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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
01/26/2012	.	
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The Committee on Commerce and Tourism (Flores) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 44 and 45  
insert:

Section 2. Paragraph (a) of subsection (3) of section  
445.003, Florida Statutes, is amended to read:

445.003 Implementation of the federal Workforce Investment  
Act of 1998.—

(3) FUNDING.—

(a) Title I, Workforce Investment Act of 1998 funds;  
Wagner-Peyser funds; and NAFTA/Trade Act funds will be expended



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13 based on the 5-year plan of Workforce Florida, Inc. The plan  
14 shall outline and direct the method used to administer and  
15 coordinate various funds and programs that are operated by  
16 various agencies. The following provisions shall also apply to  
17 these funds:

18 1. At least 50 percent of the Title I funds for Adults and  
19 Dislocated Workers that are passed through to regional workforce  
20 boards shall be allocated and expended on ~~to~~ Individual Training  
21 Accounts unless a regional workforce board obtains a waiver from  
22 Workforce Florida, Inc. Tuition, books, and fees of training  
23 providers qualify as an Individual Training Account expenditure,  
24 ~~as do other programs developed by regional workforce boards in~~  
25 ~~compliance with policies of Workforce Florida, Inc.~~

26 2. Fifteen percent of Title I funding shall be retained at  
27 the state level and shall be dedicated to state administration  
28 and used to design, develop, induce, and fund innovative  
29 Individual Training Account pilots, demonstrations, and  
30 programs. Of such funds retained at the state level, \$2 million  
31 shall be reserved for the Incumbent Worker Training Program,  
32 created under subparagraph 3. Eligible state administration  
33 costs include the costs of: funding for the board and staff of  
34 Workforce Florida, Inc.; operating fiscal, compliance, and  
35 management accountability systems through Workforce Florida,  
36 Inc.; conducting evaluation and research on workforce  
37 development activities; and providing technical and capacity  
38 building assistance to regions at the direction of Workforce  
39 Florida, Inc. Notwithstanding s. 445.004, such administrative  
40 costs shall not exceed 25 percent of these funds. An amount not  
41 to exceed 75 percent of these funds shall be allocated to



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42 Individual Training Accounts and other workforce development  
43 strategies for other training designed and tailored by Workforce  
44 Florida, Inc., including, but not limited to, programs for  
45 incumbent workers, displaced homemakers, nontraditional  
46 employment, and enterprise zones. Workforce Florida, Inc., shall  
47 design, adopt, and fund Individual Training Accounts for  
48 distressed urban and rural communities.

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

54 a. The Incumbent Worker Training Program will be  
55 administered by Workforce Florida, Inc. Workforce Florida, Inc.,  
56 at its discretion, may contract with a private business  
57 organization to serve as grant administrator.

58 b. To be eligible for the program's grant funding, a  
59 business must have been in operation in Florida for a minimum of  
60 1 year prior to the application for grant funding; have at least  
61 one full-time employee; demonstrate financial viability; and be  
62 current on all state tax obligations. Priority for funding shall  
63 be given to businesses with 25 employees or fewer, businesses in  
64 rural areas, businesses in distressed inner-city areas,  
65 businesses in a qualified targeted industry, businesses whose  
66 grant proposals represent a significant upgrade in employee  
67 skills, or businesses whose grant proposals represent a  
68 significant layoff avoidance strategy.

69 c. All costs reimbursed by the program must be preapproved  
70 by Workforce Florida, Inc., or the grant administrator. The



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71 program will not reimburse businesses for trainee wages, the  
72 purchase of capital equipment, or the purchase of any item or  
73 service that may possibly be used outside the training project.  
74 A business approved for a grant may be reimbursed for  
75 preapproved, direct, training-related costs including tuition;  
76 fees; books and training materials; and overhead or indirect  
77 costs not to exceed 5 percent of the grant amount.

78 d. A business that is selected to receive grant funding  
79 must provide a matching contribution to the training project,  
80 including, but not limited to, wages paid to trainees or the  
81 purchase of capital equipment used in the training project; must  
82 sign an agreement with Workforce Florida, Inc., or the grant  
83 administrator to complete the training project as proposed in  
84 the application; must keep accurate records of the project's  
85 implementation process; and must submit monthly or quarterly  
86 reimbursement requests with required documentation.

87 e. All Incumbent Worker Training Program grant projects  
88 shall be performance-based with specific measurable performance  
89 outcomes, including completion of the training project and job  
90 retention. Workforce Florida, Inc., or the grant administrator  
91 shall withhold the final payment to the grantee until a final  
92 grant report is submitted and all performance criteria specified  
93 in the grant contract have been achieved.

94 f. Workforce Florida, Inc., may establish guidelines  
95 necessary to implement the Incumbent Worker Training Program.

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

99 4. At least 50 percent of Rapid Response funding shall be



100 dedicated to Intensive Services Accounts and Individual Training  
101 Accounts for dislocated workers and incumbent workers who are at  
102 risk of dislocation. Workforce Florida, Inc., shall also  
103 maintain an Emergency Preparedness Fund from Rapid Response  
104 funds which will immediately issue Intensive Service Accounts  
105 and Individual Training Accounts as well as other federally  
106 authorized assistance to eligible victims of natural or other  
107 disasters. At the direction of the Governor, for events that  
108 qualify under federal law, these Rapid Response funds shall be  
109 released to regional workforce boards for immediate use. Funding  
110 shall also be dedicated to maintain a unit at the state level to  
111 respond to Rapid Response emergencies around the state, to work  
112 with state emergency management officials, and to work with  
113 regional workforce boards. All Rapid Response funds must be  
114 expended based on a plan developed by Workforce Florida, Inc.,  
115 and approved by the Governor.

116  
117 ===== T I T L E A M E N D M E N T =====

118 And the title is amended as follows:

119  
120 Delete line 3

121 and insert:

122  
123 providing a short title; amending s. 445.003, F.S.;

124 providing that tuition, books, and fees of training

125 providers qualify as an Individual Training Account

126 expenditure; amending s. 445.007, F.S.;