# Monterey County Workforce Development Board (WDB)
## EXECUTIVE COMMITTEE
Marina Library, 190 Seaside Circle, Marina, CA  
Wednesday, July 15, 2015, 8:00 am

## AGENDA

**CALL TO ORDER/INTRODUCTIONS:**

**CHANGES TO AGENDA:**

**PUBLIC COMMENT:**

**CONSENT CALENDAR:**

**ERIK CUSHMAN, CHAIR**

**PUBLIC Comment:**

**DISCUSSION/REVIEW OF BUSINESS CALENDAR ACTION ITEMS:**

**ERIK CUSHMAN**

1. **Action:** Approve minutes from May 20, 2015.

2. **Action:** Review and consider approval of recommended contract with Social Policy Research Associates, selected through Request for Quotes #2015-01, for Community Asset Mapping & Environmental Scan services.

3. **Action:** Review and Approve Internal Memorandum of Understanding between Economic Development Department and WDB for Business Services/OJT implementation for FY 2015-16.

4. **Action:** Review State EDD Draft Directives open for comment including WSDD-117 – WIOA Youth Program Requirements; WSDD-118 Local Board Recertification; WSDD-119 WIOA Adult Program Priority of Service, make recommendations for comment.

5. **Action:** Update on Department of Labor Training and Guidance Letter for WIOA implementation #38-14 & #1-15.

6. **Action:** Discuss change in county policy for WDB member travel reimbursements.

7. **Action:** Update on Grant applications:  
   --DOL Pre-release and WAF 2.0

8. **Action:** Review and discuss the DRAFT WDB agenda for the July 15, 2015 meeting.

**ANNOUNCEMENTS OF EVENTS:**

**SUBCOMMITTEE MEETINGS:**

Business Services: 08/11/15; Marina Library  
Executive: 08/19/15; Marina Library  
Oversight: 09/10/15; Marina Library  
Youth Council: 09/28/15; Shoreline, Marina

**WDB:**  
August 5, 2015; Marina Library

**ADJOURNMENT:**

To request information, please contact the Monterey County Workforce Development Board staff at (831) 796-6434 or visit our website at [www.montereycountywib.org](http://www.montereycountywib.org), or at 730 La Guardia Street, Salinas, CA.

**ALTERNATE AGENDA FORMATS:** If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Secretary to the Workforce Investment Board at 831-796-6434.
Members Present: Anthony Aniello, Erik Cushman, Cesar Lara and Mary Ann Leffel

Members Absent: Diana Carrillo, Dr. Lewallen and Dave Potter

Staff Present: Joyce Aldrich, Marleen Bush, Flor Galvan and Ruben Trujillo

Call to Order/Introductions: Mr. Cushman called the meeting to order at 8:11 a.m. and asked for Introductions. A quorum was established.

Changes to Agenda: None

Public Comment: None

Consent Calendar:
Motion: Ms. Leffel motioned to approve the Consent Calendar items.
Second: Mr. Lara
Approved unanimously by those in attendance

Discussion/Review of Business Calendar Action Items:
1. Action: Review and approve the revised WIB Policy #2003-09 “Unlikely to Return” and Affidavit, and present to the full WIB for approval. Mrs. Aldrich reported that the policy was revised based upon directives by the state. She reported that OET staff asked for additional revisions in order to qualify individuals for eligibility under the dislocated worker program.
Motion: Ms. Leffel motioned to approve the action item as stated.
Second: Mr. Lara
Approved unanimously by those in attendance

2. Action: Review and consider Memorandum of Understanding between Monterey County America’s Job Center of California and Transitions for Recovery and Re-Entry Program, Inc. If approved, staff will forward to County Counsel for review/approval prior to presenting to the full WIB for consideration prior to being placed on Board of Supervisors agenda for final approval. Mrs. Aldrich reported that the WIB was approached by Transitions for Recovery and Re-Entry Program to co-locate their services at the Seaside Job Center as they serve many AB109 participants on the Peninsula. She reported that they will be utilizing the Job Center two days, 16 hours per week beginning July 1, 2015.
Motion: Ms. Leffel motioned to approve the action item as stated.
Second: Mr. Lara
Approved unanimously by those in attendance

3. Action: Review and consider Inter-County Memorandum of Understanding between Monterey County Health Department, Public Health Bureau and Monterey County Economic Development Department for the Youth Empowerment Solutions (YES) Program for Peaceful Communities. If approved, staff will forward to County Counsel for review/approval prior to presenting to the full WIB for consideration prior to being placed on Board of Supervisors agenda for final approval. Mrs. Aldrich reported that the WIB was approached by the Health Department to participate in a summer YES Program through the Silver Star Program. An intern would be hired to work with Silver Star youth participants, and provide case management and outreach in the community so participants can complete a community project.
Motion: Mr. Lara motioned to approve the action item as stated.
Second: Ms. Leffel
Approved unanimously by those in attendance

4. Action: Review and approve the proposed WIB budget for PY 2015-16 and forward to the full WIB for concurrence. A revised budget was handed out. Mr. Trujillo reported that the WIB budget for 2015-16 was increased by 25% to $879,769 from the 2014-15 budget. He reported that $792,039 represents staff salaries for an: Executive Director, Finance Manager, Management Analyst III, (2) Management Analyst II and a Senior Secretary. Mrs. Aldrich stated that an Administrative Aide will be funded if salary savings are allowed.
Motion: Ms. Leffel motioned to approve the action item as stated.
Second: Mr. Lara
Approved unanimously by those in attendance

5. Update on the Local Workforce Investment Area budget for PY 2014-15. Mr. Trujillo reported on the following expenditures: WIA Adult 75%; WIA Dislocated Worker 54%; WIA Youth 74%; Workforce Accelerator Fund 100%; Workforce Innovation Fund 6%; WIA Rapid Response 85%; WIA Rapid Response Layoff Aversion 29%; AADW 37%; AB109 92%; YELD 78%; Silver Star 75%; Long Term Unemployment 12.2%; and Prop 39 Youth-Veterans 93%.

6. Action: Consider and recommend on possible changes to the status of the WIA Title I Youth subcontract with Turning Point for PY 2015-16, as required by the new Workforce Innovation and Opportunity Act (WIOA). Mrs. Aldrich reported that Turning Point was awarded $110,000 to provide specialized youth services. She reported that the WIB would like to renew the contract and was told by the state that they would approve the renewal as long as the contract with operators and providers incorporates the new WIOA language.

Motion: Ms. Leffel motioned to approve the action item as stated.
Second: Mr. Lara
Approved unanimously by those in attendance

7. Action: Consider and approve the application for the Workforce Accelerator Fund 2.0 to the California Workforce Investment Board and Employment Development Department. Mrs. Aldrich reported that last year the WIB applied for the WAF 1.0 and fulfilled the grant terms through the Youth Employment Leadership (YELD) program. She reported that the Workforce Accelerator Fund 2.0 grant, if approved, would allow a continuation of the WAF 1.0 grant and provide youth with paid work experience and internship opportunities. She reported the grant amount requested to serve 125 youth will be $100,000.

Motion: Ms. Leffel motioned to approve the action item as stated.
Second: Mr. Aniello
Approved unanimously by those in attendance

8. Update on Linking to Employment Activities Pre-Release Specialized Americas Job Centers grant in collaboration with San Luis Obispo. Mrs. Aldrich reported that the Pre-Release grant, if awarded, will provide services to county inmates currently incarcerated.

9. WIB Retreat Debrief: Present outcomes from WIB Retreat for Next Steps discussion by Executive Committee. Mrs. Aldrich reported that the WIB retreat was well attended and WIB members were engaged. She reported that the Business Services Committee’s primary focus this year will be to provide information on the WIB to businesses.

10. Director’s Report
   - Update on Local Area Designation Application – Mrs. Aldrich received an email that Monterey County’s Local Area Designation Application was approved.
   - Update on WIOA Regional Planning requirements – Mrs. Aldrich reported that a regional meeting was held at the Conference with partners. Although the State has designated, San Benito, Santa Cruz, Santa Barbara, San Luis Obispo as a region; San Benito expressed that they would like to remove themselves as a region. Also, Ventura County requested to be a stand-alone region.
   - Report out on CWA Spring Conference held May 12-14, 2015
   - Bylaw changes under WIA/WIOA – Mrs. Aldrich reported on the amendments to the WIB Bylaws which incorporate the WIOA language. The WIB Bylaws will go before the June 3rd WIB meeting for approval.

11. Review and discuss the DRAFT WIB agenda for the June 3, 2015 meeting. The agenda was reviewed.

Announcement of Events: Ms. Leffel announced that the 3rd Annual Monterey Bay Regional Critical Conversation is scheduled for Thursday, June 18, from 9:30 a.m. to 2:00 p.m. at Casa Munras Hotel & Spa. Mr. Lara announced that a community forum will be held on Prop 47 on May 21, 2015. He also announced that a public forum on immigration will be held at noon, on Sunday, May 31, 2015 at the Auxiliary Gymnasium at Hartnell College.

Adjournment: Mr. Cushman requested to adjourn the meeting.
Motion: Ms. Leffel motioned to adjourn the meeting at 10:12 a.m.
Second: Mr. Lara
Approved unanimously by those in attendance
MEMORANDUM

TO: WORKFORCE DEVELOPMENT BOARD EXECUTIVE COMMITTEE

FROM: JOYCE ALDRICH, EXECUTIVE DIRECTOR, WORKFORCE DEVELOPMENT BOARD

SUBJECT: REVIEW AND CONSIDER APPROVAL OF RECOMMENDED CONTRACT WITH SOCIAL POLICY RESEARCH ASSOCIATES, SELECTED THROUGH REQUEST FOR QUOTES #2015-01, FOR COMMUNITY ASSET MAPPING & ENVIRONMENTAL SCAN SERVICES

DATE: JULY 15, 2015

RECOMMENDATION:
It is recommended that the Executive Committee approve WDB staff’s funding recommendation of up to $25,000 for a Community Asset Mapping and Environmental Scan contract with Social Policy Research Associates, for the period of August 1, 2015 through June 30, 2016, and forward to the full Workforce Development Board for final approval at its meeting of August 5, 2015.

BACKGROUND SUMMARY:
In July 2013, on behalf of the Monterey County Board of Supervisors, the Monterey County EDD/WDB submitted its local five-year strategic plan to the California Workforce Investment Board (CWIB). Within that plan was an identified strategy to develop a survey to assess the workforce needs of business and industry. Since then, the Monterey County EDD/WDB has expressed interest for a needs assessment and opportunity scan of community assets, resources, and programs in the county. As a result, on June 1, 2015 the Monterey County EDD/WDB released a Request for Quote to elicit outside expertise to shape understanding of local and regional opportunities. That understanding will be used to create new service delivery structures throughout the County that adhere to workforce development strategies; to eliminate duplicative services; and to identify resources that better leverage existing services through a braided funding approach.

DISCUSSION:
The Request for Quotes released on June 1, 2015 read as follows:

“The Monterey County EDD/WDB currently has a comprehensive America’s Job Center of California (Job Center) located in Salinas, California and two satellite Job Centers in Seaside and King City, California. In order to achieve a more sustainable and effective workforce development delivery system, it is imperative to understand where both public and private investments are located within the county and how that investment is responsive to the most pressing labor market needs. The Monterey County EDD/WDB seeks a contractor to:

- Inventory the total scope of workforce development and supportive services assets (exclusive of training providers) operating in Monterey County; and

- Geographically map those assets in relationship to one another; map growth/replacement employment opportunities in identified priority clusters; and map transit options which service growth/replacement employment opportunities.

The ultimate goals of this effort are to enable the Monterey County EDD/WDB (1) to more effectively link, align, and leverage services to businesses and job
seeker customers and (2) to help key stakeholders, including business, economic development, education, community-based organizations, and labor, unite around common strategies.”

Four (4) proposals were received by the submission deadline of June 15, 2015. The proposals were then distributed to the staff selection committee for their reading and evaluation. Reference checks for three (3) of the four (4) proposals took place during the weeks of June 29-July 10, 2015.

**RANKING OF PROPOSALS:**
For Community Asset Mapping and Environmental Scan services, the selection committee recommended funding Social Policy Research Associates (SPR) to provide an inventory of the total scope of workforce development and supportive services assets operating in Monterey County; and to geographically map those assets in relationship to one another; map growth/replacement employment opportunities in identified priority clusters; and map transit options which service growth/replacement employment opportunities. Of the four proposals received, SPR has the most experience in offering this service and the most local area knowledge and experience.

SPR proposes to weave together information from multiple data sources to create an in-depth picture of workforce opportunities. Their approach includes the following elements:

- Quantitative and qualitative data collection, employing both primary and secondary data sources;
- A provider and services survey to gather more specific information for the WDB and our customers, documenting business trends and needs, and related community services;
- Utilization of their knowledge of our local workforce system and insights about the affected stakeholders;
- Formal feedback “loops” to the project leadership and other key stakeholders to respond to the results of inventory and maps.
- Produce maps through use of ArcGIS, QGIS & Tableau;
- Produce innovative and user-friendly maps that will inform the WDB’s strategic planning process beyond the life of their contract.

**FISCAL, PROGRAM ISSUES OR IMPACTS:**
This recommendation allocates Rapid Response Layoff Aversion formula allocation funding to Social Policy Research for up to $24,898.
Monterey County Economic Development Department / Workforce Development Board

REQUEST FOR QUOTE (RFQ) #2015-01:
COMMUNITY ASSET MAPPING & ENVIRONMENTAL SCAN

I. INTENT:

The Monterey County Economic Development Department and Workforce Development Board, hereinafter referred to as “Monterey County EDD/WDB,” is soliciting quotes from qualified and experienced organization(s), hereinafter referred to as “CONTRACTOR” to conduct a community asset mapping and environmental scan.

II. PROJECT PURPOSE:

In July 2013, on behalf of the Monterey County Board of Supervisors, the Monterey County EDD/WDB submitted its local five-year strategic plan to the California Workforce Investment Board (CWIB). Within that plan was an identified strategy to develop a survey to assess the workforce needs of business and industry. Since then, the Monterey County EDD/WDB has expressed interest for a needs assessment and opportunity scan of community assets, resources, and programs in the county. As a result, the Monterey County EDD/WDB is releasing a Request for Quote(s) to elicit outside expertise to shape understanding of local and regional opportunities. That understanding will be used to create new service delivery structures throughout the County that adhere to workforce development strategies; to eliminate duplicative services; and to identify resources that better leverage existing services through a braided funding approach.

The Monterey County EDD/WDB currently has a comprehensive America’s Job Center of California (Job Center) located in Salinas, California and two satellite Job Centers in Seaside and King City, California. In order to achieve a more sustainable and effective workforce development delivery system, it is imperative to understand where both public and private investments are located within the county and how that investment is responsive to the most pressing labor market needs. The Monterey County EDD/WDB seeks a contractor to:

- Inventory the total scope of workforce development and supportive services assets (exclusive of training providers) operating in Monterey County; and
- Geographically map those assets in relationship to one another; map growth/replacement employment opportunities in identified priority clusters; and map transit options which service growth/replacement employment opportunities.

The ultimate goals of this effort are enable the Monterey County EDD/WDB (1) to more effectively link, align, and leverage services to businesses and job seeker customers and (2) to help key stakeholders, including business, economic development, education, community-based organizations, and labor, unite around common strategies.

III. CALENDAR OF EVENTS:

Public Release of RFQ #2015-01 ................................................................. Monday, June 1, 2015
Deadline for Written Questions .................................................. 3:00 pm, PST, Monday, June 8, 2015
Proposal Submittal Deadline ..................................................... 3:00 pm, PST, Monday, June 15, 2015
Contract Award: Letter of Intent to Selected CONTRACTOR .................. Friday, June 19, 2015
Letters to Bidders Not Selected .................................................. Friday, June 19, 2015
Appeals Deadline ................................................................. 3:00 pm, PST, Monday, June 22, 2015
Estimated Date of Contract and Services Start ......................... Friday, June 26, 2015

This schedule is subject to change as necessary.
IV. COUNTY POINT OF CONTACT:

Questions regarding this RFQ #2015-01 solicitation shall be directed via EMAIL to:

Email Subject Line: RFQ #2015-01
Attn: Marleen Bush, Management Analyst II
Monterey County Economic Development Department and Workforce Development Board
Email: bushml@co.monterey.ca.us

All questions regarding this solicitation shall be submitted in writing via EMAIL to bushml@co.monterey.ca.us. The questions will be researched and the answers will be communicated to all known interested CONTRACTOR(s) after the deadline for receipt of questions.

