

April 22, 2016

NOTICE OF RULE DEVELOPMENT

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-203.601 Employee Benefit Trust Fund

PURPOSE AND EFFECT: The purpose and effect of the amendment is to change the way the Employee Benefit Trust Fund is governed and administered.

SUBJECT AREA TO BE ADDRESSED: Department of Corrections Employee Benefit Trust Fund

RULEMAKING AUTHORITY: 945.215,945.21501 FS

LAWS IMPLEMENTED: 945.215, 945.21501 FS

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT IS: Adam Stallard, 501 South Calhoun Street, Tallahassee, Florida 32399.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AS FOLLOWS:

33-203.601 Employee Benefit Trust Fund

(1) The purpose of the Itrust Efund shall be to:

(a) through (b) No change

(2) The _Employee J1benefit Itrust Efund shall be established in the Bureau of Finance and Accounting.

Oversight and administration of the ffund shall be the responsibility of the Central Office _Employee J1benefit Itrust Efund Iteam (Central Office Team). The primary function of the ~~e~~entral Qeoffice Iteam will be to standardize the operation of the _Employee J1benefit Itrust ffund. The Central Office Team's responsibilities shall include authorizing disbursements from the Fund, reviewing and approving the number and location of vending machines and canteens, recommending staffing patterns, and performing a monthly review of checks written. The Central Office Tteam shall be comprised of four fi~~ve~~e members appointed by the Secretary to include at least one field representative.

(3) A regional employee benefit trust team appointed by the regional director of institutions will be established in each region. This team will review and approve the number and location of vending machines and canteens, recommend staffing patterns, and perform a monthly review of checks written. The team shall be made up of the following staff members:

- (a) Regional director or designee, chair;
- (b) Regional business manager or designee;
- (c) A representative from the regional office of institutions;
- (d) An institutional warden; and
- (e) An employee from a major institution.

Q}f4j An institutional employee benefit trust fund team (Institutional Team) appointed by the warden will be established at each institution. Each This Institutional Team will make recommendations to the Central Office Team for employee benefit projects, make recommendations and for the number and location of vending machines and canteens, Each Institutional Team shall also, as to its institution, review canteen operations, establish inventory levels, and develop a methodology to establish pricing. Each Institutional-Team shall be made up of the following staff members:

- (a) through (e) No change

iii Local institutions are authorized to submit money to the trust fund from the following sources:

- (a) through (b) No change

illf(B Disbursements from the fund will be authorized for the purchase of items for resale or operating supplies as approved by the regional employee Central Office benefit trust fund team and expenditures that are in accordance with authorized uses of the fund. Local bank accounts shall be established at each institution for the purchase of items for resale or operating supplies approved by the regional employee benefit trust fund team. Local bank accounts are to be approved by the Central Office Team.

@fl:j The Central Office employee benefit trust fund team will establish an amount to be retained in each local account. Funds in excess of operating needs will be transferred to the central account. The central account shall be designated and maintained by the Central Office Team.

illf&1 Institutions requesting to withdraw money from the fund for purchases not assigned to their level of approval shall submit a request to the Central Office team describing the need for the funds and cost estimate for

the project. The request will be submitted utilizing Form DC2 356, EBTF E (Budget & Check Request). Form DC2 356 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399 2500.

http://www.flmls.org/Gateway/reference.asp?1-Jo_Ref_02319. The effective date of this form is 7/13.

The Central Office Team appropriate authority shall review each request to ensure that the purpose of the expenditure is in accordance with authorized uses of the fund and to ensure that the institution has sufficient funds earmarked for the amount of the withdrawal. If the request is approved, vendors will be requested by email using the bottom portion of Form DC2 356.

Rulemaking Authority 945.215, 945.21501 FS. Law Implemented 945.215, 945.21501 FS. History-New 4-13-08, Amended 6-7-12, 3-10-13, 7-17-13, 11-6-13, 1-5-14....._____