

EXECUTIVE SUMMARY
Board of Employee Leasing Companies

Meeting Type: General Business
Meeting Date: June 17, 2009
Meeting Loc: The Four Seasons Resort Palm Beach
2800 South Ocean Boulevard
Palm Beach, Florida 33480

Board Members: Marjorie Seltzer, Chair
Abram Finkelstein, Vice-Chair
Deborah Segal
Gayla Parks
Celeste Dockery
John Jones

Members Absent: NONE

Department Staff: Richard Morrison, Executive Director
Krista Woodard, Government Analyst
Eric Hurst, Prosecuting Attorney

Other Attendees: Lisa Comingore, Board Counsel

Major Issues/Actions:

- The board denied four applications for failure to submit a complete application as required by the statute. The denial was based on the application deficiencies that had not been answered in over two years.
- The board reviewed three applications for controlling person. Two were approved and one continued until the May 20, 2009 meeting.
- The board reviewed and approved seven applications for change of ownership.
- The board reviewed and approved one application for controlling person relinquishment.
- The board scheduled a meeting on June 16, 2009 to discuss rules changes to:
 - No longer require applicants for initial licensure as an employee leasing company to present evidence of workers' compensation coverage if they do not have leased employees.
 - By not requiring workers' compensation insurance for initial applicants that do not have employees, allows companies, usually small businesses, to establish core business practices before they began hiring and leasing employees. This will, in effect, increase the number of applications / small businesses.
 - Provide a more specific Website address for accessing application forms. Due to changes in the department Website a changes to this rule was necessary for ease of access.

- Require controlling person applicants to submit electronic fingerprint to the department's vendor Pearson Vue, rather than using the paper fingerprint card. The Department of Business and Professional Regulation, in an effort to save time, began accepting fingerprints for criminal background checks on applicants by electronic means only.
- Change the application fee for controlling person applicants. Due to the change in cost of electronic fingerprint submissions, the cost of the application changed. The application fee paid to the department is being reduced by \$43.25 and the applicant will pay \$57.25 directly to the vendor. This is an increase in the application process of \$14.00. The application fee is being updated in this rule to reflect that change.
- Amend the process for controlling persons who leave one employee leasing company to work for another. This change is to eliminate a conflict in rules 61G7-5.001(6)(a)(6)FAC, which reflects a fee of \$25.00 and rule 61G7-10.002(2)(i)FAC, which reflects a fee of \$5.00, for a controlling persons to leave one company to work for another. Rule 61G7-5.001 is being updated to make the \$5.00 charge consistent with 61G7-10.002(2)(i)FAC.

The rule changes were discussed again during the general business portion of the meeting that began on June 17, 2009. The board's counsel will review the comments and information she received and will provide the board with a synopsis and the suggested language.

- The board asked the department board staff to pursue a recommendation from a licensee about submitting quarterly reports electronically, to make the reporting process more efficient.

Legislation/Rule Promulgation

None

Action Required

- Board counsel will prepare orders and provide the board with the rule language discussed above

Next Meeting: July 15, 2009 Tallahassee

Richard Morrison
Executive Director