The deadline for submitting written questions regarding this solicitation is Monday, June 8, 2015. Questions submitted after the deadline will not be answered. Only answers to questions communicated by formal written addenda will be binding.

V. SCOPE OF SERVICES:

The SCOPE OF SERVICES includes, but is not limited to, the following tasks to be performed by the CONTRACTOR selected to conduct a community asset mapping and environmental scan:

1. Conduct an inventory (includes comprehensive contact information) of service providers in the county; the inventory will include a special section that denotes providers who serve youth ages 14-24;
2. Produce a Geographic Information System (GIS) map of service providers in the county;
3. Produce a comprehensive inventory of services provided by each provider identified in the inventory;
4. Produce a profile of the clientele served by each provider in the inventory;
5. Provide an analysis of the existing service mix in each of four sub-regions of the county (North, Central (Salinas), West, and South);
6. Produce GIS maps for each area of the county showing the specific concentration of services (e.g. eligibility review/verification, case management, job development/placement, etc.);
7. Produce GIS maps for each area of the county that layers in the location of growth industries and transit opportunities; and
8. Produce a written report summarizing all findings and recommendations based upon the findings emanating from this research.

VI. MINIMUM SUBMITTAL REQUIREMENTS:

The prospective CONTRACTOR must clearly and completely respond to the RFQ #2015-01 criteria and articulate qualifications to conduct a community asset mapping and environmental scan. The response must include but is not limited to, the following:

1. PROJECT APPROACH NARRATIVE (Max 3 pages): A narrative description that explains how prospective CONTRACTOR(S) would achieve the elements outlined in the SCOPE OF SERVICES that is consistent with the PROJECT PURPOSE.
2. EXPERIENCE NARRATIVE (Max 3 pages): Provide at least two examples of completed Asset Mapping projects within the last five (5) years, including one conducted on behalf of a Workforce Investment Board/Workforce Development Board. Include summaries of experience
of the key principal(s) who will be working on this project and their availability to perform the work in accordance with the project work plan and timeline.

3. **REFERENCES (Max 1 page):** Prospective CONTRACTOR(S) should provide a list of at least three (3) professional references with contact information that can attest to CONTRACTOR(S) capacity and capability to perform functions and meet deliverables as outlined in this RFQ #2015-01.

4. **LINE ITEM BUDGET & NARRATIVE (Max 2 pages):** Include a budget narrative and overall budget total that is matched to tasks in the project work plan and timeline. The budget should be linked to tasks and show levels of effort for each staff member, by task and by quarter. A monthly budget will be negotiated upon contract award.

VII. **FUNDING:**

This RFQ #2015-01 will provide up to $25,000 for the successful CONTRACTOR to develop a community asset mapping and environmental scan of community assets, resources, and programs in the county in support of the Monterey County EDD/WDB’s workforce strategic plan initiatives.

The funds are contingent upon CONTRACTOR performance and funding availability. The not-to-exceed costs of services are shown below:

<table>
<thead>
<tr>
<th>Period of Performance:</th>
<th>Total Available Funding:</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 26, 2015 – June 30, 2016</td>
<td>$25,000 (maximum; not-to-exceed)</td>
</tr>
</tbody>
</table>

Pending County approvals, Monterey County EDD/WDB will award a standard contract to the most qualified bidder(s) for this RFQ #2015-01. Based upon exemplary performance, continued need, and availability of funding, this contract may be renewed on an annual basis for up to a total period of 3 years.

VIII. **SELECTION CRITERIA:**

1. **PROJECT APPROACH (40%):** Prospective CONTRACTOR(s) will be evaluated on ability to provide the SCOPE OF SERVICES outlined in this RFQ #2015-01 that is consistent with the PROJECT PURPOSE. Proactive approach, innovative ideas, flexibility and ability to expand would be highly desirable and will be evaluated as part of the selection process. Prospective CONTRACTOR(s)’ degree of familiarity with regional priorities and influencers, and their capacity to leverage these resources, may be an additional asset.

2. **EXPERIENCE (30%):** Prospective CONTRACTOR(s) will be evaluated based on their past public relations and communications experience, including knowledge of workforce and economic development issues.

3. **REFERENCES (15%):** Prospective CONTRACTOR(s) should provide a list of at least three (3) professional references that can attest to their capacity and capability to perform functions and meet deliverables as outlined in RFQ #2015-01. The Monterey County EDD/WDB may choose to interview (remotely or in-person) any prospective CONTRACTOR(s) as a part of this process.

4. **BUDGET (15%):** Prospective CONTRACTOR(s) will be evaluated based on their ability to meet an overall budget total that is matched to specific tasks in the project SCOPE OF WORK and timeline. The budget should be linked to tasks and show levels of effort for each staff member, by task and by quarter. A monthly budget will be negotiated upon contract award.
IX. **RIGHT TO REJECT PROPOSALS:**

Submission of a proposal to RFQ #2015-01 indicates acceptance by the CONTRACTOR of the conditions contained in RFQ #2015-01. The Monterey County EDD/WDB reserves the right to reject any or all proposals submitted. Applicants are also advised of the following:

1. Costs for developing the proposals are solely the responsibility of the bidders. The Monterey County EDD/WDB will not provide reimbursement for such costs.

2. A submitted proposal may be withdrawn prior to the proposal due date. A written request to withdraw the proposal must be submitted electronically to bushml@co.monterey.ca.us.

X. **DEADLINE AND DELIVERY:**

Interested parties must use the templates (signature page, narratives, and budget) provided on pages 6 and 7 of this RFQ #2015-01 and submit one (1) completed proposal package via EMAIL to:

Email Subject Line: RFQ #2015-01  
Attn: Marleen Bush, Management Analyst II  
Monterey County Economic Development Department and Workforce Development Board  
Phone: (831) 796-6412  
Email: bushml@co.monterey.ca.us

RFQ #2015-01 responses must be received no later than 3:00 pm (PST) on Monday, June 15, 2015. Emails submitted after the deadline will not be accepted.

XI. **APPEALS:**

Any CONTRACTOR(s) submitting a proposal that is not recommended for funding during the review process may appeal. Where the CONTRACTOR(s) can show that the proposal did not receive due consideration or that other irregularities existed, the CONTRACTOR(s) may appeal to the Monterey County EDD/WDB. The appeal must be in writing via EMAIL, on CONTRACTOR(s) letterhead, and must be received by the Monterey County EDD/WDB no later than, 3:00 pm (PST), Monday, June 22, 2015. Appeals after the established time frame will not be accepted. The review shall be limited to information provided in writing via EMAIL. The written appeal must contain:

- The full name, address, and telephone number of the appealing party;
- A brief statement of the reasons for appeal, including citations to the RFQ and other pertinent documents; and
- A statement of the relief sought.

Appeals regarding the Workforce Development Board’s decision for non-approval of a proposal must be submitted in writing via EMAIL to:

Email Subject Line: RFQ #2015-01  
Attn: Marleen Bush, Management Analyst II  
Monterey County Economic Development Department and Workforce Development Board  
Phone: (831) 796-6412  
Email: bushml@co.monterey.ca.us
A decision by the Monterey County EDD/WDB Executive Director regarding appeals will be communicated to the CONTRACTOR(s) by Friday, June 26, 2015. All decisions of the Monterey County EDD/WDB shall be final.

XII. AGREEMENT TO TERMS & CONDITIONS:

CONTRACTOR(s) selected through the solicitation process will be expected to execute a formal agreement with the Monterey County EDD/WDB for the provision of the requested service. The formal agreement will be written by the County in a standard format approved by County Counsel, substantially the same as the agreement entitled “County of Monterey Agreement $100,000 and less”, located online at: http://www.co.monterey.ca.us/cao/psa.htm. Submission of a response to this RFQ is deemed agreement to these terms.

XIII. INSURANCE:

Prior to commencement of any AGREEMENT entered into pursuant to this RFQ #2015-01, the prospective CONTRACTOR shall provide a “Certificate of Insurance” certifying that coverage as required herein has been obtained in accordance with the Monterey County Insurance Requirements located online at: http://www.co.monterey.ca.us/cao/pdfs/InsuranceRequirements.pdf.
REQUEST FOR QUOTES (RFQ) #2015-01: Community Asset Mapping & Environmental Scan

RFQ #2015-01 PROPOSALS DUE: 3:00pm (PST), Monday, June 15, 2015

EMAIL PROPOSAL PACKAGE TO:
Email Subject Line: RFQ #2015-01
Attn: Marleen Bush, Management Analyst II
Monterey County Economic Development Department and Workforce Development Board
Phone: (831) 796-6412
Email: bushml@co.monterey.ca.us

QUESTIONS ABOUT THIS RFQ SHOULD BE DIRECTED VIA EMAIL TO:
Marleen Bush, bushml@co.monterey.ca.us

PROPOSALS MUST INCLUDE THE FOLLOWING ITEMS:
☐ Signature Page, completed and signed below
☐ Project Approach Narrative
☐ Experience Narrative
☐ References (list of at least three professional references)
☐ Line Item Budget & Narrative

This Signature Page must be included with your submittal in order to validate your proposal. Proposals submitted without this page will be deemed non-responsive.

BIDDERS MUST COMPLETE THE FOLLOWING TO VALIDATE PROPOSAL PACKAGE
I hereby agree to furnish the articles and/or services stipulated in my proposal at the price quoted, subject to the instructions and conditions in the Request for Proposal package. I further attest that I am an official officer representing my firm and authorized with signatory authority to present this proposal package.

Company Name: ___________________________ Date: ___________________________
Signature: ________________________________
Phone: ________________________________ Fax: ________________________________
Printed Name: ________________________________ Title: ___________________________
Email: ________________________________
Address: ________________________________

Address / City / State / Zip
NARRATIVES

1. PROJECT APPROACH NARRATIVE *(Max 3 pages)*

2. EXPERIENCE NARRATIVE *(Max 3 pages)*

3. REFERENCES *(Max 1 page)*: Include reference contact name, project name and brief description, project dates, email, and phone number.

LINE ITEM BUDGET & NARRATIVE

1. LINE ITEM BUDGET & NARRATIVE *(Max 2 pages)*:

   Budget Period:  June 26, 2015 – June 30, 2016 – Use the budget template below to identify the projected costs of the Community Asset Mapping and Environmental Scan. Adjust margins and page orientation (to landscape) as necessary to fit cell contents.

<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>I. PERSONNEL</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL SALARIES &amp; BENEFITS</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>II. SERVICES &amp; SUPPLIES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Travel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Equipment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Supplies</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL SERVICES &amp; SUPPLIES</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>III. GRAND TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2016</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BUDGET NARRATIVE: In crafting the Budget Narrative, please ensure it includes a justification for all items listed on the Line Item Budget and answer the following:

- Include a budget narrative and budget total that is matched to specific tasks in the project work plan and timeline. The budget should be linked to tasks and show levels of effort for each staff member by task and by quarter.
- Describe the ability to accept fiscal liability for all funds received and the ability to track and report expenditures.
MEMORANDUM

TO: WORKFORCE DEVELOPMENT BOARD EXECUTIVE COMMITTEE

FROM: JOYCE ALDRICH, EXECUTIVE DIRECTOR, WORKFORCE DEVELOPMENT BOARD

SUBJECT: REVIEW AND APPROVE INTERNAL MOU BETWEEN ECONOMIC DEVELOPMENT DEPARTMENT AND WDB FOR BUSINESS SERVICES/OJT IMPLEMENTATION

DATE: JULY 15, 2015

RECOMMENDATION:

It is recommended that the Executive Committee review and consider the Inter-County Memorandum of Understanding (MOU) between the Monterey County Workforce Development Board’s (WDB) Business Services Team (BST) and the Office for Employment Training (OET). If approved, staff will forward the MOU to County Counsel for review/approval prior to presenting it to the full WDB for final approval.

BACKGROUND:

A division of the Monterey County Economic Development Department, the Monterey County WDB is charged with overseeing the allocation of WIOA funds and the WIOA funded program operations of the America’s Job Center of California (Job Center) delivery system in Monterey County.

In 2015-16, the Monterey County WDB received $1,483,814 in WIOA adult formula funds to provide services to WIOA eligible adults through its Job Centers. Of this amount, $175,000 was previously obligated for a WIOA adult subcontract. On June 24, 2014, the Monterey County WDB elected not to extend the adult subcontract for PY 2015-16 and requested that the funds be returned to the WIOA adult formula allocation to be used for the development of OJT contracts provided within the structure of the Monterey County WDB’s Business Services Team (BST) in partnership with the Office for Employment Training (OET).

The BST offers a full range of coordinated services to employers that can save businesses time and money. Services range from recruitment, to receiving human resource guidance on a variety of resources and benefits, as well as coordinating OJT contracts with employers that can help jobseekers engage in productive work, while also upgrading their skills on the job.

OET is a division of the Monterey County Economic Development Department. OET is the primary WIOA adult program provider in Monterey County and manages the career services component of the Job Center delivery system in partnership with CalWORKs Employment Services (CWES) and the Wagner-Peyser Employment Services. For adults needing more intensive support, OET provides eligibility, assessment, employment and training services, supportive services, case management and follow-up services.

DISCUSSION:

BST in partnership with OET will provide services under this agreement and manage the program and service delivery to the target customer population. OJT eligible customers are defined as
adults who are 18 years and older, with a priority of service given to recipients of public assistance, other low-income individuals, individuals who are basic skills deficient, or veterans and eligible spouses.

WIOA adult formula funding available for the project term of August 1, 2015 to June 30, 2016 is not to exceed $175,000. Through this agreement WDB will support the reimbursement of thirty (30) OJT contracts to employers for services rendered. This will augment OET’s re-employment and training services.

An OJT may be provided under contract with an employer in the public, private non-profit, or private sectors for reimbursement to the employer for a portion of the wage rate of the participant for the extraordinary costs of providing training and supervision related to the training. Under this agreement, the reimbursement level will be fifty (50) percent of the wage rate.

**ATTACHMENTS:**

- Interdepartmental MOU – DRAFT
- Exhibit A – Scope of Services, Enrollment and Performance Goals – DRAFT
- Exhibit B – Budget – DRAFT
- Exhibit C – WIOA – General Conditions, Assurances and Certifications – *On file at WDB Office*
ON-THE-JOB TRAINING PROGRAM
TO PROVIDE SERVICES TO
WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
ELIGIBLE ADULTS

INTER-DEPARTMENTAL
AGREEMENT

August 1, 2015 through June 30, 2016

Between

Monterey County Workforce Development Board (WDB)
Business Services Team (BST)

and

Monterey County Office for Employment Training (OET)
AGREEMENT

I. DECLARATION

This agreement is entered into by and between the MONTEREY COUNTY WORKFORCE DEVELOPMENT BOARD, (hereinafter referred to as WDB), BUSINESS SERVICES TEAM (hereinafter referred to as BST) and the MONTEREY COUNTY OFFICE FOR EMPLOYMENT TRAINING (hereinafter referred to as OET).

For Program Year 2015-16 (starting August 1, 2015 to June 30, 2016), Monterey County WDB set aside a portion of its Workforce Innovation and Opportunity Act (WIOA) Adult formula funds to expand its On-the-Job Training (OJT) Program to serve up to thirty (30) individuals due to a recommendation not to extend its adult subcontract for PY 2015-16.

The purpose of this agreement is to formalize the working relationship and establish the roles and responsibilities of the WDB’s Business Services Team and OET with respect to the implementation, outreach, referral, review and approval of OJT contracts to serve WIOA eligible adults.

The scope of services, expected enrollment and performance outcomes, and budget of this agreement are specified in Exhibits A and B incorporated herein by reference.

II. BACKGROUND

A division of the Monterey County Economic Development Department, the Monterey County WDB is charged with overseeing the allocation of WIOA funds and the WIOA funded program operations of the America’s Job Center of California (Job Center) delivery system in Monterey County.

