



WORKFORCEALLIANCE
OF THE NORTH BAY
DRIVING WORKFORCE TALENT

**REGIONAL WORKFORCE DEVELOPMENT BOARD
POLICY AND OVERSIGHT
MEETING AGENDA**

**Tuesday, December 3, 2019
3:00 PM**

Locations:

Lake County: 3835 N Freeway Blvd, Ste 140, Sacramento, CA

Mendocino County: 208 B. South Oak St. Ukiah, CA

Napa County: 1546 First Street, Second Floor, Napa, CA

CALL TO ORDER	
I.	A. Introductions B. Public Comment
CONSENT CALENDAR	
These matters typically include routine financial or administrative action items requiring a vote. Any item will be discussed separately at the request of any person. Items are approved with one single motion	
II.	A. October 8, 2019 Meeting Minutes (Attachment II.A)
REGULAR CALENDAR	
III.	A. Review and accept 1 st Quarter CareerPoint Dashboard Reports (Attachment III.A) (Action) B. Review and approve Workforce Alliance of the North Bay's policies. (Action) Staff requests the committee review, make recommendations if needed, approve and forward policies on to the regional workforce board/executive committee. 1. Career Services (Attachment III.B.1) 2. Code of Conduct and Conflict of Interest (Attachment III.B.2) 3. Follow Up Services ((Attachment III.B.3) 4. On the Job Training (Attachment III.B.4) 5. Rapid Response and Layoff Aversion (Attachment III.B.5) 6. Registered Apprenticeship (Attachment III.B.6) 7. Transitional Jobs (Attachment III.B.7) 8. Work Experience Services (Attachment III.B.8)
INFORMATION / DISCUSSION ITEMS	
IV.	A. 2020 Master Meeting Calendar (Attachment IV.A)
MEMBER / DIRECTOR REPORTS	
V.	A. Member B. Director
ADJOURN	
VI.	A. Next meeting Tuesday, February 4, 2020



WORKFORCEALLIANCE
OF THE NORTH BAY
DRIVING WORKFORCE TALENT

**REGIONAL WORKFORCE DEVELOPMENT BOARD
POLICY AND OVERSIGHT
MEETING MINUTES**

**Tuesday, October 8, 2019
3:00 PM**

Locations:

Marin County: 734 A Street, Ste 6, San Rafael, CA 94901
Mendocino County: 31801 O'Bayley Dr., Fort Bragg, CA
Napa County: 1546 First Street, Second Floor, Napa, CA

CALL TO ORDER	
I.	<p>A. Introductions Chair Amar Inalsingh called the meeting to order at 3:02 PM. Heather Gurewitz, Cecilia Zamora, Bruce Wilson, Laura Davis, Tamara Ochoa, in attendance.</p> <p>B. Public Comment - None</p>
CONSENT CALENDAR	
<p>These matters typically include routine financial or administrative action items requiring a vote. Any item will be discussed separately at the request of any person. Items are approved with one single motion</p>	
II.	<p>A. June 4, 2019 Meeting Minutes (Attachment A) Motion to approve the June 4, 2019 meeting minutes: Amar Inalsingh Second: Cecilia Zamora seconded the motion with the amendment to update a misspelling of Cecilia Zamora's name. Motion carried: 3-0 Yea: 3 Nay: 0 Abstentions: 0</p>
REGULAR CALENDAR	
III.	<p>A. Review and approve Workforce Alliance of the North Bay's policies. (Action) Staff requests the committee review, make recommendations if needed, approve and forward policies on to the regional workforce board/executive committee.</p> <p>1. Youth Program Eligibility (Attachment B) WANB Operations Manager, Laura Davis reviewed the contents of the Youth Program Eligibility policy with the subcommittee and the eligibility requirements that can make enrolling youth in the program a challenge, such as meeting the family income qualification. Motion to approve and forward the Youth Program Eligibility policy on to the executive committee: Heather Gurewitz Second: Cecilia Zamora Motion carried: 3-0 Yea: 3 Nay: 0 Abstentions: 0</p> <p>2. Youth Program (Attachment C) Laura Davis reviewed the contents of the Youth Program policy with the subcommittee and the fourteen program elements identified in WIOA that service providers must make available to youth.</p>

	<p>Motion to approve and forward the Youth Program policy on to the executive committee: Heather Gurewitz</p> <p>Second: Cecilia Zamora</p> <p>Motion carried: 3-0</p> <p>Yea: 3</p> <p>Nay: 0</p> <p>Abstentions: 0</p>
INFORMATION / DISCUSSION ITEMS	
IV.	A. None
MEMBER / DIRECTOR REPORTS	
V.	<p>A. Member - None</p> <p>B. Director – Executive Director, Bruce Wilson reported the new dashboard report format has been well received by the WANB Advisory Subcommittees. Enhancements to the reports will continue based on the feedback.</p>
ADJOURN	
VI.	<p>A. Next meeting Tuesday, December 3, 2019</p> <p>Chair Inalsingh adjourned the meeting at 3:32 PM.</p>

