
12 appointments to the board shall be representative of the  
13 business community of this state; no fewer than one-half of  
14 the appointments to the board must be representative of small  
15 businesses, and at least five members must have economic  
16 development experience. Members appointed by the Governor  
17 serve at the pleasure of the Governor and are eligible for  
18 reappointment.

19 (d) A member of the board ~~of directors of Workforce~~  
20 ~~Florida, Inc.,~~ may be removed by the Governor for cause.  
21 ~~Absence from three consecutive meetings results in automatic~~  
22 ~~removal. The chair of Workforce Florida, Inc., shall notify~~  
23 ~~the Governor of such absences.~~

24 (e) Representatives of businesses appointed to the  
25 board ~~of directors~~ may not include providers of workforce  
26 services.

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

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1        ~~(a)(b)~~ The ~~board of directors of~~ Workforce Florida  
2 ~~Board, Inc.~~, shall meet at least quarterly and at other times  
3 upon call of its chair. The board and its committees,  
4 subcommittees, or other subdivisions may use any method of  
5 telecommunications to conduct meetings, including establishing  
6 a quorum through telecommunications, provided that the public  
7 is given proper notice of the telecommunications meeting and  
8 is given reasonable access to observe and, when appropriate,  
9 participate.

10        ~~(b)(c)~~ A majority of the total current membership of  
11 the ~~board of directors of~~ Workforce Florida ~~Board, Inc.~~,  
12 comprises a quorum of the board.

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

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

22        ~~(d)(f)~~ Members of the ~~board of directors of~~ Workforce  
23 Florida ~~Board, Inc.~~, and its committees shall serve without  
24 compensation, but these members, ~~the president, and all~~  
25 ~~employees of Workforce Florida, Inc.,~~ may be reimbursed for  
26 all reasonable, necessary, and actual expenses incurred in the  
27 performance of their duties and responsibilities under the act  
28 pursuant to s. 112.061.

29        ~~(e)(g)~~ The board ~~of directors of Workforce Florida,~~  
30 ~~Inc.~~, may establish an executive committee consisting of the  
31 chair and at least six additional board members selected by

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1 the chair, one of whom must be a representative of organized  
2 labor. The executive committee ~~and the president~~ shall have  
3 such authority as the board delegates to it, except that the  
4 board ~~of directors~~ may not delegate to the executive committee  
5 authority to take action that requires approval by a majority  
6 of the entire board ~~of directors~~.

7 ~~(f)(h)~~ The chair may appoint committees to fulfill its  
8 responsibilities, to comply with federal requirements, or to  
9 obtain technical assistance, and must incorporate members of  
10 regional workforce development boards into its structure.

11 (g) The provisions of s. 768.28 apply to the Workforce  
12 Florida Board, which is deemed to be an instrumentality of the  
13 state, and to each member of the board.

14 ~~(h)(i)~~ Each member of the board of directors who is  
15 not otherwise required to file a financial disclosure pursuant  
16 to s. 8, Art. II of the State Constitution or s. 112.3144 must  
17 file disclosure of financial interests pursuant to s.  
18 112.3145. A member of the board may not vote on a matter under  
19 consideration by the board regarding the provision of services  
20 by the member or an entity that the member represents or which  
21 would provide direct financial benefit to the member or the  
22 immediate family of the member, nor may a member engage in any  
23 other activity that constitutes a conflict of interest.

24 (5) The board, as required by Pub. L. No. 105-220,  
25 shall assist the agency by ~~Workforce Florida, Inc., shall have~~  
26 ~~all the powers and authority, not explicitly prohibited by~~  
27 ~~statute, necessary or convenient to carry out and effectuate~~  
28 ~~the purposes as determined by statute, Pub. L. No. 105-220,~~  
29 ~~and the Governor, as well as its functions, duties, and~~  
30 ~~responsibilities, including, but not limited to, the~~  
31 ~~following:~~

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1       ~~(a) Serving as the state's Workforce Investment Board~~  
2 ~~pursuant to Pub. L. No. 105-220. Unless otherwise required by~~  
3 ~~federal law, at least 90 percent of the workforce development~~  
4 ~~funding must go into direct customer service costs.~~

5       ~~(b)~~ providing recommendations on oversight and policy  
6 ~~direction~~ to ensure that the following programs ~~are~~  
7 administered by the Agency for Workforce Innovation are in  
8 compliance with law and foster the economic growth of this  
9 state ~~approved plans and under contract with Workforce~~  
10 ~~Florida, Inc.:~~

11       ~~(a)1-~~ Programs authorized under Title I of the  
12 Workforce Investment Act of 1998, Pub. L. No. 105-220, with  
13 the exception of programs funded directly by the United States  
14 Department of Labor under Title I, s. 167.

15       ~~(b)2-~~ Programs authorized under the Wagner-Peyser Act  
16 of 1933, as amended, 29 U.S.C. ss. 49 et seq.

17       ~~(c)3-~~ Activities authorized under Title II of the  
18 Trade Act of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and  
19 the Trade Adjustment Assistance Program.

20       ~~(d)4-~~ Activities authorized under 38 U.S.C., chapter  
21 41, including job counseling, training, and placement for  
22 veterans.

23       ~~(e)5-~~ Employment and training activities carried out  
24 under funds awarded to this state by the United States  
25 Department of Housing and Urban Development.

26       ~~(f)6-~~ Welfare transition services funded by the  
27 Temporary Assistance for Needy Families Program, created under  
28 the Personal Responsibility and Work Opportunity  
29 Reconciliation Act of 1996, as amended, Pub. L. No. 104-193,  
30 and Title IV, s. 403, of the Social Security Act, as amended.

31       ~~(g)7-~~ Displaced homemaker programs, provided under s.

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1 446.50.

2 ~~(h)8-~~ The Florida Bonding Program, provided under Pub.  
3 L. No. 97-300, s. 164(a)(1).

4 ~~(i)9-~~ The Food Stamp Employment and Training Program,  
5 provided under the Food Stamp Act of 1977, 7 U.S.C. ss.  
6 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;  
7 and the Hunger Prevention Act, Pub. L. No. 100-435.

8 ~~(j)10-~~ The Quick-Response Training Program, provided  
9 under ss. 288.046-288.047. Matching funds and in-kind  
10 contributions that are provided by clients of the  
11 Quick-Response Training Program shall count toward the  
12 requirements of s. 288.90151(5)(d), pertaining to the return  
13 on investment from activities of Enterprise Florida, Inc.

14 ~~(k)11-~~ The Work Opportunity Tax Credit, provided under  
15 the Tax and Trade Relief Extension Act of 1998, Pub. L. No.  
16 105-277, and the Taxpayer Relief Act of 1997, Pub. L. No.  
17 105-34.

18 ~~(l)12-~~ Offender placement services, provided under ss.  
19 944.707-944.708.

20 (m) The CHOICE Project under s. 1003.494.

21 ~~(c) The agency may adopt rules necessary to administer~~  
22 ~~the provisions of this chapter which relate to implementing~~  
23 ~~and administering the programs listed in paragraph (b) as well~~  
24 ~~as rules related to eligible training providers and auditing~~  
25 ~~and monitoring subrecipients of the workforce system grant~~  
26 ~~funds.~~

27 ~~(d) Contracting with public and private entities as~~  
28 ~~necessary to further the directives of this section. All~~  
29 ~~contracts executed by Workforce Florida, Inc., must include~~  
30 ~~specific performance expectations and deliverables. All~~  
31 ~~Workforce Florida, Inc., contracts, including those solicited,~~

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1 ~~managed, or paid by the Agency for Workforce Innovation~~  
2 ~~pursuant to s. 20.50(2) are exempt from s. 112.061, but shall~~  
3 ~~be governed by subsection (1).~~

4 ~~(e) Notifying the Governor, the President of the~~  
5 ~~Senate, and the Speaker of the House of Representatives of~~  
6 ~~noncompliance by the Agency for Workforce Innovation or other~~  
7 ~~agencies or obstruction of the board's efforts by such~~  
8 ~~agencies. Upon such notification, the Executive Office of the~~  
9 ~~Governor shall assist agencies to bring them into compliance~~  
10 ~~with board objectives.~~

11 ~~(f) Ensuring that the state does not waste valuable~~  
12 ~~training resources. Thus, the board shall direct that all~~  
13 ~~resources, including equipment purchased for training~~  
14 ~~Workforce Investment Act clients, be available for use at all~~  
15 ~~times by eligible populations as first priority users. At~~  
16 ~~times when eligible populations are not available, such~~  
17 ~~resources shall be used for any other state authorized~~  
18 ~~education and training purpose. Workforce Florida, Inc., may~~  
19 ~~authorize expenditures to award suitable framed certificates,~~  
20 ~~pins, or other tokens of recognition for performance by a~~  
21 ~~regional workforce board, its committees and subdivisions, and~~  
22 ~~other units of the workforce system. Workforce Florida, Inc.,~~  
23 ~~may also authorize expenditures for promotional items, such as~~  
24 ~~t-shirts, hats, or pens printed with messages promoting the~~  
25 ~~state's workforce system to employers, job seekers, and~~  
26 ~~program participants. However, such expenditures are subject~~  
27 ~~to federal regulations applicable to the expenditure of~~  
28 ~~federal funds.~~

29 ~~(g) Establish a dispute resolution process for all~~  
30 ~~memoranda of understanding or other contracts or agreements~~  
31 ~~entered into between the agency and regional workforce boards.~~



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

4       ~~(i) Working with the Department of Education and~~  
5 ~~Enterprise Florida, Inc., in the implementation of the CHOICE~~  
6 ~~project pursuant to s. 1003.494.~~

7           (6) With the assistance of the Workforce Florida Board  
8 and the regional workforce boards, the agency ~~Workforce~~  
9 ~~Florida, Inc.,~~ may take action that it deems necessary to  
10 ~~achieve the purposes of this section, including, but not~~  
11 ~~limited to:~~

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

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

24           (c) Establish ~~Establishing~~ a comprehensive policy  
25 related to the education and training of target populations  
26 such as those who have disabilities, are economically  
27 disadvantaged, receive public assistance, are not proficient  
28 in English, or are dislocated workers. This approach should  
29 ensure the effective use of federal, state, local, and private  
30 resources in reducing the need for public assistance.

31           (d) Designate ~~Designating~~ Institutes of Applied

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1 Technology composed of public and private postsecondary  
2 institutions working together with business and industry to  
3 ensure that career education programs use the most advanced  
4 technology and instructional methods available and respond to  
5 the changing needs of business and industry.

6 (e) Provide ~~Providing~~ policy direction for a system to  
7 project and evaluate labor market supply and demand using the  
8 results of the Workforce Estimating Conference created in s.  
9 216.136 and the career education performance standards  
10 identified under s. 1008.43.

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

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

19 ~~(7) By December 1 of each year, Workforce Florida,~~  
20 ~~Inc., shall submit to the Governor, the President of the~~  
21 ~~Senate, the Speaker of the House of Representatives, the~~  
22 ~~Senate Minority Leader, and the House Minority Leader a~~  
23 ~~complete and detailed annual report setting forth:~~

24 ~~(a) All audits, including the audit in subsection (8),~~  
25 ~~if conducted.~~

26 ~~(b) The operations and accomplishments of the board,~~  
27 ~~including the programs or entities listed in subsection (6).~~

28 ~~(7)(8)~~ The Auditor General may, pursuant to his or her  
29 own authority or at the direction of the Legislative Auditing  
30 Committee, conduct an audit of the Workforce Florida Board,  
31 ~~Inc., or the programs or entities created by the board~~

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1 ~~Workforce Florida, Inc.~~ The Office of Program Policy Analysis  
2 and Government Accountability, pursuant to its authority or at  
3 the direction of the Legislative Auditing Committee, may  
4 review the systems and controls related to performance  
5 outcomes and quality of services of the board ~~Workforce~~  
6 ~~Florida, Inc.~~

7 ~~(9) Workforce Florida, Inc., in collaboration with the~~  
8 ~~regional workforce boards and appropriate state agencies and~~  
9 ~~local public and private service providers, and in~~  
10 ~~consultation with the Office of Program Policy Analysis and~~  
11 ~~Government Accountability, shall establish uniform measures~~  
12 ~~and standards to gauge the performance of the workforce~~  
13 ~~development strategy. These measures and standards must be~~  
14 ~~organized into three outcome tiers.~~

