

**COMPILED RESPONSES TO  
ADMINISTRATIVE CONSULTATION PAPER:  
EMPLOYER SERVICES**

Issue(s)	Submitted by (Name/LWDB)	DEO Response
<p>The policy does not discuss the proposed 3rd party portal. This portal would eliminate the need to employer verification letters on 3rd party registrations. Collecting these verification letters is a time consuming process. Once these letters are collected, there is not a way to store them in EF. If it weren't for the fact that 80 percent of our job orders for Region 12 are 3rd party, this process would not be such of a problem. The portal would offer some relief.</p>	<p><b>Robert Quinlan, Director of Business and Professional Services / LWDB 12</b></p>	<p>There is not a third-party portal; rather, it is a Third-Party Agent (TPA) module within Employ Florida that is being developed and is currently in Staging.</p> <p>Note: Once the TPA module is launched, the policy will be updated to reflect any related process changes.</p>
<p>In section IV. POLICIES AND PROCEDURES, Part B. Employer Account Verification in Employ Florida the recommendation is that staff must place the employers account in a "Pending Verification" status. Are we to assume that "pending verification" will no longer trigger the employers account to auto enable? Currently new employer registrations appear as pending verification. Once we initiate the verification process, if we are unable to complete the process the registration is placed in a "not verified" status in order to avoid the account from auto enabling. Can you provide some clarification?</p>	<p><b>Fredrika Hill, Manager, Business Services / LWDB 8</b></p>	<p>The policy has been updated [<i>Page 3, second-to-last paragraph</i>] to reflect "Not Verified." Additionally, the auto-enable functionality has been disabled in Employ Florida.</p>
<p>DEO should add a sentence below, advising staff, to contact DEO before we Discontinue Services. See recommendation highlighted in <b>yellow</b>.</p> <p><b>D. Discontinuation of Services</b> Pursuant to 20 CFR 658, LWDB staff must refuse or discontinue services to an employer or third-party agent if:</p> <ul style="list-style-type: none"> <li>• The employer submits and refuses to alter or withdraw job orders containing specifications which are contrary to employment-related laws.</li> <li>• The employer is found to have either misrepresented the terms or conditions of the employment opportunity specified on job orders or failed to comply fully with assurances made on job orders.</li> </ul>	<p><b>Glenda Harden, Senior Vice President/COO / LWDB 20</b></p>	<p>Section D [<i>Page 4, after final bullet point</i>] has been edited to include, amongst other changes, the following: "Career center staff may, after consultation with the Department of Economic Opportunity (DEO), discontinue services immediately if exhaustion of the procedures set forth above in this section would cause substantial harm to a significant number of workers."</p>

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<ul style="list-style-type: none"> <li>• The employer submits job orders and refuses to provide assurances, in accordance with Agricultural Recruitment System requirements, that Agricultural Recruitment jobs offered are in compliance with employment-related laws.</li> <li>• The employer refuses to cooperate with the LWDB’s request for verification.</li> </ul> <p>Additionally, LWDB staff must refuse or discontinue services if the employer or third-party agent violates the <i>Employ Florida Terms and Conditions of Use</i>.</p> <p>Before discontinuing services the LWDB manager should immediately elevate concerns of illegal or unethical practice to the Department of Economic Opportunity via email at: <a href="mailto:Wagner.Peysen@deo.myflorida.com">Wagner.Peysen@deo.myflorida.com</a>.</p>		
<p><b>Page 3</b> “For staff assisted registration of employer accounts, staff must conduct a telephone follow-up and final review with the employer to confirm the information listed in the registration is accurate and document the method used for the approval process in case notes for all staff assisted registration of employer accounts.”</p> <p>When a new employer calls, Job Center staff email them the job order form. Staff vets the information on the return form and then emails them a confirmation that the job was written. This provides an electronic trail of the interaction, which would be a better form of backup documentation than telephone calls in my estimation. Please make this optional.</p> <p><b>Page 3</b> “Verify out-of-state employers seeking to hire Florida candidates for out-of-state positions using the appropriate state’s corporations website. If the information is unavailable for verification, do not enable the registration in Employ Florida.”</p>	<p><b>Jennifer German, Deputy Director / LWDB 4</b></p>	<p>Policy has been updated [<i>Page 3, fourth bullet point</i>]: “For staff assisted registration of employer accounts, staff must conduct a follow-up and final review via email or telephone with the employer to confirm the information...”</p>

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<p>What are the states' corporation websites?</p> <p><b>Page 3</b> “Review all submitted job orders for compliance with federal and state laws and the Employ Florida Terms and Conditions of Use”</p> <p>We need a checklist for this.</p> <p><b>Page 4</b> “Third-party agents that use the Employ Florida system to post job openings for an employer must: Obtain the employer’s written consent to post job orders on the Employ Florida website, and provide it to LWDB, prior to posting an open position. “</p> <p>How will the third party agents be notified that they must secure and submit this letter?</p> <p>How long is each letter considered valid?</p>		<p>For Florida, it is Sunbiz.org. For other states, you will need to verify using each state’s corporation website.</p> <p>The request for a checklist is under advisement.</p> <p>TPAs are notified via the Terms and Conditions of Use displayed when registering in Employ Florida. This is the interim process until the TPA module is brought online. Once the module goes live, the system will prompt the TPA to upload the documentation.</p> <p>Each letter of consent is valid until it is revoked by the employer.</p>
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<p>Do they have to send a letter to every LWBD they have an open job order in or just to the LWBD they are registered in? How will staff know a letter has been submitted?</p> <p>What do we do with the current third party listings – place on hold and wait for a letter?</p>		<p>No, TPAs do not have to send a letter to every LWDB with which they have an open job order. When registering as a TPA for an employer, Employ Florida will prompt the TPA to upload the documentation to the employer’s account. It is there that staff will be able to confirm the letter has been uploaded.</p> <p>Current third-party listings do not need to be placed on hold pending receipt of the letter due to staff having already verified the job order.</p>
<p>Various staff members have raised the following questions/concerns regarding the direction in the employer services consultation paper. We clearly understand the need to verify businesses and to minimize fraud, but hope that the writers of the paper recognize that the more requirements we place on our local employers to give us information, the fewer employers will use our system. Indeed .com is quickly becoming the “go to” job posting system.</p> <p>Concerns: Some of the services that are listed we do not assist with and do not have the means to assist with such as:</p> <ul style="list-style-type: none"> <li>Assist with job restructuring</li> <li>Assisting with developing performance evaluation and personnel policies</li> <li>Creating orientation sessions for new workers</li> </ul> <p>Some (many) of the “customized services upon the employer’s request” will be difficult or impossible to accommodate.</p>	<p><b>Donna Doubleday, President/CEO / LWDB 19</b></p>	<p>These are <b>examples</b> of services that the board may offer pursuant to the law. Please see <a href="#">20 CFR 678.435</a> (b): “...These services are tailored for specific employers <i>and may include:</i>” [emphasis added] The policy language has been revised accordingly.</p>



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impossible without making changes to make them fit. Employers are often not interested in changing a title or a job description.		etc., as enumerated in <a href="#">20 CFR 678.435(b)(4)</a>
IV. D. Discontinuation of Services – <i>There are additional reasons in 20 CFR 658 Subpart F</i>	<b>Keantha Belton Moore, Statewide Programs Administrator / DEO</b>	Additional reasons have been added to the policy.