



Local Operating Procedure

SECTION: Operations	PROCEDURE#: LOP14	PAGE 1 of 4
TITLE: New Employer Registration Procedure	EFFECTIVE DATE: February 8, 2021	

DISTRIBUTION: CareerSource North Central Florida Staff

PURPOSE: The purpose of this procedure is to provide information and guidance regarding the vetting of new employers that register with Region 09:

- Assist employers in filling jobs
- Facilitating the match between job seekers and employers (1)
- Maintain a system of clearing labor between the states (2) including the use of a standardized classification system.

(1)This is accomplished through the job referral process

(2)The processing of interstate and intrastate job orders

Staff in region 09 must conduct independent verification of a newly registered employer account prior to enabling an employer account or releasing any job orders to job seekers. Additionally Region 09 staff must:

REFERENCE: Administrative Policy Number 98

Procedure:

Employer-Account Verification in Employ Florida

1. The Business Services lead will pull a report to identify any new registrations entered by an employer and assign it to a staff member on the business services team for verification of authenticity. The Lead will verify that the order has been vetted and documented on a daily basis.
2. Verify the employer's registration information to include the business name, address, contact person, and contact information. Methods of verification must include a phone call using the contact number listed on the company's website (not the one provided in the registration as it could be fraudulent), email inquiry, website review, and State of Florida's Department of State, Division of Corporations. If the employer fails to respond to Region 09's phone call and email,

Region 09 may conduct an onsite in-person review. Verification of the registration must be documented in a case note.

3. For in-state employers, verify the Federal Employer Identification Number (FEIN)/Tax Identification Number (TIN) and entity's name on the Department of State, Division of Corporation Sunbiz website ("Sunbiz"). If the business is not registered in Sunbiz as required, do not enable or approve the employer's registration until such information is available for verification as described in Subsection IV.B.4. below.
4. For out-of-state employers, verify the FEIN/TIN and entity's name using the appropriate state's division of the corporation's website. If the information is unavailable for verification, do not enable the registration until such information is available for verification as described in Subsection IV.B.4. below.
5. For in-state and out-of-state employers and government organizations that are not registered in Sunbiz or the appropriate state's division of corporation's website, Region 09 staff must request the employer or organization to provide official documentation from the Internal Revenue Service (IRS) showing the FEIN/TIN. Upon receipt, staff must case note the specific documentation provided and proceed with their normal verification process. An electronic copy of the documentation can be uploaded to the employer's account in Employ Florida or the hard copy can be kept in the physical file, as dictated by the LWDB's local operating procedures.
6. For staff-assisted registration of employer accounts, staff must conduct a follow-up and final review via email or telephone with the employer to confirm the information listed in the registration is accurate and document the method used for the approval process in case notes for all staff assisted registration of employer accounts.
7. Review all submitted job orders for compliance with federal and state laws, and the Employ Florida Terms and Conditions of Use.
8. Staff must enter a case note when verifying an employer that, at a minimum, includes the method of contact, the name, and title of the contact (if applicable), whether the employer is registered in the appropriate state's corporations website, and the method used to verify the employer before an employer account is enabled in the system.
9. When an employer completes their registration in Employ Florida, the account status is automatically set to "Pending Verification". Employer accounts must be verified within two business days of the date of the initial registration. However, if the verification process cannot be completed within two business days, staff must place the employer's account in a "Not Verified" status. Upon placing an employer's account in a Not Verified status, staff must notify the employer of the action and ask the employer to correct the missing/needed information as soon as possible. The account must remain in Not Verified status until the employer's information is properly reviewed and verified in accordance with state and local policy. If the validity of an employer cannot be verified or if staff believes the account is suspicious in nature, staff must alert the LWDB manager. The LWDB manager must immediately elevate concerns of suspicious activity in Employ Florida to the Department of Economic Opportunity via email at: EFAccountReferral@deo.myflorida.com.

C. Third-Party Agent Verification

Region 09 staff must ensure job orders posted by third-party agents are in accordance with the Employ Florida Terms and Conditions of Use. Third-party agents that use the Employ Florida system to post job openings for an employer must:

1. Obtain the employer's written consent to post job orders on the Employ Florida website and provide it to LWDB prior to posting an open position. Upon receipt of the written consent,

Region 09 must upload an electronic copy to the account and enter a case note stating the specific documentation provided and uploaded.

2. Use only the employer's name and FEIN to register an account, unless the third-party agent is the employing entity.
3. List the employer's address of record and contact information as the primary contact and list the third-party agent's address of record and contact information as the secondary contact for verification purposes. Note: the employer's address may be suppressed and hidden from jobseekers.
4. Meet the same verification requirements listed in Section B of this policy.

D. Discontinuation of Services

Pursuant to 20 C.F.R. 658, Region 09 must initiate procedures to discontinue services to an employer or third-party agent in certain instances. Some reasons for discontinuing services include, but are not limited to, an employer or third-party agent who:

1. Submits and refuses to alter or withdraw job orders containing specifications that are contrary to employment-related laws.
2. Submits job orders and refuses to provide assurances, in accordance with Agricultural Recruitment System requirements, that Agricultural Recruitment jobs offered are in compliance with employment-related laws.
3. Is found through field checks or otherwise to have either misrepresented the terms or conditions of the employment opportunity specified on job orders or failed to comply fully with assurances made on job orders.
4. Is found by an appropriate enforcement agency to have violated any employment-related laws and notification of the finding has been provided to the U.S. Department of Labor or the career center by that enforcement agency.
5. Is found to have violated Employment Service (ES) regulations pursuant to sec. 658.411.
6. Refuses to accept qualified workers referred through the clearance system.
7. Refuses to cooperate in the conduct of field checks conducted.
8. Repeatedly causes the initiation of the procedures for discontinuation of services.
9. Refuses to cooperate with Region 09's request for verification.

Region 09 management must, after consultation with the Department of Economic Opportunity (DEO), discontinue services immediately if exhaustion of above procedures 1 – 7 would cause substantial harm to a significant number of workers.

Region 09 staff must also initiate procedures to discontinue services if the employer or third-party agent violates the Employ Florida Terms and Conditions of Use.

When discontinuing services, Region 09 must notify the employer in writing all employment services will be terminated within 20 working days, unless the employer satisfactorily addresses the concerns of the career center within the 20 days. If services are discontinued to an employer subject to Federal Contractor Job Listing Requirements, Region 09 must notify DEO immediately at Wagner.Peyser@deo.myflorida.com.

Services must be reinstated to an employer after discontinuation:

1. If the state is ordered to do so by a Federal Administrative Law Judge (ALJ) or Regional Administrator; or

2. If the employer provides adequate evidence that any policies, procedures, or conditions responsible for the premature discontinuation of services have been corrected and that the same or similar circumstances are not likely to occur in the future; and
3. The employer has responded adequately to any findings of an enforcement agency, career center, or ETA, including restitution to the complainant and the payment of any fines, which were the basis of the discontinuation of the services.

Region 09 must notify the employer requesting reinstatement within 20 working days whether his/her request has been granted. If the career center denies the request for reinstatement, the basis for the denial must be specified and the employer must be notified that he/she may request a hearing within 20 working days.

Region 09 must reinstate services to an employer if ordered to do so by a state hearing official, Regional Administrator, or Federal ALJ as a result of a timely hearing request.

OFFICIAL SIGNATURE



PHYLLIS MARTY
Chief Executive Officer