15 ~~(a) The first tier of measures must be organized to~~  
16 ~~provide benchmarks for systemwide outcomes. Workforce Florida,~~  
17 ~~Inc., must, in collaboration with the Office of Program Policy~~  
18 ~~Analysis and Government Accountability, establish goals for~~  
19 ~~the tier-one outcomes. Systemwide outcomes may include~~  
20 ~~employment in occupations demonstrating continued growth in~~  
21 ~~wages; continued employment after 3, 6, 12, and 24 months;~~  
22 ~~reduction in and elimination of public assistance reliance;~~  
23 ~~job placement; employer satisfaction; and positive return on~~  
24 ~~investment of public resources.~~

25 ~~(b) The second tier of measures must be organized to~~  
26 ~~provide a set of benchmark outcomes for the strategic~~  
27 ~~components of the workforce development strategy. Cost per~~  
28 ~~entered employment, earnings at placement, retention in~~  
29 ~~employment, job placement, and entered employment rate must be~~  
30 ~~included among the performance outcome measures.~~

31 ~~(c) The third tier of measures must be the operational~~

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1 ~~output measures to be used by the agency implementing~~  
2 ~~programs, and it may be specific to federal requirements. The~~  
3 ~~tier three measures must be developed by the agencies~~  
4 ~~implementing programs, and Workforce Florida, Inc., may be~~  
5 ~~consulted in this effort. Such measures must be reported to~~  
6 ~~Workforce Florida, Inc., by the appropriate implementing~~  
7 ~~agency.~~

8 ~~(d) Regional differences must be reflected in the~~  
9 ~~establishment of performance goals and may include job~~  
10 ~~availability, unemployment rates, average worker wage, and~~  
11 ~~available employable population.~~

12 ~~(e) Job placement must be reported pursuant to s.~~  
13 ~~1008.39. Positive outcomes for providers of education and~~  
14 ~~training must be consistent with ss. 1008.42 and 1008.43.~~

15 ~~(f) The uniform measures of success that are adopted~~  
16 ~~by Workforce Florida, Inc., or the regional workforce boards~~  
17 ~~must be developed in a manner that provides for an equitable~~  
18 ~~comparison of the relative success or failure of any service~~  
19 ~~provider in terms of positive outcomes.~~

20 ~~(g) By December 1 of each year, Workforce Florida,~~  
21 ~~Inc., shall provide the Legislature with a report detailing~~  
22 ~~the performance of Florida's workforce development system, as~~  
23 ~~reflected in the three-tier measurement system. Additionally,~~  
24 ~~this report must benchmark Florida outcomes, at all tiers,~~  
25 ~~against other states that collect data similarly.~~

26 ~~(10) The workforce development strategy for the state~~  
27 ~~shall be designed by Workforce Florida, Inc. The strategy must~~  
28 ~~include efforts that enlist business, education, and community~~  
29 ~~support for students to achieve long-term career goals,~~  
30 ~~ensuring that young people have the academic and occupational~~  
31 ~~skills required to succeed in the workplace. The strategy must~~

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1 ~~also assist employers in upgrading or updating the skills of~~  
 2 ~~their employees and assisting workers to acquire the education~~  
 3 ~~or training needed to secure a better job with better wages.~~  
 4 ~~The strategy must assist the state's efforts to attract and~~  
 5 ~~expand job-creating businesses offering high-paying,~~  
 6 ~~high-demand occupations.~~

7       (8)(11) The workforce development system shall use a  
 8 charter-process approach aimed at encouraging local design and  
 9 control of service delivery and targeted activities. The  
 10 Workforce Florida Board is ~~Workforce Florida, Inc., shall be~~  
 11 responsible for granting charters to regional workforce boards  
 12 that have a membership consistent with the requirements of  
 13 federal and state law and that have developed a plan  
 14 consistent with the state's workforce development strategy.  
 15 The plan must specify methods for allocating the resources and  
 16 programs in a manner that eliminates unwarranted duplication,  
 17 minimizes administrative costs, meets the existing job market  
 18 demands and the job market demands resulting from successful  
 19 economic development activities, ensures access to quality  
 20 workforce development services for all Floridians, allows for  
 21 pro rata or partial distribution of benefits and services,  
 22 prohibits the creation of a waiting list or other indication  
 23 of an unserved population, serves as many individuals as  
 24 possible within available resources, and maximizes successful  
 25 outcomes. As part of the charter process, the Agency for  
 26 Workforce Innovation, with the assistance of the Workforce  
 27 Florida Board ~~Workforce Florida, Inc., shall establish~~  
 28 incentives for effective coordination of federal and state  
 29 programs, outline rewards for successful job placements, and  
 30 institute collaborative approaches among local service  
 31 providers. Local decisionmaking and control shall be important

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1 components for inclusion in this charter application.

2 ~~(12) Workforce Florida, Inc., shall enter into~~  
 3 ~~agreement with Space Florida and collaborate with vocational~~  
 4 ~~institutes, community colleges, colleges, and universities in~~  
 5 ~~this state, to develop a workforce development strategy to~~  
 6 ~~implement the workforce provisions of s. 331.3051.~~

7 Section 31. Section 445.0041, Florida Statutes, is  
 8 created to read:

9 445.0041 Agency for Workforce Innovation;  
 10 responsibilities and authority.--

11 (1) The agency, with the assistance of the Workforce  
 12 Florida Board, shall:

13 (a) Design the workforce development strategy for the  
 14 state. The strategy must include efforts that enlist business,  
 15 education, and community support for students to achieve  
 16 long-term career goals, ensuring that young people have the  
 17 academic and occupational skills required to succeed in the  
 18 workplace. The strategy must also assist employers in  
 19 upgrading or updating the skills of their employees and  
 20 assisting workers to acquire the education or training needed  
 21 to secure a better job with better wages. The strategy must  
 22 assist the state's efforts to attract and expand job-creating  
 23 businesses offering high-paying, high-demand occupations.

24 (b) Establish a dispute-resolution process for all  
 25 memoranda of understanding or other contracts or agreements  
 26 entered into between the agency and regional workforce boards.

27 (2) The agency, with the assistance of the board,  
 28 regional workforce boards, and appropriate state agencies and  
 29 local public and private service providers, and in  
 30 consultation with the Office of Program Policy Analysis and  
 31 Government Accountability, shall establish uniform measures

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1 and standards to gauge the performance of the workforce  
2 development strategy. These measures and standards must comply  
3 with federal requirements and additional state measures as  
4 determined by the agency. Job placement must be reported  
5 pursuant to s. 1008.39. Positive outcomes for providers of  
6 education and training must be consistent with ss. 1008.42 and  
7 1008.43.

8 (3) The agency shall enter into an agreement with  
9 Space Florida and collaborate with vocational institutes,  
10 community colleges, colleges, and universities in this state  
11 to develop a workforce development strategy to implement the  
12 workforce provisions of s. 331.3051.

13 (4) The agency may adopt rules necessary to administer  
14 the provisions of this chapter which relate to implementing  
15 and administering the programs listed in s. 445.004(5)(a) as  
16 well as rules related to eligible training providers and  
17 auditing and monitoring subrecipients of the workforce system  
18 grant funds.

19 (5) The agency has the authority to contract with  
20 public and private entities as necessary to further the  
21 directives of this section. All contracts executed by the  
22 agency must include specific performance expectations and  
23 deliverables.

24 (6) To ensure that the workforce system does not waste  
25 valuable resources, the agency shall direct that all resources  
26 and equipment purchased with employment and training funds  
27 allocated for a specific program must be made available first  
28 for that program's customers. At times when specific program  
29 eligible customers are not available, those resources and  
30 equipment may be used for any other state authorized education  
31 and training purposes.

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1       (7) By December 1 of each year, the agency shall  
2 submit to the Governor, the President of the Senate, the  
3 Speaker of the House of Representatives, the Senate Minority  
4 Leader, and the House of Representatives Minority Leader a  
5 complete and detailed annual report setting forth:

6           (a) All audits, including the audit in s. 445.004(7),  
7 if conducted.

8           (b) The operations and accomplishments of the agency  
9 and the Workforce Florida Board.

10           Section 32. Section 445.006, Florida Statutes, is  
11 amended to read:

12           445.006 Strategic and operational plans for workforce  
13 development.--

14           (1) The agency, with the assistance of the board and  
15 ~~workforce Florida, Inc.,~~ in conjunction with state and local  
16 partners in the workforce system, shall develop a strategic  
17 plan for workforce, with the goal of producing skilled  
18 employees for employers in the state. The strategic plan shall  
19 be submitted to the Governor, the President of the Senate, and  
20 the Speaker of the House of Representatives by January 1 of  
21 each year. The plan must include, but ~~the Speaker of the House~~  
22 ~~of Representatives by February 1, 2001. The strategic plan~~  
23 ~~shall be updated or modified by January 1 of each year~~  
24 ~~thereafter. The plan must include, but~~ need not be limited to,  
25 strategies for:

26           (a) Fulfilling the workforce system goals and  
27 strategies prescribed in s. 445.004;

28           (b) Aggregating, integrating, and leveraging workforce  
29 system resources;

30           (c) Coordinating the activities of federal, state, and  
31 local workforce system partners;



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1 (d) Addressing the workforce needs of small  
2 businesses; and

3 (e) Fostering the participation of rural communities  
4 and distressed urban cores in the workforce system.

5 (2) Unless otherwise required by federal law, at least  
6 90 percent of the workforce development funding must go into  
7 direct customer service costs.

8 (3)(2) The agency ~~Workforce Florida, Inc.,~~ shall  
9 establish an operational plan to implement the state strategic  
10 plan. The operational plan shall be submitted to the Governor  
11 and the Legislature along with the strategic plan and must  
12 reflect the allocation of resources as appropriated by the  
13 Legislature to specific responsibilities enumerated in law.  
14 Unless otherwise required by federal law, at least 90 percent  
15 of the workforce development funding must go into direct  
16 customer service costs. As a component of the operational plan  
17 required under this section, the agency ~~Workforce Florida,~~  
18 ~~Inc.,~~ shall develop a workforce marketing plan, with the goal  
19 of educating individuals inside and outside the state about  
20 the employment market and employment conditions in the state.  
21 The marketing plan must include, but need not be limited to,  
22 strategies for:

23 (a) Distributing information to secondary and  
24 postsecondary education institutions about the diversity of  
25 businesses in the state, specific clusters of businesses or  
26 business sectors in the state, and occupations by industry  
27 which are in demand by employers in the state;

28 (b) Distributing information about and promoting use  
29 of the Internet-based job matching and labor market  
30 information system authorized under s. 445.011; and

31 (c) Coordinating with Enterprise Florida, Inc., to

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1 ensure that workforce marketing efforts complement the  
2 economic development marketing efforts of the state.

3 ~~(4)(3)~~ The operational plan must include performance  
4 measures, standards, measurement criteria, and contract  
5 guidelines in the following areas with respect to participants  
6 in the welfare transition program:

7 (a) Work participation rates, by type of activity;

8 (b) Caseload trends;

9 (c) Recidivism;

10 (d) Participation in diversion and relocation  
11 assistance programs;

12 (e) Employment retention;

13 (f) Wage growth; and

14 (g) Other issues identified by the board ~~of directors~~  
15 ~~of Workforce Florida, Inc.~~

16 ~~(5)(4)~~ The strategic plan must include criteria for  
17 allocating workforce resources to regional workforce boards.  
18 With respect to allocating funds to serve customers of the  
19 welfare transition program, such criteria may include  
20 weighting factors that indicate the relative degree of  
21 difficulty associated with securing and retaining employment  
22 placements for specific subsets of the welfare transition  
23 caseload.

24 ~~(6)(5)~~(a) The operational plan may include a  
25 performance-based payment structure to be used for all welfare  
26 transition program customers which takes into account:

27 1. The degree of difficulty associated with placement  
28 and retention;

29 2. The quality of the placement with respect to  
30 salary, benefits, and opportunities for advancement; and

31 3. The employee's retention in the placement.

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1           (b) The payment structure may provide for bonus  
2 payments of up to 10 percent of the contract amount to  
3 providers that achieve notable success in achieving contract  
4 objectives, including, but not limited to, success in  
5 diverting families in which there is an adult who is subject  
6 to work requirements from receiving cash assistance and in  
7 achieving long-term job retention and wage growth with respect  
8 to welfare transition program customers. A service provider  
9 shall be paid a maximum of one payment per service for each  
10 participant during any given 6-month period.