In 2015-16, the Monterey County WDB received $1,483,814 in WIOA adult formula funds to provide services to WIOA eligible adults through its Job Centers. Of this amount, $175,000 was previously obligated for a WIOA adult subcontract. On June 24, 2014, the Monterey County WDB elected not to extend the adult subcontract for PY 2015-16 and requested that the funds be returned to the WIOA adult formula allocation to be used for the development of OJT contracts provided within the structure of the Monterey County WDB’s Business Services Team in partnership with the Office for Employment Training (OET).

The WDB’s Business Services Team (BST) offers a full range of coordinated services to employers that can save businesses time and money. Services range from recruitment, to receiving human resource guidance on a variety of resources and benefits, as well as coordinating OJT contracts with employers that can help jobseekers engage in productive work, while also upgrading their skills on the job.

OET is a division of the Monterey County Economic Development Department. OET is the primary WIOA adult program provider in Monterey County and manages the career services component of the Job Center delivery system in partnership with CalWORKs Employment Services (CWES) and the Wagner-Peyser Employment Services. For adults needing more intensive support, OET provides eligibility, assessment, employment training resources, supportive services, case management and follow-up services.
Through this agreement WDB will support the reimbursement of thirty (30) OJT contracts to employers for services rendered as outlined in Exhibit A of this agreement. This will augment OET’s re-employment and training services.

An OJT may be provided under contract with an employer in the public, private non-profit, or private sectors. Typically, the OJT contract provides reimbursement to the employer for a portion of the wage rate of the participant for the extraordinary costs of providing training and supervision related to the training. Under this agreement, the reimbursement level will be fifty (50) percent of the wage rate.

III. PRINCIPLES OF AGREEMENT

The general areas of responsibility between the parties of this agreement and the scope of services to be provided are detailed in Exhibit A of this agreement. Pursuant to Exhibit A, the parties expressly agree that the BST and OET shall be bound to comply with all the requirements of the WIOA as set forth in Exhibit D, and that the WDB shall oversee such activities. The parties also agree to coordinate and share available resources as part of the Monterey County’s allocation of WIOA formula funds to support the OJT Program. OJT Program eligible customers are defined as adults who are 18 years and older, with a priority of service given to recipients of public assistance, other low-income individuals, individuals who are basic skills deficient, or veterans and eligible spouses.

IV. GENERAL PROVISIONS

A. DISPLACEMENT

Per Welfare and Institutions Code section 11324.6, the parties agree that operation of the OJT Program shall not result in any of the following:

(a) Displacement or partial displacement of current employees, including reductions in work hours, wages, or benefits,
(b) Filing positions which would otherwise be promotional opportunities for current employees,
(c) Filing of positions before complying with applicable personnel procedures or provisions of collective bargaining agreements.
(d) Filing established vacant public agency positions, unless the positions are unfunded in the public agency’s budget,
(e) Filing positions created by an employer’s termination, layoff, or reduction in workforce, etc. in order to staff positions with employees subsidized by the OJT program,
(f) Filing positions created by a strike, lockout or other bona fide labor dispute, or filing positions in violation of existing collective bargaining agreements between employees and employers,
(g) Filing work assignments customarily performed by workers holding job classifications within a recognized collective bargaining unit at a specific work site; filing work assignments in bargaining units with funded, vacant positions; or filing work assignments in bargaining units in which regular employees are laid off,
(h) Early termination of a services contract, resulting in full or partial displacement of workers performing contracted services,
(i) Denying employees/participants protections afforded other workers on the work site by state and federal laws governing workplace health, safety, and representation.
B. INDEMNIFICATION

As the parties to this agreement are Monterey County departments, there are no indemnification or insurance requirements.

C. TERM

This agreement shall commence effective August 1, 2015 and remain in full force and effective through June 30, 2016, unless sooner terminated as provided herein. WDB may terminate this agreement by giving thirty (30) days’ written notice to OET, with or without cause. If WDB terminates this agreement for good cause, WDB may proceed to direct available funding to another provider, subject to review and approval by the Monterey County Board of Supervisors. This agreement is contingent upon available funding, and may be renewed or renegotiated upon mutual written consent of both parties.

D. CONTRACT ADMINISTRATORS

OET hereby designates Rod Powell and Angelica Meza as its Contract Administrators for this agreement. All matters concerning this agreement which are within the responsibility of OET shall be under the direction of, or shall be submitted to the OET Contract Administrators.

WDB hereby designates Joyce Aldrich and Korey Woo, as its Contract Administrators for this agreement. All matters concerning this agreement which are within the responsibility of WDB shall be under the direction of, or shall be submitted to the WDB Contract Administrators.

Either party may change its designated Contract Administrators upon giving notice pursuant to Section G - Notice.

E. FISCAL / REPORTING

1. WDB shall serve as the fiscal agent for this agreement.
2. BST in partnership with OET will provide services under this agreement and manage the program and service delivery to the target customer population.
3. Subject to receipt of funds from the State, WDB shall approve the reimbursement of OJT contracts to employers for services rendered as outlined in Exhibit A of this agreement and in accordance with the budget detailed in Exhibit B of this agreement.
4. Funding available for the project term of August 1, 2015 to June 30, 2016 is $175,000 for a total of thirty (30) OJT contracts. The budget as detailed in the attached Exhibit B shall not exceed $175,000.
5. OJT contracts and invoices are due to the WDB fiscal office by the 15th working day of each month and shall include all obligations, expenditures and accruals incurred during the previous month, unless otherwise specified by the WDB.
6. WDB staff shall review and, if approved, direct payment of the certified invoice within 30 days of receiving the certified invoice. The final invoice must be received no later than 20 days after the close of the term of the agreement to receive reimbursement.

F. MEETING/COMMUNICATION
OET shall provide the specified services through established processes and in compliance with applicable local, State, and Federal regulations. OET shall refer qualified customers suitable for an OJT to the BST and provide any other generated forms or reports requested by the BST for the development of the OJT contract. Meetings between OET, WDB, and BST staff shall be scheduled as needed, to discuss performance and other areas that affect either party to this agreement.

At a minimum, during the term of this agreement, the BST staff will provide management reports to the WDB staff no later than the one week prior to the meeting of the WDB Oversight Committee for the reporting month. Monthly reports will contain the following information: the total number of OJT enrollments, services provided, and cost of services. These reports may be provided using WDB standard forms provided by WDB staff. These reports shall be submitted to the WDB staff for the WDB’s Oversight Committee, bi-monthly.

G. NOTICE

Notice to the parties in connection with this agreement shall be given personally, by email or by regular mail addressed to each of the following:

Rod Powell,  
OET Program Manager  
Monterey County Economic Development Dept  
Office for Employment Training (OET)  
730 La Guardia Street, 2nd Floor  
Salinas, CA 93905  
Phone (831) 755-3248  
powellr@co.monterey.ca.us

Joyce Aldrich,  
WDB Agency Executive Director  
Monterey County Economic Development Dept  
Workforce Development Board (WDB)  
730 La Guardia Street, 2nd Floor  
Salinas, CA 93905  
Phone (831) 759-6644  
aldrichj@co.monterey.ca.us

Angelica Meza,  
OET Program Supervisor  
Monterey County Economic Development Dept  
Office for Employment Training (OET)  
730 La Guardia Street, 2nd Floor  
Salinas, CA 93905  
Phone (831) 796-3365  
mezaa@co.monterey.ca.us

Korey Woo,  
WDB Rep III  
Monterey County Economic Development Dept  
Business Services Team (BST)  
730 La Guardia Street  
Salinas, CA 93905  
Phone (831) 796-3387  
wookx@co.monterey.ca.us

H. CONSTRUCTION, INTERPRETATION AND INTEGRATION OF AGREEMENT

WDB/BST and OET agree that each party has fully participated in the review and revision of this agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this agreement or any amendment to this agreement. In the event of any conflict or inconsistency between the provisions of this agreement and the provisions of any exhibit or other attachment to this agreement, the provisions of this agreement shall prevail and control and that the agreement shall be governed by and interpreted under the laws of the State of California and Department of Labor.

I. NON-EXCLUSIVE AGREEMENT
This agreement is non-exclusive, and the Monterey County WDB expressly reserves the right to contract with other entities for the same or similar services.

J. EXHIBITS

The following exhibits are attached hereto and incorporated by reference:

1. Exhibit A – Scope of Services (includes Enrollment & Performance Goals)
2. Exhibit B – Budget
3. Exhibit C – WIOA Compliance, Certifications, and Assurances

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first herein above written.

BY

Rod Powell, Program Manager
Monterey County Office for Employment Training (OET)  

BY

Joyce Aldrich, WDB Agency Executive Director
Monterey County Workforce Development Board (WDB)  

BY

Dave Spaur, Director
Monterey County Economic Development Department

Date

Date

Date
EXHIBIT A

SCOPE OF SERVICES
ENROLLMENT AND PERFORMANCE GOALS

On-the-Job Training (OJT) Program
INTER-DEPARTMENTAL AGREEMENT
August 1, 2015 through June 30, 2016

I. PROJECT OVERVIEW: The purpose of this agreement is to formalize the working relationship and establish the roles and responsibilities of the Monterey County Workforce Development Board’s (WDB) Business Services Team (BST) and the Office for Employment Training (OET) with respect to the implementation, outreach, referral, review and approval of On-the-Job Training (OJT) contracts to serve Workforce Innovation and Opportunity Act (WIOA) eligible adults.

II. PROJECT PERIOD: August 1, 2015 to June 30, 2016. All participants eligible for OJT contracted services and assistance under this agreement shall be enrolled by March 30, 2016.

III. PROGRAM PERFORMANCE OBJECTIVES: For the period of August 1, 2015 to June 30, 2016, BST and OET shall work to together to meet the following enrollment and performance goals:

<table>
<thead>
<tr>
<th>Enrollments:</th>
<th>Plan:</th>
</tr>
</thead>
<tbody>
<tr>
<td>On-the-Job Training (OJT) Enrollments</td>
<td>30</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Performance:</th>
<th>Target Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entered Employment Rate – placed in unsubsidized employment</td>
<td>65%*</td>
</tr>
<tr>
<td>Employment Retention Rate – Met 6-mo employment retention goal</td>
<td>74.5%*</td>
</tr>
<tr>
<td>Average Earnings Replacement Rate</td>
<td>$10,600*</td>
</tr>
<tr>
<td>Total Exits from the Program (of total)</td>
<td>30 (100%)</td>
</tr>
<tr>
<td>*Credential Rate</td>
<td>TBD*</td>
</tr>
<tr>
<td>*In Program Skills Gain</td>
<td>TBD*</td>
</tr>
</tbody>
</table>

*Pending guidance from State on the WIOA performance target goals and clarification on the periods of measurement.

IV. DUTIES AND RESPONSIBILITIES:

A. ON-THE-JOB TRAINING OPERATIONAL GUIDELINES AND POLICIES:

BST and OET staff shall adhere to the following guidelines and policies that provide guidance and other pertinent information involved in the establishment, review, approval, and invoicing of OJT contracts:

- OET – OJT Operational Guidelines, FIS 00-003 (post on WDB website and add link)
- WDB Fiscal Office – Training Contract Procedures (post on WDB website and add link)

B. COORDINATION OF SERVICES BETWEEN BST AND OET STAFF

1. OET staff shall email BST staff member Korey Woo at wookx@co.monterey.ca.us a list of occupational industries that customers express interest in during the assessment process.

2. OET staff shall receive and review VOS/CalJOBS job orders sent by BST staff online by visiting: [https://www.ajccmontereycounty.org](https://www.ajccmontereycounty.org).

3. OET staff shall identify and refer customers to the corresponding VOS/CalJOBS job order number(s), while also ensuring that all job order pre-requisites are thoroughly reviewed prior to making a referral to a participating OJT employer through the VOS/CalJOBS system.
4. OET staff shall ensure that all potential OJT customers have a ready and marketable resume available before they are referred to BST staff to be considered for an OJT opportunity.

5. OET staff shall email BST staff member Korey Woo at wookx@co.monterey.ca.us a notification of the VOS/CalJOBS job order referral made.

6. Once the VOS/CalJOBS job order referral is made by OET, BST staff will begin to pre-screen candidate(s) for a possible OJT contract referral to a participating OJT employer once it’s determined that the customer meets the minimum job requirements.

7. Once the customer is referred to an employer, the BST staff will coordinate with the customer(s) for a job interview with the participating OJT employer.

8. During the OJT contract negotiating process, BST staff will be the only point of contact with the participating OJT employers.

9. OET staff will be responsible for ensuring that employers complete a progress evaluation of all active OJT contracts on a monthly basis.

10. If a customer is offered employment through an OJT opportunity, he/she will be recommended for an updated assessment to be administered by OET staff to reflect on their current IEP goals and objectives.

11. BST staff will negotiate all OJT contracts with employers.

12. Once the OJT contract is in place, BST staff will verify the first day of work with the customer.

13. BST staff will create the OJT activity in the VOS/CalJOBS system with corresponding case notes.

14. The participant’s case file will then be transferred from BST staff to OET’s Adult Program Supervisor for case management assignment to include monitoring of the OJT contract.

15. OET staff shall communicate any important issues concerning the OJT contract to the BST staff to avoid placing a customer with a business that may not be following OJT policies and procedures.

16. Weekly meetings shall take place with OET case managers and BST staff to discuss any concerns or updates on existing OJT contracts or new potential customers that may benefit from an OJT opportunity.

C. CAREER SERVICES

BST and OET staff shall carry out services through the America’s Job Center of California in Monterey County, by ensuring WIOA career services are available to customers to include access to job order listings available in the VOS/CalJOBS system, self directed assessment and resume building tools, computers and equipment in resource rooms, and job seeker workshops. Services provided by OET staff will focus on WIOA intake and orientation for participants interested in training.

D. PARTICIPANT SELECTION AND ELIGIBILITY

OET staff will select and screen participants for WIOA eligibility, and enroll selected participants into the WIOA program. All interested applicants are to be reviewed for eligibility and will be encouraged to access the Job Center career services and available job order listings in the VOS/CalJOBS system to find an OJT employer if one has not already been identified. When a participant has already been enrolled, OET staff will work with the BST staff to make every effort to develop an appropriate OJT within 30 days.

OET and BST staff will be responsible for WIOA eligibility determinations and for collecting verification documents as mandated under WIOA.

E. WIOA ASSESSMENT- INDIVIDUAL EMPLOYMENT PLANS

OET staff will provide a comprehensive assessment for all participants interested in pursuing training using an Individual Employment Plan (IEP). The IEP provides OET staff with another opportunity to ensure that customers are appropriate for an OJT. OET staff may use standard web based tools available through VOS/CalJOBS and US Department of Labor (DOL) web sites or other validated employment testing and interest survey instruments such as the WorkKeys assessment. Assessments may also involve individualized research assignments, an evaluation of the participant’s educational and work history and a face-to-face interview. At the time of assessment, information is to be presented on career ladders, demand
occupations, salary levels, and other incentives and resources available to customers.

Using the information gathered during the comprehensive assessment phase, OET staff will develop a mutually agreed upon IEP. OET staff will ensure that participants are screened for basic skills, complete a pre-application and/or equivalent, and ensure that adequate information about the need for training, as specified on the IEP, is on record.

The IEP and assessment documents on record may include the following information:

- Personal information (with participants signed release);
- Interests, skills and work readiness information;
- Educational and employment history;
- Financial situation as it relates to employment goals;
- Short and long term employment goals;
- Barriers to employment / advancement and plan to mitigate barriers; and
- Physical accommodations related to employment needs.

F. TRAINING SERVICES

Under this agreement, an OJT contract is expected to be the priority service to help customers become re-employed.

For OJT opportunities, BST staff will seek to identify and work closely with successful employers that offer employment opportunities including company sponsored training, benefits (health, and other), promotional opportunities, and stable employment. BST staff will maintain a list of job orders in the VOS/CalJOBS system to assist staff and participants in identifying potential OJT employers. BST and OET staff shall follow the OJT Operational Guidelines and WDB Fiscal Office – Training Contract Procedures that provide guidance and other pertinent information involved in the establishment, review, approval, and invoicing of an OJT contract for WIOA eligible adults.

