

**The Florida Senate**  
**PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT**

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

---

Prepared By: Commerce Committee

---

BILL: CS/SB 382

INTRODUCER: Commerce Committee and Senator Bennett

SUBJECT: Workforce Innovation

DATE: March 27, 2007

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Gordon	Cooper	CM	Fav/CS
2.			CA	
3.			TA	
4.				
5.				
6.				

**I. Summary:**

This Committee Substitute (CS) permits regional workforce boards to be direct providers of intake, assessment, eligibility determinations, or other direct provider services, except training services, subject to the approval, by agreement, of the designated chief elected official and the Governor.

This CS amends section 445.007, Florida Statutes.

**II. Present Situation:**

Workforce Florida, Inc., (WFI) creates statewide policy for Florida's workforce system.<sup>1</sup> The Agency for Workforce Innovation (AWI) is responsible for implementing WFI's policy through its 24 regional workforce boards (RWBs or boards). The boards deliver program services at the local level through one-stop career centers. Currently, 96 one-stop career centers provide employment services to job seekers, such as job training and career counseling. The one-stop centers also assist employers in finding workers to fill vacancies.

Federal workforce law describes three types of services that may be provided at the local level to customers of one-stop centers: training services, core services, or intensive services.<sup>2</sup> Training services may include, but are not limited to: occupational skills training, on-the-job training,

---

<sup>1</sup> Chapter 445, F.S.

<sup>2</sup> 29 U.S.C. Sec. 2832(f)(1)-(3).

programs that combine workplace training with related instruction (e.g., cooperative education programs), training programs operated by the private sector, and skill upgrading and retraining.<sup>3</sup> Core services must include, at a minimum, 11 categories of services, which include, for example: determination of eligibility to receive assistance, initial assessment of skill levels, job search and placement assistance, and the provision of information relating to the availability of support services.<sup>4</sup>

Intensive services are those that are available to adult and dislocated workers and include, for example, specialized assessments of skill levels, development of an individual employment plan which identifies specific employment goals, group counseling, individual counseling, case management, and short term-prevocational services such as interviewing skills and communication skills.<sup>5</sup>

Regional workforce boards (RWBs) provide these services by contracting with third- party vendors who operate the one-stop centers. The RWBs are prohibited by federal law from directly providing these services, except under certain conditions.

According to 29 U.S.C. 2832(f), no RWB may provide training services unless it submits a request to the Governor and, in turn, receives a written waiver of the federal prohibition. The request must demonstrate the following:

- Satisfactory evidence that there is an insufficient number of eligible providers of such a program of training services to meet local demand in the local area;
- Information demonstrating that the board meets the requirements for an eligible provider of training services under section 2842 of this title; and
- Information demonstrating that the program of training services prepares participants for an occupation that is in demand in the local area.

In addition to making a request that contains the aforementioned information, RWBs must make the request available to eligible providers of training services and other interested members of the public for a comment period of not less than 30 days; and include, in the final request for the waiver, the evidence and information described above and any public comments received. A waiver lasts 1 year and may be revoked if the Governor determines that the local board (the RWB) “has engaged in a pattern of inappropriate referral to training services operated by the local board.”<sup>6</sup>

A different prohibition applies to situations where RWBs wish to be direct providers of core or intensive services. Federal law, 29 USC Sec. 2832 (f)(2), provides, “A local board may provide core services...or intensive services...through a one-stop delivery system...or be designated or certified as a one-stop operator *only with the agreement of the chief elected official and the Governor.*” (Emphasis added).

---

<sup>3</sup> 29 U.S.C. Sec. 2864(d)(4)(D)i-ix.

<sup>4</sup> 29 U.S.C. Sec. 2864(d)(2)(A)-(K).

<sup>5</sup> 29 U.S.C. Sec. 2864(d)(4)(D).

<sup>6</sup> 29 U.S.C. Sec. 2832(f)(1)(D)

### III. Effect of Proposed Changes:

**Section 1** amends s. 445.007, F.S., related to regional workforce boards.

Currently, this statutory provision generally outlines duties of Workforce Florida, Inc. (WFI), and the RWBs. Subsection (5) requires WFI to implement a training program for the RWBs designed to familiarize board members with the state's workforce development goals and strategies. It also provides that RWBs must designate all local service providers and are prohibited from transferring this authority to a third party. Furthermore, an RWB "shall not be a direct provider of intake, assessment, eligibility determinations, or other direct provider services."<sup>7</sup> This provision specifically states that RWBs may not directly provide core services and implies that RWBs may not directly provide intensive or training services.

This CS amends subsection (5) to allow RWBs to be direct providers of intake, assessment, eligibility determinations, or other direct provider services, except training services, subject to the approval, by agreement, of the designated chief elected official and the Governor.

**Section 2** provides that this law takes effect upon becoming law.

### IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

### V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Local businesses that have contracted with the boards to be direct providers may lose the revenue they derived from those contracts.

---

<sup>7</sup> Section 445.007(5), F.S.

C. Government Sector Impact:

RWBs report they may experience cost savings by bringing the provision of these services in-house.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

---

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---

---

## **VIII. Summary of Amendments:**

None.

---

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---