11           ~~(7)~~~~(6)~~(a) The operational plan must include strategies  
12 that are designed to prevent or reduce the need for a person  
13 to receive public assistance. These strategies must include:

14           1. A teen pregnancy prevention component that  
15 includes, but is not limited to, a plan for implementing the  
16 Florida Education Now and Babies Later (ENABL) program under  
17 s. 411.242 and the Teen Pregnancy Prevention Community  
18 Initiative within each county of the services area in which  
19 the teen birth rate is higher than the state average;

20           2. A component that encourages creation of  
21 community-based welfare prevention and reduction initiatives  
22 that increase support provided by noncustodial parents to  
23 their welfare-dependent children and are consistent with  
24 program and financial guidelines developed by Workforce  
25 Florida, Inc., and the Commission on Responsible Fatherhood.  
26 These initiatives may include, but are not limited to,  
27 improved paternity establishment, work activities for  
28 noncustodial parents, programs aimed at decreasing  
29 out-of-wedlock pregnancies, encouraging involvement of fathers  
30 with their children including court-ordered supervised  
31 visitation, and increasing child support payments;

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1           3. A component that encourages formation and  
2 maintenance of two-parent families through, among other  
3 things, court-ordered supervised visitation;

4           4. A component that fosters responsible fatherhood in  
5 families receiving assistance; and

6           5. A component that fosters provision of services that  
7 reduce the incidence and effects of domestic violence on women  
8 and children in families receiving assistance.

9           (b) Specifications for welfare transition program  
10 services that are to be delivered include, but are not limited  
11 to:

12           1. Initial assessment services prior to an individual  
13 being placed in an employment service, to determine whether  
14 the individual should be referred for relocation, up-front  
15 diversion, education, or employment placement. Assessment  
16 services shall be paid on a fixed unit rate and may not  
17 provide educational or employment placement services.

18           2. Referral of participants to diversion and  
19 relocation programs.

20           3. Preplacement services, including assessment,  
21 staffing, career plan development, work orientation, and  
22 employability skills enhancement.

23           4. Services necessary to secure employment for a  
24 welfare transition program participant.

25           5. Services necessary to assist participants in  
26 retaining employment, including, but not limited to, remedial  
27 education, language skills, and personal and family  
28 counseling.

29           6. Desired quality of job placements with regard to  
30 salary, benefits, and opportunities for advancement.

31           7. Expectations regarding job retention.

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1           8. Strategies to ensure that transition services are  
2 provided to participants for the mandated period of  
3 eligibility.

4           9. Services that must be provided to the participant  
5 throughout an education or training program, such as  
6 monitoring attendance and progress in the program.

7           10. Services that must be delivered to welfare  
8 transition program participants who have a deferral from work  
9 requirements but wish to participate in activities that meet  
10 federal participation requirements.

11           11. Expectations regarding continued participant  
12 awareness of available services and benefits.

13           Section 33. Section 445.007, Florida Statutes, is  
14 amended to read:

15           445.007 Regional workforce boards.--

16           (1) One regional workforce board shall be appointed in  
17 each designated service delivery area and shall serve as the  
18 local workforce investment board pursuant to Pub. L. No.  
19 105-220. The membership of the regional workforce board shall  
20 be consistent with Pub. L. No. 105-220, Title I, s. 117(b),  
21 and contain one representative from a nonpublic postsecondary  
22 educational institution that is an authorized individual  
23 training account provider within the region and confers  
24 certificates and diplomas, one representative from a nonpublic  
25 postsecondary educational institution that is an authorized  
26 individual training account provider within the region and  
27 confers degrees, and three representatives of organized labor.  
28 The regional workforce board shall include one nonvoting  
29 representative from a military installation if a military  
30 installation is located within the region and the appropriate  
31 military command or organization authorizes such

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1 representation. It is the intent of the Legislature that  
2 membership of a regional workforce board include persons who  
3 are current or former recipients of welfare transition  
4 assistance as defined in s. 445.002(4) ~~s. 445.002(3)~~ or  
5 workforce services as provided in s. 445.009(1) or that such  
6 persons be included as ex officio members of the regional  
7 workforce board or of committees organized by the regional  
8 workforce board. The importance of minority and gender  
9 representation shall be considered when making appointments to  
10 the regional workforce board. The regional workforce board,  
11 its committees, subcommittees, and subdivisions, and other  
12 units of the workforce system, including units that may  
13 consist in whole or in part of local governmental units, may  
14 use any method of telecommunications to conduct meetings,  
15 including establishing a quorum through telecommunications,  
16 provided that the public is given proper notice of the  
17 telecommunications meeting and reasonable access to observe  
18 and, when appropriate, participate. Regional workforce boards  
19 are subject to chapters 119 and 286 and s. 24, Art. I of the  
20 State Constitution. If the regional workforce board enters  
21 into a contract with an organization or individual represented  
22 on the board of directors, the contract must be approved by a  
23 two-thirds vote of the entire regional workforce board, and  
24 the regional workforce board member who could benefit  
25 financially from the transaction must abstain from voting on  
26 the contract. A regional workforce board member must disclose  
27 any such conflict in a manner that is consistent with the  
28 procedures outlined in s. 112.3143.

29 (2) The regional workforce board shall elect a chair  
30 from among the representatives described in Pub. L. No.  
31 105-220, Title I, s. 117(b)(2)(A)(i) to serve for a term of no

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1 more than 2 years and shall serve no more than two terms.

2 (3) The agency ~~Workforce Florida, Inc.,~~ shall assign  
3 staff to meet with each regional workforce board annually to  
4 review the regional workforce board's performance and to  
5 certify that the regional workforce board is in compliance  
6 with applicable state and federal law.

7 (4) In addition to the duties and functions specified  
8 by the agency ~~Workforce Florida, Inc.,~~ and by the interlocal  
9 agreement approved by the local county or city governing  
10 bodies, the regional workforce board shall have the following  
11 responsibilities:

12 (a) Develop, submit, ratify, or amend the local plan  
13 pursuant to Pub. L. No. 105-220, Title I, s. 118, and the  
14 provisions of this act.

15 (b) Conclude agreements necessary to designate the  
16 fiscal agent and administrative entity. A public or private  
17 entity, including an entity established pursuant to s. 163.01,  
18 which makes a majority of the appointments to a regional  
19 workforce board may serve as the board's administrative entity  
20 if approved by the agency ~~Workforce Florida, Inc.,~~ based upon  
21 a showing that a fair and competitive process was used to  
22 select the administrative entity.

23 (c) Complete assurances required for the charter  
24 process of the agency and the board ~~Workforce Florida, Inc.,~~  
25 and provide ongoing oversight related to administrative costs,  
26 duplicated services, career counseling, economic development,  
27 equal access, compliance and accountability, and performance  
28 outcomes.

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

31 (5) The agency ~~Workforce Florida, Inc.,~~ shall

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1 implement a training program for the regional workforce boards  
2 to familiarize board members with the state's workforce  
3 development goals and strategies. The regional workforce board  
4 shall designate all local service providers and shall not  
5 transfer this authority to a third party. In order to exercise  
6 independent oversight, the regional workforce board shall not  
7 be a direct provider of intake, assessment, eligibility  
8 determinations, or other direct provider services.

9 (6) Regional workforce boards shall adopt a committee  
10 structure consistent with applicable federal law and state  
11 policies established by the agency ~~Workforce Florida, Inc.~~

12 (7) The importance of minority and gender  
13 representation shall be considered when appointments are made  
14 to any committee established by the regional workforce board.

15 (8) For purposes of procurement, regional workforce  
16 boards and their administrative entities are not state  
17 agencies and are exempt from chapters 120 and 287. The  
18 regional workforce boards shall apply the procurement and  
19 expenditure procedures required by federal law for the  
20 expenditure of federal funds. Regional workforce boards, their  
21 administrative entities, committees, and subcommittees, and  
22 other workforce units may authorize expenditures to award  
23 suitable framed certificates, pins, or other tokens of  
24 recognition for performance by units of the workforce system.  
25 Regional workforce boards; their administrative entities,  
26 committees, and subcommittees; and other workforce units may  
27 authorize expenditures for promotional items, such as  
28 t-shirts, hats, or pens printed with messages promoting  
29 Florida's workforce system to employers, job seekers, and  
30 program participants. However, such expenditures are subject  
31 to federal regulations applicable to the expenditure of



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1 federal funds. All contracts executed by regional workforce  
2 boards must include specific performance expectations and  
3 deliverables.

4 Section 34. Subsections (1) and (4) of section  
5 445.0071, Florida Statutes, are amended to read:

6 445.0071 Florida Youth Summer Jobs Pilot Program.--

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

14 (4) GOVERNANCE.--

15 (a) The pilot program shall be administered by the  
16 regional workforce board in consultation with the agency  
17 ~~Workforce Florida, Inc.~~

18 (b) The regional workforce board shall report to the  
19 agency ~~Workforce Florida, Inc.~~, the number of at-risk and  
20 disadvantaged children who enter the program, the types of  
21 work activities they participate in, and the number of  
22 children who return to school, go on to postsecondary school,  
23 or enter the workforce full time at the end of the program.

24 The agency ~~Workforce Florida, Inc.~~, shall report to the  
25 Legislature by November 1 of each year on the performance of  
26 the program.

27 Section 35. Section 445.008, Florida Statutes, is  
28 amended to read:

29 445.008 Workforce Training Institute.--

30 (1) The agency ~~Workforce Florida, Inc.~~, may create the  
31 Workforce Training Institute, which shall be a comprehensive

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1 program of workforce training courses designed to meet the  
2 unique needs of, and shall include Internet-based training  
3 modules suitable for and made available to, professionals  
4 integral to the workforce system, including advisors and  
5 counselors in educational institutions.

6 (2) The agency ~~Workforce Florida, Inc.,~~ may enter into  
7 a contract for the provision of administrative support  
8 services for the institute. The agency ~~Workforce Florida,~~  
9 ~~Inc.,~~ shall adopt policies for the administration and  
10 operation of the institute and establish admission fees in an  
11 amount which, in the aggregate, does not exceed the cost of  
12 the program. The agency ~~Workforce Florida, Inc.,~~ may accept  
13 donations or grants of any type for any function or purpose of  
14 the institute.

15 (3) All moneys, fees, donations, or grants collected  
16 by the agency ~~Workforce Florida, Inc.,~~ under this section  
17 shall be applied to cover all costs incurred in establishing  
18 and conducting the workforce training programs authorized  
19 under this section, including, but not limited to, salaries  
20 for instructors and costs of materials connected to such  
21 programs.

22 Section 36. Section 445.009, Florida Statutes, is  
23 amended to read:

24 445.009 One-stop delivery system.--

25 (1) The one-stop delivery system is the state's  
26 primary customer-service strategy for offering every Floridian  
27 access, through service sites or telephone or computer  
28 networks, to the following services:

29 (a) Job search, referral, and placement assistance.

30 (b) Career counseling and educational planning.

31 (c) Consumer reports on service providers.

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- 1 (d) Recruitment and eligibility determination.
- 2 (e) Support services, including child care and
- 3 transportation assistance to gain employment.
- 4 (f) Employability skills training.
- 5 (g) Adult education and basic skills training.
- 6 (h) Technical training leading to a certification and
- 7 degree.
- 8 (i) Claim filing for unemployment compensation
- 9 services.
- 10 (j) Temporary income, health, nutritional, and housing
- 11 assistance.
- 12 (k) Other appropriate and available workforce
- 13 development services.
- 14 (2)(a) Subject to a process designed by the agency
- 15 ~~Workforce Florida, Inc.~~, and in compliance with Pub. L. No.
- 16 105-220, regional workforce boards shall designate one-stop
- 17 delivery system operators.
- 18 (b) A regional workforce board may designate as its
- 19 one-stop delivery system operator any public or private entity
- 20 that is eligible to provide services under any state or
- 21 federal workforce program that is a mandatory or discretionary
- 22 partner in the region's one-stop delivery system if approved
- 23 by the agency ~~Workforce Florida, Inc.~~, upon a showing by the
- 24 regional workforce board that a fair and competitive process
- 25 was used in the selection. As a condition of authorizing a
- 26 regional workforce board to designate such an entity as its
- 27 one-stop delivery system operator, the agency ~~Workforce~~
- 28 ~~Florida, Inc.~~, must require the regional workforce board to
- 29 demonstrate that safeguards are in place to ensure that the
- 30 one-stop delivery system operator will not exercise an unfair
- 31 competitive advantage or unfairly refer or direct customers of

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1 the one-stop delivery system to services provided by that  
2 one-stop delivery system operator. A regional workforce board  
3 may retain its current One-Stop Career Center operator without  
4 further procurement action where the board has established a  
5 One-Stop Career Center that has complied with federal and  
6 state law.

7 (3) The ~~Beginning October 1, 2000,~~ regional workforce  
8 boards shall enter into a memorandum of understanding with the  
9 Agency for Workforce Innovation for the delivery of employment  
10 services authorized by the federal Wagner-Peyser Act. This  
11 memorandum of understanding must be performance based.