Workforce Alliance of the North Bay

Q1|PY19-20

CareerPoint Lake

WIOA Training Services

2

Individuals
Received Industry
Certifications

Apprenticeships
0

OJT
0

17
(15 New)
Individuals In
Training

Occupational Skills
Training
• Eligible Training
Provider 17

67%

Exited to Training
Related Employment
(of 3 Exited)

\$808

Cost Per Training
Participant

WIOA Levels of Service

Bronze

Self Access Services



CareerPoint
625 Individuals
1,423 Visits
485 Repeat Customers

\$ \$30,575

Silver

Staff Assisted Services



WIOA Program
51 Participants
24 Adults
27 Dislocated Workers

\$ \$24,776

Gold

Training Services



WIOA Training
17 Recipients
9 Adults
8 Dislocated Workers

\$ \$13,737

WIOA Program Employment Outcomes

14

Individuals
Exited



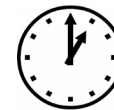
57%

Exit to
Employment

\$15.75
Median Wage



(-\$9.37)/HR
Ave. Increase in Wages
After Using WDB Services
(25% increased wages)



6

Avg months
in program

\$1,551

Cost per Job
Seeker Served



\$4.52

Return on
Investment
(per \$1 spent)



0% ▼

Construction



38% ▲

Healthcare &
Social Assistance



0% ▼

Hospitality
& Tourism



0% ▼

Manufacturing



12% ▲

Professional,
Scientific, Technical



0% ▼

Utilities



0% ▼

Information



38%

Transportation



12%

Other

4 of 59

WIOA Adult & DW Priority of Service

Business Services



Basic Skill Deficient

0%▼



Low Income

65%▲



CalFresh

8%▼



Military Veterans

4%▼

9

New Businesses Engaged

6

Active Business Services

0

Rapid Response Events

0

Recruitment Events Held

WIOA Adult & DW Barriers to Employment



Disability

0%▼



Homeless

2%▲



Justice Involved

6%▼



English Language Learner

2%▼



Single Parent

25%▲



In-School Youth

0%▼



Out of School Youth

100%▲



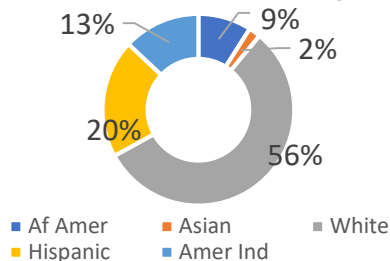
WEX

10%▼

WIOA Youth Details

Program Participant Demographics

Race/ Ethnicity

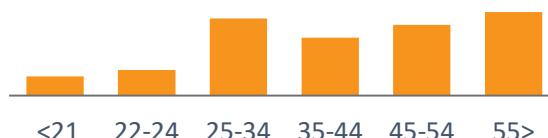


24% Male

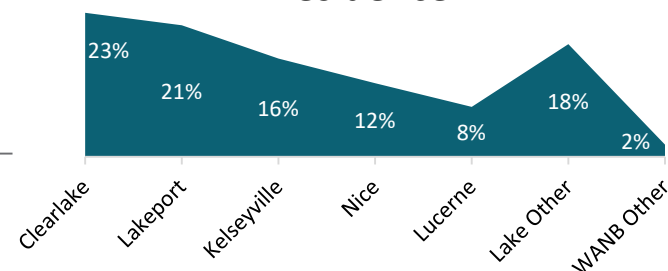


76% Female


Age



Residence



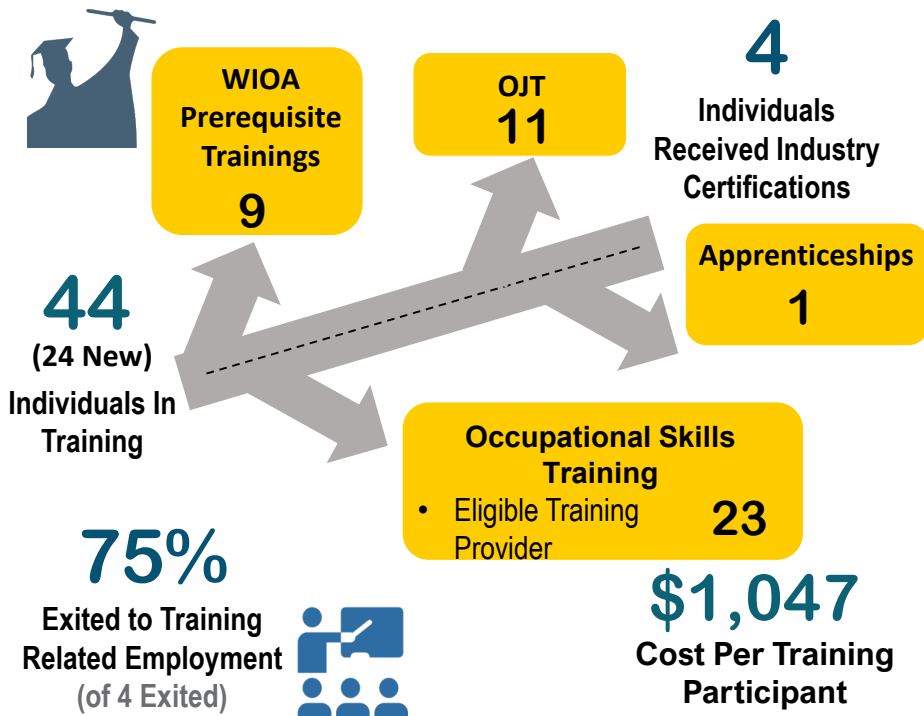
Program Provider Details

 WORKFORCEALLIANCE NORTH BAY DRIVING WORKFORCE TALENT PY 2019/2020, Quarter 1 (7/1/2019-9/30/2019)			Carry-ins from PY18-19	New Clients	Total Enrolled			Placements			Exits			Training Req. / WEX - (20%)			Contract Budget		
					(Qtr 1) Actual	Area Plan for PY	% Achieved of Qtr 1	(Qtr 1) Actual	Area Plan for PY	% Achieved of Qtr 1	(Qtr 1) Positive Exits	(Qtr 1) Negative Exits	(Qtr 1) % of Positive Exits to Total Exits	WIOA Funds Spent	Requirement-20%	% Achieved of Training	(Qtr 1) Expended	Budget in PY	Total % Achieved
Lake	MPIC	Adult	14	10	24	62	39%	2	29	7%	2	3	40.0%	\$ 3,508	\$ 66,537	5.3%	\$37,819	\$226,870	16.7%
		Dislocated Worker	19	8	27	49	55%	6	17	35%	6	3	66.7%	\$10,229	\$ 62,908	16.3%	\$41,269	\$180,648	22.8%
Lake	MPIC	Youth	2	8	10	42	24%	0	20	0%	0	0	0.0%	\$ -	\$ 56,802	0.0%	\$26,325	\$238,231	11.1%