G. EMPLOYER OJT CONTRACTS

BST staff will be responsible for ensuring that selected employers have:

- Federal and state tax identification numbers;
- Workers’ compensation insurance;
- Reasonable business history and business license;
- Identifiable job with corresponding equipment, materials and supervision to perform the training;
- Ability to commit to skill training outline;
- Ability to enhance marketable skills of OJT employee;
- Ability to support assurances of OJT contract;
- Accounting system that allows for tracking of OJT employee salaries and invoicing procedures; and
- Employer progress evaluation of OJT.

In accordance with the OET – OJT Operational Guidelines, the OJT Employer Contract form shall be used. BST staff in partnership with OET will be responsible for ensuring that:

- OJT matches the minimum requirements stated in the VOS/CalJOBS job order;
- OJT contract is well matched to the participant’s occupational interest;
- OJT placements are matched to the participant’s required working conditions;
- OJT position is matched to the participant’s financial situation; and
- OJT training is well matched to the skills the participant needs to acquire in order to continue in ongoing unsubsidized employment.

All contracts will include a job specific training plan, using the O.NET occupations and related job descriptions. The participant’s education and work history will be used as a guide in determining the length of each participant’s OJT contract. The length of training time shall not exceed three (3) months. OJT contracts will be for full-time employment (30 hours or more per week).
Employers with whom OJT contracts are written will be reimbursed by the WDB’s Fiscal Office, from the OJT set-aside as indicated in Exhibit B of this agreement, for extraordinary costs associated with training at a rate not to exceed 50% of a participant's wages during the OJT contract period. All skills training will be provided by the employer as specified in the OJT Employer Contract. The WDB Fiscal Office will pay the employer directly for OJT training costs (50% wage reimbursement) based on valid invoices submitted to WDB Fiscal Office within fifteen (15) days after the end of each month or reporting period. Invoices will be supported by time cards, reviewed for accuracy, and certified by the OET staff.

OJT contracts will be written with employers that have not been deficient in their conduct or participation in any U.S. DOL, State of California, or Monterey County employment and training program. Health and safety standards established under state and federal law, otherwise applicable to working conditions of employees, shall be equally applicable to working conditions of participants. To the extent that a State Workers’ Compensation law is applicable, benefits in accordance with such law shall be available with respect to injuries suffered by participants. All participants shall be provided benefits and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work. For unionized employers, compliance with collective bargaining agreements will be observed and signatures of concurrence obtained.

H. CASE MANAGEMENT

OET staff will provide case management services throughout each participant's OJT contract period and during the post placement follow-up period.

Case management activities include, but are not limited to, the following:

- Training site visits (monthly during the OJT training period);
- Contact with participants during crucial training, start-up and wind-down periods by telephone;
- Arranging for supportive services indicated in the IEP or requested by the participant or employer;
- Arranging and coordinating additional assessment for special skills, as appropriate;
- Facilitating participant problem resolution(s);
- Completing all activities in VOS/CalJOBS that track the participant while enrolled in the program until WIOA program exit;
- Employer completion of OJT progress evaluation; and
- Ensure OJT employee is placed into unsubsidized employment upon completion of training.

I. JOB SITE MONITORING

OET staff will visit the worksite monthly to assess training progress and monitor the validity and propriety of amounts claimed for reimbursement. Monitoring visits and all other contacts with either the participant or the employer related to training will be documented in the VOS/CalJOBS system case record. Additionally, an OJT evaluation will be completed and signed by the participant's supervisor and the participant each month. A copy of the evaluation, will be given to the employer, a second copy will be filed in the physical case file maintained by the OET case manager. Claims submitted to the WDB Fiscal Office are to be substantiated by copies of payroll, time and attendance records.

J. FOLLOW-UP AND RETENTION SERVICES

OET staff will ensure that participants are surveyed and provided a customer satisfaction feedback form, upon completion of the OJT contract to rate the training services and program. OET staff will be responsible for providing all follow up services on a monthly basis to ensure performance goals are met and participants are placed into permanent unsubsidized employment upon completion of training. All contact made in person or by phone with the participant should be documented in the participant's VOS/CalJOBS record.
**EXHIBIT B**

**BUDGET**

On-the-Job Training (OJT) Program  
INTER-DEPARTMENTAL AGREEMENT  
August 1, 2015 through June 30, 2016

<table>
<thead>
<tr>
<th>Budget Detail</th>
<th>Planned Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>BST Staff Salaries &amp; Benefits</td>
<td>$73,550</td>
</tr>
<tr>
<td>On-the-Job Training (OJT) Set-aside</td>
<td>$101,450</td>
</tr>
<tr>
<td><strong>Total Agreement Obligation:</strong></td>
<td><strong>$175,000</strong></td>
</tr>
<tr>
<td>*SB734 Leveraged OJT Employer Contribution</td>
<td>TBD based on total OJT contract reimbursement</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>OJT Expenditures</td>
<td>$45,750</td>
<td>$87,500</td>
<td>$131,250</td>
<td>$175,000</td>
</tr>
<tr>
<td>*SB734 Leveraged OJT Employer Contribution</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
</tbody>
</table>

Subject to receipt of funds from the State, WDB shall approve the reimbursement of OJT contracts to employers for services rendered as outlined in Exhibit A. The budget total shall not exceed $175,000.

Up to 30 eligible adults will be enrolled in the OJT program. Of these enrollments all are to receive training services for an estimated cost of $3,382 per person.

*Per Senate Bill (SB) 734, ten percent (10%) of the local WDB’s minimum training expenditure requirement may be met by applying leveraged resources used for training services. Leveraged resources may include matching funds from employers including the employer-paid portion of an OJT contract.*
MEMORANDUM

TO: WORKFORCE DEVELOPMENT BOARD EXECUTIVE COMMITTEE

FROM: JOYCE ALDRICH, EXECUTIVE DIRECTOR, WORKFORCE DEVELOPMENT BOARD

SUBJECT: REVIEW AND CONSIDER COMMENT DURING OPEN COMMENT PERIOD FOR DRAFT DIRECTIVES WSDD-117, WSDD-118, AND WSDD-119

DATE: JULY 15, 2015

RECOMMENDATION:
Review and consider comment during the open comment period for Draft Directive WSDD-117, WIOA Youth Program Requirements; WSDD-118, Local Board Recertification; and WSDD-119 WIOA Adult Program Priority of Service.

INFORMATION:
State EDD Workforce Services Draft Directive Transmittal Number WSDD-117, WIOA Youth Program Requirements provides guidance and establishes the procedures regarding the Workforce Innovation and Opportunity Act (WIOA) youth program, including the 75 percent out-of-school (OS) youth and 20 percent work experience minimum expenditure requirements.

Policy and Procedures:
Youth Eligibility Criteria –
WIOA section 129(a) (1) provides new eligibility criteria for the WIOA youth program. To be eligible to participate in the WIOA program, an individual must be an out of school youth or an in-school youth enrolled beginning July 1, 2015 must meet the new eligibility criteria.

The Draft Directive recognizes that some local areas may not be immediately prepared to spend at least 75 percent of their PY 2015-16 youth funds on out of school (OS) youth. These local areas must demonstrate progress towards meeting the requirement through increased expenditures on OS youth compared to PY 2014-15 youth expenditures. Specifically, by June 30, 2016, local areas must increase their PY 2015-16 OS youth expenditures by at least 10 % points over their PY 2014-15 OS youth expenditures, and have a minimum OS youth expenditure rate of 50 percent.

Additionally, Local boards must establish local policies regarding work experience. At a minimum, these policies need to define the following:
- The duration of the work experience assignment;
- Limitations on the number of hours; and
- Appropriate incentives and stipends, including limitations on the types and dollar amount.

Work Experience Expenditure Requirement:
Local areas must spend at least 20 percent of their WIOA youth formula allocation on work experience (WIOA Section 129(c)[4].

Comments due by July 17, 2015.

State EDD Workforce Services Draft Directive Transmittal Number WSDD-118, WIOA Local Board Recertification. The policy provides guidance and establishes the procedures regarding the recertification of Local Workforce Development Boards under the WIOA. Local board recertification is effective July 1, 2016 through June 30, 2018. The Directive contains state-imposed requirements and is indicated by bold, italic type in the Draft itself. Of interest includes the following:
1) Local boards must meet the membership provisions established in WIOA Section 107(b) and CUIC Section 14202(c) by March 31, 2016. (handout at meeting)

2) Local board must have achieved 80 percent or higher on at least eight of the nine locally negotiated common performance measures for PYs 2013-14 and 2014-15.

3) A local Board has not been placed on cash hold for longer than 30 days.

4) Local Board demonstrated substantial progress toward implementing Key WIOA Provisions such as:
   - meeting new youth service requirements
   - procuring America’s Job Center of California (AJCC) operators (unless granted a waiver under WIOA Section 121(d)[1][A]
   - procuring AJCC career services providers (unless granted a waiver under WIPA Section 107 [g][2])
   - adhering to the new Uniform Guidance requirements
   - establishing memorandums of understanding with local partners
   - developing sector initiatives and career pathways in high demand industries in coordination with community colleges, apprenticeship programs, adult basic education, and other training providers
   - Adopting, implementing, and promoting the AJCC brand.

Recertification request must be submitted to the State Board no later than March 30, 2016.

Comments due by August 7, 2015.

State EDD Workforce Services Draft Directive Transmittal Number WSDD-119, WIOA Adult Program Priority of Service. Provides guidance and establishes the procedures regarding priority of service for recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient serviced with Workforce Innovation and Opportunity Act adult funds.

Under WIA funds allocated to a local area for adult employment and training activities were limited priority of service was to be provided to recipients of public assistance and other low-income individuals for intensive services and training services.

WIOA made several changes to the priority of service requirement by adding individuals who are basic skills deficient as a priority population, changing intensive services to career individualized services, and removing the provision stating priority of service is only applied if funding is limited.

Veterans and eligible spouses continue to receive priority of service for all DOL funded programs amongst all participants. These requirements were not affected by the passage of WIOA and must still be applied in accordance with guidance previously issued by the DOL and Workforce Services Directive WSD08-10.

Changes do include the following:

Priority of Service Requirement
The state has defined the term “priority” to mean that 51 percent or more of the participants served with WIOA adult funds must be either low-income, recipients of public assistance, or basic skills deficient.

Definitions
Criteria used to determine whether an individual is basic skills deficient includes the following:
   - lacks a high school diploma or high school equivalency and is not enrolled in secondary education
   - enrolled in a Title II Adult Education/Literacy program
   - English, reading, writing, or computing skills at an 8.9 or below grade level
   - Determined to be Limited English Skills proficient through staff-documented observations
   - Other objective criteria determined to be appropriate by the local area and documented in its required policy.

Comments due by July 15, 5:00 pm, 2015.
TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA YOUTH PROGRAM REQUIREMENTS

SUBJECT MATTER HIGHLIGHTS

This policy provides guidance and establishes the procedures regarding the Workforce Innovation and Opportunity Act (WIOA) youth program, including the 75 percent out-of-school (OS) youth and 20 percent work experience minimum expenditure requirements.

COMMENTS DUE

July 17, 2015

Comments can be submitted through one of the following ways:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Fax</td>
<td>WSD, Attention: Melissa Williams at 916-654-9753</td>
</tr>
<tr>
<td>E-Mail</td>
<td><a href="mailto:MelissaM.Williams@edd.ca.gov">MelissaM.Williams@edd.ca.gov</a></td>
</tr>
<tr>
<td></td>
<td>(Include “draft comments” in the subject line)</td>
</tr>
<tr>
<td>Mail</td>
<td>WSD / P.O. Box 826880 / MIC 50 / Sacramento, CA 94280-0001</td>
</tr>
</tbody>
</table>

All comments received by the end of the comment period will be considered before the final directive is issued. The Workforce Services Branch does not respond individually to each comment received. However, a summary of comments will be released with the final directive. **Comments received after the specified due date will not be considered.**

If you have any questions, contact Melissa Williams at 916-654-0205.
TO: WORKFORCE DEVELOPMENT COMMUNITY  

SUBJECT: WIOA YOUTH PROGRAM REQUIREMENTS  

EXECUTIVE SUMMARY  

Purpose  
This policy provides guidance and establishes the procedures regarding the Workforce Innovation and Opportunity Act (WIOA) youth program, including the 75 percent out-of-school (OS) youth and 20 percent work experience minimum expenditure requirements.  

Scope  
This directive applies to Local Workforce Development Boards (local boards), Local Workforce Development Areas (local areas), and other recipients of WIOA funds.  

Effective Date  
This directive is effective on the date of issuance.  

REFERENCES  
- WIOA (Public Law 113-128) Sections 3, 107, 116, 123, 128, and 129  
- Workforce Investment Act (WIA) (Public Law 105-220) Sections 101 and 129  
- Title 2 CFR Part 2900 et al., “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (Uniform Guidance)  
- Title 20 CFR WIOA, “Notice of Proposed Rulemaking” (NPRM), Sections 681 and 683.215  
- Training and Employment Guidance Letter (TEGL) 23-14, WIOA Youth Program Transition (March 26, 2015)  
- TEGL 19-14, Vision for the Workforce System and Initial Implementation of the WIOA (February 19, 2015)
STATE-IMPOSED REQUIREMENTS
This directive does not contain any state-imposed requirements.

FILING INSTRUCTIONS
Retain this directive until further notice.

BACKGROUND
The WIOA Section 129 introduces key investments in OS youth and work experience. Specifically, it increases the minimum OS youth expenditure rate from 30 percent under WIA to 75 percent under WIOA, and introduces a 20 percent work experience expenditure requirement. Additionally, it adds new program elements, increasing the number of required youth program elements from 10 under WIA to 14 under WIOA.

Operational implementation of the WIOA youth program begins July 1, 2015, with all provisions taking effect July 1, 2016. Local areas should use their PY 2015-16 WIOA youth formula funds to properly align their youth programs and services in preparation for full WIOA youth program implementation effective July 1, 2016.

POLICY AND PROCEDURES
Youth Eligibility Criteria
The WIOA section 129(a)(1) provides new eligibility criteria for the WIOA youth program. To be eligible to participate in the WIOA youth program, an individual must be an OS youth or an in-school (IS) youth.

Youth enrolled beginning July 1, 2015 must meet the new eligibility criteria. On July 1, 2015, all WIA youth participants who are still enrolled in the WIA youth program must be grandfathered into the WIOA youth program, even if the participant would not otherwise be eligible for WIOA. Local youth programs are not required to complete an eligibility re-determination if the participant has been determined eligible and enrolled under WIA. Furthermore, these participants must be allowed to complete the WIA services specified in their individual service strategy. Additional guidance will be issued to provide more detail on the new eligibility criteria as it is released by the Department of Labor.
OS Youth Eligibility

In order to receive services as an OS youth, an individual must meet the following eligibility criteria:

- Not attending any school (as defined by state law),
- Age 16-24 years old, and
- One or more of the following:
  - A school dropout;
  - A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter. (Note that, “school year quarter” is defined by the local school district calendar);
  - A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English language learner;
  - An individual who is subject to the juvenile or adult justice system;
  - A homeless individual, a runaway, an individual who is in foster care or has aged out of the foster care system, a child eligible for assistance under section 447 of the Social Security Act, or an individual who is in an out-of-home placement;
  - An individual who is pregnant or parenting;
  - An individual with a disability; or
  - A low-income individual who requires additional assistance to enter or complete and educational program or to secure or hold employment.

(Reference: WIOA Section 129[a][1][B])

A youth participant’s eligibility is determined at intake; therefore, the youth remains eligible for youth services until exited. For example, an individual who is an OS youth at time of enrollment and is subsequently placed at an alternative school, or any school, is still considered an OS youth. Additionally, an individual who is an OS youth and between the ages of 16-24 at the time of enrollment, and is now beyond the age of 24, is still considered an OS youth until exited.

IS Youth Eligibility

In order to receive services as an IS youth, an individual must meet the following eligibility criteria:

- Attending school (as defined by law), including secondary and post-secondary schools;
- Age 14-21 years old;
- Low income; and
- Meets one or more of the following criteria:
  - Basic skills deficient;
  - An English language learner;
  - An offender
o A homeless individual, a runaway, an individual who is in foster care or has aged out of the foster care system, a child eligible for assistance under section 447 of the Social Security Act, or an individual who is in an out-of-home placement;
o Pregnant or parenting;
o Individual with disability; or
o An individual who requires additional assistance to complete an educational program or secure and hold employment.