12 (a) Unless otherwise required by federal law, at least  
13 90 percent of the Wagner-Peyser funding must go into direct  
14 customer service costs.

15 (b) Employment services funded by the federal  
16 Wagner-Peyser Act must be provided through the one-stop  
17 delivery system, under the guidance of one-stop delivery  
18 system operators. One-stop delivery system operators shall  
19 have overall authority for directing the staff of the  
20 workforce system. Personnel matters shall remain under the  
21 ultimate authority of the Agency for Workforce Innovation.  
22 However, the one-stop delivery system operator shall submit to  
23 the agency information concerning the job performance of  
24 agency employees who deliver employment services. The agency  
25 shall consider any such information submitted by the one-stop  
26 delivery system operator in conducting performance appraisals  
27 of the employees.

28 (c) The agency shall retain fiscal responsibility and  
29 accountability for the administration of funds allocated to  
30 the state under the Wagner-Peyser Act. An agency employee who  
31 is providing services authorized under the Wagner-Peyser Act

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1 shall be paid using Wagner-Peyser Act funds.

2 (4) One-stop delivery system partners shall enter into  
3 a memorandum of understanding pursuant to Pub. L. No. 105-220,  
4 Title I, s. 121, with the regional workforce board. Failure of  
5 a local partner to participate cannot unilaterally block the  
6 majority of partners from moving forward with their one-stop  
7 delivery system, and the agency ~~Workforce Florida, Inc.~~,  
8 pursuant to s. 445.004(5)(e), may make notification of a local  
9 partner that fails to participate.

10 (5) To the extent possible, regional workforce boards  
11 shall include as partners in the local one-stop delivery  
12 system entities that provide programs or activities designed  
13 to meet the needs of homeless persons.

14 (6)(a) To the extent possible, core services, as  
15 defined by Pub. L. No. 105-220, shall be provided  
16 electronically, using existing systems. These electronic  
17 systems shall be linked and integrated into a comprehensive  
18 service system to simplify access to core services by:

19 1. Maintaining staff to serve as the first point of  
20 contact with the public seeking access to employment services  
21 who are knowledgeable about each program located in each  
22 one-stop delivery system center as well as related services.  
23 An initial determination of the programs for which a customer  
24 is likely to be eligible and any referral for a more thorough  
25 eligibility determination must be made at this first point of  
26 contact; and

27 2. Establishing an automated, integrated intake  
28 screening and eligibility process where customers will provide  
29 information through a self-service intake process that may be  
30 accessed by staff from any participating program.

31 (b) To expand electronic capabilities, the agency

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1 ~~Workforce Florida, Inc.~~, working with regional workforce  
2 boards, shall develop a centralized help center to assist  
3 regional workforce boards in fulfilling core services,  
4 minimizing the need for fixed-site one-stop delivery system  
5 centers.

6 (c) To the extent feasible, core services shall be  
7 accessible through the Internet. Through this technology, core  
8 services shall be made available at public libraries, public  
9 and private educational institutions, community centers,  
10 kiosks, neighborhood facilities, and satellite one-stop  
11 delivery system sites. Each regional workforce board's web  
12 page shall serve as a portal for contacting potential  
13 employees by integrating the placement efforts of universities  
14 and private companies, including staffing services firms, into  
15 the existing one-stop delivery system.

16 (7) Intensive services and training provided pursuant  
17 to Pub. L. No. 105-220, shall be provided to individuals  
18 through Intensive Service Accounts and Individual Training  
19 Accounts. The agency ~~Workforce Florida, Inc.~~, shall develop an  
20 implementation plan, including identification of initially  
21 eligible training providers, transition guidelines, and  
22 criteria for use of these accounts. Individual Training  
23 Accounts must be compatible with Individual Development  
24 Accounts for education allowed in federal and state welfare  
25 reform statutes.

26 (8)(a) Individual Training Accounts must be expended  
27 on programs that prepare people to enter high-wage occupations  
28 identified by the Workforce Estimating Conference created by  
29 s. 216.136, and on other programs as approved by the agency  
30 ~~Workforce Florida, Inc.~~

31 (b) For each approved training program, regional

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1 workforce boards, in consultation with training providers,  
2 shall establish a fair-market purchase price to be paid  
3 through an Individual Training Account. The purchase price  
4 must be based on prevailing costs and reflect local economic  
5 factors, program complexity, and program benefits, including  
6 time to beginning of training and time to completion. The  
7 price shall ensure the fair participation of public and  
8 nonpublic postsecondary educational institutions as authorized  
9 service providers and shall prohibit the use of unlawful  
10 remuneration to the student in return for attending an  
11 institution. Unlawful remuneration does not include student  
12 financial assistance programs.

13 (c) The agency ~~Workforce Florida, Inc.,~~ shall  
14 periodically review Individual Training Account pricing  
15 schedules developed by regional workforce boards and present  
16 findings and recommendations for process improvement to the  
17 President of the Senate and the Speaker of the House of  
18 Representatives.

19 (d) To the maximum extent possible, training providers  
20 shall use funding sources other than the funding provided  
21 under Pub. L. No. 105-220. The agency ~~Workforce Florida, Inc.,~~  
22 shall develop a system to encourage the leveraging of  
23 appropriated resources for the workforce system and shall  
24 report on such efforts as part of the required annual report.

25 (e) Training services provided through Individual  
26 Training Accounts must be performance-based, with successful  
27 job placement triggering full payment.

28 (f) The accountability measures to be used in  
29 documenting competencies acquired by the participant during  
30 training shall be literacy completion points and occupational  
31 completion points. Literacy completion points refers to the

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1 academic or workforce readiness competencies that qualify a  
2 person for further basic education, career education, or for  
3 employment. Occupational completion points refers to the  
4 career competencies that qualify a person to enter an  
5 occupation that is linked to a career program.

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

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

25 1. The Unemployment Compensation Program of the Agency  
26 for Workforce Innovation.

27 2. The public employment service described in s.  
28 443.181.

29 3. The FLORIDA System and the components related to  
30 WAGES, food stamps, and Medicaid eligibility.

31 4. The Student Financial Assistance System of the



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1 Department of Education.

2           5. Enrollment in the public postsecondary education  
3 system.

4           6. Other information systems determined appropriate by  
5 the agency ~~Workforce Florida, Inc.~~

6           (10) To the maximum extent feasible, the one-stop  
7 delivery system may use private sector staffing services firms  
8 in the provision of workforce services to individuals and  
9 employers in the state. Regional workforce boards may  
10 collaborate with staffing services firms in order to  
11 facilitate the provision of workforce services. Regional  
12 workforce boards may contract with private sector staffing  
13 services firms to design programs that meet the employment  
14 needs of the region. All such contracts must be  
15 performance-based and require a specific period of job tenure  
16 prior to payment.

17           Section 37. Section 445.011, Florida Statutes, is  
18 amended to read:

19           445.011 Workforce information systems.--~~(1)~~ The  
20 agency ~~Workforce Florida, Inc.~~, shall implement, subject to  
21 legislative appropriation, automated information systems that  
22 are necessary for the efficient and effective operation and  
23 management of the workforce development system. These  
24 information systems shall include, but need not be limited to,  
25 the following:

26           (1)~~(a)~~ An integrated management system for the  
27 one-stop service delivery system, which includes, at a  
28 minimum, common registration and intake, screening for needs  
29 and benefits, case planning and tracking, training benefits  
30 management, service and training provider management,  
31 performance reporting, executive information and reporting,

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1 and customer-satisfaction tracking and reporting.

2       (a)1- The system should report current budgeting,  
3 expenditure, and performance information for assessing  
4 performance related to outcomes, service delivery, and  
5 financial administration for workforce programs pursuant to s.  
6 445.004(5) and (9).

7       (b)2- The information system should include auditable  
8 systems and controls to ensure financial integrity and valid  
9 and reliable performance information.

10       (c)3- The system should support service integration  
11 and case management by providing for case tracking for  
12 participants in welfare transition programs.

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

16       (a)1- Skill match information, including skill gap  
17 analysis; resume creation; job order creation; skill tests;  
18 job search by area, employer type, and employer name; and  
19 training provider linkage;

20       (b)2- Job market information based on surveys,  
21 including local, state, regional, national, and international  
22 occupational and job availability information; and

23       (c)3- Service provider information, including  
24 education and training providers, child care facilities and  
25 related information, health and social service agencies, and  
26 other providers of services that would be useful to job  
27 seekers.

28       ~~(2) In procuring workforce information systems,~~  
29 ~~Workforce Florida, Inc., shall employ competitive processes,~~  
30 ~~including requests for proposals, competitive negotiation, and~~  
31 ~~other competitive processes to ensure that the procurement~~

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1 ~~results in the most cost-effective investment of state funds.~~  
 2 ~~(3) Workforce Florida, Inc., may procure independent~~  
 3 ~~verification and validation services associated with~~  
 4 ~~developing and implementing any workforce information system.~~  
 5 ~~(4) Workforce Florida, Inc., shall coordinate~~  
 6 ~~development and implementation of workforce information~~  
 7 ~~systems with the state's Chief Information Officer in the~~  
 8 ~~State Technology Office to ensure compatibility with the~~  
 9 ~~state's information system strategy and enterprise~~  
 10 ~~architecture.~~

11 Section 38. Subsections (1) and (3) of section  
 12 445.014, Florida Statutes, are amended to read:

13 445.014 Small business workforce service initiative.--

14 (1) Subject to legislative appropriation, the agency  
 15 ~~Workforce Florida, Inc.~~, shall establish a program to  
 16 encourage regional workforce development boards to establish  
 17 one-stop delivery systems that maximize the provision of  
 18 workforce and human-resource support services to small  
 19 businesses. Under the program, a regional workforce board may  
 20 apply, on a competitive basis, for funds to support the  
 21 provision of such services to small businesses through the  
 22 region's one-stop delivery system.

23 (3) The agency ~~Workforce Florida, Inc.~~, shall  
 24 establish guidelines governing the administration of this  
 25 program and shall establish criteria to be used in evaluating  
 26 applications for funding. Such criteria must include, but need  
 27 not be limited to, a showing that the regional board has in  
 28 place a detailed plan for establishing a one-stop delivery  
 29 system designed to meet the workforce needs of small  
 30 businesses and for leveraging other funding sources in support  
 31 of such activities.

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1           Section 39. Subsection (5) of section 445.016, Florida  
2 Statutes, is amended to read:

3           445.016 Untried Worker Placement and Employment  
4 Incentive Act.--

5           (5) Incentives must be paid according to the incentive  
6 schedule developed by ~~Workforce Florida, Inc.~~, the agency ~~for~~  
7 ~~Workforce Development~~, and the Department of Children and  
8 Family Services which costs the state less per placement than  
9 the state's 12-month expenditure on a welfare recipient.

10          Section 40. Subsections (1) and (6) of section  
11 445.017, Florida Statutes, are amended to read:

12          445.017 Diversion.--

13          (1) ~~Many~~ Customers under the Welfare Transition  
14 Assistance initiative ~~of the one-stop delivery system~~ do not  
15 need ongoing temporary cash assistance, but, due to an  
16 unexpected circumstance or emergency situation, require some  
17 immediate assistance to secure or retain employment or child  
18 support. These immediate obligations may include a shelter or  
19 utility payment, a car repair to continue employment, or other  
20 services that will alleviate the applicant's emergency  
21 financial need and allow the person to focus on obtaining or  
22 continuing employment.

23          (6) The Department of Children and Family Services may  
24 adopt rules governing the administration of this section and  
25 may establish guidelines for screening criteria, referrals to  
26 community resources, restrictions on receipt of up-front  
27 diversion and transitional services, definitions of emergency  
28 services, verification requirements, and processing  
29 timeframes.

30          Section 41. Subsections (2) and (4) of section  
31 445.021, Florida Statutes, are amended to read:

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1 445.021 Relocation assistance program.--

2 (2) The relocation assistance program shall involve  
3 five steps by the regional workforce board, in cooperation  
4 with the Department of Children and Family Services:

5 (a) A determination that the family is receiving  
6 temporary cash assistance or that all requirements of  
7 eligibility for diversion services would likely be met.

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

12 1. Is unlikely to achieve economic self-sufficiency at  
13 the current community of residence;

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

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

19 4. Is determined, pursuant to criteria or procedures  
20 established by the agency or the Department of Children and  
21 Family Services ~~board of directors of Workforce Florida, Inc.,~~

22 to be a victim of domestic violence who would experience  
23 reduced probability of further incidents through relocation;  
24 or

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

28 (c) Establishment of a relocation plan that includes  
29 such requirements as are necessary to prevent abuse of the  
30 benefit and provisions to protect the safety of victims of  
31 domestic violence and avoid provisions that place them in

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1 anticipated danger. The payment to defray relocation expenses  
2 shall be determined based on criteria approved by the agency  
3 ~~board of directors of Workforce Florida, Inc.~~ Participants in  
4 the relocation program shall be eligible for diversion or  
5 transitional benefits.