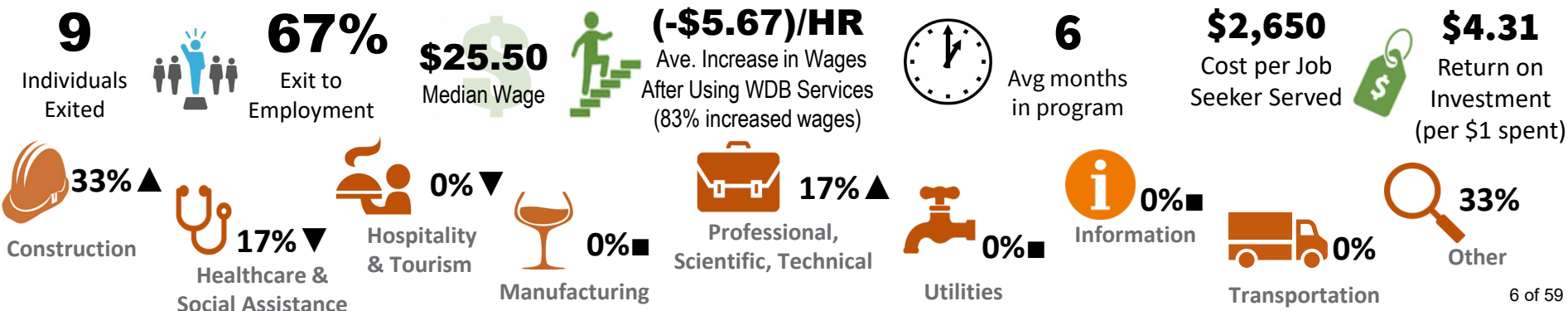
WIOA Levels of Service



WIOA Training Services



WIOA Program Employment Outcomes



WIOA Adult & DW Priority of Service

Business Services



Basic Skill Deficient

0%▼



Low Income

72%▲



CalFresh

40%▼



Military Veterans

0%▼

12

New Businesses Engaged

0

Active Business Services

0

Rapid Response Events

0

Recruitment Events Held

WIOA Adult & DW Barriers to Employment



Disability

3%▼



Homeless

1%▼



Justice Involved

15%▼



English Language Learner

13%▲



Single Parent

36%▲



In-School Youth

27%▲



Out of School Youth

73%▼



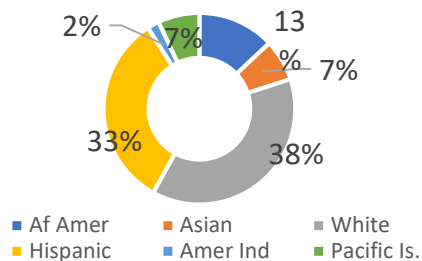
WEX

7%▲

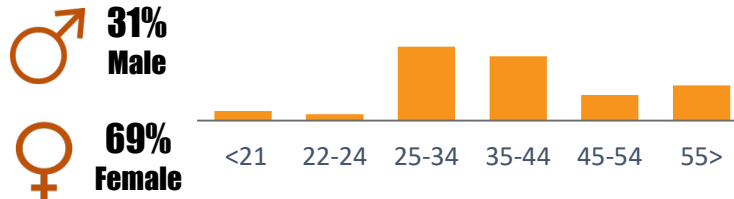
WIOA Youth Details

Program Participant Demographics

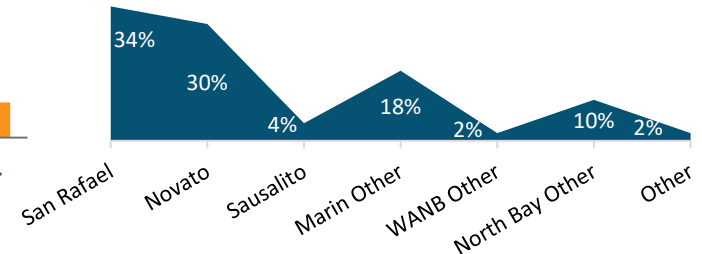
Race/ Ethnicity




Age



Residence



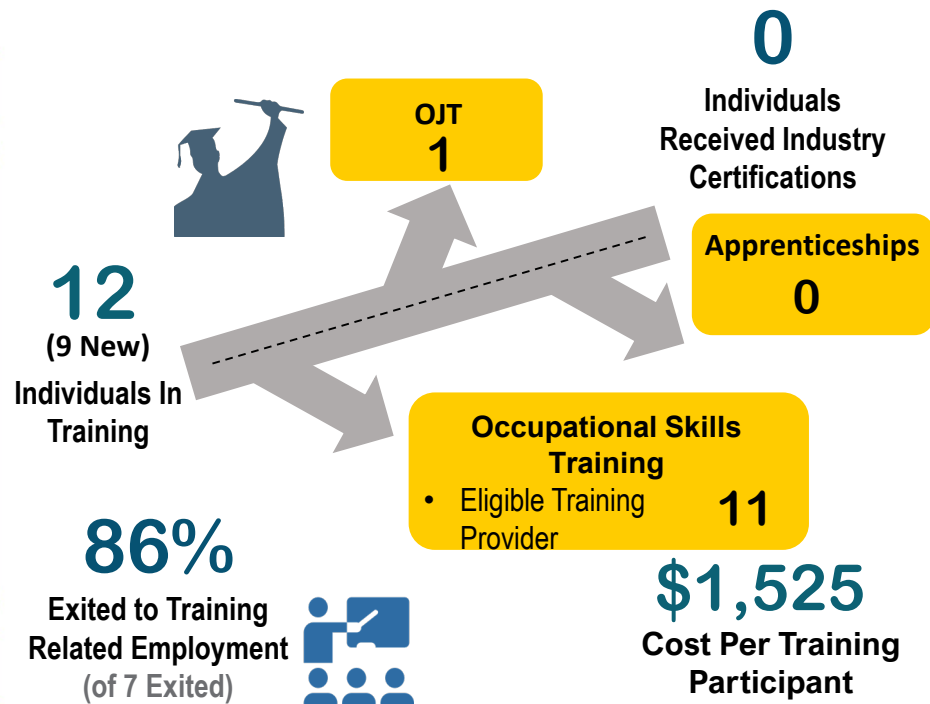
Program Provider Details

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Marin	Marin HHS	Adult	35	19	54	129	42%	4	40	10%	4	1	80.0%	\$39,666	\$ 88,338	44.9%	\$130,020	\$365,719	35.6%
		Dislocated Worker	10	3	13	21	62%	2	6	33%	2	2	50.0%	\$ 6,415	\$ 17,462	36.7%	\$47,591	\$72,290	65.8%
Marin	PPS	Youth	13	2	15	22	68%	0	1	0%	0	0	0.0%	\$ 2,774	\$ 36,019	7.7%	\$18,597	\$164,275	11.3%

