

**BOARD OF EMPLOYEE LEASING COMPANIES
GENERAL BUSINESS MEETING MINUTES
THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
1940 NORTH MONROE STREET
TALLAHASSEE, FLORIDA 32399**

**FEBRUARY 17, 2016
1:00 P.M.**

I. CALL TO ORDER

The meeting was called to order at approximately 1:07 P.M. EST by Mr. Abram Finkelstein, Board Chair.

II. ROLL CALL

MEMBERS PRESENT

Abram Finkelstein, Chair
John Jones, Vice Chair
Eric Arfons
Celeste Dockery
Emery Ellinger
H. Britt Landrum III

MEMBER ABSENT

STAFF PRESENT

Tim Vaccaro, Deputy Secretary of Professional Regulation
Patrick Cunningham, Deputy General Counsel, DBPR
G.W. Harrell, Director, Division of Professions
Drew Winters, Deputy Director, Professions
Rick Morrison, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
Lynette Norr, Board Counsel, Office of Attorney General
James Fortunas, Prosecuting Attorney, DBPR
Erin Moreno, SMA Analyst II, DBPR
Justin Myers, Government Analyst I, DBPR
Ed Tellechea, Chief, Administrative Law, Office of the Attorney General
Rachael Steinman, Office of the Attorney General

OTHERS PRESENT

Michael Miller, Kunkel, Miller & Hament, P.A.
Timothy Tack, Kunkel, Miller & Hament, P.A.
Torben Madson, Kunkel, Miller & Hament, P.A.
Mark Mark

The meeting was opened with a roll call and a quorum was established.

Mr. Finkelstein welcomed Mr. Landrum to the board.

III. THE PLEDGE OF ALLEGIANCE

Mr. Finkelstein led all in the Pledge of Allegiance.

IV. REVIEW AND APPROVAL OF THE NOVEMBER 18-19, 2015 GENERAL BUSINESS MEETING MINUTES

MOTION: Ms. Dockery moved to approve the minutes.

SECOND: Mr. Jones seconded the motion and it passed unanimously.

V. REVIEW AND APPROVAL OF THE DECEMBER 16, 2015 TELEPHONE CONFERENCE CALL MEETING MINUTES

MOTION: Ms. Dockery moved to approve the minutes.

SECOND: Mr. Jones seconded the motion and it passed unanimously.

VI. REVIEW AND APPROVAL OF THE JANUARY 20, 2016 TELEPHONE CONFERENCE CALL MEETING MINUTES

MOTION: Ms. Dockery moved to approve the minutes.

SECOND: Mr. Jones seconded the motion and it passed unanimously.

VII. DISCIPLINARY PROCEEDINGS – Office of the General Counsel

Mr. Finkelstein announced that there is an amended agenda for today's meeting. He advised that disciplinary proceedings were going to be deferred to a future meeting. He further advised that there were some very important discussions scheduled, specifically the discussion from the Attorney General's Office regarding the anti-trust situation as a result of a Supreme Court case last year.

VIII. DISCUSSIONS

A. Anti-Trust Presentation for Boards – Office of the Attorney General

- Letter from Attorney General Pam Bondi

A very detailed and in-depth presentation was given by Mr. Ed Tellechea and Ms. Rachael Steinman with the Office of Attorney General's Office regarding the North Carolina Board of Dentistry versus FTC Supreme Court case.

A copy of the recording and/or transcript of this discussion is available upon request.

B. Citation and Notice of Non-Compliance

Mr. Finkelstein advised that the board would postpone discussion of the citation and non-compliance rules until a future meeting.

C. Chapter 468.525, F.S. – License Requirements
• **ELC 2 – Employee Leasing Company Application**

Ms. Dockery advised that she requested this discussion be placed on the agenda to determine the statutory authority to accept interim financials when an applicant states there has been no material or adverse changes.

After a lengthy discussion, Ms. Norr advised that the rule could use some rule making attention and the application some technical changes, but perhaps not immediately.

Mr. Finkelstein asked if anyone objected to proceeding with the Reports today versus tomorrow.

All agreed to proceed with the Reports.

IX. REPORTS

A. Office of the Attorney General – Lynette Norr

• **February 2016 Rules Report**

Ms. Norr advised that all of the rules that the board has been working on the past several months are all effective. Rule 61G7-5.0033, F.A.C. and Rule 61G7-10.002, F.A.C became effective on February 8, 2016.

She further advised that there are no rule changes currently pending.

B. Office of the General Counsel – James Fortunas

• **Prosecuting Attorney's Report**

Mr. Fortunas reported that as of February 10, 2016, 2 cases were received in legal, six cases written office at collections and 65 cases set for probable cause for a total of 83 cases.