6 (d) A determination, pursuant to rules ~~criteria~~  
7 adopted by the agency ~~board of directors of Workforce Florida,~~  
8 ~~Inc.~~, that a community receiving a relocated family has the  
9 capacity to provide needed services and employment  
10 opportunities.

11 (e) Monitoring the relocation.

12 (4) The agency ~~board of directors of Workforce~~  
13 ~~Florida, Inc.~~, may establish criteria for developing and  
14 implementing relocation plans and for drafting agreements to  
15 restrict a family from applying for temporary cash assistance  
16 for a specified period after receiving a relocation assistance  
17 payment.

18 Section 42. Section 445.022, Florida Statutes, is  
19 amended to read:

20 445.022 Retention Incentive Training Accounts.--To  
21 promote job retention and to enable upward job advancement  
22 into higher skilled, higher paying employment, the agency ~~the~~  
23 ~~board of directors of Workforce Florida, Inc.~~, and regional  
24 workforce boards may assemble, from postsecondary education  
25 institutions, a list of programs and courses for participants  
26 who have become employed which promote job retention and  
27 advancement.

28 (1) The agency ~~board of directors of Workforce~~  
29 ~~Florida, Inc.~~, may establish Retention Incentive Training  
30 Accounts (RITAs). RITAs shall utilize Temporary Assistance to  
31 Needy Families (TANF) block grant funds specifically

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1 appropriated for this purpose. RITAs must complement the  
2 Individual Training Account required by the federal Workforce  
3 Investment Act of 1998, Pub. L. No. 105-220.

4 (2) RITAs may pay for tuition, fees, educational  
5 materials, coaching and mentoring, performance incentives,  
6 transportation to and from courses, child care costs during  
7 education courses, and other such costs as the regional  
8 workforce boards determine are necessary to effect successful  
9 job retention and advancement.

10 (3) Regional workforce boards shall retain only those  
11 courses that continue to meet their performance standards as  
12 established in their local plan.

13 (4) Regional workforce boards shall report annually to  
14 the Legislature on the measurable retention and advancement  
15 success of each program provider and the effectiveness of  
16 RITAs, making recommendations for any needed changes or  
17 modifications.

18 Section 43. Section 445.024, Florida Statutes, is  
19 amended to read:

20 445.024 Work requirements.--

21 (1) WORK ACTIVITIES.--The Agency for Workforce  
22 Innovation may develop activities under each of the following  
23 categories of work activities. The following categories of  
24 work activities, based on federal law and regulations, may be  
25 used individually or in combination to satisfy the work  
26 requirements for a participant in the temporary cash  
27 assistance program. The work activities must meet the  
28 respective federal definitions.+

29 (a) Unsubsidized employment; ~~Unsubsidized employment~~  
30 ~~is full-time employment or part-time employment that is not~~  
31 ~~directly supplemented by federal or state funds. Paid~~

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1 ~~apprenticeship and cooperative education activities are~~  
2 ~~included in this activity.~~

3 (b) Subsidized private-sector ~~private sector~~  
4 ~~employment;.~~ ~~Subsidized private sector employment is~~  
5 ~~employment in a private for-profit enterprise or a private~~  
6 ~~not-for-profit enterprise which is directly supplemented by~~  
7 ~~federal or state funds. A subsidy may be provided in one or~~  
8 ~~more of the forms listed in this paragraph.~~

9 1. ~~Work supplementation.~~ ~~A work supplementation~~  
10 ~~subsidy diverts a participant's temporary cash assistance~~  
11 ~~under the program to the employer. The employer must pay the~~  
12 ~~participant wages that equal or exceed the applicable federal~~  
13 ~~minimum wage. Work supplementation may not exceed 6 months. At~~  
14 ~~the end of the supplementation period, the employer is~~  
15 ~~expected to retain the participant as a regular employee~~  
16 ~~without receiving a subsidy. A work supplementation agreement~~  
17 ~~may not be continued with any employer who exhibits a pattern~~  
18 ~~of failing to provide participants with continued employment~~  
19 ~~after the period of work supplementation ends.~~

20 2. ~~On-the-job training.~~ ~~On-the-job training is~~  
21 ~~full-time, paid employment in which the employer or an~~  
22 ~~educational institution, in cooperation with the employer,~~  
23 ~~provides training needed for the participant to perform the~~  
24 ~~skills required for the position. The employer or the~~  
25 ~~educational institution on behalf of the employer receives a~~  
26 ~~subsidy to offset the cost of the training provided to the~~  
27 ~~participant. Upon satisfactory completion of the training, the~~  
28 ~~employer is expected to retain the participant as a regular~~  
29 ~~employee without receiving a subsidy. An on-the-job training~~  
30 ~~agreement may not be continued with any employer who exhibits~~  
31 ~~a pattern of failing to provide participants with continued~~



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1 ~~employment after the on-the-job training subsidy ends.~~

2       ~~3. Incentive payments.--Regional workforce boards may~~  
3 ~~provide additional incentive payments to encourage employers~~  
4 ~~to employ program participants. Incentive payments may include~~  
5 ~~payments to encourage the employment of hard-to-place~~  
6 ~~participants, in which case the amount of the payment shall be~~  
7 ~~weighted proportionally to the extent to which the participant~~  
8 ~~has limitations associated with the long-term receipt of~~  
9 ~~welfare and difficulty in sustaining employment. Incentive~~  
10 ~~payments may also include payments to encourage employers to~~  
11 ~~provide health care insurance benefits to current or former~~  
12 ~~program participants. In establishing incentive payments,~~  
13 ~~regional workforce boards shall consider the extent of prior~~  
14 ~~receipt of welfare, lack of employment experience, lack of~~  
15 ~~education, lack of job skills, and other appropriate factors.~~  
16 ~~A participant who has complied with program requirements and~~  
17 ~~who is approaching the time limit for receiving temporary cash~~  
18 ~~assistance may be defined as "hard to place." Incentive~~  
19 ~~payments may include payments in which an initial payment is~~  
20 ~~made to the employer upon the employment of a participant, and~~  
21 ~~the majority of the incentive payment is made after the~~  
22 ~~employer retains the participant as a full-time employee for~~  
23 ~~at least 12 months. An incentive agreement may not be~~  
24 ~~continued with any employer who exhibits a pattern of failing~~  
25 ~~to provide participants with continued employment after the~~  
26 ~~incentive payments cease.~~

27       ~~4. Tax credits.--An employer who employs a program~~  
28 ~~participant may qualify for enterprise zone property tax~~  
29 ~~credits under s. 220.182, the tax refund program for qualified~~  
30 ~~target industry businesses under s. 288.106, or other federal~~  
31 ~~or state tax benefits. The regional workforce board shall~~

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~~provide information and assistance, as appropriate, to use such credits to accomplish program goals.~~

~~5. Training bonus. An employer who hires a participant in the welfare transition program and pays the participant a wage that precludes the participant's eligibility for temporary cash assistance may receive \$250 for each full month of employment for a period that may not exceed 3 months. An employer who receives a training bonus for an employee may not receive a work supplementation subsidy for the same employee. "Employment" is defined as 35 hours per week at a wage of no less than minimum wage.~~

~~(c) Subsidized public-sector public sector employment;--Subsidized public sector employment is employment by an agency of the federal, state, or local government which is directly supplemented by federal or state funds. The applicable subsidies provided under paragraph (b) may be used to subsidize employment in the public sector, except that priority for subsidized employment shall be employment in the private sector. Public sector employment is distinguished from work experience in that the participant is paid wages and receives the same benefits as a nonsubsidized employee who performs similar work. Work study activities administered by educational institutions are included in this activity.~~

~~(d) On-the-job training;~~

~~(e)(d) Community service programs work experience;--Community service work experience is job training experience at a supervised public or private not-for-profit agency. A participant shall receive temporary cash assistance in the form of wages, which, when combined with the value of food stamps awarded to the participant, is~~

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1 ~~proportional to the amount of time worked. A participant in~~  
2 ~~the welfare transition program or the Food Stamp Employment~~  
3 ~~and Training program assigned to community service work~~  
4 ~~experience shall be deemed an employee of the state for~~  
5 ~~purposes of workers' compensation coverage and is subject to~~  
6 ~~the requirements of the drug-free workplace program. Community~~  
7 ~~service work experience may be selected as an activity for a~~  
8 ~~participant who needs to increase employability by improving~~  
9 ~~his or her interpersonal skills, job-retention skills, stress~~  
10 ~~management, and job problem solving, and by learning to attain~~  
11 ~~a balance between job and personal responsibilities. Community~~  
12 ~~service is intended to:~~

13 ~~1. Assess compliance with requirements of the welfare~~  
14 ~~transition program before referral of the participant to~~  
15 ~~costly services such as career education;~~

16 ~~2. Maintain work activity status while the participant~~  
17 ~~awaits placement into paid employment or training;~~

18 ~~3. Fulfill a clinical practicum or internship~~  
19 ~~requirement related to employment; or~~

20 ~~4. Provide work-based mentoring.~~

21  
22 ~~As used in this paragraph, the terms "community service~~  
23 ~~experience," "community work," and "workfare" are synonymous.~~

24 ~~(f)(e) Work experience;--Work experience is an~~  
25 ~~appropriate work activity for participants who lack~~  
26 ~~preparation for or experience in the workforce. It must~~  
27 ~~combine a job training activity in a public or private~~  
28 ~~not-for-profit agency with education and training related to~~  
29 ~~an employment goal. To qualify as a work activity, work~~  
30 ~~experience must include education and training in addition to~~  
31 ~~the time required by the work activity, and the work activity~~

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1 ~~must be intensively supervised and structured. Regional~~  
2 ~~workforce boards shall contract for any services provided for~~  
3 ~~clients who are assigned to this activity and shall require~~  
4 ~~performance benchmarks, goals, outcomes, and time limits~~  
5 ~~designed to assure that the participant moves toward full-time~~  
6 ~~paid employment. A participant shall receive temporary cash~~  
7 ~~assistance proportional to the time worked. A participant~~  
8 ~~assigned to work experience is an employee of the state for~~  
9 ~~purposes of workers' compensation coverage and is subject to~~  
10 ~~the requirements of the drug-free workplace program.~~

11 ~~(g)(f) Job search and job readiness assistance; Job~~  
12 ~~search assistance may include supervised or unsupervised~~  
13 ~~job-seeking activities. Job readiness assistance provides~~  
14 ~~support for job-seeking activities, which may include:~~

15 ~~1. Orientation to the world of work and basic~~  
16 ~~job-seeking and job retention skills.~~

17 ~~2. Instruction in completing an application for~~  
18 ~~employment and writing a resume.~~

19 ~~3. Instruction in conducting oneself during a job~~  
20 ~~interview, including appropriate dress.~~

21 ~~4. Instruction in how to retain a job, plan a career,~~  
22 ~~and perform successfully in the workplace.~~

23  
24 ~~Job readiness assistance may also include providing a~~  
25 ~~participant with access to an employment resource center that~~  
26 ~~contains job listings, telephones, facsimile machines,~~  
27 ~~typewriters, and word processors. Job search and job readiness~~  
28 ~~activities may be used in conjunction with other program~~  
29 ~~activities, such as work experience, but may not be the~~  
30 ~~primary work activity for longer than the length of time~~  
31 ~~permitted under federal law.~~

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1        ~~(h)(g) Vocational educational career education or~~  
2        ~~training; i. -- Career education or training is education or~~  
3        ~~training designed to provide participants with the skills and~~  
4        ~~certification necessary for employment in an occupational~~  
5        ~~area. Career education or training may be used as a primary~~  
6        ~~program activity for participants when it has been determined~~  
7        ~~that the individual has demonstrated compliance with other~~  
8        ~~phases of program participation and successful completion of~~  
9        ~~the career education or training is likely to result in~~  
10       ~~employment entry at a higher wage than the participant would~~  
11       ~~have been likely to attain without completion of the career~~  
12       ~~education or training. Career education or training may be~~  
13       ~~combined with other program activities and also may be used to~~  
14       ~~upgrade skills or prepare for a higher paying occupational~~  
15       ~~area for a participant who is employed.~~