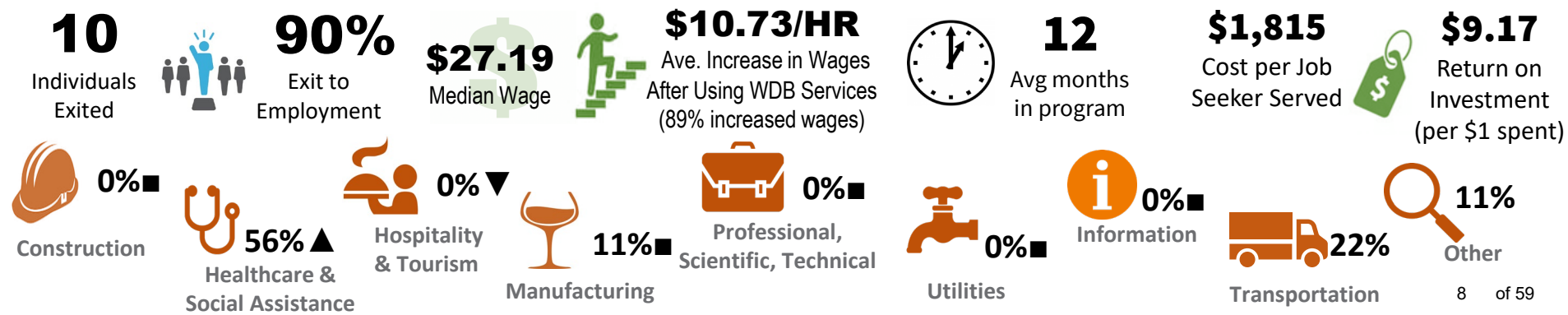
WIOA Training Services

WIOA Levels of Service

Bronze Self Access Services	Silver Staff Assisted Services	Gold Training Services
		
CareerPoint 663 Individuals 1,830 Visits 420 Repeat Customers	WIOA Program 48 Participants 20 Adults 28 Dislocated Workers	WIOA Training 12 Recipients 7 Adults 5 Dislocated Workers
\$ \$20,355	\$ \$48,472	\$ \$18,305