(Reference: WIOA Section 129[a][1][C])

A youth participant’s eligibility is determined at intake; therefore, the youth remains eligible for youth services until exited. For example, an individual who is an IS youth and between the ages of 16-21 at the time of enrollment, and is now beyond the age of 21, is still considered an IS youth until exited.

Note that, the definition of low income under WIOA is expanded to include youth who are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act, and youth who live in a high-poverty area. (Title 20 CFR NPRM Sections 681.250[d] and 681.260)

Out-of-School Youth

The WIOA shifts the primary focus of youth formula funds to support the educational and career success of OS youth.

**OS Youth Expenditure Requirement**

Local areas must spend at least 75 percent of their WIOA youth formula allocation on youth workforce investment activities on OS youth (WIOA Section 129[a][4]). The OS youth expenditure rate is calculated after subtracting funds spent on administrative costs.

The following example illustrates how a local board would calculate its 75 percent OS youth expenditure requirement:

<table>
<thead>
<tr>
<th>Youth Formula Allocation</th>
<th>Administration Costs</th>
<th>Youth Program Expenditure</th>
<th>75 Percent Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,000,000</td>
<td>$180,000</td>
<td>$1,820,000</td>
<td>$1,365,000</td>
</tr>
</tbody>
</table>

In this example, the local area’s OS youth expenditure requirement is $1,365,000. The local area received $2 million and spent $180,000 or nine percent ($2,000,000 x .09) on administration costs. The remaining $1,820,000 ($2,000,000-$180,000) is subject to the 75 percent OS youth expenditure requirement. Therefore, the local area would be required to spend at least $1,365,000 ($1,820,000 x .75) on OS youth.

Some local areas may not be immediately prepared to spend at least 75 percent of their PY 2015-16 youth funds on OS youth. These local areas must demonstrate progress towards meeting the requirement through increased expenditures on OS youth compared to PY 2014-
15 youth expenditures. Specifically, by June 30, 2016, local areas must increase their PY 2015-16 OS youth expenditures by at least 10 percentage points over their PY 2014-15 OS youth expenditures, and have a minimum OS youth expenditure rate of 50 percent.

The following table and examples illustrate how a local board would calculate their required increase in OS youth expenditures:

<table>
<thead>
<tr>
<th>PY 2014-15 OS youth expenditure rate</th>
<th>First year PY 2015-16 expenditure requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>&gt; 40%</td>
<td>Must increase by 10 percentage points</td>
</tr>
<tr>
<td>&lt; 40%</td>
<td>Must increase to at least 50%</td>
</tr>
</tbody>
</table>

Example: Required 10 Percentage Point Increase

<table>
<thead>
<tr>
<th>Funding Year</th>
<th>Youth Formula Allocation</th>
<th>Administration Costs</th>
<th>Youth Program Expenditure</th>
<th>OS Youth Percentage</th>
<th>OS Youth Expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td>PY 2014-15</td>
<td>$1,000,000</td>
<td>$90,000</td>
<td>$910,000</td>
<td>50%</td>
<td>$455,000</td>
</tr>
<tr>
<td>PY 2015-16</td>
<td>$1,200,000</td>
<td>$108,000</td>
<td>$1,092,000</td>
<td>60%</td>
<td>$655,200</td>
</tr>
</tbody>
</table>

In this example, the local area received a PY 2014-15 youth formula allocation of $1 million. The local area spent $455,000 or 50 percent ($910,000 x .50) of its program expenditures on OS youth. The local area received a PY 2015-16 youth formula allocation of $1.2 million. Since the local area had a PY 2014-15 OS youth expenditure rate of 50 percent, it must increase its PY 2015-16 OS youth expenditure rate at least 10 percentage points to at least 60 percent or $655,200 ($1,092,000 x .60).

Example: Required 50 Percent Minimum Expenditure

<table>
<thead>
<tr>
<th>Funding Year</th>
<th>Youth Formula Allocation</th>
<th>Administration Costs</th>
<th>Youth Program Expenditure</th>
<th>OS Youth Percentage</th>
<th>OS Youth Expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td>PY 2014-15</td>
<td>$1,000,000</td>
<td>$90,000</td>
<td>$910,000</td>
<td>30%</td>
<td>$273,000</td>
</tr>
<tr>
<td>PY 2015-16</td>
<td>$1,200,000</td>
<td>$108,000</td>
<td>$1,092,000</td>
<td>50%</td>
<td>$546,000</td>
</tr>
</tbody>
</table>

In this example, the local area received a PY 2014-15 youth formula allocation of $1 million. The local area spent $273,000 or 30 percent ($910,000 x .30) of its program expenditures on OS youth. The local area received a PY 2015-16 youth formula allocation of $1.2 million. Since the local area had a PY 2014-15 OS youth expenditure rate of 30 percent, it must increase its PY 2015-16 OS youth expenditure rate to at least 50 percent or $546,000 ($1,092,000 x .50).

Beginning with the PY 2016-17 youth funds, local areas will be required to meet the full 75 percent OS youth expenditure requirement.

The Employment Development Department (EDD) will calculate PY 2015-16 OS youth expenditures after the end of the first program year of the two year availability of the funds.
(i.e., June 30, 2016), and will provide the figure to each local area by September 30, 2016. If a local area did not meet the 75 percent expenditure rate with their PY 2015-16 youth funds, the local area must submit a corrective action plan to their assigned Regional Advisor by December 31, 2016. The corrective action plan is available as Attachment 1 to this directive and must include the following information:

- How the local area plans to meet the 75 percent OS youth expenditure rate with their PY 2016-17 youth formula funds.
- Strategies the local area has taken to secure contractors, establish partnerships, and transition their youth program focus from in-school (IS) youth to OS youth.

Local areas must submit their corrective action plan as follows:

Mail:  
ATTN: (Name of Regional Advisor)  
Workforce Service Division, MIC 50  
Employment Development Department  
P.O. Box 826880  
Sacramento, CA 94280-0001

Courier:  
ATTN: (Name of Regional Advisor)  
Workforce Services Division, MIC 50  
Employment Development Department  
722 Capitol Mall, Room 5099  
Sacramento, CA 95814

FAX:  
916-657-0055, Attn: (Name of Regional Advisor)

Recruiting OS Youth

Some local areas may be currently serving low numbers of OS youth. These local areas should use the first year of WIOA implementation (i.e., July 1, 2015, through June 30, 2016) to align their youth program design to start increasing recruitment and outreach to move towards meeting the 75 percent OS youth expenditure requirement. For tips and best practices regarding outreach and recruiting OS youth, see TEGL 23-14, WIOA Youth Program Transition, and Attachment 2, Outreach and Recruitment of Out-of-School Youth.

WIA 30 Percent Requirement

The WIA 30 percent OS youth expenditure requirement still applies to local areas serving OS youth with WIA funds. The OS youth expenditure rates are tracked and reported on a specific program year’s allocation. For the PY 2014-15 WIA youth formula allocation, the 30 percent OS youth expenditure minimum will still apply. Local areas can refer to Workforce Services Directive WSD14-9 for policies related to the 30 percent OS youth expenditure requirement.

Work Experience

The WIOA places a priority on providing youth with occupational learning opportunities through work experience.
Work Experience Criteria

Work experience provides IS and OS youth an invaluable opportunity to develop work place skills. Allowable work experience activities have an academic and occupational education component, can be paid or unpaid, and include, but are not limited to, the following:

- Summer employment opportunities and other employment opportunities available throughout the school year;
- Pre-apprenticeship programs;
- Internships and job shadowing; and
- On-the-job training opportunities.

Youth formula funds may be used to pay wages and related benefits for work experience in the public, private, for-profit or non-profit sectors when the participant’s objective assessment and individual service strategy indicate that a work experience is appropriate.

Additionally, youth formula funds may be used to pay wages and staffing costs for the development and management of work experience. Staff costs incurred for the functions and activities directly serving participants may count as program costs (e.g., the development of an employer contract, work site visits, and case management).

Local boards must establish local policies regarding work experience. At a minimum, these policies need to define the following:

- The duration of the work experience assignment;
- Limitations on the number of hours; and
- Appropriate incentives and stipends, including limitations on the types and dollar amount.

Work Experience Expenditure Requirement

Local areas must spend at least 20 percent of their WIOA youth formula allocation on work experience (WIOA Section 129[c][4]). The work experience expenditure rate is calculated after subtracting funds spent on administrative costs. Additionally, the expenditure rate is not applied separately for IS youth and OS youth.

The following example illustrates how a local area would calculate its 20 percent work experience expenditure requirement:

<table>
<thead>
<tr>
<th>Youth Formula Allocation</th>
<th>Administration Costs</th>
<th>Youth Program Expenditure</th>
<th>20 Percent Work Experience Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,000,000</td>
<td>$180,000</td>
<td>$1,820,000</td>
<td>$364,000</td>
</tr>
</tbody>
</table>
In this example, the local area’s work experience expenditure requirement is $364,000. The local area received $2 million and spent $180,000 or nine percent ($2,000,000 x .09) on administration costs. The remaining $1,820,000 ($2,000,000-$180,000) is subject to the 20 percent work experience expenditure requirement. Therefore, the local area would be required to spend at least $364,000 ($1,820,000 x .20) on work experience for IS youth and OS youth.

State Technical Assistance

The EDD will calculate PY 2015-16 work experience expenditures after the end of the first program year of the two year availability of the funds (i.e., June 30, 2016), and will provide the results of these interim calculations to each local area and their Regional Advisor by September 30, 2016. The Regional Advisor will assist any local area that appears to be in jeopardy of not meeting the 20 percent work experience expenditure requirement by the end of the funding period.

Calculating Out-of-School Youth and Work Experience Expenditures

The local area’s OS youth and work experience expenditure rates are tracked for a specific program year youth allocation. The EDD will determine whether local areas met their expenditure requirements upon completion of expenditures of all funds in the specific program year’s youth allocation as follows:

Each local area’s total youth allocation is issued as a subgrant under grant code 301. This amount is located on Line I item 5 of the Summary of WIA Expenditures and Summary of WIOA Expenditures Report for Grant Code 301. At the end of the two-year life of the youth formula funds, the total allocation is adjusted by subtracting the actual administration costs (Line III item 3) reported on the June 30 expenditure report for Grant Code 301. The remaining dollar amount for a local area that fully spent its allocation (which is equal to the program dollars spent shown on Line V item 3) is the amount upon which the 75 percent OS youth and 20 percent work experience expenditure requirement will be based. The amount reported for OS youth (Line V, item 2) must be at least 75 percent of the total program expenditures (Line V, item 3). The amount reported for work experience (Line V item 3b) must be at least 20 percent of the total program expenditures (Line V, item 3).

In-School Youth

Under WIOA, fewer resources are available to serve IS youth; therefore local areas should identify resources and/or establish partnerships with youth providers that can provide services to IS youth. Local boards, in collaboration with youth standing committees, may consider leveraging resources and establishing partnerships to continue serving IS youth that are cost effective, and reach more students.

Transitioning WIA IS Youth Participants

Local areas may still be serving large numbers of IS youth as they transition into WIOA on July 1, 2015. Although there is a shift in emphasis under WIOA to OS youth, local areas should not prematurely exit WIA IS youth from the program.
Local areas may opt to use a portion of their remaining PY 2014-15 funds for services to IS youth in order to assist them in successfully completing the program, while focusing PY 2015-16 funds on OS youth, consistent with the minimum 75 percent OS youth expenditure requirement on OS youth.

**Youth Standing Committee**

Youth councils are not required under WIOA; however local boards may continue to operate a youth council as a standing committee. A youth standing committee could serve to provide information and to assist with planning, policy development and oversight of youth activities, programs, local initiatives, and other issues relating to the provision of services to youth.

An existing youth council may be designated as the youth standing committee or a local board may design a youth standing committee to meet the needs of the local area’s youth program. If a local board does not establish a youth committee, the local board is still responsible for conducting the oversight of youth activities under WIOA Section 129(c) and identifying eligible providers of youth workforce investment activities in the local area by awarding grants or contracts on a competitive basis.

Local boards that choose to design a new standing youth committee are reminded that the membership must include (1) a member of the local board, who must chair the committee, (2) members of community based organizations with a demonstrated record of success in serving eligible youth, and (3) other individuals with appropriate expertise and experience who are not members of the local board. The committee may also include parents, participants, and youth.

(References: WIOA Section 107[b][4][A][ii] and 20 CFR NPRM Sections 681.100 - 681.120)

**Procurement of WIOA Youth Service Providers**

As required in WIOA Section 123, local boards must award youth service provider contracts through a competitive process. This competitive process must meet the procurement guidelines specified in Title 2 CFR parts 200 and 2900.

As local boards transition from WIA to WIOA, they must ensure Request for Proposals (RFPs) and youth service provider contracts incorporate the new WIOA youth provisions, (e.g., new eligibility requirements for IS and OS youth, increased expenditure requirements for OS youth and work experience, and the five new program elements). In order to implement these provisions, local areas may either undergo a contract modification with their existing providers, if permissible, or procure new service providers. Since youth enrolled beginning July 1, 2015, must meet the new WIOA eligibility criteria, local boards must ensure they have modified existing contracts and/or procured new youth service providers by July 1, 2015, to accommodate the new eligible WIOA youth participants. If a local area procures new youth service providers, the state encourages the use of one-year contracts which may contain additional option years, rather than multi-year contracts, to ensure maximum flexibility during WIOA Implementation.
Local boards may opt to retain current WIA youth service contracts temporarily for various reasons (e.g., the contract does not include a clause that allows for modifications to conform to new legislation, regulations, or requirements, etc.). The State Board and EDD would like to provide local boards adequate time to transition to the new WIOA requirements, and therefore will allow local boards to retain current WIA youth service contracts through PY 2016-17. However, local boards must ensure that all RFPs and youth service provider contracts incorporate the new WIOA provisions by July 1, 2017.

Program Elements

The WIOA Section 129(c)(2) includes 14 program elements, which include the original ten program elements under WIA (which have been consolidated to nine as the summer employment opportunities program element is now a sub-element under paid and unpaid work experiences) and five new program elements. The five new program elements are (1) financial literacy, (2) entrepreneurial skills training, (3) services that provide labor market and employment information about in-demand industry sectors or occupations available in the local areas, (4) activities that help youth prepare for and transition to post-secondary education and training, (5) and education offered concurrently with and in the same context as workforce preparation activities and training for specific occupation or occupational clusters. The following is a complete list of the 14 required program elements:

1. Tutoring, study skills training, and evidence-based dropout prevention and recovery strategies that lead to completion of secondary school diploma or its recognized equivalent or for a recognized post-secondary credential.
2. Alternative secondary school services, or dropout recovery services, as appropriate.
3. Paid and unpaid work experiences that have academic and occupational education as a component of the work experience, including the following:
   - Summer employment opportunities and other employment opportunities available throughout the school year;
   - Pre-apprenticeship programs;
   - Internships and job shadowing;
   - On-the-job training opportunities;
4. Occupational skill training, which includes priority consideration for training programs that lead to recognized post-secondary credentials that align with in-demand industry sectors or occupations
5. Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster
6. Leadership development opportunities, including community service and peer-centered activities encouraging responsibility, and other positive social and civic behaviors
7. Supportive services
8. Adult mentoring for a duration of at least 12 months that may occur both during and after program participation
9. Follow-up services for not less than 12 months after the completion of participation
10. Comprehensive guidance and counseling, including drug and alcohol abuse counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth
11. Financial literacy education
12. Entrepreneurial skills training
13. Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services
14. Activities that help youth prepare for and transition to post-secondary education and training

Local areas are not required to provide the 14 required elements to each participant. Local areas have the flexibility to determine what specific services a youth will receive based upon the youth’s assessment and service strategy. Local boards, however, must ensure that all 14 program elements are available in their local area.

Program Design
The WIOA enhances the youth program design through an increased emphasis on individual participant needs by adding new components and incorporating career pathways to the objective assessment and individual service strategy. Additionally, the WIOA requires that the individual service strategy be directly linked to one or more of the performance indicators. A program design framework is an essential step in helping local areas develop comprehensive service strategies based upon individual needs. Local boards, in collaboration with a youth standing committee, can provide direction and leadership to assist local youth programs on improving the quality and effectiveness of youth services. A program design framework consists of an objective assessment, an individual service strategy, case management, and follow-up services that lead toward successful outcomes for youth participants (WIOA Section 129[c][1]).