16        ~~1. Unless otherwise provided in this section, career~~  
17        ~~education shall not be used as the primary program activity~~  
18        ~~for a period which exceeds 12 months. The 12-month restriction~~  
19        ~~applies to instruction in a career education program and does~~  
20        ~~not include remediation of basic skills, including English~~  
21        ~~language proficiency, if remediation is necessary to enable a~~  
22        ~~participant to benefit from a career education program. Any~~  
23        ~~necessary remediation must be completed before a participant~~  
24        ~~is referred to career education as the primary work activity.~~  
25        ~~In addition, use of career education or training shall be~~  
26        ~~restricted to the limitation established in federal law.~~  
27        ~~Career education included in a program leading to a high~~  
28        ~~school diploma shall not be considered career education for~~  
29        ~~purposes of this section.~~

30        ~~2. When possible, a provider of career education or~~  
31        ~~training shall use funds provided by funding sources other~~

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1 ~~than the regional workforce board. The regional workforce~~  
2 ~~board may provide additional funds to a career education or~~  
3 ~~training provider only if payment is made pursuant to a~~  
4 ~~performance-based contract. Under a performance-based~~  
5 ~~contract, the provider may be partially paid when a~~  
6 ~~participant completes education or training, but the majority~~  
7 ~~of payment shall be made following the participant's~~  
8 ~~employment at a specific wage or job retention for a specific~~  
9 ~~duration. Performance-based payments made under this~~  
10 ~~subparagraph are limited to education or training for targeted~~  
11 ~~occupations identified by the Workforce Estimating Conference~~  
12 ~~under s. 216.136, or other programs identified by Workforce~~  
13 ~~Florida, Inc., as beneficial to meet the needs of designated~~  
14 ~~groups who are hard to place. If the contract pays the full~~  
15 ~~cost of training, the community college or school district may~~  
16 ~~not report the participants for other state funding.~~

17       ~~(i)(h)~~ Job skills training directly related to  
18 employment; ~~--Job skills training includes customized training~~  
19 ~~designed to meet the needs of a specific employer or a~~  
20 ~~specific industry. Job skills training shall include literacy~~  
21 ~~instruction, and may include English proficiency instruction~~  
22 ~~or Spanish language or other language instruction if necessary~~  
23 ~~to enable a participant to perform in a specific job or job~~  
24 ~~training program or if the training enhances employment~~  
25 ~~opportunities in the local community. A participant may be~~  
26 ~~required to complete an entrance assessment or test before~~  
27 ~~entering into job skills training.~~

28       ~~(j)(i)~~ Education directly related to employment;  
29 ~~services related to employment for participants 19 years of~~  
30 ~~age or younger. Education services provided under this~~  
31 ~~paragraph are designed to prepare a participant for employment~~

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~~in an occupation. The agency shall coordinate education services with the school-to-work activities provided under s. 1006.02. Activities provided under this paragraph are restricted to participants 19 years of age or younger who have not completed high school or obtained a high school equivalency diploma.~~

(k) Satisfactory attendance at secondary school or in a course of study leading to a graduate equivalency diploma; or

~~(j) School attendance.--Attendance at a high school or attendance at a program designed to prepare the participant to receive a high school equivalency diploma is a required program activity for each participant 19 years of age or younger who:~~

~~1. Has not completed high school or obtained a high school equivalency diploma;~~

~~2. Is a dependent child or a head of household; and~~

~~3. For whom it has not been determined that another program activity is more appropriate.~~

~~(k) Teen parent services.--Participation in medical, educational, counseling, and other services that are part of a comprehensive program is a required activity for each teen parent who participates in the welfare transition program.~~

~~(l) Extended education and training.--Notwithstanding any other provisions of this section to the contrary, the board of directors of Workforce Florida, Inc., may approve a plan by a regional workforce board for assigning, as work requirements, educational activities that exceed or are not included in those provided elsewhere in this section and that do not comply with federal work participation requirement limitations. In order to be eligible to implement this~~

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~~provision, a regional workforce board must continue to exceed the overall federal work participation rate requirements. For purposes of this paragraph, the board of directors of Workforce Florida, Inc., may adjust the regional participation requirement based on regional caseload decline. However, this adjustment is limited to no more than the adjustment produced by the calculation used to generate federal adjustments to the participation requirement due to caseload decline.~~

~~(m) GED preparation and literacy education. Satisfactory attendance at secondary school or in a course of study leading to a graduate equivalency diploma, if a participant has not completed secondary school or received such a diploma. English language proficiency training may be included as a part of the education if it is deemed the individual requires such training to complete secondary school or to attain a graduate equivalency diploma. To calculate countable hours attributable to education, a participant may earn study credits equal to the number of actual hours spent in formal training per week, but the total number of hours earned for actual hours spent in formal training and studying may not exceed a one to one and one-half ratio for the week. Countable hours are subject to the restrictions contained in 45 C.F.R. s. 261.31.~~

~~(1)(m) Providing child care services.--Providing child care services to an individual who is participating in a community service program pursuant to this section.~~

(2) WORK ACTIVITY REQUIREMENTS.--Each individual who is not otherwise exempt from work activity requirements must participate in a work activity, ~~except for community service work experience~~, for the maximum number of hours allowable under federal law; ~~however, a, provided that no participant~~



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1 may not be required to work more than 40 hours per week ~~or~~  
2 ~~less than the minimum number of hours required by federal law.~~  
3 The maximum number of hours each month that a family  
4 ~~participant~~ may be required to participate in community  
5 service or work experience programs ~~activities~~ is ~~the greater~~  
6 ~~of:~~ the number of hours that would result from dividing the  
7 family's monthly amount for temporary cash assistance and food  
8 stamps by the applicable ~~federal~~ minimum wage ~~and then~~  
9 ~~dividing that result by the number of participants in the~~  
10 ~~family who participate in community service activities, or the~~  
11 ~~minimum required to meet federal participation requirements.~~  
12 However, ~~in no case shall~~ the maximum hours required per week  
13 for community service or work experience may not exceed 40  
14 hours. ~~An applicant shall be referred for employment at the~~  
15 ~~time of application if the applicant is eligible to~~  
16 ~~participate in the welfare transition program.~~

17 (a) A participant in a work activity may also be  
18 required to enroll in and attend a course of instruction  
19 designed to increase literacy skills to a level necessary for  
20 obtaining or retaining employment ~~if, provided that~~ the  
21 instruction plus the work activity does not require more than  
22 40 hours per week.

23 (b) Program funds may be used, as available, to  
24 support the efforts of a participant who meets the work  
25 activity requirements and who wishes to enroll in or continue  
26 enrollment in an adult general education program or other  
27 training programs ~~a career education program.~~

28 (3) EXEMPTION FROM WORK ACTIVITY REQUIREMENTS.--The  
29 following individuals are exempt from work activity  
30 requirements:

31 ~~(a) A minor child under 16 years of age.~~

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1        ~~(a)(b)~~ An individual who receives benefits under the  
2 Supplemental Security Income program or the Social Security  
3 Disability Insurance program.

4        ~~(b)(e)~~ Adults who are not defined as work-eligible  
5 individuals under federal law ~~included in the calculation of~~  
6 ~~temporary cash assistance in child-only cases.~~

7        ~~(c)(d)~~ A single ~~One~~ custodial parent of ~~with~~ a child  
8 under 3 months of age, except that the parent may be required  
9 to attend parenting classes or other activities to better  
10 prepare for the responsibilities of raising a child. ~~If the~~  
11 ~~custodial parent is 19 years of age or younger and has not~~  
12 ~~completed high school or the equivalent, he or she may be~~  
13 ~~required to attend school or other appropriate educational~~  
14 ~~activities.~~

15        ~~(d)(e)~~ An individual who is exempt from the time  
16 period pursuant to s. 414.105.

17        (4) PRIORITIZATION OF WORK REQUIREMENTS.--Regional  
18 workforce boards shall require participation in work  
19 activities to the maximum extent possible, subject to federal  
20 and state funding. If funds are projected to be insufficient  
21 to allow full-time work activities by all program participants  
22 who are required to participate in work activities, regional  
23 workforce boards shall screen participants and assign priority  
24 based on the following:

25        (a) In accordance with federal requirements, at least  
26 one adult in each two-parent family shall be assigned priority  
27 for full-time work activities.

28        (b) Among single-parent families, a family that has  
29 older preschool children or school-age children shall be  
30 assigned priority for work activities.

31        (c) A participant who has access to subsidized or

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1 ~~unsubsidized~~ ~~nonsubsidized~~ child care may be assigned priority  
2 for work activities.

3 (d) Priority may be assigned based on the amount of  
4 time remaining until the participant reaches the applicable  
5 time limit for program participation or may be based on  
6 requirements of a case plan.

7  
8 Regional workforce boards may limit a participant's weekly  
9 work requirement to the minimum required to meet federal work  
10 activity requirements ~~in lieu of the level defined in~~  
11 ~~subsection (2)~~. Regional workforce boards may develop  
12 screening and prioritization procedures based on the  
13 allocation of resources, the availability of community  
14 resources, the provision of supportive services, or the work  
15 activity needs of the service area ~~district~~.

16 (5) USE OF CONTRACTS.--Regional workforce boards shall  
17 provide work activities, training, and other services, as  
18 appropriate, through contracts. In contracting for work  
19 activities, training, or services, the following applies:

20 (a) A contract must be performance-based. Payment  
21 shall be tied to performance outcomes that include factors  
22 such as, but not limited to, diversion from cash assistance,  
23 job entry, job entry at a target wage, job retention, and  
24 connection to transition services rather than tied to  
25 completion of training or education or any other phase of the  
26 program participation process.

27 (b) A contract may include performance-based incentive  
28 payments that may vary according to the extent to which the  
29 participant is more difficult to place. Contract payments may  
30 be weighted proportionally to reflect the extent to which the  
31 participant has limitations associated with the long-term

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1 receipt of welfare and difficulty in sustaining employment.

2 The factors may include the extent of prior receipt of  
3 welfare, lack of employment experience, lack of education,  
4 lack of job skills, and other factors determined appropriate  
5 by the regional workforce board.

6 (c) Notwithstanding the exemption from the competitive  
7 sealed bid requirements provided in s. 287.057(5)(f) for  
8 certain contractual services, each contract awarded under this  
9 chapter must be awarded on the basis of a competitive sealed  
10 bid, except for a contract with a governmental entity as  
11 determined by the regional workforce board.

12 (d) Regional workforce boards may contract with  
13 commercial, charitable, or religious organizations. A contract  
14 must comply with federal requirements with respect to  
15 nondiscrimination and other requirements that safeguard the  
16 rights of participants. Services may be provided under  
17 contract, certificate, voucher, or other form of disbursement.

18 (e) The administrative costs associated with a  
19 contract for services provided under this section may not  
20 exceed the applicable administrative cost ceiling established  
21 in federal law. An agency or entity that is awarded a contract  
22 under this section may not charge more than 7 percent of the  
23 value of the contract for administration, unless an exception  
24 is approved by the regional workforce board. A list of any  
25 exceptions approved must be submitted to the agency board of  
26 ~~directors of Workforce Florida, Inc.~~, for review, and the  
27 agency board may rescind approval of the exception.

28 (f) Regional workforce boards may enter into contracts  
29 to provide short-term work experience for the chronically  
30 unemployed as provided in this section.

31 (g) A tax-exempt organization under s. 501(c) of the

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1 Internal Revenue Code of 1986 which receives funds under this  
2 chapter must disclose receipt of federal funds on any  
3 advertising, promotional, or other material in accordance with  
4 federal requirements.

5 (6) PROTECTIONS FOR PARTICIPANTS.--Each participant is  
6 subject to the same health, safety, and nondiscrimination  
7 standards established under federal, state, or local laws that  
8 otherwise apply to other individuals engaged in similar  
9 activities who are not participants in the welfare transition  
10 program.

11 (7) PROTECTION FOR CURRENT EMPLOYEES.--In establishing  
12 and contracting for work experience and community service  
13 activities, other work experience activities, on-the-job  
14 training, subsidized employment, and work supplementation  
15 under the welfare transition program, an employed worker may  
16 not be displaced, either completely or partially. A  
17 participant may not be assigned to an activity or employed in  
18 a position if the employer has created the vacancy or  
19 terminated an existing employee without good cause in order to  
20 fill that position with a program participant.

21 Section 44. Section 445.028, Florida Statutes, is  
22 amended to read:

23 445.028 Transitional benefits and services.--In  
24 cooperation with the agency ~~Workforce Florida, Inc.~~, the  
25 Department of Children and Family Services shall develop  
26 procedures to ensure that families leaving the temporary cash  
27 assistance program receive transitional benefits and services  
28 that will assist the family in moving toward self-sufficiency.  
29 At a minimum, such procedures must include, but are not  
30 limited to, the following:

31 (1) Each recipient of cash assistance who is

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1 determined ineligible for cash assistance for a reason other  
2 than a work activity sanction shall be contacted by the  
3 workforce system case manager and provided information about  
4 the availability of transitional benefits and services. Such  
5 contact shall be attempted prior to closure of the case  
6 management file.