WIOA Program Employment Outcomes



WIOA Adult & DW Priority of Service

Business Services



Basic Skill Deficient

0%▼



Low Income

40%■



CalFresh

2%▼



Military Veterans

10%■

23

New Businesses Engaged

222

Active Business Services

2

Rapid Response Events

0

Recruitment Events Held

WIOA Adult & DW Barriers to Employment



Disability

6%■



Homeless

4%▲



Justice Involved

6%▲



English Language Learner

0%▼



Single Parent

8%▼



In-School Youth

27%▲



Out of School Youth

73%▼



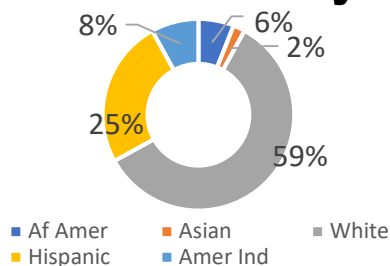
WEX

27%▼

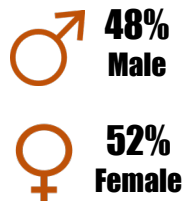
WIOA Youth Details

Program Participant Demographics

Race/ Ethnicity

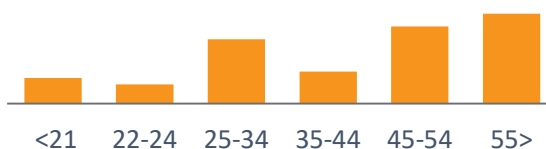


Age

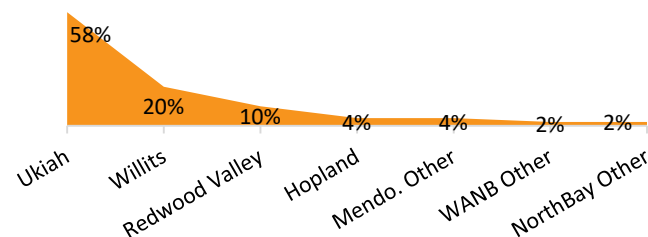


48% Male


52% Female



Residence



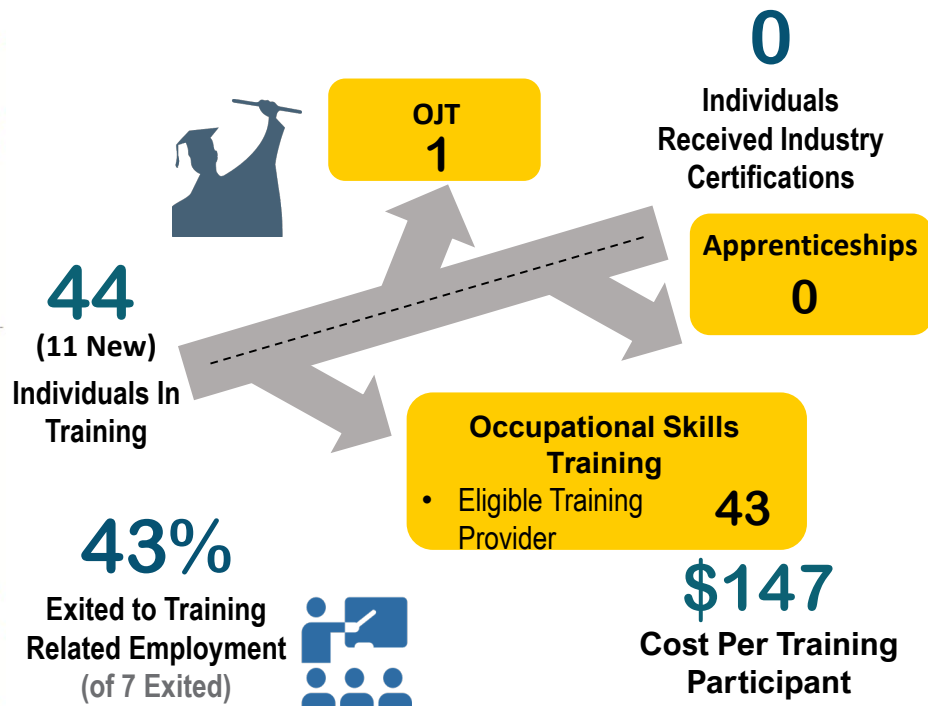
Program Provider Details

 WORKFORCEALLIANCE NORTH BAY DRIVING WORKFORCE TALENT PY 2019/2020, Quarter 1 (7/1/2019-9/30/2019)			Carry-ins from PY18-19	New Clients	Total Enrolled			Placements			Exits			Training Req. / WEX - (20%)			Contract Budget		
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Mendocino	MPIC	Adult	13	7	20	51	39%	6	20	30%	6	1	85.7%	\$17,820	\$ 51,522	34.6%	\$53,128	\$208,990	25.4%
		Dislocated Worker	21	7	28	42	67%	3	13	23%	3	0	100.0%	\$ 485	\$ 57,428	0.8%	\$34,004	\$170,484	19.9%
Mendocino	MPIC	Youth	8	3	11	43	26%	3	11	27%	3	0	100.0%	\$ -	\$ 54,119	0.0%	\$20,974	\$243,467	8.6%