ACTION
Bring this directive to the attention of staff and other relevant parties.

INQUIRIES
If you have any questions concerning this directive, please contact your assigned Regional Advisor at 915-654-7799.

/S/ JOSÉ LUIS MÁRQUEZ, Chief
Central Office Workforce Services Division

Attachments are available on the Internet:
1. OS Youth Expenditure Requirement Corrective Action Plan (file format: MS WORD or PDF)
2. Outreach and Recruitment of OS Youth (file format: PDF)
TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: LOCAL BOARD RECERTIFICATION

SUBJECT MATTER HIGHLIGHTS

This policy provides guidance and establishes the procedures regarding the recertification of Local Workforce Development Boards (local boards) under the Workforce Innovation and Opportunity Act. Local board recertification is effective July 1, 2016, through June 30, 2018.

COMMENTS DUE
August 7, 2015

Comments can be submitted through one of the following ways:

| Fax | WSD, Attention: Ramon Valencia at 916-654-9753 |
| E-Mail | ramon.valencia@edd.ca.gov  (Include “draft comments” in the subject line) |
| Mail | WSD / P.O. Box 826880 / MIC 50 / Sacramento, CA 94280-0001 |

All comments received by the end of the comment period will be considered before the final directive is issued. The Workforce Services Branch does not respond individually to each comment received. However, a summary of comments will be released with the final directive. **Comments received after the specified due date will not be considered.**

If you have any questions, contact Ramon Valencia at 916-654-6111.
TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: LOCAL BOARD RECERTIFICATION

EXECUTIVE SUMMARY

Purpose

This policy provides guidance and establishes the procedures regarding the recertification of Local Workforce Development Boards (local boards) under the Workforce Innovation and Opportunity Act (WIOA). Local board recertification is effective July 1, 2016, through June 30, 2018.

Scope

This directive applies to all local boards.

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- WIOA (Public Law 113-128) Sections 106 and 107
- Workforce Investment Act (WIA) (Public Law 105-220) Sections 116 and 117
- Title 2 CFR Part 2900 et al., “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (Uniform Guidance)
- Title 29 CFR Part 95: “Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations”
- Title 29 CFR Part 97: “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments”
- California Unemployment Insurance Code (CUIC) Section 14202(c)
STATE-IMPOSED REQUIREMENTS

This directive contains some state-imposed requirements. These requirements are indicated by **bold, italic** type.

FILING INSTRUCTIONS

Retain this directive until further notice.

BACKGROUND

Workforce Services Directive WSD14-10 provided guidance for initial local board certification under WIOA. Initial local board certification was effective July 1, 2015, through June 30, 2016.

The WIOA Section 107 provides the criteria for the recertification of local boards. Specifically, WIOA Section 107(c)(2)(A) requires the Governor to certify one local board for each local area in the state once every two years. Additionally, WIOA Section 107(c)(2)(B) states that, in order to be recertified, the local board must have met WIOA membership requirements, met or exceeded performance accountability measures, and achieved sustained fiscal integrity. The California Workforce Development Board (State Board) and the Employment Development Department (EDD), acting under the authority of the Governor, have established policies and procedures within this directive for the recertification of local boards. The EDD and the State Board will provide technical assistance and guidance as needed to local boards implementing WIOA activities.

POLICY AND PROCEDURES

Recertification Criteria

As required by WIOA Section 107(c)(2), the State Board will recommend to the Governor, recertification of a local board if it met the four criteria listed below:

1. *The Local Board Met the Membership Provisions in WIOA Section 107(b)*

   *Local boards must meet the membership provisions established in WIOA Section 107(b) and CUIC Section 14202(c) by March 31, 2016.*

   Note that, the State Board and EDD recognize that Workforce Services Directive WSD14-10, *Initial Local Area Designation and Local Board Certification Under WIOA*, did not require existing local areas to establish a WIOA compliant board until June 30, 2016.
The State Board and EDD believe this revised timeframe still allows adequate time for local areas to transition to the required membership and ensure the local board is properly constituted to engage in a meaningful strategic planning process envisioned in WIOA.

Local boards must ensure they are fulfilling the intent of the “Sunshine Provisions” in WIOA. WIOA Section 107(e) requires local boards to make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the local board, including membership information.

2. **The Local Board Met or Exceeded Performance Accountability Measures**

   **The local board must have achieved 80 percent or higher on at least eight of the nine locally negotiated common performance measures for PYs 2013-14 and 2014-15.** (This flexibility is in alignment with WIA Directive WIA06-10 and Workforce Services Directive WSD12-14).

   The evaluation of local performance outcomes will consider the extent to which local boards have begun to implement WIOA, and the potential impact on local performance levels.

3. **The Local Board Achieved Sustained Fiscal Integrity**

   The local board may not have been found in violation of one or more of the following during PYs 2013-14 or 2014-15:

   - Final determination of significant finding(s) from audits, evaluations, or other reviews conducted by state or local governmental agencies or the Department of Labor identifying issues of fiscal integrity or misexpended funds due to the willful disregard or failure to comply with any WIA requirement, such as failure to grant priority of service or verify participant eligibility.

   - Gross Negligence - defined as a conscious and voluntary disregard for the need to use reasonable care, which is likely to cause foreseeable grave injury or harm to persons, property, or both.

   - Failure to observe accepted standards of administration. Local areas must have adhered to the applicable uniform administrative requirements set forth in Title 29 CFR Parts 95 and 97, appropriate Office of Management and Budget circulars or rules, WIA regulations, and state guidance. Highlights of these responsibilities include the following:

     - Timely reporting of WIA participant and expenditure data.

     - Timely completion and submission of the required annual single audit.

     - **Have not been placed on cash hold for longer than 30 days** (In alignment with WIOA Section 106[e][2]).
4. **The Local Board Demonstrated Substantial Progress Toward Implementing Key WIOA Provisions**

The local board must demonstrate they have taken measures toward implementing key WIOA implementation provisions and designing a better system for customers. This includes, but is not limited to, strategic planning, developing new services, entering into new collaborative partnerships, and creating innovative workforce development strategies in alignment with WIOA. The following are key WIOA implementation provisions being assessed:

- **Meeting new youth service requirements.**
- **Procuring America’s Job Center of California SM (AJCC) operators (unless granted a waiver under WIOA Section 121[d][1][A]).**
- **Procuring AJCC career service providers (unless granted a waiver under WIOA Section 107[g][2]).**
- **Adhering to the new Uniform Guidance requirements.**
- **Establishing Memorandums of Understanding with local partners.**
- **Developing sector initiatives and career pathways in high demand industries in coordination with community colleges, apprenticeship programs, adult basic education, and other training providers.**
- **Adopting, implementing, and promoting the AJCC brand.**

**Recertification Request**

In order to determine if local boards have met the recertification requirements, local boards must complete Attachment 1, Local Board Recertification Request. The request must be signed by the local board chairperson or officially designated alternate and the local Chief Elected Official (CEO).

*The completed request must be submitted to the State Board no later than 5:00 p.m., March 30, 2016. The State Board will accept signed or unsigned copies on or before this date. The signed copies must be received no later than June 20, 2016.*

**Mail**
California Workforce Development Board  
P.O. Box 826880  
Sacramento, CA 94280-0001

**Courier**
California Workforce Development Board  
800 Capitol Mall, Suite 1022  
Sacramento CA 95814

**Hand Deliver**
California Workforce Development Board  
800 Capitol Mall, Suite 1022  
Sacramento CA 95814
Assessment of Recertification Request

The State Board, in coordination with EDD, will verify the information provided in the recertification request. The State Board will consider all information provided, and determine whether to recommend recertification at its spring 2016 meeting.

The local board will be notified in writing by May 20, 2016, regarding its recertification status. If approved, the local board recertification will be effective July 1, 2016, through June 30, 2018. If denied, the local board may be granted conditional certification and required to submit a corrective action plan to the State Board as outlined in the “Failure to Achieve Recertification” section below.

Failure to Achieve Recertification

*If a local board fails to achieve recertification, the State Board and EDD will work with the local board in a good faith effort to improve those areas out of compliance, granting conditional recertification if necessary.*

*Local boards that are granted conditional recertification will be required to submit a corrective action plan to the State Board by June 20, 2016. The corrective action plan must address the recertification criteria the local board did not meet (i.e., membership, performance, sustained fiscal integrity, or demonstrated progress toward implementing key WIOA provisions). The corrective action plan must be signed by the local board chairperson or his/her official designated alternate.*

If the local board fails to submit a corrective action plan as required, the local board’s recertification request will be denied and a new local board will be appointed and certified in accordance with WIOA Section 107(c)(2)(C).

**ACTION**

Please bring this directive to the attention of the local board, local CEO, and other relevant parties.

**INQUIRIES**

Contact your assigned Regional Advisor if you have questions concerning this directive.

/S/ JOSÉ LUIS MÁRQUEZ, Chief  
Central Office Workforce Services Division

Attachment is available on the Internet:

1. Local Board Recertification Request
TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA ADULT PROGRAM PRIORITY OF SERVICE

SUBJECT MATTER HIGHLIGHTS

This policy provides guidance and establishes the procedures regarding priority of service for recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient served with Workforce Innovation and Opportunity Act adult funds.

COMMENTS DUE
July 15, 2015

Comments can be submitted through one of the following ways:

<table>
<thead>
<tr>
<th>Fax</th>
<th>WSD, Attention: Marissa Clark at 916-654-9753</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-Mail</td>
<td><a href="mailto:Marissa.Clark@edd.ca.gov">Marissa.Clark@edd.ca.gov</a></td>
</tr>
<tr>
<td></td>
<td>(Include “draft comments” in the subject line)</td>
</tr>
<tr>
<td>Mail</td>
<td>WSD / P.O. Box 826880 / MIC 50 / Sacramento, CA 94280-0001</td>
</tr>
</tbody>
</table>

All comments received by the end of the comment period will be considered before the final directive is issued. The Workforce Services Branch does not respond individually to each comment received. However, a summary of comments will be released with the final directive. Comments received after the specified due date will not be considered.

If you have any questions, contact Marissa Clark at 916-654-6552.
TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA ADULT PROGRAM PRIORITY OF SERVICE

EXECUTIVE SUMMARY

Purpose

This policy provides guidance and establishes the procedures regarding priority of service for recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient served with Workforce Innovation and Opportunity Act (WIOA) adult funds.

Scope

This directive applies to all Local Workforce Development Areas (local areas).

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- WIOA (Public Law 113-128) Sections 3 and 134
- Workforce Investment Act (WIA) Section 134
- Title 20 Code of Federal Regulations (CFR) “WIOA, Notice of Proposed Rule Making” (NPRM), Sections 680.150, 680.600, 680.610, and 680.650
- Training and Employment Guidance Letter (TEGL) 06-14, Program Year 2013/Fiscal Year 2014 Data Validation and Performance Reporting Requirements and Associated Timelines, Attachment A (September, 10, 2014)
- Workforce Services Directive WSD08-10, Subject: Final Rule on Priority of Service for Veterans and Eligible Spouses (June 29, 2009)
STATE-IMPOSED REQUIREMENTS

This directive contains some state-imposed requirements. These requirements are printed in **bold, italic type**.

FILING INSTRUCTIONS

Retain this directive until further notice.

BACKGROUND

The WIA required that if funds allocated to a local area for adult employment and training activities were limited, priority of service was to be provided to recipients of public assistance and other low-income individuals for intensive services and training services.

The WIOA made several changes to the priority of service requirement by adding individuals who are basic skills deficient as a priority population, changing intensive services to career individualized services, and removing the provision stating priority of service is only applied if funding is limited.

Veterans and eligible spouses continue to receive priority of service for all Department of Labor (DOL) funded programs amongst all participants. These requirements were not affected by the passage of WIOA and must still be applied in accordance with guidance previously issued by the DOL and Workforce Services Directive **WSD08-10**.

POLICY AND PROCEDURES

Priority of Service Requirement

As stated in WIOA Section 134(c)(3)(E), with respect to individualized career services and training services funded with WIOA adult funds, priority of service must be given to recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.

*The state has defined the term “priority” to mean that 51 percent or more of the participants served with WIOA adult funds must be either low-income, recipients of public assistance, or basic skills deficient.*

Priority of service status is established at the time of eligibility determination and does not change during the period of participation. Priority does not apply to the dislocated worker population.

The WIOA adult funding priority of service doesn’t affect or negate the priority of service provided to veterans and eligible spouses. Veterans and eligible spouses continue to receive priority of service among all eligible individuals; however, they must meet the WIOA adult program eligibility criteria. Thus, for WIOA adult services, the program’s eligibility determination must be made first, and then veteran’s priority applied. Veterans and eligible
spouses that are not low-income, recipients of public assistance, or basic skills deficient are not included in the required 51 percent priority of service calculation. For additional guidance on providing priority of service to veterans through the one-stop system, please reference Workforce Services Directive WSD08-10.

Local Workforce Development Boards (local boards) may establish additional priority groups for their local area (e.g., residents of the local area, individuals with disabilities, etc.). However, these additional priority groups are not included in the required 51 percent priority of service calculation.

Definitions

For purposes of this directive, the following definitions apply:

Basic Skills Deficient – An individual that is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society (WIOA Section 3[5]). Criteria used to determine whether an individual is basic skills deficient includes the following:

- Lacks a high school diploma or high school equivalency and is not enrolled in secondary education.
- Enrolled in a Title II Adult Education/Literacy program.
- English, reading, writing, or computing skills at an 8.9 or below grade level.
- Determined to be Limited English Skills proficient through staff-documented observations.
- Other objective criteria determined to be appropriate by the local area and documented in its required policy.

Case Notes - Paper or electronic statements by the case manager that identifies, at a minimum, (1) a participant's status for a specific data element, (2) the date on which the information was obtained, and (3) the case manager who obtained the information. If case notes are used as a documentation source, the case notes must provide an auditable trail back to the source of information verified. The case manager does not need to keep a hard copy of the information verified in the participant’s case file.

Example: A case manager verifies an individual is basic skills deficient by viewing school records, specifically, enrollment in a Title II Adult Education/Literacy program. The case notes must include auditable information, such as the name of the school and the date of enrollment, which could allow an auditor/monitor to later retrieve this information. The case manager would not need to keep a hard copy of the school record in the participant’s file (TEGL 06-14, Attachment A).

Low-Income - An individual that meets one of the five criteria below:

1. Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received, assistance through the supplemental nutrition assistance program, temporary assistance for needy families program,
supplemental security income program, or state or local income-based public assistance.

2. Has received with the past school year, a Board of Governor’s (BOG) community college fee waiver.

3. In a family with total family income that does not exceed the higher of the following:
   a. The poverty line.
   b. 70 percent of the Lower Living Standard Income Level.

4. A homeless individual.

5. An individual with a disability whose own income does not exceed the income requirement, but is a member of a family whose total income does (WIOA Section 3[36]).

Public Assistance Recipient - An individual that receives federal, state, or local government cash payments for which eligibility is determined by a needs or income test (WIOA Section 3[50]).

Self-Attestation - When a participant states his or her status for a particular data element, such as low income, and then signs and dates a form acknowledging this status. The key elements for self-attestation are (1) the participant identifying his or her status for permitted elements and (2) signing and dating a form attesting to this self-identification. The form and signature can be on paper or in the local area management information system, with an electronic signature (TEGL 06-14, Attachment A).

Note that, self-attestation is not to be used as the primary method of gathering documentation to verify data elements. Self-attestation as a documentation source is only to be used when the preferred options of paper documentation or third party corroboration are not available.

Career and Training Services

Under WIOA, the WIA core and intensive services are merged into a new category entitled “career services.” The career services category includes basic career services, found at WIOA Section 134(c)(2)(A)(i)-(xi), and individualized career services, found at WIOA Section 134(c)(2)(A)(xii). Basic career services are not subject to the priority of service requirement; however, individualized career services and training services are subject to the requirement (Title 20 CFR NPRM Section 680.150).

Basic Career Services

Basic career services are not subject to priority of service, and consist of the following:

- Determination of eligibility to receive services.
- Outreach, intake, and orientation to the services available through the one-stop delivery system.
- Initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs.
- Labor exchange services, including the following:
Job search and placement assistance and, career counseling, such as the information on in-demand industry sectors and occupations as well nontraditional employment.