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

11 (3) The department, in consultation with the agency  
12 ~~board of directors of Workforce Florida, Inc.~~, shall develop  
13 informational material, including posters and brochures, to  
14 better inform families about the availability of transitional  
15 benefits and services.

16 (4) The agency ~~Workforce Florida, Inc.~~, in cooperation  
17 with the Department of Children and Family Services shall, to  
18 the extent permitted by federal law, develop procedures to  
19 maximize the utilization of transitional Medicaid by families  
20 who leave the temporary cash assistance program.

21 Section 45. Section 445.030, Florida Statutes, is  
22 amended to read:

23 445.030 Transitional education and training.--In order  
24 to assist former recipients of temporary cash assistance who  
25 are working or actively seeking employment in continuing their  
26 training and upgrading their skills, education, or training,  
27 support services may be provided for up to 2 years after the  
28 family is no longer receiving temporary cash assistance. This  
29 section does not constitute an entitlement to transitional  
30 education and training. If funds are not sufficient to provide  
31 services under this section, the agency ~~board of directors of~~

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1 ~~Workforce Florida, Inc.,~~ may limit or otherwise prioritize  
2 transitional education and training.

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

6 (2) Regional workforce boards may authorize child care  
7 or other support services in addition to services provided in  
8 conjunction with employment. For example, a participant who is  
9 employed full time may receive subsidized child care related  
10 to that employment and may also receive additional subsidized  
11 child care in conjunction with training to upgrade the  
12 participant's skills.

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

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

25 Section 46. Section 445.033, Florida Statutes, is  
26 amended to read:

27 445.033 Evaluation.--The agency ~~board of directors of~~  
28 ~~Workforce Florida, Inc.,~~ and the Department of Children and  
29 Family Services shall arrange for evaluation of TANF-funded  
30 programs operated under this chapter, as follows:

31 (1) If required by federal waivers or other federal

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1 requirements, the agency ~~board of directors of Workforce~~  
2 ~~Florida, Inc.,~~ and the Department of Children and Family  
3 Services may provide for evaluation according to these  
4 requirements.

5 (2) The agency ~~board of directors of Workforce~~  
6 ~~Florida, Inc.,~~ and the department shall participate in the  
7 evaluation of this program in conjunction with evaluation of  
8 the state's workforce development programs or similar  
9 activities aimed at evaluating program outcomes,  
10 cost-effectiveness, or return on investment, and the impact of  
11 time limits, sanctions, and other welfare reform measures set  
12 out in this chapter. Evaluation shall also contain information  
13 on the number of participants in work experience assignments  
14 who obtain unsubsidized employment, including, but not limited  
15 to, the length of time the unsubsidized job is retained,  
16 wages, and the public benefits, if any, received by such  
17 families while in unsubsidized employment. The evaluation  
18 shall solicit the input of consumers, community-based  
19 organizations, service providers, employers, and the general  
20 public, and shall publicize, especially in low-income  
21 communities, the process for submitting comments.

22 (3) The agency ~~board of directors of Workforce~~  
23 ~~Florida, Inc.,~~ and the department may share information with  
24 and develop protocols for information exchange with the  
25 Florida Education and Training Placement Information Program.

26 (4) The agency ~~board of directors of Workforce~~  
27 ~~Florida, Inc.,~~ and the department may initiate or participate  
28 in additional evaluation or assessment activities that will  
29 further the systematic study of issues related to program  
30 goals and outcomes.

31 (5) In providing for evaluation activities, the agency



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1 ~~board of directors of Workforce Florida, Inc., and the~~  
2 ~~department~~ shall safeguard the use or disclosure of  
3 information obtained from program participants consistent with  
4 federal or state requirements. Evaluation methodologies may be  
5 used which are appropriate for evaluation of program  
6 activities, including random assignment of recipients or  
7 participants into program groups or control groups. To the  
8 extent necessary or appropriate, evaluation data shall provide  
9 information with respect to the state, district, or county, or  
10 other substate area.

11 (6) The agency ~~board of directors of Workforce~~  
12 ~~Florida, Inc., and the department~~ may contract with a  
13 qualified organization for evaluations conducted under this  
14 section.

15 Section 47. Section 445.035, Florida Statutes, is  
16 amended to read:

17 445.035 Data collection and reporting.--The Department  
18 of Children and Family Services and the agency ~~board of~~  
19 ~~directors of Workforce Florida, Inc.,~~ shall collect data  
20 necessary to administer this chapter and make the reports  
21 required under federal law to the United States Department of  
22 Health and Human Services and the United States Department of  
23 Agriculture.

24 Section 48. Section 445.038, Florida Statutes, is  
25 amended to read:

26 445.038 Digital media; job training.--~~Workforce~~  
27 ~~Florida, Inc., through~~ The Agency for Workforce Innovation,  
28 may use funds dedicated for Incumbent Worker Training for the  
29 digital media industry. Training may be provided by public or  
30 private training providers for broadband digital media jobs  
31 listed on the targeted occupations list developed by the

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1 Workforce Estimating Conference or the agency ~~Workforce~~  
2 ~~Florida, Inc.~~ Programs that operate outside the normal  
3 semester time periods and coordinate the use of industry and  
4 public resources should be given priority status for funding.

5 Section 49. Section 445.045, Florida Statutes, is  
6 amended to read:

7 445.045 Development of an Internet-based system for  
8 information technology industry promotion and workforce  
9 recruitment.--

10 (1) The agency ~~Workforce Florida, Inc.~~, is responsible  
11 for directing the development and maintenance of a website  
12 that promotes and markets the information technology industry  
13 in this state. The website shall be designed to inform the  
14 public concerning the scope of the information technology  
15 industry in the state and shall also be designed to address  
16 the workforce needs of the industry. The website shall  
17 include, through links or actual content, information  
18 concerning information technology businesses in this state,  
19 including links to such businesses; information concerning  
20 employment available at these businesses; and the means by  
21 which a job seeker may post a resume on the website.

22 (2) The agency ~~Workforce Florida, Inc.~~, shall  
23 coordinate with the State Technology Office and the Agency for  
24 Workforce Innovation to ensure links, where feasible and  
25 appropriate, to existing job information websites maintained  
26 by the state and state agencies and to ensure that information  
27 technology positions offered by the state and state agencies  
28 are posted on the information technology website.

29 (3) The agency ~~Workforce Florida, Inc.~~, shall ensure  
30 that the website developed and maintained under this section  
31 is consistent, compatible, and coordinated with the workforce

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1 information systems required under s. 445.011, including, but  
2 not limited to, the automated job-matching information system  
3 for employers, job seekers, and other users.

4 (4)(a) The agency ~~Workforce Florida, Inc.~~, shall  
5 coordinate development and maintenance of the website under  
6 this section with the state's Chief Information Officer in the  
7 State Technology Office to ensure compatibility with the  
8 state's information system strategy and enterprise  
9 architecture.

10 (b) The agency ~~Workforce Florida, Inc.~~, may enter into  
11 an agreement with the State Technology Office, ~~the Agency for~~  
12 ~~Workforce Innovation~~, or any other public agency with the  
13 requisite information technology expertise for the provision  
14 of design, operating, or other technological services  
15 necessary to develop and maintain the website.

16 (c) The agency ~~Workforce Florida, Inc.~~, may procure  
17 services necessary to implement the provisions of this  
18 section, if it employs competitive processes, including  
19 requests for proposals, competitive negotiation, and other  
20 competitive processes to ensure that the procurement results  
21 in the most cost-effective investment of state funds.

22 (5) In furtherance of the requirements of this section  
23 that the website promote and market the information technology  
24 industry by communicating information on the scope of the  
25 industry in this state, the agency ~~Workforce Florida, Inc.~~,  
26 shall coordinate its efforts with the high-technology industry  
27 marketing efforts of Enterprise Florida, Inc., under s.  
28 288.911. Through links or actual content, the website  
29 developed under this section shall serve as a forum for  
30 distributing the marketing campaign developed by Enterprise  
31 Florida, Inc., under s. 288.911. In addition, the agency

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1 ~~Workforce Florida, Inc.~~, shall solicit input from the  
2 not-for-profit corporation created to advocate on behalf of  
3 the information technology industry as an outgrowth of the  
4 Information Service Technology Development Task Force created  
5 under chapter 99-354, Laws of Florida.

6 ~~(6) In fulfilling its responsibilities under this~~  
7 ~~section, Workforce Florida, Inc., may enlist the assistance of~~  
8 ~~and act through the Agency for Workforce Innovation. The~~  
9 ~~agency is authorized and directed to provide the services that~~  
10 ~~Workforce Florida, Inc., and the agency consider necessary to~~  
11 ~~implement this section.~~

12 Section 50. Section 445.048, Florida Statutes, is  
13 amended to read:

14 445.048 Passport to Economic Progress program.--

15 (1) AUTHORIZATION.--Notwithstanding any law to the  
16 contrary, the agency ~~Workforce Florida, Inc.~~, in conjunction  
17 with the Department of Children and Family Services ~~and the~~  
18 ~~Agency for Workforce Innovation~~, shall implement a Passport to  
19 Economic Progress program consistent with the provisions of  
20 this section. The agency ~~Workforce Florida, Inc.~~, may  
21 designate regional workforce boards to participate in the  
22 program. Expenses for the program may come from appropriated  
23 revenues or from funds otherwise available to a regional  
24 workforce board which may be legally used for such purposes.  
25 The agency ~~Workforce Florida, Inc.~~, must consult with the  
26 applicable regional workforce boards and the applicable local  
27 offices of the Department of Children and Family Services  
28 which serve the program areas and must encourage community  
29 input into the implementation process.

30 (2) WAIVERS.--If the agency ~~Workforce Florida, Inc.~~,  
31 in consultation with the Department of Children and Family

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1 Services, finds that federal waivers would facilitate  
2 implementation of the program, the department shall  
3 immediately request such waivers, and the agency ~~Workforce~~  
4 ~~Florida, Inc.~~, shall report to the Governor, the President of  
5 the Senate, and the Speaker of the House of Representatives if  
6 any refusal of the Federal Government to grant such waivers  
7 prevents the implementation of the program. If the agency  
8 ~~Workforce Florida, Inc.~~, finds that federal waivers to  
9 provisions of the Food Stamp Program would facilitate  
10 implementation of the program, the Department of Children and  
11 Family Services shall immediately request such waivers in  
12 accordance with s. 414.175.

13 (3) TRANSITIONAL BENEFITS AND SERVICES.--In order to  
14 assist them in making the transition to economic  
15 self-sufficiency, former recipients of temporary cash  
16 assistance participating in the passport program shall be  
17 eligible for the following benefits and services:

18 (a) Notwithstanding the time period specified in s.  
19 445.030, transitional education and training support services  
20 as specified in s. 445.030 for up to 4 years after the family  
21 is no longer receiving temporary cash assistance;

22 (b) Notwithstanding the time period specified in s.  
23 445.031, transitional transportation support services as  
24 specified in s. 445.031 for up to 4 years after the family is  
25 no longer receiving temporary cash assistance; and

26 (c) Notwithstanding the time period specified in s.  
27 445.032, transitional child care as specified in s. 445.032  
28 for up to 4 years after the family is no longer receiving  
29 temporary cash assistance.

30  
31 All other provisions of ss. 445.030, 445.031, and 445.032

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1 shall apply to such individuals, as appropriate. This  
2 subsection does not constitute an entitlement to transitional  
3 benefits and services. If funds are insufficient to provide  
4 benefits and services under this subsection, the agency ~~board~~  
5 ~~of directors of Workforce Florida, Inc.~~, or its agent, may  
6 limit such benefits and services or otherwise establish  
7 priorities for the provisions of such benefits and services.

8 (4) INCENTIVES TO ECONOMIC SELF-SUFFICIENCY.--

9 (a) The Legislature finds that:

10 1. There are former recipients of temporary cash  
11 assistance and families who are eligible for temporary  
12 assistance for needy families who are working full time but  
13 whose incomes are below 200 percent of the federal poverty  
14 level.

15 2. Having incomes below 200 percent of the federal  
16 poverty level makes such individuals particularly vulnerable  
17 to reliance on public assistance despite their best efforts to  
18 achieve or maintain economic independence through employment.

19 3. It is necessary to implement a performance-based  
20 program that defines economic incentives for achieving  
21 specific benchmarks toward self-sufficiency while the  
22 individual is working full time.