C. Executive Director – Rick Morrison

- Financial Report – Operating Account – 12/31/2015
- Financial Report – Unlicensed Activity Account – 12/31/2015
- Financial Projections through 2020

Mr. Morrison gave a synopsis of the reports as listed on the agenda. He advised that the board's plan had not yet taken effect; however, he expected better numbers after renewals and the annual assessments.

D. Chairperson – Abram Finkelstein

No Report.

X. OLD BUSINESS

None

XI. NEW BUSINESS

Mr. Morrison advised that the department had completed the production of the automated electronic filing of the annual assessment and it available online now.

The board recessed for the day at 4:00 p.m. to re-convene the next day at 9:00 a.m.

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**FEBRUARY 18, 2016
9:00 A.M.**

I. CALL TO ORDER

The meeting was called to order at approximately 9:00 A.M. EST by Mr. Abram Finkelstein, Board Chair.

II. ROLL CALL

MEMBERS PRESENT

Abram Finkelstein, Chair
John Jones, Vice Chair
Eric Arfons
Celeste Dockery
Emery Ellinger
H. Britt Landrum III

MEMBER ABSENT

STAFF PRESENT

Rick Morrison, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
Lynette Norr, Board Counsel, Office of Attorney General
James Fortunas, Prosecuting Attorney, DBPR
Justin Myers, Government Analyst I, DBPR

OTHERS PRESENT

Michael Miller, Kunkel, Miller & Hament, P.A.
Timothy Tack, Kunkel, Miller & Hament, P.A.
Kathy Lively, Oasis
Suzanne Hurst, FAPEO
Mark Mark

The meeting was opened with a roll call and a quorum was established.

III. THE PLEDGE OF ALLEGIANCE

Mr. Finkelstein led all in the Pledge of Allegiance.

IV. REVIEW AND CONSIDERATION OF EMPLOYEE LEASING COMPANY AND CONTROLLING PERSON APPLICATIONS

- A. Gary Les Kamler, Controlling Person Applicant**
Employee Leasing Guy, LLC – GL 190
Employee Leasing Guy II, LLC – GM 505
PEO Dudes, LLC – GM 506
PEO Dudes II, LLC – GM 507
HCBR Group of FL, LLC – GM 508

Mr. Finkelstein presented the controlling person application of Gary Kamler.

MOTION: Mr. Jones moved to approve the application.
SECOND: Ms. Dockery seconded the motion and it passed unanimously.

- B. Jorge A. Ruiz, Controlling Person Applicant**
Employee Leasing Guy, LLC – GL 190
Employee Leasing Guy II, LLC – GM 505
PEO Dudes, LLC – GM 506
PEO Dudes II, LLC – GM 507
HCBR Group of FL, LLC – GM 508

Mr. Finkelstein presented the controlling person application of Jorge Ruiz.

MOTION: Mr. Jones moved to approve the application.
SECOND: Ms. Dockery seconded the motion and it passed unanimously.

- C. Stuart Lee Manning, Controlling Person Applicant**
Sheakley HR, LLC – EL 443

Mr. Finkelstein presented the controlling person application of Stuart Lee Manning asking if anyone was present to represent the applicant.

No one answered.

Mr. Finkelstein asked to table discussion of the application until the April 2016 meeting at which time the applicant could appear to answer questions from the board.

Mr. Finkelstein asked Ms. Woodard to contact the applicant about waiving the 90 application agency action requirement and to advise him of the need to provide information pertaining to the disposition of a case as revealed in his application.

V. REVIEW AND CONSIDERATION OF CHANGE OF OWNERSHIP APPLICATIONS

- A. Apex Employer Solutions of Florida, Inc. I – GL 197**
Apex Employer Solutions of Florida, Inc. II – GM 524
• CP Relinquishment – Deborah Rabe, CO 1062

- **Addition of Controlling Person - John Jones, CO 321**

Mr. Finkelstein presented the change of ownership, and controlling person relinquishment applications.

MOTION: Mr. Finkelstein moved to approve the applications.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

**B. Oasis HR Solutions, Inc. – GM 452 – Filing 1
Oasis Outsourcing VII, Inc. – GM 213**

**Oasis Outsourcing II, Inc. – GM 91 – Filing 2
Oasis Outsourcing Advantage, Inc. – GM 450
Oasis Outsourcing II, Inc. – GM 451**

**Pay Admin II, Inc. – GL 173 – Filing 3
A-1 Contract Staffing VII, LLC – GM 444
A1 HR, LLC – GM 443**

**A-1 Contract Staffing III, LLC – GL 111 – Filing 4
A-1 Contract Staffing II, LLC – GM 342
Pay Admin, LLC – GM 406**

Doherty Employment Group, Inc. – EL 247 – Filing 5

Mr. Finkelstein presented the change of ownership applications.

