

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

MEMORANDUM

DATE: March 18, 2014

TO: Regional Workforce Board Executive Directors

FROM: Lois A. Scott, Chief, Bureau of One-Stop and Program Support

SUBJECT: Employ Florida Marketplace Employer Verification Process

A handwritten signature in black ink, appearing to read 'Lois A. Scott', is written over the 'FROM:' line of the memorandum.

Job scammers have become more sophisticated in their strategies to breach the integrity of the Employ Florida Marketplace (EFM) and we must remain diligent in our efforts to prevent these incidents from occurring. Recently we have noticed an increased number of scams perpetuated by individuals that fraudulently register as an employer in EFM to gain access to job seeker information. The scammers are using legitimate business information that can be accessed through other sites such as sunbiz.org in order to look like a legitimate employer or simply relying on the system's auto-enable feature to bypass staff verification.

The number one defense for preventing scams that negatively affect jobseekers is our due diligence in ensuring that staff verifies employer accounts prior to the system auto-enable process. Currently EFM auto-enables an employer registration after three days if it has not been approved by staff. It is important that all new employer registrations are staff verified within three days or, if auto-enabled, a verification of the employer's information is still done. The auto-enable process was never designed to be a substitute for staff verification.

Regional Workforce Boards (RWBs) should have established local policy and procedures for the independent staff verification of all new employers wishing to register in EFM. Attached is updated guidance on the steps that should be taken to fully verify the legitimacy of employers. Also attached is information about current jobseeker scams so that staff are able to help their clients avoid becoming victims of these practices.

Please review this material to ensure that local policy and procedures are in place to fully vet and verify new employers wanting to register in EFM. Please share this information with all staff. DEO will follow up with training for those involved in business services and employer verification. If you have any questions, please contact Danielle McNeil at Danielle.McNeil@deo.myflorida.com or (850) 245-7498.

LAS/ml

Attachments

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
866.FLA.2345 | 850.245.7105 | 850.921.3223 Fax
www.floridajobs.org | [www.twitter.com/FLDEO](https://twitter.com/FLDEO) | www.facebook.com/FLDEO

EMPLOYER VERIFICATION PROCESS

Regional Workforce Boards (RWBs) must conduct an independent verification procedure within the three-day approval window. If staff verification cannot be performed within three days, career centers should place the account on “hold pending verification” and contact the employer to notify it of the hold until staff is able to review the information and enable or revoke the account.

The independent verification must be conducted according to local policies; however, at a minimum, each RWB should complete steps 1-4 below:

- 1) Verify the employer’s registration information to include the business’s name, address, contact person, etc. Verification of the registration may be conducted through Internet sources or by telephone.
- 2) Verify the Federal Employer Identification Number (FEIN) or entity’s name on the Department of State, Division of Corporation’s website. All corporations, in-state and out-of-state, conducting business in the state of Florida must be registered in Sunbiz for the verification process to proceed. If the owner of a business is doing business under a different name (“fictitious name”), that fictitious name must also be registered in Sunbiz. If the business is not registered in Sunbiz as required, registration should not be enabled until such information is available for verification.

Out-of-state employers seeking to hire Florida candidates for out-of-state positions must have their businesses verified using the home state’s Department of State website. If the information is unavailable for verification the registration should not be enabled.

Generally, an employer account requires entry of the FEIN; however, an employer may use their social security number (SSN) if the business is in the process of obtaining a FEIN, or is a single owner LLC or sole proprietorship. An employer is required to update the account with an FEIN once one has been obtained.

- 3) Conduct a telephone follow-up to confirm the information listed in the registration. Ask to speak with the contact person listed on the registration and verify the business’s address, e-mail information and additional details that were submitted on the registration to determine if the responses match the information that was submitted.
- 4) Review all submitted job orders for compliance with federal and state laws, Terms of Use policy, subjective non-discriminatory language, etc. Job orders in violation of the law, Terms of Use policy or that contain inappropriate language should be reviewed with the employer for correction. Refusal to change the information after notification of existing errors should result in account revocation.

A further recommendation, particularly for out-of-area employers, is to:

- 5) Send the employer a confirmation email to the email address listed on the EFM account and request a confirmation email that the email was received.

Employers may register on the site for recruiting purposes only; thus, a job order may not be listed. In these instances, steps 1 through 3 are still necessary. Employers looking to recruit job seekers only, without posting a job order, may present the career centers with a marketing opportunity to inform the

employer of the available business services that can be provided at no cost and to expand the centers' clientele. However, the lack of a job order may be cause for additional investigation in order to minimize the chance of a scam or other risky behaviors that may compromise job seekers.

If a concern about the legitimacy of the employer remains, additional verification steps should be followed. Below are additional suggestions for verification:

- Verify city or county business licenses/permits and/or registration with the Florida Department of Revenue.
- Conduct an Internet search for the company's website. Review the content in comparison to information submitted in the EFM profile. Look for a certification that the website is a trusted site, such as the TRUSTe certification.
- If the business is in your local area, perform a drive-by or on-site visit to confirm whether the business exists and appears to be conducting legitimate services.
- Review the company's [complaint record](#) with the Florida Department of Agriculture and Consumer Services, Division of Consumer Services, the Better Business Bureau and/or the Attorney General's [consumer protection website](#) for business complaints and investigations.
- For out-of-state employers, contact the proper authority in the employer's home state to obtain comparable information.

EXAMPLES OF CURRENT JOBSEEKER SCAMS

- Claiming that a jobseeker's unemployment benefits will be affected if he or she does not comply with the "employer's" request.
- Notifying jobseekers that they have been hired for a work-at-home position and that they will be sent a check to buy equipment, perform secret shopper duties, etc. Once the jobseeker deposits the fraudulent check into his or her account, he or she is asked to send money back to the employer for equipment, etc.
- Notifying jobseekers that they will be hired for a position (e.g. security guard) after they obtain the necessary certification for the position and requesting that the jobseeker pay for a class using a "green dot" money card (the jobseeker is frequently told that the expense will be reimbursed). In these cases, there is no actual class offered.