

EXECUTIVE SUMMARY

Board of Employee Leasing Companies

Meeting Type: General Business/Committee Meeting
Meeting Date: June 17 & 18, 2008
Meeting Loc: Four Seasons Resort Palm Beach
2800 South Ocean Boulevard
Palm Beach, Florida 33490

Board Members: Kelly Lanza (Chair)
Abram Finkelstein
Marjorie Seltzer
Deborah Segal
Warren Schoenfisch

Members Absent: Gayla Parks (excused)

Department Staff: Richard Morrison (Executive Director)
Krista Woodard (Government Analyst II)
Elizabeth Duffy (Prosecuting Attorney)

Other Attendees: Garnett Chisenhall (Board Counsel)

Major Issues/Actions:

- The Board reviewed six applications for employee leasing company operations. Five were approved and one was tabled until the next face-to-face meeting in August 2008.
- The Board reviewed and approved fifteen (15) applications for controlling person.
- The Board reviewed and approved two applications for company name change.
- The Board held a Rules Workshop to discuss proposed amendments to Rule 61G7-10.0014, Florida Administrative Code (FAC), regarding workers' compensation master policies and client-based policies. The board has required employee leasing companies in the past to have a master policy. Questions concerning the rule from the board and the industry were discussed. Board counsel informed the board that the rule has made it through the rule making process and will be adopted on June 27, 2008 barring any rule challenges. This rule will require employee leasing companies to report workers' compensation coverage on all leased employees quarterly.

Most of the discussion centered on the board's interpretation of whether a master workers' compensation policy is required of an employee leasing company when there are client-based policies in place covering all leased employees. To this point the board has required all employee leasing companies to have a master policy because the employee leasing company is ultimately responsible for insuring there is workers' compensation coverage on all leased employees at all times. Without a master policy the board had no way of knowing if client-based policies were in place. They determined that a master policy was not necessary as long as there was a client-based policy in effect and there is quarterly reporting.

The board also determined that an employee leasing company did not have to have a workers' compensation policy in order to be licensed or to renew their

license if they did not have any leased employees. Board counsel will review all of the Board's rules and determine what needs to be changed, if anything, in order to put this new policy into action.

Legislation/Rule Promulgation

NONE

Next Meeting: July 16, 2008 TCC

Richard Morrison
Executive Director