

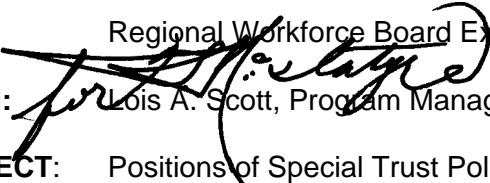


Charlie Crist
Governor
Monesia T. Brown
Director

MEMORANDUM

DATE: February 27, 2008

TO: Regional Workforce Board Executive Directors

FROM:  Lois A. Scott, Program Manager, One-Stop and Program Support

SUBJECT: Positions of Special Trust Policy and Required Actions

Florida Statutes require State employees holding “positions of special trust” to undergo security background checks to secure and maintain employment. As pertinent to Agency employees working at the Regional Workforce Board level, a “position of special trust,” is defined as a position in which the employee:

1. Has access to **and** can alter or destroy confidential information, records or files; or
2. Provides care to or works with children, the developmentally disabled or vulnerable adults for 15 hours or more each week.

In accordance with section 110.1127(1), F.S. and Agency Policy Number 1.08, which is attached to this memorandum, state employee positions meeting the above definition must be designated as positions of special trust. To meet the requirements of the statute, **only State positions are to be designated.**

Action Required

Attachment 2 includes a spreadsheet that contains a list of Agency positions for each RWB to review. Please review the job descriptions to determine if the positions meet the definition of “position of special trust” above, enter the RWB’s determination on the spreadsheet and include a justification for each determination. Complete the review and return the updated spreadsheet by March 14, 2008 to Donna Pottle at Donna.Pottle@flaawi.com. If the position description is outdated, please complete a new position description and send it to the Agency’s Human Resource office via Donna Pottle.

Once employees have been designated as filling special trust positions, the Agency will mail FBI Fingerprint Cards with return envelopes to the RWB for Agency employees to have completed locally. RWB supervisors should review background screening requirements and instructions with the designated employees and provide the employees with the Fingerprint Cards and the return envelopes sent by the Agency. The Agency employee must then take the Fingerprint Card to the

Regional Workforce Board Executive Directors

Agency for Workforce Innovation

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February 27, 2008

Page 2

local law enforcement agency (e.g., the local Sheriff's office) within five working days of receiving the Fingerprint Card. The employee must then return the completed Fingerprint Card to the Agency using the return envelope.

The Agency will assume the \$53 cost of each background check. However, the local law enforcement agency may charge the employee or potential employee a fee on-site for taking the fingerprints. This cost will be handled separately. The charge required by the local law enforcement agency must be paid for using one of the following processes:

- The employee pays the charge, and the Agency reimburses the employee; or
- The RWB pays the charge and the Agency reimburses the RWB.

If the employee pays the charge, the employee must complete the [Reimbursement Voucher for Expenses Other Than Travel](#) and submit the voucher to the Agency, along with a receipt. The receipt must be signed and dated by the Agency employee.

When an RWB hires a new Agency employee to fill a position of special trust, the Agency will forward a fingerprint card when the recommendation package is received. Upon receiving the fingerprint card, the RWB must instruct the new Agency employee to take the Fingerprint Card to the local law enforcement office, have the Fingerprint Card completed, and return the Fingerprint Card to the RWB hiring authority within five working days after being provided the Fingerprint Card. The Fingerprint Card must then be forwarded to the Agency for processing. The commitment letter to the chosen applicant will need to indicate that continued employment is contingent upon a successful background check. Since it may take up to 6 weeks to get the results from FDLE, the individual will be able to go ahead and fill the position and not have to wait on the results.

The Agency will review the reports related to the background checks and will provide written notice to the RWB if a background check reveals any disqualifying information. If the background screening results indicate an issue, the Agency will review the information to determine if the criminal history prohibits the individual from working in the sensitive position and consult with the RWB.

Please review the attached policy. The policy includes the process for ensuring that positions of special trust are appropriately designated and that information related to these positions is updated accordingly. The policy also includes the responsibilities of the Agency's Human Resource Management Office, the RWB and the employee, as well as information regarding confidentiality of criminal or juvenile history obtained through this process.

If you have any questions, please contact Donna Pottle at (850) 245-7168 or by email at Donna.Pottle@flaawi.com.

LAS/oem

Attachments

Attachment 1-Positions of Special Trust and Employee Background Screenings, Policy Number 1.08

Attachment 2-Position list for RWB review

cc: Chris Hart
Barbara Griffin