MOTION: Mr. Jones moved to approve the applications.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

(EMPLOYEE LEASING COMPANY NAME CHANGES)

- **A-1 Contract Staffing III, LLC – GL 111
TO: Oasis Outsourcing Contract III, Inc.**
- **A-1 Contract Staffing II, LLC – GM 342
TO: Oasis Outsourcing Contract II, Inc.**
- **A-1 Contract Staffing VII, LLC – GM 444
TO: Oasis Outsourcing Contract VII, Inc.**
- **A1 HR, LLC – GM 443
TO: Oasis Outsourcing HR, Inc.**
- **Pay Admin II, Inc. – GL 173
TO: Oasis Outsourcing Admin II, Inc.**
- **Pay Admin, LLC – GM 406
TO: Oasis Outsourcing Admin, Inc.**

Mr. Finkelstein presented the name change applications.

MOTION: Ms. Dockery moved to approve the name change applications.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

(TERMINATION OF EMPLOYEE LEASING COMPANY OPERATIONS)

- Oasis Outsourcing VII, Inc. – GM 213
- Oasis Outsourcing II, Inc. – GM 91
- Oasis HR Solutions II, Inc. – GM 451
- Oasis Outsourcing Advantage, Inc. – GM 450
- Oasis HR Solutions, Inc. – GM 452
- Doherty Employment Group, Inc. – EL 247
 - CP Relinquishment – Valerie Doherty – CO 617
 - CP Relinquishment – Timothy Doherty – CO 616

Mr. Finkelstein presented the termination of operations and controlling person relinquishment applications.

MOTION: Mr. Jones moved to approve the applications.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

VI. REVIEW AND CONSIDERATION OF TERMINATION OF EMPLOYEE LEASING COMPANY OPERATIONS

- A. Complete Personnel Logistics, EL 271**
- CP Relinquishment – Jason Lucarelli, CO 651
 - CP Relinquishment – Samuel Lucarelli, CO 650

Mr. Finkelstein presented the termination of operations and controlling person relinquishment applications.

MOTION: Mr. Jones moved to approve the applications.

SECOND: Ms. Dockery seconded the motion and it passed unanimously.

VII. REVIEW AND CONSIDERATION OF CONTROLLING PERSON RELINQUISHMENTS

- A. Eduardo Gomez, CO 1016**
- ADP TotalSource CO XXII, Inc. – GL 118
 - ADP TotalSource, Inc. – GL 104
 - ADP TotalSource I, Inc. – GL 33
 - ADP TotalSource Services, Inc. – GL 4
- (Group Members are included in list of companies)***

Mr. Finkelstein presented the controlling person relinquishment of Eduardo Gomez.

MOTION: Mr. Jones moved to accept the controlling person relinquishment.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

B. Andrew Sherman, CO

ADP TotalSource CO XXII, Inc. – GL 118

ADP TotalSource, Inc. – GL 104

ADP TotalSource I, Inc. – GL 33

ADP TotalSource Services, Inc. – GL 4

(Group Members are included in list of companies)

Mr. Finkelstein advised that this request was being pulled from the agenda and will be presented at a later date.

C. Eric Lopez, CO 996

ADP TotalSource CO XXII, Inc. – GL 118

ADP TotalSource, Inc. – GL 104

ADP TotalSource I, Inc. – GL 33

ADP TotalSource Services, Inc. – GL 4

(Group Members are included in list of companies)

Mr. Finkelstein presented the controlling person relinquishment of Eric Lopez.

MOTION: Mr. Jones moved to accept the controlling person relinquishment.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

D. Monisha DeQuadros, CO 1003

ADP TotalSource CO XXII, Inc. – GL 118

ADP TotalSource, Inc. – GL 104

ADP TotalSource I, Inc. – GL 33

ADP TotalSource Services, Inc. – GL 4

(Group Members are included in list of companies)

Mr. Finkelstein advised that this request was being pulled from the agenda and will be presented at a later date.

VIII. ELECTION OF OFFICERS

Mr. Jones stated that he would like to nominate Ms. Dockery as Chair. Mr. Arfons seconded the nomination. With no further nominations, Ms. Dockery was elected as Chair of the board.

Mr. Finkelstein stated that he would like to nominate Mr. Jones as Vice Chair. Ms. Dockery seconded the nomination. With no further nominations, Mr. Jones as elected as Vice Chair of the board.

Ms. Dockery advised that she will appoint members to the Probable Cause Panel at a later date.

IX. OLD BUSINESS

None

X. NEW BUSINESS

Mr. Jones asked when the board will be provided an answer as to what they can and cannot do regarding the Anti-Trust Issue. He advised that is he had not received an answer within one month he would consider resigning from the board.

Ms. Norr advised that the Attorney General's Office is working as expeditiously as possible.

The board then asked Mr. Morrison to request an appropriation for insurance for board member protection/coverage regarding the Anti-Trust issue.

XI. PUBLIC COMMENTS

NONE

XII. ADJOURNMENT

MOTION: Mr. Landrum moved to adjourn the meeting at 10:47 a.m.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

Transcripts and/or recordings of the meeting can be obtained upon request.