

EXECUTIVE SUMMARY

BOARD OF EMPLOYEE LEASING COMPANIES

I. General Information

Meeting Type: General Business Board Meeting
Meeting Date: Wednesday, April 16, 2003
Meeting Location: Sheraton Suites – Tampa Airport
4400 West Cypress Street
Tampa, Florida 33607
Members Present: Celeste Dockery, David Stroyan, Frank Crum, Jr., Kelly Lanza, Donna Bloomer and Carlos Rodriguez
Members Absent: None

II. Major Issues/Actions

- The Board reviewed 13 initial licensure applications. Two applications were approved; eight applications were approved contingent upon receipt of additional information; and three applications were tabled pending receipt of additional information.
- The Board reviewed two change of ownership applications. Each was approved contingent upon receipt of additional information.
- The Board expressed concern having not yet received a position from the Department of Financial Services as to whether employee leasing companies utilizing client-based policies written either directly by an independent carrier or through the Florida Workers' Compensation Joint Underwriters Association, Inc., would still be required under Chapter 440, Florida Statutes, to have a policy that does not exclude leased employees as a back-up should the client company's policy lapse.

III. Legislation/Rule Promulgation

- The Board very briefly discussed a reported ruling in Texas raised by the Florida Association of Professional Employer Organization's general counsel, who stated that a professional employer organization in Texas may be responsible for an employment contract entered into by a client company. The Board directed its counsel to work with the Florida Association of Professional Employer Organization's general counsel to draft a rule defining "assumes responsibility for payment of wages" for presentation to the Board.

IV. Action Required

- Board counsel is to work with the Florida Association of Professional Employer Organization's general counsel to draft a rule defining "assumes responsibility for payment of wages" for presentation to the Board.
- Board staff to broadcast to licensees via mail and website the new rule requirements regarding the submission of evidence of workers' compensation coverage.
- The Board's counsel and Ms. Lanza are to continue working together to draft language which licensees may utilize to attest that all leased employees in Florida have workers' compensation coverage as required by Rule 61G7-10.0014, F.A.C.

Juanita Chastain
Executive Director
April 21, 2003