

EXECUTIVE SUMMARY

Board of Employee Leasing Companies

Meeting Type: General Business/Committee Meeting
Meeting Date: February 16, 2006
Meeting Loc: DBPR Boardroom, Tallahassee

Board Members: Celeste Dockery (Chair), Kelly Lanza,
Frank Crum Jr., Ryan S. Moore
Carlos Rodriguez (Vice-Chair)

Members Absent: None

Department Staff: Eric Hurst, (Prosecuting Attorney)
John Knap, (Executive Director)
Krista Woodard, (Gov. Analyst II)

Other Attendees: Mary Ellen Clark, (Board Counsel)

Major Issues/Actions

- The Probable Cause Panel considered 6 Closing Orders and 6 Administrative Complaints and 2 Reconsiderations. 5 cases closed, 6 cases probable cause found, 3 cases continued to next meeting.
- The board reviewed 4 employee leasing company and controlling person applications. 1 was approved, 1 denied and 2 were tabled to the March TCC.
- The board reviewed 4 applications for consideration of change of ownership, all were approved.
- The board reviewed 1 application for consideration of termination of Employee Leasing Company Operations, which was pulled from agenda due to open complaints.
- There was no relinquishment of controlling person license applications.
- The Board considered 6 discipline cases and 2 settlement stipulations.
- Review of the January, 2006 licensee population report for the Board of Employee Leasing Companies
- First quarter 2005-2006 financial reports (September 30) presented by Executive Director. Discussion of balances in operating and unlicensed activity accounts.
- Unlicensed Activity – A detailed enforcement / unlicensed activity report through 12/31/05 was presented to the Board from the Division of Professions and Regulation.

- Prosecuting Attorney Report – 40 total discipline cases currently open in various statuses, 20 open cases are public.
- Unlicensed Activity – A detailed unlicensed activity enforcement report from 1/1/05 through 12/31/05 was presented to the board from Laura Gaffney, Chief Attorney, Office of the General Counsel.
- Executive Directors Report – The enhancements to the Department’s web pages were displayed. The link to the F.A.C. on the board’s web page has been pointed directly to the F.A.C. site so that the rules accessed will always be up to date.
- Staff was requested to inquire regarding status of board appointments.
- Board member Crum suggested that board staff should attend the national convention to obtain knowledge of the profession.
- A presentation by Mr. Ron Safford, ADR Coordinator, regarding the Division of Professions and Regulation Mediation Program and OPPAGA ADR recommendations. The consensus of the members was that the program is not applicable to most of the violations encountered by the profession.
- A presentation by Mr. Dan Sumner, Assistant Director of the Division of Workers’ Compensation, Department of Financial Services. He spoke on the subject of liability for coverage when a PEO (Professional Employer Organization) has relied on client-based workers’ compensation coverage that turns out to be non-existent.
- A presentation by Tim Tucker from (NAPEO) National Association of Professional Employer Organizations, regarding alternate licensing provisions, and in particular the (ESAC) Employer Services Assurance Corporation program.
- Election of officers was held. Celeste Dockery of Bradenton was re-elected Chairman and Carlos Rodriguez of Miami was re-elected Vice-Chairman, effective for the March 2006 Telephone Conference Call meeting.

Legislation/Rule Promulgation

- Discussion of a draft version of SB 2276, legislation proposing changes to the Employee Leasing Statutes.

Board counsel provided a Rules Report.

No rule changes currently in process.

Next Meeting: March 15, 2006 Telephone Conference Call
 April 19, 2006 Tampa

John T. Knap
 Executive Director February 27, 2006