Recruitment and other business services on behalf of employers in the local area, such as information and referral to specialized business services not traditionally offered through the one-stop delivery system.

- Referrals to, and coordination of activities with, other programs and services, including programs and services within the one-stop delivery system and other workforce development programs.

- Workforce and labor market employment statistics information, including information relating to local, regional, and national labor market areas, including the following:
  - Job vacancy listings and the job skills necessary to obtain them.
  - Information on local in demand occupations and the earnings, skill requirements, and opportunities for advancement that accompany them.

- Information on performance and program cost of eligible providers of training services, youth workforce investment activities, adult education, career and technical education activities at the postsecondary level, career and technical education activities available to school dropouts, and vocational rehabilitation services.

- Information regarding how the local area is performing on the local performance accountability measures and any additional performance information with respect to the one-stop delivery system in the local area.

- Information on, and referral to, supportive services or assistance, including the following:
  - Child care, child support, medical or child health assistance under title XIX or XXI of the Social Security Act.
  - Benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008.
  - Assistance through the earned income tax credit under section 32 of the Internal Revenue Code of 1986.
  - Assistance under a state program for temporary assistance for needy families funded under part A of title IV of the Social Security Act.
  - Other supportive services and transportation available in the local area.

- Information and assistance regarding filing claims for unemployment compensation.

- Assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under WIOA.

**Individualized Career Services**

Individualized career services are subject to priority of service, and consist of the following:

- Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include the following:
  - Diagnostic testing and use of other assessment tools.
In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.

- Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals, including providing information on eligible providers of training services and career pathways to attain career objectives.
- Group counseling.
- Individual counseling.
- Career planning.
- Short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training.
- Internships and work experiences linked to careers.
- Workforce preparation activities.
- Financial literacy services.
- Out-of-area job search assistance and relocation assistance.
- English language acquisition and integrated education and training programs.

**Training Services**

Training services are subject to priority of service, and consist of the following:

- Occupational skills training, including training for nontraditional employment.
- On-the-job training.
- Incumbent worker training.
- Programs that combine workplace training with related instruction, which may include cooperative education programs.
- Training programs operated by the private sector.
- Skill upgrading and retraining.
- Entrepreneurial training.
- Transitional jobs.
- Job readiness training provided in combination with another training service.
- Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with another training service.
- Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.
Local areas may use the following sources of documentation to verify whether an adult participant qualifies for priority of service under WIOA.

<table>
<thead>
<tr>
<th>Priority of Service Criteria</th>
<th>Acceptable Documentation</th>
</tr>
</thead>
</table>
| **1. Recipient of Public Assistance** | • Cross-match with public assistance database  
• Copy of authorization to receive cash public assistance  
• Copy of public assistance check  
• Medical card showing cash grant status  
• Public assistance records  
• Refugee assistance records |
| **2. Low Income** | • Alimony agreement  
• Award letter from veteran’s administration  
• Bank statements  
• Compensation award letter  
• Court award letter  
• Pension statement  
• Employer statement/contact  
• Family or business financial records  
• Housing authority verification  
• Pay stubs  
• Public assistance records  
• Quarterly estimated tax for self-employed persons  
• Social Security benefits  
• Unemployment Insurance documents  
• Self attestation* |
| **3. Basic Skills Deficient** | • School Records  
• Results of academic assessment  
• Case notes*  
• Self-Attestation* |

*Please reference the definition section of this directive for additional guidance on case notes or self-attestation being used for documentation purposes.
Local Policy

The WIOA priority of service provisions go into effect July 1, 2015. Local boards must implement the priority of service requirements beginning July 1, 2015, and establish local policy and procedures for priority of service by September 1, 2015.

ACTION

Please bring this directive to the attention of all relevant parties.

INQUIRIES

If you have any questions, please contact your Regional Advisor at 916-654-7799.

/S/ JOSÉ LUIS MÁRQUEZ, Chief
Central Office Workforce Services Division
MEMORANDUM

TO: WORKFORCE DEVELOPMENT BOARD EXECUTIVE COMMITTEE

FROM: JOYCE ALDRICH, EXECUTIVE DIRECTOR, WORKFORCE DEVELOPMENT BOARD

SUBJECT: REVIEW AND RECEIVE UPDATE ON DEPARTMENT OF LABOR TRAINING AND GUIDANCE LETTERS FOR WIOA IMPLEMENTATION

DATE: JULY 15, 2015

RECOMMENDATION:
It is recommended that the Executive Committee review and receive update on Department of Labor Training and Guidance Letters #38-14 and #1-15 for WIOA Implementation.

INFORMATION:
At the Executive Committee meeting Staff will review and provide highlights the WDB should know regarding the following TEGL Letter’s:

Training and Employment Guidance Letter WIOA No. 38-14 Operating Guidance for the Workforce Innovation and Opportunity ACT dated June 8 2015 was released by the Employment and Training Administration U.S. Department of Labor to provide guidance and instructions on the transition of participant, funds, performance reports, grants, and sub recipient contracts. The guidance is provided to clarify: (1) the process for carry-in of funds awarded under WIA; (2) the requirements for transitioning participants enrolled under WIA; (3) performance reporting transition; (4) the grant modification process; and (5) the requirements for sub recipient contracts for service providers under WIOA.

Training and Employment Guidance Letter WIOA No. 1-15 dated July 1, 2015 is to communicate the Employment and Training Administration’s (ETA) waiver policy for PY 2015 for WIA waivers currently approved for many states.
ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER WIOA NO. 38-14
OPERATING GUIDANCE for the WORKFORCE INNOVATION AND OPPORTUNITY ACT (referred to as WIOA or the Opportunity Act)

TO: STATE WORKFORCE AGENCIES
NATIONAL FARMWORKER JOBS PROGRAM (NFJP) GRANTEES
WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) SECTION 166 INDIAN AND NATIVE AMERICAN PROGRAM GRANTEES

FROM: PORTIA WU
Assistant Secretary

SUBJECT: Operational Guidance to Support the Orderly Transition of Workforce Investment Act Participants, Funds, and Subrecipient Contracts to the Workforce Innovation and Opportunity Act

1. Purpose. To provide guidance and instructions on the transition of participants, funds, performance reports, grants, and subrecipient contracts under title I of the Workforce Investment Act of 1998 (WIA) and under the Wagner-Peyser Act to the Workforce Innovation and Opportunity Act (WIOA or the Act).

In anticipation of July 1, 2015, the Department is providing this guidance to clarify: (1) the process for carry-in of funds awarded under WIA to WIOA; (2) the requirements for transitioning participants enrolled under WIA to WIOA; (3) performance reporting transition; (4) the grant modification process; and (5) the requirements for subrecipient contracts for service providers under WIOA. Attached is a chart that illustrates many of the issues covered in this Training and Employment Guidance Letter (TEGL) as well as issues that were previously addressed in TEGLs surrounding the transition of WIA to WIOA, including the use of 2% funding and rapid response flexibility.

WIOA was signed into law on July 22, 2014. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. WIOA supersedes titles I and II of the Workforce Investment Act of 1998, and amends the Wagner-Peyser Act and the Rehabilitation Act of 1973. In general, the Act takes effect on July 1, 2015, the first full program year after enactment, unless otherwise noted.

The Departments of Labor and Education are working to publish a set of regulations implementing WIOA. On April 9th, the Federal Register posted five Notices of Proposed

<table>
<thead>
<tr>
<th>RESCISSIONS</th>
<th>EXPIRATION DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td>Continuing</td>
</tr>
</tbody>
</table>
carry unobligated PY 2013 and 2014 funds into PY 2015, and these funds will become WIOA funds, effective July 1, 2015.

As of July 1, 2015, the unobligated PY 2013 and PY 2014 WIA and Wagner-Peyser funds carried into PY 2015 must only support allowable WIOA activities and conform to WIOA requirements effective July 1, 2015, with the exception of funds used to pay for WIA services for WIA participants who are transitioning to WIOA, as outlined in section 5, and any other requirements issued by DOL via Training and Employment Guidance Letter that are necessary to facilitate transition from WIA to WIOA. The period of performance for these funds remains intact (i.e. the expiration of PY 2013 funds remains June 30, 2016, for state and local formula funds and NFJP, and September 30, 2015, for the INA program).

4. **Transition of WIA Participants to WIOA.** On July 1, 2015, all WIA title I participants (including Adult, Dislocated Worker, Youth, NFJP, and INA participants) who were enrolled in a WIA title I program prior to July 1, 2015, must be transitioned (or “grandfathered”) into WIOA, even if the participant would not otherwise be eligible for WIOA. Grantees must not complete an eligibility re-determination for participants already determined eligible and enrolled under WIA. Furthermore, these participants must be allowed to complete the WIA services (“grandfathered services”) specified in their individual service strategy and/or individual employment plan, regardless of whether the services are allowable under WIOA or not, as long as the WIA services were specified in participants’ individual service strategies and/or individual employment plans as of June 30, 2015. Grantees must continue to serve participants enrolled under WIA (with pre-determined WIA or new WIOA services) by either: providing the services for which WIA funds were already obligated (and, thus, liquidating those funds); with unobligated carry-in WIA funds that become WIOA funds (as established in Section 4 of this TEGL); or with new WIOA funds. We encourage grantees to continue to enroll participants through June 30, 2015. This is consistent with the Department’s transition authority in section 503 of WIOA, which allows the Secretary to take such actions as he determines to be appropriate to provide for the orderly transition from the Workforce Investment Act of 1998 to Title I of WIOA.

Effective July 1, 2015, grantees must make all new eligibility determinations under the WIOA framework for participants enrolling on or after that date and must follow all WIOA requirements. Participants enrolled on or after July 1, 2015, may only access services allowable under WIOA.

5. **Transition of Employment Service (ES) Participants under WIOA.** WIOA Title III amended the Wagner-Peyser Act of 1933 (which governs the ES). Since WIOA did not change the ES from being a universal access program for all job seekers, ES eligibility criteria did not change, and programs should continue to provide participants with the full array of labor exchange services after WIOA takes effect on July 1, 2015. WIOA introduced a requirement to co-locate ES offices with one-stop centers, currently branded as American Job Centers, and several changes in services. These and other topics, including the alignment of WIOA career services with ES services, will be addressed in subsequent guidance.
they contain clauses to allow for changes to be made to conform to new legislation or regulations. If current contracts include multiple or option years, WIOA requirements must be incorporated by amending or modifying the option years of the contract. If, after July 1, 2015, a service provider refuses to comply with the new WIOA requirements, the awarding entity must take immediate corrective action, up to and including termination.

In competing new contracts, ETA encourages local areas to employ one-year contracts with additional option years, rather than multi-year contracts. Given how resource-intensive the Request for Proposals (RFP) process can be, option year contracts are a strategy to ensure maximum flexibility while final regulations are published and program guidance is issued.

9. **Inquiries.** Questions may be directed to the appropriate ETA Regional Office. INA and NFJP grantees should contact their assigned Federal Project Officer.

10. **Attachments.**

    - Attachment I: References
    - Attachment II: WIA to WIOA – Transition of Funding, Participants, and Subrecipient Contracts Chart
### WIA to WIOA - Transition of Funding, Participants, and Subrecipient Contracts

#### Before July 1, 2015

<table>
<thead>
<tr>
<th>Program Year</th>
<th>Expiration</th>
<th>Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

- Can 3% of the WIA funds be used for transitional activities? (TEGL 12-14)
- Can other programs authorized under Title I of WIA, the Indian and Native American program, the Migrant and Seasonal Farmworker program, or other activities use the PY 14 monies for transitional activities? (TEGL 12-14)
- Can unexpended WIA reserve monies be used for transitional activities? (TEGL 20-16)
- Will uncommitted funds be carried over into WIOA?
- Can funds obligated through June 30, 2015, be used to provide WIA services?
- Can WIA funds not obligated before July 1, 2015, be used to provide WIA services only if there is no grant-based WIA participation?
- Can PY 15 WIA funds obligated on or after July 1, 2015, be used to serve grant-based WIA participants?

#### After July 1, 2015

<table>
<thead>
<tr>
<th>Program Year</th>
<th>Expiration</th>
<th>Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

- Will remaining funds be carried over into WIOA?
- Are WIA participants automatically into WIOA?
- Are eligible re-employment services contained in the continuing WIA agreements negligent of any WIA participant seeking services before or after July 1, 2015?
- Are Wagner jobs placed services available to grant-based WIA participants?
- Can participants on WIA contracts continue to receive services under former WIA, including service delivery under negotiated contract?
- Must existing subrecipient contracts with performance periods that extend beyond June 30, 2015 be modified or amended to reflect WIOA requirements and requirements?
- Can service providers with existing subrecipient contracts continue to enroll participants in WIA program services on or after July 1, 2015?
- On or after July 1, 2015, can service providers with existing subrecipient contracts serve participants enrolled in WIA before or on June 30, 2015?
- Should a subrecipient contract be terminated if a service provider is unwilling or unable to adhere to the WIOA requirements on or after July 1, 2015?

#### Linking Resources

- WIA and WIP reports
- WIA, SDR, and ETA-0687
- ETA-2350 and ETA-2002
- ETA-2005 and ETA-0684

**Note:** Until new performance and financial reports are approved and the systems are updated, grant recipients will use the existing WIA reports.

PY 2012 funds expire on June 30, 2019 and thus are not subject to WIOA provisions.
ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER WIOA NO. 1-15 OPERATING GUIDANCE for the WORKFORCE INNOVATION AND OPPORTUNITY ACT (referred to as WIOA or the Opportunity Act)

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE ADMINISTRATORS
STATE WORKFORCE LIAISONS
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS
STATE LABOR COMMISSIONERS

FROM: PORTIA WU /s/
Assistant Secretary


1. Purpose. The purpose of this guidance is to communicate the Employment and Training Administration’s (ETA) waiver policy for PY 2015 for Workforce Investment Act (WIA) waivers currently approved for many states. This guidance addresses the status of such waivers during Program Year (PY) 2015, when most provisions of the Workforce Innovation and Opportunity Act (WIOA) go into effect. This guidance also communicates ETA’s position on waivers under WIOA.

WIOA was signed into law on July 22, 2014. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. WIOA supersedes Titles I and II of the Workforce Investment Act of 1998 and amends the Wagner-Peyser Act and the Rehabilitation Act of 1973. In general, the Act takes effect on July 1, 2015, the first full program year after enactment, unless otherwise noted.

The Departments of Labor and Education published a set of regulations for implementing WIOA through the posting of five Notice of Proposed Rulemaking (NPRMs) documents. These NPRMs were open for public comment until June 15, 2015, and several hundred comments were received by both Departments. The Federal agencies will review, analyze and consider the comments received. The Final WIOA rules will be issued in 2016.
In order to continue implementation prior to the final rule, a series of WIOA Operating Guidance documents are being issued in the form of Training and Employment Guidance Letters (TEGLs). These Operating Guidance documents on WIOA will inform the workforce system on how to begin the important planning and organizational work necessary to comply with the WIOA statutory requirements. The Operating Guidance TEGLs will provide a framework for program activities until the regulations are finalized. This TEGL is one in a series of WIOA Operating Guidance.

2. References. See Attachment 1.

3. Background. Before the passage of WIOA, ETA approved WIA State Plans and waivers through either June 30, 2016 or June 30, 2017. Most WIOA provisions go into effect July 1, 2015, and States must submit WIOA State Plans in March 2016 for PY 2016. The Secretary’s waiver authority under WIA and waivers approved under WIA do not extend to WIOA, which has its own waiver authority.

ETA conducted a waiver-by-waiver analysis to determine which approved WIA waivers may remain in place for PY15 and which WIA waivers must be terminated on June 30, 2015 due to the effective date of the WIOA provisions. Section 503 of WIOA provides the Secretary of Labor with the authority to take such actions as the Secretary determines to be appropriate to provide for the orderly transition from WIA to WIOA, and ETA is exercising this authority in regard to waiver decisions articulated in this guidance.

