

# POLICY REVIEW AND COMPLIANCE MEMORANDUM



*Honesty - Integrity - Character*

To: Mark E. Bannon, Executive Director  
From: Gina A. Levesque, Intake and Compliance Manager  
Re: A17-006 – City of Pahokee Ethics Policy Review and Training Compliance

- **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 (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 officials and employees 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 officials and employees to comply with the training policy.

The scope of this review focused on the policy and proof of training for officials and employees within the City of Pahokee (City). The delivery method of the ethics training and internal tracking method of compliance was not part of the scope.

- **Approach and Methodology**

The approach included a request to meet with the Human Resources (HR) Director, to review a list of all officials and employees as well as proof of ethics training by said officials and employees. I met with City Manager Chandler Williamson on August 15, 2017 to perform the review. Mr. Williamson said the City's HR Director Position had been vacant for approximately three (3) months. He went on to say the position had been filled, but the individual would not start for a few more weeks.

- **Findings**

The training policy for the City was issued and became effective on February 26, 2013. The policy requires that all employees complete and submit a training acknowledgement form to the human resources department subsequent to reading the Code and completion of training.

The policy requires that officials and employees undergo initial training and read the Code within 90 days of appointment, employment, or taking office for elected officials. The training policy also requires rereading the Code and mandatory follow-up training as needed, but no less than every three (3) years for all officials and employees. There is no differentiation between employees and elected officials for the 3-year mandatory follow-up training.

The policy does not include a training deadline date for the 2-year cycle nor does it include a grace period. Mr. Williamson provided sign-in sheets for training presentations given in September 2016. However, he did not

want to commit to a deadline or grace period until he had a chance to obtain input from the newly hired HR Director.

Mr. Williamson also provided an excel spreadsheet containing the names of all employees with their hire date. The City Clerk forwarded a list of the board members for the one board that is current. At the time of the review, the City consisted of thirty-eight (38) employees, five (5) elected officials, and six (6) appointed officials. There were ten (10) employees and three (3) appointed officials who did not take training.

The six (6) appointed officials on the only active board in the City were all appointed on the same date, and their term ends on the same date. Although state law requires that elected officials undergo four (4) hours of ethics training each year, that ethics training does not necessarily contain training provided by the Commission on Ethics for the Palm Beach County Code. Furthermore, City policy requires participation in county ethics training every three (3) years. However, City commissioners are elected every three (3) years on a rotating basis. Therefore, there is no election every third year.

For this purpose, the City has a significant number of individuals to track for training purposes. While the internal tracking method of compliance is not being reviewed, the City is currently using sign-in sheets to track who participated in live training when it is given in the City. However, they are not keeping acknowledgement forms for officials or anyone who could not attend a live training.

- **Recommendations**

After reviewing the policy and completing the compliance review, implementing the following four (4) recommendations should provide clarification regarding the training cycle and deadlines. The tracking process would also be easier to maintain.

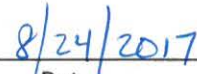
1. The follow-up training for employees should be more specific so that everyone will have a better understanding of what is expected. For example, the follow-up language for employees could be as follows: **"After initial training, periodic mandatory follow-up training is required for all employees every two (2) years during the training cycle. The two-year training cycle is effective October 1, 2017, and there will be a 60-day grace period. Therefore, all employees who take ethics training and read the Code of Ethics between August 1 and November 30 during the cycle year will be considered trained and in compliance with this policy."**
2. It is recommended that the language in the policy regarding mandatory follow-up training for officials be separated from the follow-up language for employees and instead be included in the language regarding initial training. For example, the initial training for officials could be changed to include the mandatory follow-up language to read: **"Officials (elected and appointed) must participate in training within sixty (60) days of taking office upon election, reelection, appointment or reappointment."**
3. Although procedure 4 specifically states all employees, elected and appointed officials shall complete an approved acknowledgement form, I was provided copies of sign-in sheets for those who attended the live training sessions. While that practice is acceptable, the language in the policy should be changed to reflect the method used to track compliance.
4. Finally, we request that the City remove Item 6 of the City Policy. During the COE's initial compliance reviews in 2012, a grace period of up to 45 days was allowed to cure any deficiencies in required ethics training. The allowances were given because the ordinance was new. However, since this process is now in its seventh year, the 45-day grace period is no longer applicable and training deficiencies will be noted in the compliance review reports after the ethics training compliance review has been conducted by COE staff.

- Conclusions

The results of the review found that the City of Pahokee is not in full compliance with the ethics training requirement for its employees and appointed officials. However, all elected officials for the City of Pahokee are in compliance with the ethics training requirement. Further, the review identified four (4) areas of the policy that should be updated.

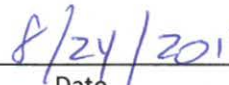
Submitted by:

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

  
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Date

Reviewed by:

  
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Date