

POLICY REVIEW AND COMPLIANCE MEMORANDUM



Honesty - Integrity - Character

To: Mark E. Bannon, Executive Director
From: Gina A. Levesque, Intake and Compliance Manager
Re: A19-002 – City of Atlantis-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 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 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 agency is requiring its officials and employees to comply with the training policy.

The scope of this review focused on the policy and acknowledgement forms for officials and full-time employees within the City of Atlantis (City). The delivery method of the ethics training and internal tracking method of compliance were not part of the scope.

- **Approach and Methodology**

I sent an email to Kristen Puhalainen, who is the City Clerk and requested a meeting to review a list of the officials and employees as well as their training acknowledgement forms. As the City is not a large municipality, Ms. Puhalainen was able to email all the requested information on March 1, 2019, which alleviated an on-site review.

- **Findings**

The training policy for the City that was in effect for the compliance review that occurred on November 10, 2015 is still the presiding authority. The policy requires the completion and submission of a training acknowledgement form to the City Clerk subsequent to completion of training.

The policy requires that all employees and non-elected officials undergo initial training and read the Code within the first 60 days of employment. Elected officials must undergo initial training and read the Code within the first 60 days of taking office. The training policy also requires that employees and officials reread the Code and participate in mandatory follow-up training every two years.

The policy does not include a training deadline date for the 2-year cycle nor does it include a grace period. However, the acknowledgement forms indicate that everyone participated in training in April or May 2017.

At the time of the review, the City consisted of 5 elected officials, 34 full-time employees, and 25 appointed officials.

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 Palm Beach County Commission on Ethics for the Palm Beach County Code. Furthermore, City policy requires participation in county ethics training every two (2) years. Therefore, Council Members could theoretically be required to take the county ethics training every year.

- **Recommendations**

After reviewing the policy and completing the compliance review, implementing the following two (2) 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 changed to read 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 May 1, 2019, and all employees who take ethics training and read the Code of Ethics between April 1–May 31 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 removed 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.”**

- **Conclusions**

The results of the review found that the employees and officials for the City of Atlantis are in full compliance with the ethics-training requirement. Further, the review identified two (2) areas of the policy that should be updated for practicality and so that the requirements are clear.

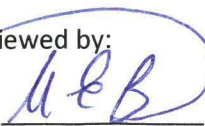
Submitted by:



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

04/04/2019
Date

Reviewed by:



(Initials)

4/4/2019
Date