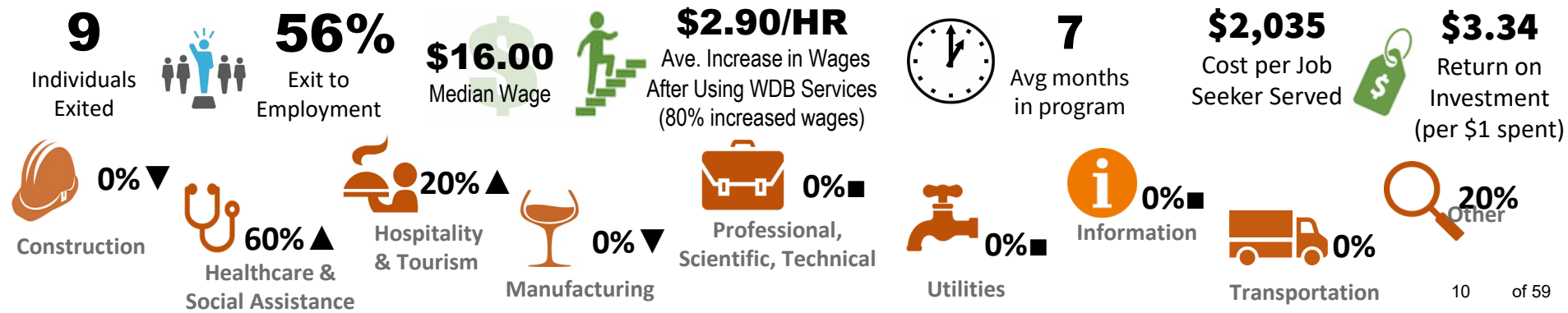
WIOA Levels of Service



WIOA Training Services



WIOA Program Employment Outcomes



WIOA Adult & DW Priority of Service

Business Services



Basic Skill Deficient
3%▼



Low Income
64%■



CalFresh
8%▼



Military Veterans
1%■

73

New Businesses
Engaged

75

Active Business
Services

3

Rapid Response
Events

7

Recruitment
Events Held

WIOA Adult & DW Barriers to Employment



Disability
24%▲



Homeless
0%▼



Justice Involved
13%▲



English Language
Learner
1%▼



Single Parent
21%■



In-School Youth
12%▲



Out of School
Youth
88%▼

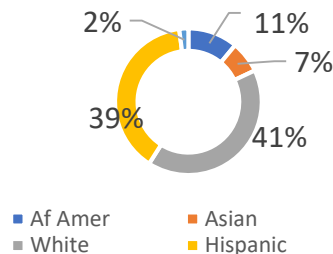


WEX
12%▲

WIOA Youth Details

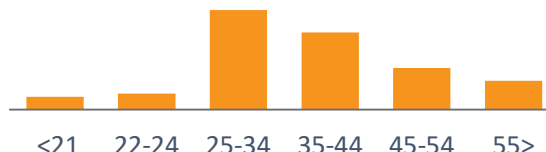
Program Participant Demographics

Race/ Ethnicity

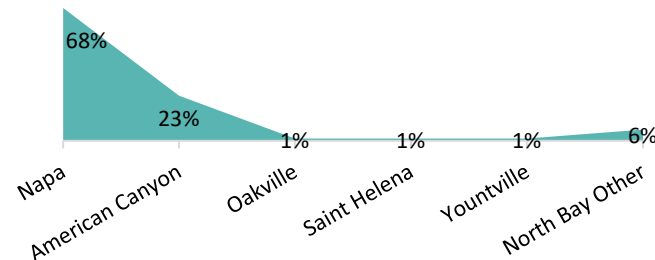


31% Male
69% Female


Age



Residence



Program Provider Details

 WORKFORCE ALLIANCE NORTH BAY DRIVING WORKFORCE TALENT PY 2019/2020, Quarter 1 (7/1/2019-9/30/2019)			Carry-Ins from PY18-19	New Clients	Total Enrolled			Placements			Exits			Training Req. / WEX - (20%)			Contract Budget		
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Napa	Napa HHSA	Adult	41	14	55	55	100%	4	34	12%	4	3	57.1%	\$ 1,225	\$ 48,509	2.5%	\$109,943	\$200,826	54.7%
		Dislocated Worker	28	3	31	31	100%	1	22	5%	1	1	50.0%	\$ 5,232	\$ 26,091	20.1%	\$65,081	\$108,017	60.3%
Napa	Napa HHSA	Youth	13	11	24	26	92%	1	14	7%	1	0	100.0%	\$ 2,860	\$ 26,965	10.6%	\$49,382	\$105,866	46.6%



CAREER SERVICES

PURPOSE

The purpose of this policy is to provide guidance on the provision of career services to Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Workers.

SCOPE

Workforce Innovation and Opportunity Act Title I contracted Service Providers

RESPONSIBLE PARTY

Workforce Alliance of the North Bay
Regional Workforce Development Board

REFERENCES

- WIOA (Public Law 113 -128) 134(c)(2)
- Title 20 CFR "WIOA Joint Final Rule" Sections 678.425 and 578.430
- Training and Employment Guidance Letter (TEGL) 19-16 "Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by Title III of WIOA, and for implementation of the WIOA Final Rules." (March 1, 2017)

POLICY

Career and training services tailored to the individual needs of job seekers are essential to the success of the system. While some job seekers may only need self-service or other basic career services, others will need services that are more comprehensive and tailored to their individual career needs. Individuals receiving services through any Workforce Alliance of the North Bay service provider are provided the opportunity to select the services necessary to achieve their personal career goals. As a result, a wide range of activities must be available.

I. Basic Career Services

- A. Basic career services must be made available to all individuals seeking services offered by the one-stop delivery system, and include the following:
