

# POLICY REVIEW AND COMPLIANCE MEMORANDUM



*Honesty - Integrity - Character*

To: Mark E. Bannon, Executive Director  
From: Gina A. Levesque, Intake and Compliance Manager  
A17-008 – City of West Palm Beach  
Re: 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, 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 county or municipality has a training policy.
- To provide assurance that the training policy includes enough specific information for officials and employees to determine clear parameters, including initial training and retraining deadlines and grace period definitions.
- 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 full-time employees within the City of West Palm Beach (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 review a list of all officials and employees including election or appointment dates or hire dates as well as proof of ethics training by said officials and employees. I received all of the requested information via e-mail.

- **Findings**

The training policy for the City was issued and became effective on September 3, 2014. The policy requires that non-elected officials and employees undergo initial training and read the Code within thirty (30) days of appointment or employment. All City elected officials must receive initial training within thirty (30) days of taking office. The training policy also requires rereading the Code and mandatory follow-up training every two (2) years for all officials and employees.

There is no differentiation between employees and elected officials for the 2-year mandatory follow-up training. Subsequent to the completion of ethics training, the policy requires submission of a training acknowledgement form to Human Resources. The policy includes a training deadline date of July 1 and includes a ninety-day grace period, specifically designating April 1 through September 30 as the training compliance timeframe for each training cycle period.

At the time of the review, the City consisted of six elected officials, 1,640 employees, and 219 appointed officials with 10 vacant positions (229 appointed positions) among 31 advisory boards. All elected officials completed training within the time allotted by policy. There were nine employees on approved leave and four who completed training within four days of the deadline date. However, 78 appointed officials did not comply with the training policy. It should be noted that the Mayor is elected for a 4-year term and the Commissioners are each elected for 2-year terms on a rotating basis. It should also be noted that advisory board term dates vary from 1 to 3 years, and some advisory boards have employees appointed to serve with no term date.

- **Recommendations**

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 two (2) years. However, because the elected officials are elected on a rotating basis, this creates an arduous task for tracking purposes. Therefore, it is recommended that the language in the policy regarding mandatory follow-up training for officials be removed from the employees section of the policy manual and instead be incorporated into the initial training manual.

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 thirty (30) days of taking office upon election, reelection, appointment or reappointment.”**

- **Conclusions**

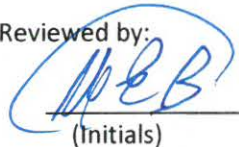
The results of the review found that the City of West Palm Beach is not in full compliance with the ethics training requirement for all of its employees and officials. Further, the review identified one area of the policy that should be updated for practicality.

Submitted by:

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

11/17/2017  
Date

Reviewed by:

  
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(Initials)

11/17/2017  
Date