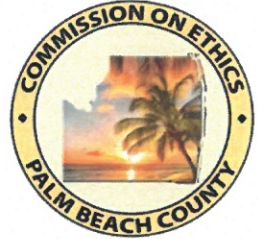


# POLICY REVIEW AND COMPLIANCE MEMORANDUM



*Honesty - Integrity - Character*

To: Mark E. Bannon, Executive Director  
From: Abigail Irizarry, Investigator  
A18-005 – Lake Worth Employees and Elected Officials  
Re: Ethics Training Compliance and Policy Review

- **Background**

The Palm Beach County 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 or 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 City of Lake Worth 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 City of Lake Worth 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 the City of Lake Worth (City) employees and elected officials. The delivery method of the ethics training and internal tracking method of compliance was not part of the scope.

- **Approach and Methodology**

The City Human Resources Director Loren E. Slaydon is responsible for tracking and maintaining all information for employees and elected officials.

- **Findings**

The training policy for the City was issued and became effective on May 1, 2013.

The policy entitled "Conflict of Interest and Code of Ethics" in the City Human Resource Policy and Procedure Manual addresses requirements for the ethics training. The "Ethics Training" section requires that employees undergo training at the beginning of employment and throughout the course of employment. The section also states that the City provides follow-up training approximately every 12-18 months.

The training section does not require that anyone read the Code, nor does it provide for any deadlines, grace periods, or reporting requirements. Although elected officials are considered the same as employees of the Village under the employee policy manual, the training section of the manual does not include appointed officials. However, appointed officials are under the jurisdiction of the Commission on Ethics regarding the Code.

Moreover, state law requires that elected officials undergo four (4) hours of ethics training each year. However, that ethics training does not necessarily contain training provided by the Palm Beach County Commission on Ethics for the Code. As the election cycle for council members is yearly on a rotating basis, biennial training for elected officials is difficult to track.

At the time of the review, there were 341 employees and elected officials. Of the 341 employees and elected officials, all employees and elected officials complied with the training policy.

- **Recommendations**

According to the Palm Beach County Code of Ethics §2-446(a), *Officials and employees shall be informed of their ethical responsibilities at the start of their public service, and shall receive updates and training materials on ethics issues throughout the span of their public service... The county administrator or municipal administrator as applicable shall establish by policy a mandatory training schedule for all officials and employees, which shall include mandatory periodic follow-up sessions.* In accordance with these mandates, the COE recommends incorporating the following language into a separate Ethics Training Policy and Procedure.

While this Training Compliance and Policy Review pertains to employees and elected officials, the following recommendations pertain to appointed officials as well.

1. All employees must receive initial Code of Ethics training within 60 days of employment. 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.
2. All elected and appointed officials must receive training within 60 days of taking office upon election, reelection, appointment, or reappointment. 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.
3. As part of the required training, all employees, elected officials, 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 guide, published by the Palm Beach County Commission on Ethics.
4. After completing 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 the City Clerk as indicated in paragraph 6 below. A copy of all training acknowledgements shall be kept alphabetically by last name in a separate binder.
5. 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 March 1, 2019, and there will be a 60-day grace period. Therefore, all employees who take ethics training and read the Code of Ethics between January 1 and April 30 during the cycle year will be considered trained and in compliance with this policy.
6. The Director of Human Resources shall be responsible for ensuring all elected officials and employees are in compliance with this policy and maintaining their acknowledgement forms. The City Clerk shall be responsible for ensuring all appointed officials are in compliance with this policy and maintaining their acknowledgement forms.
7. The Director of Human Resources shall be responsible for scheduling training and compliance reviews with the Commission on Ethics regarding elected officials and employees. The Village Clerk shall be responsible for scheduling training and compliance reviews with the Commission on Ethics regarding appointed officials.
8. Employees who do not comply with this policy within 30 days of being notified by Human Resources that they are not in compliance shall be subject to disciplinary action. Appointed officials who do not comply with this policy within 30 days of being notified by the City Clerk that they are not in compliance shall be subject to removal from their respective board.



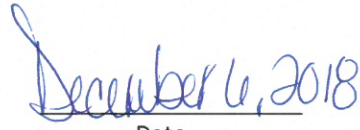
- **Conclusions**

The results of the review found that all of the City's employees and elected officials have taken training or retraining as specified in their policy. However, §2-446(a) of the Code requires that the policy specifically address appointed and elected officials as well. Therefore, since the City's policy does not address both appointed and elected officials, the City's policy does not fulfill the requirements set forth by the Code.

Further, the review identified eight (8) areas of the policy that should be updated for practicality and so that the requirements are clear.

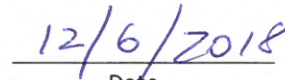
Submitted by:

  
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Abigail Irizarry, Investigator  
Palm Beach County Commission on Ethics

  
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Date

Reviewed by:

  
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Date