23 (b) The agency ~~Workforce Florida, Inc.~~, in cooperation  
24 with the Department of Children and Family Services ~~and the~~  
25 ~~Agency for Workforce Innovation~~, shall offer performance-based  
26 incentive bonuses as a component of the Passport to Economic  
27 Progress program. The bonuses do not represent a program  
28 entitlement and shall be contingent on achieving specific  
29 benchmarks prescribed in the self-sufficiency plan. If the  
30 funds appropriated for this purpose are insufficient to  
31 provide this financial incentive, the agency ~~board of~~

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1 ~~directors of Workforce Florida, Inc.,~~ may reduce or suspend  
2 the bonuses in order not to exceed the appropriation or may  
3 direct the regional boards to use resources otherwise given to  
4 the regional workforce to pay such bonuses if such payments  
5 comply with applicable state and federal laws.

6 (c) To be eligible for an incentive bonus under this  
7 subsection, an individual must:

8 1. Be a former recipient of temporary cash assistance  
9 who last received such assistance on or after January 1, 2000,  
10 or be part of a family that is eligible for temporary  
11 assistance for needy families;

12 2. Be employed full time, which for the purposes of  
13 this subsection means employment averaging at least 32 hours  
14 per week, until the United States Congress enacts legislation  
15 reauthorizing the Temporary Assistance for Needy Families  
16 block grant and, after the reauthorization, means employment  
17 complying with the employment requirements of the  
18 reauthorization; and

19 3. Have an average family income for the 6 months  
20 preceding the date of application for an incentive bonus which  
21 is less than 200 percent of the federal poverty level.

22 (5) EVALUATIONS AND RECOMMENDATIONS.--~~The agency~~  
23 ~~Workforce Florida, Inc.,~~ in conjunction with the Department of  
24 Children and Family Services, ~~the Agency for Workforce~~  
25 ~~Innovation,~~ and the regional workforce boards, shall conduct a  
26 comprehensive evaluation of the effectiveness of the program  
27 operated under this section. Evaluations and recommendations  
28 for the program shall be submitted by the agency ~~Workforce~~  
29 ~~Florida, Inc.,~~ as part of its annual report to the  
30 Legislature.

31 (6) CONFLICTS.--If there is a conflict between the

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1 implementation procedures described in this section and  
2 federal requirements and regulations, federal requirements and  
3 regulations shall control.

4 Section 51. Subsections (6), (8), (11), and (13) of  
5 section 445.051, Florida Statutes, are amended to read:

6 445.051 Individual development accounts.--

7 (6) The agency ~~Workforce Florida, Inc.~~, shall  
8 establish procedures for regional workforce boards to include  
9 in their annual program and financial plan an application to  
10 offer an individual development account program as part of  
11 their TANF allocation. These procedures shall include, but  
12 need not be limited to, administrative costs permitted for the  
13 fiduciary organization and policies relative to identifying  
14 the match ratio and limits on the deposits for which the match  
15 will be provided in the application process. Workforce  
16 Florida, Inc., shall establish policies and procedures that  
17 are necessary to ensure that funds held in an individual  
18 development account are not withdrawn except for one or more  
19 of the qualified purposes described in this section.

20 (8) The agency ~~Workforce Florida, Inc.~~, shall  
21 establish procedures for controlling the withdrawal of funds  
22 for uses other than qualified purposes, including specifying  
23 conditions under which an account must be closed.

24 (11) Financial institutions approved by the agency  
25 ~~Workforce Florida, Inc.~~, may establish individual development  
26 accounts pursuant to this section. A financial institution  
27 shall certify the establishment of the individual development  
28 accounts in accordance with the forms, documentation, and  
29 requirements prescribed by the agency ~~Workforce Florida, Inc.~~

30 (13) ~~Pursuant to policy direction by Workforce~~  
31 ~~Florida, Inc.~~, The Agency for Workforce Innovation shall adopt



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1 such rules as are necessary to implement this act.

2 Section 52. Subsections (2), (3), and (4) of section  
3 445.055, Florida Statutes, are amended to read:

4 445.055 Employment advocacy and assistance program  
5 targeting military spouses and dependents.--

6 (2) The agency ~~Workforce Florida, Inc.~~, shall  
7 establish an employment advocacy and assistance program  
8 targeting military spouses and dependents. This program shall  
9 deliver employment assistance services through military family  
10 employment advocates colocated within selected one-stop career  
11 centers. Persons eligible for assistance through this program  
12 shall include spouses and dependents of active duty military  
13 personnel, Florida National Guard members, and military  
14 reservists.

15 (3) Military family employment advocates are  
16 responsible for providing the following services and  
17 activities:

18 (a) Coordination of employment assistance services  
19 through military base family support centers, Florida's  
20 one-stop career centers, and veteran support organizations.

21 (b) Training to one-stop career center managers and  
22 staff on the unique employment needs and skills of military  
23 family members.

24 (c) Promoting and marketing the benefits of employing  
25 military family members to prospective employers.

26 (d) Assisting employment-seeking military family  
27 members through job counseling, job search and placement  
28 services, the dissemination of information on educational and  
29 training programs, and the availability of support services.

30 (e) Other employment assistance services the agency  
31 ~~Workforce Florida, Inc.~~, deems necessary.

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1           (4) The agency ~~Workforce Florida, Inc.~~, may enter into  
2 agreements with public and private entities to provide  
3 services authorized under this section.

4

5

6 ===== T I T L E   A M E N D M E N T =====

7 And the title is amended as follows:

8           On page 4, line 22, after the semicolon

9

10 insert:

11           amending s. 445.002, F.S.; defining the term  
12 "board"; amending s. 445.003, F.S.; requiring  
13 the use of technology, when possible and  
14 feasible, as a method for delivering workforce  
15 services; deleting the local board option to  
16 use local managers to direct aspects of the  
17 one-stop delivery system; eliminating  
18 references to Workforce Florida, Inc., from ch.  
19 445, F.S.; deleting provisions relating to  
20 audit liabilities, negotiations with the United  
21 States Department of Labor regarding the Job  
22 Training Partnership Act, making modifications  
23 to the state plan, and long-term consolidation  
24 of workforce development; amending s. 445.004,  
25 F.S., relating to the creation, purpose,  
26 membership, and duties of Workforce Florida,  
27 Inc., replacing references to Workforce  
28 Florida, Inc., with references to "the agency";  
29 creating the Workforce Florida Board within the  
30 Agency for Workforce Innovation; providing that  
31 the agency will serve as the state workforce

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1 investment board; deleting references to a  
 2 board of directors; deleting a requirement that  
 3 a majority of the board is needed to adopt or  
 4 amend bylaws; including the CHOICE project in  
 5 the list of programs with which the board will  
 6 assist the agency; prohibiting specified  
 7 conflicts of interest by members of the board;  
 8 creating s. 445.0041, F.S.; providing that the  
 9 board will assist the agency in creating the  
 10 workforce strategy for the state; requiring  
 11 that resources and equipment purchased with  
 12 employment and training funds allocated for a  
 13 specific programs be made available first to  
 14 that program's customers; outlining other  
 15 responsibilities that the board will assist the  
 16 agency in; deleting the three-tier outcome  
 17 system used by Workforce Florida, Inc., in  
 18 consultation with the Office of Program Policy  
 19 Analysis and Government Accountability to gauge  
 20 the performance of the workforce development  
 21 strategy; deleting the requirements that  
 22 Workforce Florida, Inc., provide the  
 23 Legislature with an annual report and develop  
 24 the workforce development strategy for the  
 25 state; amending s. 445.006, F.S.; relating to  
 26 strategic and operational plans for workforce  
 27 development; replacing references to Workforce  
 28 Florida, Inc., with references to the Agency  
 29 for Workforce Innovation; specifying a  
 30 percentage of workforce development funding  
 31 that must go into direct customer service

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1 costs; deleting the requirement that Workforce  
2 Florida, Inc.'s, strategic plan regarding  
3 welfare transition customers include weighted  
4 factors that indicate the degree of difficulty  
5 associated with securing and retaining  
6 employment; amending s. 445.007, F.S., relating  
7 to regional workforce boards; inserting  
8 "regional" before the phrase "workforce board"  
9 in order to differentiate local boards from the  
10 Workforce Florida Board; replacing references  
11 to Workforce Florida, Inc., with references to  
12 the Agency for Workforce Innovation; amending  
13 s. 445.0071, F.S., relating to the Florida  
14 Youth Summer Jobs Pilot Program; replacing  
15 references to Workforce Florida, Inc., with  
16 references to the Agency for Workforce  
17 Innovation; amending s. 445.008, F.S., relating  
18 to the Workforce Training Institute; replacing  
19 references to Workforce Florida, Inc., with  
20 references to the Agency for Workforce  
21 Innovation; amending s. 445.009, F.S., relating  
22 to the one-stop delivery system; replacing  
23 references to Workforce Florida, Inc., with  
24 references to the Agency for Workforce  
25 Innovation; amending s. 445.011, F.S., relating  
26 to workforce information systems; replacing  
27 references to Workforce Florida, Inc., with  
28 references to the Agency for Workforce  
29 Innovation; deleting the requirement that  
30 Workforce Florida, Inc., employ competitive  
31 processes in procuring workforce information

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1 systems; deleting authority that permitted  
2 Workforce Florida, Inc., to procure independent  
3 verification and validation services relating  
4 to the workforce information system; deleting  
5 the requirement that Workforce Florida, Inc.,  
6 coordinate development and implementation of  
7 workforce information systems with the state's  
8 Chief Information Officer; amending s. 445.014,  
9 F.S., relating to the small business workforce  
10 service initiative; replacing references to  
11 Workforce Florida, Inc., with references to the  
12 Agency for Workforce Innovation; amending s.  
13 445.016, F.S., relating to the Untried Worker  
14 Placement and Employment Incentive Act;  
15 deleting references to Workforce Florida, Inc.;  
16 amending s. 445.017, F.S., relating to  
17 diversion; specifying that the diversion  
18 program serves customers under the Welfare  
19 Transition Assistance Initiative; changing a  
20 reference to "department" to the Department of  
21 Children and Family Services; amending s.  
22 445.021, F.S., relating to the relocation  
23 assistance program; deleting a reference to the  
24 board of directors of Workforce Florida, Inc.;  
25 amending s. 445.022, F.S., relating to  
26 Retention Incentive Training Accounts;  
27 replacing references to Workforce Florida,  
28 Inc., and board of directors with references to  
29 the agency; amending s. 445.024, F.S., relating  
30 to work activities for participants in the  
31 temporary cash assistance program; revising

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1 definitions to conform to the federal law  
2 governing work requirements; revising certain  
3 requirements for and duties of the regional  
4 workforce boards with respect to work  
5 requirements for program participants;  
6 replacing references to Workforce Florida,  
7 Inc., with references to the Agency for  
8 Workforce Innovation; amending s. 445.028,  
9 F.S., relating to transitional benefits and  
10 services; replacing references to Workforce  
11 Florida, Inc., with references to the agency;  
12 amending s. 445.030, F.S., relating to  
13 transitional education and training; replacing  
14 the term "board of directors" with the term  
15 "agency"; amending s. 445.033, F.S., relating  
16 to evaluation of Temporary Assistance to Needy  
17 Families-funded programs; replacing the term  
18 "board of directors" with the term "agency" and  
19 specifying that the term "department" refers to  
20 the Department of Children and Family Services;  
21 replacing board of directors with agency;  
22 amending s. 445.035, F.S., relating to data  
23 collection and reporting; replacing a reference  
24 to the board of directors with the term  
25 "agency"; amending s. 445.038, F.S., relating  
26 to digital media and job training; removing  
27 references to Workforce Florida, Inc.; amending  
28 s. 445.045, F.S., relating to the development  
29 of an internet-based system for information  
30 technology industry promotion and workforce  
31 recruitment; replacing references to Workforce

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1 Florida, Inc., with references to the agency;  
2 deleting a provision allowing Workforce  
3 Florida, Inc., to enlist the assistance of and  
4 act through the Agency for Workforce Innovation  
5 in fulfilling its duties under this section;  
6 amending s. 445.048, F.S., relating to the  
7 Passport to Economic Progress program;  
8 replacing references to Workforce Florida,  
9 Inc., with references to the agency throughout;  
10 amending s. 445.051, F.S., relating to  
11 individual development accounts; replacing  
12 references to Workforce Florida, Inc., with  
13 references to the agency; amending s. 445.055,  
14 F.S., relating to employment advocacy and  
15 assistance program targeting military spouses  
16 and dependents; replacing references to  
17 Workforce Florida, Inc., with references to the  
18 agency;

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