 1. Determinations of whether the individual is eligible to receive assistance from the adult, dislocated worker, or youth programs.
 2. Outreach, orientation to information and other services available through the one-stop delivery system.
 3. Initial assessment of skill levels including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive service needs.

Workforce Alliance of the North Bay is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

4. Labor exchange services, including the following:
 - a) Job Search and placement assistance, and, when needed by an individual, career counseling, including information on in-demand industry sectors and occupations, as well as nontraditional employment.
5. Provision of referrals to and coordination of activities with other programs and services, including those within the one-stop delivery system and, when appropriate, other workforce development programs.
6. Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including the following:
 - a) Job vacancy listings in the labor market areas.
 - b) Information on job skills necessary to obtain the vacant jobs listed.
 - c) Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs.
7. Provision of performance information and program cost information on eligible providers of training services by program and type of providers.
8. Provision of information about how the Local Area is performing on local performance accountability measures, as well as any additional performance information relating to the area's one-stop delivery system.
9. Provision of information relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance , including:
 - a) Childcare
 - b) Child support
 - c) Medical assistance
 - d) Benefits under the SNAP
 - e) Assistance through the earned income tax credit
 - f) Housing counseling and assistance services
 - g) Assistance under a state TANF (CalWORKS) program
 - h) Transportation assistance
 - i) Other supportive services provided through the program
10. Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA.
11. Provision of information and assistance regarding filing claims under UI programs, including meaningful assistance to individuals seeking assistance in filing a claim. Meaningful assistance means providing assistance as follows:
 - a) On-site using staff who are properly trained in UI claims, filing and/or the acceptance of information necessary to file a claim (note that, staff providing UI assistance should be Wagner-Peyser staff members. Note that, questions, advice, or decisions that could affect a claimant's eligibility should only be handled by UI program staff).



- b) By phone or via other technology, as long as the assistance is provided by trained and available staff and within a reasonable time.

