

POLICY REVIEW AND COMPLIANCE MEMORANDUM



To: Mark E. Bannon, Executive Director
From: Gina A. Levesque, Intake and Compliance Manager
Re: A17-009 – City of Greenacres Ethics Policy Review and Training Compliance *Honesty - Integrity - Character*

- **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 Commission on Ethics (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 Greenacres (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 and to review a list of all officials and employees and proof of ethics training by said officials and employees. I met with Suzanne Skidmore on December 12, 2017 to perform the review. At that time, Ms. Skidmore provided an Employee Position Report as of December 11, 2017, an excel spreadsheet tracing training dates for all employees and officials beginning in 2011, and a printout of all of the boards including their appointment or election date and their training date. It should be noted that the City Clerk, Joanna Cunningham, maintains the list of officials and supplied that list to Ms. Skidmore prior to the review.

After comparing and cross-referencing the reports, the employee numbers did not match. I contacted Ms. Skidmore on March 1, 2018, and she said there was some kind of problem with the reports. She forwarded another set of documents the same day. After comparing and cross-referencing the reports again, I concluded that the City has 156 current employees.

I reviewed the list of boards provided and concluded that the City has nine boards with 71 seats. Of the 71 seats, 54 are currently filled. It should be noted that one of the boards included in this review has been disbanded and will not be included in future reviews.

- **Findings**

The training policy for the City was issued and became effective on October 17, 2012. The policy requires that officials and employees undergo initial training and read the Code within 60 days of being elected, appointed, or employed. Further, they are to complete and submit a training acknowledgement form to the HR department subsequent to reading the Code and completing the training. The training policy also requires rereading the Code and mandatory follow-up training biennially thereafter. There is no differentiation between employees and elected officials for the 2-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. Ms. Skidmore provided an excel spreadsheet containing the names of all employees with each of their current and historic training dates. Although the spreadsheet contained dates of training, which appeared to require training biennially from the first date of training, there was no hire date listed. However, even without the date of hire, for the most part, all employees have trained biennially within 90 days of the prior training. It should be noted that tracking training biennially from the last date of training will become an arduous task because there is no set timeframe, and may be overlooked.

Although the spreadsheet provided by Ms. Skidmore contained the names and dates of training for the boards, I relied on the documentation provided by the clerk for the review as she is responsible for maintaining those records.

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 Commission on Ethics for the Palm Beach County Code. As the election cycle for the Mayor and council members is every two years on a rotating basis, biennial training for elected officials is easier to track. However, according to the list supplied by the Clerk, only one elected official is in compliance with the policy as the five other elected officials took training outside the 60-day training requirement. Furthermore, while the majority of the appointed officials took training, very few took training within the 60-day training requirement.

- **Recommendations**

After reviewing the policy and completing the compliance review, implementing the following three (3) recommendations should provide clarification regarding the training cycle and deadlines and make the tracking process 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. The tracking will also be less arduous and easier to maintain. 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 1.C. specifically states all employees, elected and appointed officials shall complete an approved acknowledgement form, I was provided copies of spreadsheets with the dates of training manually entered. While that practice is acceptable, the language in the policy should be changed to reflect the method used to track compliance.

- **Conclusions**

The results of the review found that the City of Greenacres is in full compliance with the ethics training requirement for its employees. However, the City is not in full compliance with the ethics training requirement for its officials. Further, the review identified three areas of the policy that should be updated.

Submitted by:




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



Date

Reviewed by:



(Initials)



Date