Furthermore, policy promulgated in TEGL 38-14, Operational Guidance to Support the Orderly Transition of Workforce Investment Act Participants, Funds, and Subrecipient Contracts to the Workforce Innovation and Opportunity Act of 2014, establishes the analytical framework for the continuation of certain WIA waivers into PY 15. In particular, the following provides the context for WIA waiver policy for PY 15:

- For PY 2013 and 2014 funds which are already obligated as of June 30, 2015, grantees may liquidate those obligations in compliance with WIA requirements.
- As of July 1, 2015, unobligated WIA funds carried into WIOA must only support WIOA activities and conform to WIOA reporting requirements.
- On July 1, 2015, all WIA title I participants (including Adult, Dislocated Worker, Youth, NFJP, and INA participants) who were enrolled in a WIA title I program prior to July 1, 2015 must be grandfathered into WIOA, even if the participant would not otherwise be eligible for WIOA.
- For performance reports, State formula grantees will continue reporting WIA and WIOA enrolled participants in the current Workforce Investment Act Standardized Record Data (WIASRD) until a new performance report is approved and the system is updated.

4. Status of Approved WIA Waivers in PY 15. Most waivers are organized into the following categories: those having to do with the flexibility and movement of funds, including youth waivers, waivers of performance, and waivers that impact State or local governance structures. The following summarizes the Department's rationale for the status of
WIA waivers in these categories. Please see Attachment II for a full list of waiver decisions. Through the Secretary's transition authority, States are not required to submit a WIA State Plan modification to reflect these changes, nor will the Department issue waiver modification letters outside of this guidance.

A. Funds Flexibility and Youth Waivers. Whether WIA Funds Flexibility and Youth Waivers remain in effect after July 1, 2015 varies based on whether WIA funds are obligated or unobligated as of June 30, 2015.

Funds flexibility waivers (such as the waiver allowing a sliding employer reimbursement scale for on-the-job training) and Youth waivers (including the competitive procurement of youth elements waiver and the waiver to allow youth to receive ITAs) that support activities funded with obligated PY 2013 or 2014 funds may continue until such funds are liquidated. Unobligated PY 2013 and 2014 will become subject to WIOA requirements, effective July 1, 2015 and the WIA waivers must be discontinued. ETA intends to issue further guidance regarding competitive procurement of the youth elements.

Note, participants enrolled under WIA prior to July 1, 2015 must be grandfathered into WIOA and must be allowed to complete the WIA services in their service plan whether using WIA or WIOA funds for those services.

B. Performance Waivers. WIOA performance reporting requirements do not take effect until PY 2016. Therefore, ETA will continue to honor all currently approved WIA performance waivers, including waivers that permit States to replace the performance measures at WIA Section 136(b) with the common measures until PY 2016. State formula grantees will continue reporting WIA and WIOA enrolled participants in the current Workforce Investment Act Standardized Record Data (WIASRD) until a new performance report is approved and the system is updated.

C. System Governance Waivers.

i. Waiver of 20 CFR 661.300(f) permitting the State Board to carry out the functions of the Local Board. The three States that are approved for this waiver may continue the waiver in PY 2015. Irrespective of the waiver, these States must develop policies concerning the identification of regions and the designation of local areas consistent with TEGL 27-14. States approved for this waiver must educate local chief elected officials of their statutory authority to request local area designation. ETA will entertain such a waiver under WIOA on a case-by-case basis where the State can provide compelling evidence that the continuation of this governance structure is necessary and appropriate. ETA intends to issue further guidance on the conditions and criteria for approval of this waiver under WIOA.

ii. Waiver of the provision at 20 CFR 663.530 that prescribes a time limit on the period of initial eligibility for training providers. This waiver allowed States to maintain initial eligibility requirements for training providers. The WIOA
requirements for training provider eligibility go into effect July 22, 2015, and this waiver may not be applied to the Section 122 provisions of WIOA. Therefore, this waiver is discontinued effective July 1, 2015. For information on training provider eligibility requirements under WIOA, refer to TEGL 41-14.

5. **Waivers in PY 2016.** In general, the Department does not envision a need for States to request waivers before the submission of the first WIOA State Plan in March of 2016. WIOA represents a significant opportunity for the transformation of the public workforce system, in part due to the unprecedented level of flexibility that the legislation provides State and Local stakeholders. We encourage States to work with, and test the flexibility of WIOA, particularly during PY 2015, the first year of implementation. However, where the State demonstrates that a proposed waiver would lead to a true innovation or improve service delivery beyond the improvements provided for in WIOA, the Department will entertain waiver requests prior to State Plan submission. The State must articulate how the proposed waiver would advance implementation of its prospective WIOA State Plan.

6. **Action Requested.** States must review this guidance against their approved WIA waivers, and adapt their use of WIA waivers accordingly. States are not required to submit a State Plan modification to reflect these changes.

7. **Inquiries.** States should address their inquiries to their ETA Regional Office.

8. **Attachments.**
   - Attachment I: References
   - Attachment II: Table of WIA Waiver Decisions for PY 2015
Attachment I: References

- Workforce Innovation and Opportunity Act of 2014 (Pub. L. 113-128)
- TEGL 38-14: Operational Guidance to Support the Orderly Transition of Workforce Investment Act Participants, Funds, and Subrecipient Contracts to the Workforce Innovation and Opportunity Act of 2014
- TEGL 41-14: Workforce Innovation and Opportunity Act (WIOA or Opportunity Act) Title I Training Provider Eligibility Transition
## Attachment II:

### Waiver Decisions for PY 2015

<table>
<thead>
<tr>
<th>WIA Waiver Name</th>
<th>Description</th>
<th>PY 2015 Waiver Decisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customized Training</td>
<td>Waiver of the required 50 percent employer contribution for customized training at WIA Section 101(8)(C)</td>
<td>Waiver may continue when used in support of activities funded through obligated WIA funds.</td>
</tr>
<tr>
<td>On-the-job Training Employer Reimbursement Based on Business Size</td>
<td>Waiver of WIA Section 101(31)(B) to increase the employer reimbursement for on-the-job training</td>
<td>Waiver may continue when used in support of activities funded through obligated WIA funds.</td>
</tr>
<tr>
<td>On-the-job Training Employer Reimbursement Based on Length of Participant Unemployment</td>
<td>Waiver of WIA Section 101(31)(B) to increase the employer reimbursement for on-the-job training</td>
<td>Waiver may continue when used in support of activities funded through obligated WIA funds.</td>
</tr>
<tr>
<td>Adult/Dislocated Worker Funds Transfer</td>
<td>Waiver of WIA Section 133(b)(4) to increase the allowable transfer amount between Adult and Dislocated Worker funding streams allocated to a local area</td>
<td>Waiver may continue when used in support of activities funded through obligated WIA funds.</td>
</tr>
<tr>
<td>Local funds for incumbent worker training</td>
<td>Waiver of WIA Section 134(a) to permit local areas to use a portion of local funds for incumbent worker training</td>
<td>Waiver may continue when used in support of activities funded through obligated WIA funds.</td>
</tr>
<tr>
<td>Rapid Response funds for incumbent worker training</td>
<td>Waiver of WIA Section 134(a)(1)(A) to permit a portion of the funds reserved for rapid response activities to be used for incumbent worker training</td>
<td>Waiver may continue when used in support of activities funded through obligated WIA funds.</td>
</tr>
<tr>
<td>Youth ITAs</td>
<td>Waiver of the prohibition at 20 CFR 664.510 on the use of Individual Training Accounts for older and out-of-school youth</td>
<td>Waiver may continue when used in support of activities funded through obligated WIA funds.</td>
</tr>
<tr>
<td>Competitive Procurement for Youth Elements</td>
<td>Waiver of WIA Section 123 that requires that providers of Youth program elements be selected on a competitive basis</td>
<td>Waiver may continue when used in support of activities funded through obligated WIA funds.</td>
</tr>
<tr>
<td>Common Measures</td>
<td>Waiver to permit the State to replace the performance measures at WIA Section 136(b) with the common measures</td>
<td>Approved waivers remain in place since new WIOA reporting requirements will not be fully implemented until June 30, 2016.</td>
</tr>
<tr>
<td>OJT Credential Attainment</td>
<td>Waiver of the WIA regulations at 20 CFR 666.100 to exempt the State from including credential attainment outcomes for participants enrolled in on-the-job training in the credential performance measure calculations</td>
<td>Approved waivers remain in place since new WIOA reporting requirements will not be fully implemented until June 30, 2016.</td>
</tr>
<tr>
<td>-------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Alternative Seasonal Performance Measure</td>
<td>Waiver to permit WIA participants who enter seasonal employment occupations to be counted in an alternative format for performance measures at WIA Section 136(b)(2)(A)(i)(II) and 20 CFR 666.140</td>
<td>Only applies to Alaska. Approved waiver will remain in place since new WIOA reporting requirements will not be fully implemented until June 30, 2016.</td>
</tr>
<tr>
<td>WIASARD Element for Incumbent Worker Training</td>
<td>Waiver to allow States to discontinue collection of 7 WIASRD data elements for incumbent workers</td>
<td>Approved waivers remain in place since new WIOA reporting requirements will not be fully implemented until June 30, 2016.</td>
</tr>
<tr>
<td>Local Area Performance Measure Indicators and Methodology</td>
<td>Waiver of WIA Section 136(c) to allow greater flexibility when contracting performance measures with local workforce boards. The waiver permits the State to use Local Board-contracted measures that support integration. Under this waiver, the State continues to meet applicable State performance requirements at WIA Section 136(b).</td>
<td>Approved waivers remain in place since new WIOA reporting requirements will not be fully implemented until June 30, 2016.</td>
</tr>
<tr>
<td>State Board as Local Board</td>
<td>Waiver of WIA regulations at 20 CFR 661.300(f) to allow the State Board to carry out the roles of a Local Board</td>
<td>Waiver will continue through June 30, 2016.</td>
</tr>
<tr>
<td>Board Membership</td>
<td>Waiver of the State Workforce Board membership requirements at WIA Section 111(b)</td>
<td>Only applies to Rhode Island. Waiver no longer necessary. WIOA requires the appointment of representatives from each house of the State legislature in accordance with State law.</td>
</tr>
<tr>
<td>ETPL Initial Eligibility</td>
<td>Waiver of the provision at 20 CFR 663.530 that prescribes a time limit on the period of initial eligibility for training providers</td>
<td>Waiver expires on June 30, 2015.</td>
</tr>
<tr>
<td>One-Stop Intake</td>
<td>Waiver of WIA regulations 20 CFR 662.240(b)(10) to allow One-Stop Career Center staff to perform intake and eligibility determination for additional programs.</td>
<td>Waiver will continue through June 30, 2016.</td>
</tr>
<tr>
<td>Required Statewide Activities</td>
<td>Waiver of WIA Sections 129(b)(2) and 134(b)(2) to exempt the State from some statewide activities.</td>
<td>Waiver expires on July 1, 2015.</td>
</tr>
<tr>
<td>Reallocate Waiver</td>
<td>Waiver of the reallocation provisions at WIA Sections 128(c)(2) and 133(c)(2), and 20 CFR 667.160(b). This waiver provides the State with greater discretion when reallocating recaptured funds.</td>
<td>Only applies to Texas. Waiver will continue through June 30, 2016.</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: WORKFORCE DEVELOPMENT BOARD EXECUTIVE COMMITTEE

FROM: JOYCE ALDRICH, EXECUTIVE DIRECTOR, WORKFORCE DEVELOPMENT BOARD

SUBJECT: REVIEW AND DISCUSS CHANGE IN COUNTY POLICY FOR BOARD MEMBER TRAVEL REIMBURSEMENTS

DATE: JULY 15, 2015

INFORMATION:

At the Executive Committee Staff will review and discuss changes in County Policy that require all Board Members to be placed on County Payroll in order to be reimbursed for Conference travel.
MEMORANDUM

TO: Workforce Development Board Executive Committee

FROM: Joyce Aldrich, Executive Director, Workforce Development Board

SUBJECT: Update on Previously Submitted Grant Applications

DATE: July 15, 2015

INFORMATION:

California’s Strategic Workforce Development Plan 2013-2017 – “Shared Strategy for a Shared Prosperity” (Strategic Plan) prioritizes regional coordination among key partners, sector-based employment strategies, skill attainment through earn and learn and other effective training models, and development of career pathways. The State Board is interested in funding applications that further advance the goals of its Strategic Plan and build workforce system infrastructure and capacity through collaboration, innovation, and system change. The Workforce Accelerator Fund 2.0 will support projects that accelerate skill development and employment for individuals with barriers to employment, including the long-term unemployed, low-income workers, disconnected youth, veterans, individuals with disabilities, ex-offenders, parents involved in family reunification, and CalWORKS participants.

Last year the WIB applied for and received Workforce Accelerator 1.0 funds in support of a new program model to serve CalWORKS youth; to reach those young adults to help break the generational cycle of poverty and engage youth in a career path out of poverty. As part of that project, the Youth Ambassador’s for Peace Program design was finalized through an application to the Department of Labor Employment and Training Administration for the Workforce Innovation Fund grant program.

The Youth Ambassador’s for Peace Program was awarded, however without the ability to pay for youth to receive paid work experience. The WAF 2.0 application is to request the opportunity for a work experience component to the Youth Ambassadors for Peace project with an outcome of increased labor market awareness and career pathway development. Based upon lessons learned through the original project, the desired approach for career planning is through work based learning from mentor work-site supervisors. The requested amount under the proposal will be $100,000.00 for fiscal year 2015-16. Contract awards are reported to take place in June 2015. WDB received word that we were awarded the $100,000 maximum award amount on June 18 2015.

The Employment and Training Administration (ETA), U.S. Department of Labor (DOL), announced the availability of approximately $5 million in grant funds authorized by Section 171 of the Workforce Investment Act (WIA) and Section 212 of the Second Chance Act of 2007 for Linking to Employment Activities Pre-release Specialized Job Center grants.

While state and federal prisons release more than 650,000 people each year, over 9 million people are released from the nation’s more than 3,000 county jails, many of whom possess few job skills and little prospect for employment. These jails are located in almost every community in the nation and often in close proximity to local employment services offered by the more than 2,500 Job Centers throughout the country. These jails and Job Centers typically operate in the same communities and under the same local government structure.
This Funding Opportunity Announcement (FOA) provides the opportunity for Local WIBs to develop and operate specialized Job Centers.

Funding for this project: $500,000 over a 2-year period
Application due date: April 3, 2015
# Participants to be served: 350 in Monterey, and 50 in San Luis Obispo County
Awards announced: July 2015

The purpose of this program is to provide locally incarcerated offenders with employability skills by providing them with workforce services prior to release from local incarceration and linking them to a continuum of employment, training, education, and support services offered through their community-based America’s Job Center of California (Job Centers) post-release, as well as building connections to local employers that will enable transitioning offenders to secure employment prerelease.

WDB received word that we were not funded under this proposal in June 2015.
**MONTEREY COUNTY WORKFORCE DEVELOPMENT BOARD (WDB)**

Marina Library, 190 Seaside Circle, Marina, CA

**WEDNESDAY, AUGUST 5, 2015; 8:00 A.M.**

**DRAFT AGENDA**

<table>
<thead>
<tr>
<th>CALL TO ORDER/INTRODUCTIONS:</th>
<th>ERIK CUSHMAN, CHAIR</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHANGES TO AGENDA:</td>
<td></td>
</tr>
<tr>
<td>PUBLIC COMMENT:</td>
<td>Client Testimonials</td>
</tr>
</tbody>
</table>

**CONSENT CALENDAR:**

1. **ACTION:** Approve minutes from June 3, 2015.

2. **ACTION:**

3. **ACTION:**

4. **ACTION:**

**DISCUSSION OR REVIEW OF BUSINESS CALENDAR ACTION ITEMS:**

5. **ACTION:** Review and approve the July 15, 2015 LWIA closeout budget for PY 2014-15.

6. **ACTION:** Review and approve in specified format PY 2015-16 Strategic Initiatives.

**SUBCOMMITTEE MEETINGS:**

- Business Services: 8/11/15; Marina Library
- Executive: 8/19/15; Marina Library
- Oversight: 08/11/15; Marina Library
- Youth Council: 09/28/15; Marina Library

**ADJOURNMENT:**

**WDB:** October 7, 2015; TBD

To request information, please contact the Monterey County Workforce Development Board staff at (831) 796-6434 or visit our website at [www.montereycountywib.org](http://www.montereycountywib.org).

**ERIK CUSHMAN**