

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Governmental Oversight and Accountability

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BILL: CS/SB 848

INTRODUCER: Senator Richter

SUBJECT: Employment of Individuals with Disabilities

DATE: March 11, 2015      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Peacock	McVaney	GO	<b>Fav/CS</b>
2.			CM	
3.			AP	

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

**I. Summary:**

CS/SB 848 creates the Employment First Act. The bill provides legislative intent and purpose regarding employment of individuals with disabilities. The bill requires the development and implementation of an interagency cooperative agreement among specified state agencies and organizations. The interagency cooperative agreement provides roles, responsibilities and objectives.

**II. Present Situation:**

Section 110.112, F.S., declares that the policy of the state is to afford equal employment opportunities through programs of affirmative and positive action allowing for the full utilization of women and minorities.

Each executive agency is required to develop and implement an affirmative action plan;<sup>1</sup> establish annual goals in its affirmative action plan for ensuring full utilization of groups

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<sup>1</sup> Section 110.112(2)(a), F.S.

underrepresented in the agency's workforce as compared to relevant labor market;<sup>2</sup> and appoint an affirmative action-equal employment opportunity officer.<sup>3</sup>

The Department of Management Services is required to issue an annual workforce report<sup>4</sup> and provide training to all supervisory personnel of executive agencies.<sup>5</sup>

### III. Effect of Proposed Changes:

**Section 1** provides a short title for this bill. This legislation is to be known as the "Employment First Act." This section provides legislative intent and purpose which is to improve the employment outcomes for individuals with disabilities, to prioritize employment of individuals with disabilities, and to change the employment system to integrate individuals with disabilities into the workforce.

This section also requires an interagency cooperative agreement be developed among the following:

- Division of Vocational Rehabilitation of the Department of Education;
- Division of Blind Service of the Department of Education;
- Bureau of Exceptional Education and Student Services of the Department of Education;
- Agency for Person with Disabilities;
- Substance Abuse and Mental Health Program of the Department of Children and Families;
- Department of Economic Opportunity;
- Workforce Florida, Inc.;
- Florida Developmental Disabilities Council;
- Florida Association of Rehabilitation Facilities; and
- Other appropriate organizations.

Additionally, this interagency cooperative agreement shall outline the roles and responsibilities of the parties to the agreement.

The bill outlines the objectives of the interagency agreement that must include the following:

- Establishing commitment by state leadership to maximizing resources and coordination to improve employment outcomes for individuals with disabilities;
- Developing strategic goals and benchmarks to assist state agencies and organizations in the implementation of agreement;
- Identifying financing and contracting methods to help prioritize employment for individuals with disabilities by state agencies and organizations;

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<sup>2</sup> Section 110.112(2)(b), F.S.

<sup>3</sup> Section 110.112(2)(c), F.S., provides that the duties of the affirmative action-equal employment opportunity officer include determining annual goals, monitoring agency compliance, and providing consultation to managers regarding progress, deficiencies, and appropriate corrective action.

<sup>4</sup> Section 110.112(2)(d), F.S., provides that the DMS annual workforce report shall include information relating to implementation, continuance, and updating the results of each executive agency's affirmative action plan for the previous fiscal year.

<sup>5</sup> Section 110.112(2)(e), F.S., provides that the training will be in the principals of equal employment opportunity and affirmative action, the development and implementation of affirmative action plans, and establishment of annual affirmative action goals.

- Establish training methods to better integrate persons with disabilities into the workforce;
- Ensuring collaborative efforts between agencies;
- Promoting service innovations to better assist individuals with disabilities in the workplace;  
and
- Identifying accountability measures to ensure sustainability of agreement.

**Section 2** provides an effective date of July 1, 2015.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate.

C. Government Sector Impact:

Indeterminate.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates the Employment First Act.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Governmental Oversight and Accountability on March 10, 2015:**

The committee substitute correctly identifies the Agency for Persons with Disabilities by deleting the phrase “of the Department of Children and Families” following the mention of this agency in paragraph (4)(c) of the bill. The committee substitute also deletes unnecessary rulemaking authority.

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**B. Amendments:**

None.