

# POLICY REVIEW AND COMPLIANCE MEMORANDUM



*Honesty - Integrity - Character*

To: Mark E. Bannon, Executive Director  
From: Gina A. Levesque, Intake and Compliance Manager  
Re: A16-005 – City of Belle Glade Ethics Policy Review and Training Compliance- Employees and Elected Officials

- **Background**

The Code of Ethics (Code) states in part under Section 2-446(a) that the county or municipal administrator shall establish by policy a mandatory training schedule for all employees and elected/appointed officials, which shall include mandatory periodic follow-up sessions. Section 2-446(b) states in part that the COE shall develop and deliver training programs and ensure that the training is delivered in a timely manner.

- **Objectives and Scope**

The objectives are:

- To provide assurance that the agency has a training policy.
- To provide assurance that the training policy includes enough specific information to appointed officials that they can determine clear parameters, including initial training with deadline and grace period defined, and retraining cycle timeline with deadlines and grace periods defined.
- To provide reasonable assurance the municipality is requiring its appointed officials to comply with the training policy.

The scope of this review focused on the policy and acknowledgement forms for the employees and elected officials of the City of Belle Glade (City). The delivery method of the ethics training and internal tracking method of compliance was not part of the scope. It should be noted that a separate review will be completed regarding appointed officials.

- **Approach and Methodology**

The approach included an on-site review of a proof of training and a request for a list of the employees and elected officials. I reviewed the training policy, a list of employees and elected officials, and the ethics training acknowledgements submitted by the employees and elected officials.

- **Findings**

The policy for the City is titled “*Conflict of Interest and Code of Ethics Policy*”, which includes a paragraph regarding training. The policy for the City was issued and became effective on February 4, 2013.

The paragraph regarding training includes the heading “**Ethics Training**” and states as follows:

“At the beginning of employment and throughout the course of City employment, employees are advised of their obligations to comply with the Palm Beach County and State of Florida Code of Ethics. Training provided by the City is mandatory for all Covered Persons, whether initial training or follow-up training. The City provides follow-up training on the ethics obligations of Covered Persons approximately every 12-18 months.”

I met with Vivian Hunter, Director of Human Resources and Raquel Prince, Benefits Specialist for the City. Ms. Prince provided a list of all active employees for the city, which included the elected officials. I was also given a copy of all of the signed training acknowledgement forms.

The entire policy is eight (8) pages and covers several areas in depth. However, the training portion of the policy is vague, requiring training at the "beginning" and "throughout the course" of employment. Additionally, said training is "required" for covered persons and offered "approximately" every 12-18 months.

Considering the language is vague as to the timeframe aspect, because the policy was approved on February 4, 2013, I used that date as a starting point to calculate a date to review for training compliance. I also noted that the majority of the compliance forms provided were dated May 24, 2015. With those two (2) dates in mind, I calculated 12-18 months from the policy implementation date to be February 4, 2014-August 4, 2014. Using February 4 as a start date, the next 12-18 month calculated period is February 4, 2015-August 4, 2015.

After reviewing the policy, I asked Ms. Hunter if new employees were given a deadline to complete the training from their hire date, and she said that although it wasn't in their policy, every new employee knew they wouldn't receive their first paycheck unless the training was done.

There were 112 names on the list of employees and elected officials provided. Of those 112 people, 62 people completed a training acknowledgement form. None of the 62 submissions were from a City Commission member.

- **Recommendations**

After reviewing the policy and completing the compliance review, implementing the following recommendations should provide clarification regarding the training cycle, deadlines, and tracking.

1. I recommend a separate policy regarding training and retraining guidelines for City employees and elected/appointed officials.
2. City policy indicates employees are advised of their obligations to comply with the Palm Beach County and State of Florida Code of Ethics at the beginning of employment and throughout the course of City employment, but there is no specific time period listed for completion of ethics training. I recommend that a specific time frame after being hired to complete ethics training is included in the policy. (30, 60 days, etc.)

Regardless of whether or not a separate policy is written, it is recommended that the language be substantially the same as the following:

- a. The Human Resources director or designee will coordinate training and compliance audits with the Commission on Ethics for all employees and elected officials. The City Clerk or designee will coordinate training and compliance audits with the Commission on Ethics for appointed officials.
- b. All employees and officials (elected and appointed) must participate in training within \_\_\_\_ days of taking office upon election, reelection, appointment or reappointment. After initial training, which shall be completed within \_\_\_\_ days of being hired, periodic mandatory follow-up training is required for all employees every two (2) years by October 1 of the cycle year. This training requirement may consist of live training by COE staff, on-line training through use of the training video available on the COE website, or DVD presentation upon request.
- c. There is a 60-day grace period for all follow-up training. Therefore, anyone that has taken training between August 1 and November 30 of the training cycle year will be considered to have complied with the mandatory training requirement.
- d. As part of the required training, all public employees, elected and appointed officials must read the Palm Beach County Code of Ethics. The code is available on the COE website as well as in the handbook published by the Commission on Ethics.

- d. After completing initial training and having read the Code of Ethics, all officials and employees shall complete an approved acknowledgment form, available on the commission on ethics website, <http://www.palmbeachcountyethics.com/forms.htm>, indicating that they attended a live COE training or viewed the appropriate web-video or approved DVD provided by the COE. The training acknowledgment form must be signed by the employee or official and submitted to Human Resources or other designated department for inclusion in their personnel file. After initial training, a group sign-in or individual acknowledgement form will suffice for all follow-up training provided the training has been scheduled by the City.

- **Conclusions**

The City of Belle Glade is not in compliance with its current training policy. Furthermore, to avoid confusion and to provide clear information, policy recommendations are being submitted to the City for review.

Submitted by:

  
\_\_\_\_\_  
Gina A. Levesque, Intake and Compliance Manager  
Palm Beach County Commission on Ethics

9.16.2016  
Date