- B. It is important to note that some basic career services require limited to no assistance from staff. These individuals are engaged in self-service and informational activities and do not require full enrollment nor does the receipt of services trigger participation into the WIOA Adult or Dislocated Worker programs or the Wagner-Peyser Employment Service program.

II. Individualized Career Services

- A. Individual career services must be made available if determined to be appropriate in order for an individual to obtain or retain employment. Individualized career services are subject to priority of service and consist of the following:
 - 1. Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include the following:
 - a) Diagnostic testing and use of other assessment tools.
 - b) In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.
 - 2. Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve his or her employment goals, including information about eligible training providers.
 - 3. Group and/or individual counseling and mentoring.
 - 4. Career planning (e.g. case management).
 - 5. Short-term pre-vocational 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, in some instances pre-apprenticeship programs may be considered as short-term pre-vocational services.
 - 6. Internships and work experiences that are linked to careers.
 - 7. Workforce preparation activities that help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education, or training, or employment.
 - 8. Financial literacy services.
 - 9. Out-of-area job search assistance and relocation assistance.
 - 10. English language acquisition and integrated education and training programs.

II. Follow-up Services

- A. Follow-up services must be conducted and made available, to all adult and dislocated workers who are placed in unsubsidized employment for a minimum of 12 months after the first day of employment. The intensity of appropriate follow-up services may vary among different participants. Participants who have multiple employment barriers and limited work histories may be in need of significant follow-up services to ensure long term success in the labor market. Other participants may identify an area of weakness in the training provided



by the WIOA prior to placement that will affect their ability to progress further in their occupation or to retain their employment and lastly a participant may only need encouragement.

POLICY UPDATE HISTORY

Date Board Approves – New Policy

INQUIRIES

Questions regarding this policy can be sent to Operations Unit.





Workforce Alliance of the North Bay Policy #: 1020

Effective Date: Date Board Approves

CODE OF CONDUCT AND CONFLICT OF INTEREST

PURPOSE

This policy is established to provide direction and guidelines on conducting business in an open, sensitive manner that will prevent actual, potential, or questionable conflicts of interest. All Board members, staff, subrecipients, and partners of Workforce Alliance of the North Bay (Alliance) are expected to read, understand and apply this policy to ensure integrity and effective oversight of the Workforce System.

SCOPE

Grantees, subrecipients, and contractors funded under the Workforce Innovation and Opportunity Act (WIOA) must implement codes of conduct and conflict of interest policies and procedures as stipulated in WIOA; federal and state regulations and guidance; relevant Office of Management and Budget (OMB) circulars; and state conflict of interest policies. A conflict of interest policy is required to ensure that individuals and representatives of organizations entrusted with public funds will not personally or professionally benefit from the award or expenditure of such funds.

RESPONSIBLE PARTY

Workforce Alliance of the North Bay
Regional Workforce Development Board

REFERENCES

- WIOA (Public Law 113-128) Sections 101(f); 102(b)(2)(E); 107(h); 121(d)(4)
- Title 20 CFR "WIOA Final Rule" Sections 697.430; 679.130(f)(1) through (3); 679.410(a)(3) and (c); 679.430; 683.200(c)(5)
- Title 2 CFR Part 200 and Part 2900 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Uniform Guidance)
- California Fair Political Practices Commission (FPPC) Political Reform Act

DOCUMENTS

- [Workforce Alliance of the North Bay Regional Workforce Development Board Bylaws](#)
- Conflict of Interest Code (COIC) for the Workforce Alliance of the North Bay Board
- [Statement of Economic Interest \(Form 700\)](#)

DEFINITIONS

Conflict of Interest: An employee, officer, agent, or any member of the organization that has interest in a financial gain or tangible benefit and who participates in the selection, award, or administration of a contract supported by a federal award (Uniform Guidance Section 20.318[c][1]).

Conflict of Interest Code: Statement filed with the California Fair Political Practices Commission (FPPC) that reflects the current structure of the organization and properly identifies officials and employees who should be filing Statements of Economic Interests (Form 700s).

Firewall: An established policy or procedure that acts as a barrier or protection against an undesirable influence, outcome, or authority. Examples of firewalls include but are not limited to organizational arrangements that provide clear separation of duties and responsibilities, reporting hierarchy of managers and staff that provide clear separation between job duties and responsibilities, and conflict of interest/confidentiality/disclosure agreements.

Immediate Family: Immediate family consists of individuals' parents (including stepparents), spouse, domestic partner, children (including stepchildren), siblings, grandchildren, grandparents, and any relative by marriage (an "in-law").

Individual: An employee, officer, board member, committee member, subrecipient, subcontractor or agent of Alliance.

Organization: A for-profit or not-for-profit entity that employs, or has offered a job to, an individual defined above. An entity can be a partnership, association, trust, estate, joint stock company, insurance company, or corporation, whether domestic or foreign, or a sole proprietor.

Partner: A business associate of an individual, whether an equal participant in a business with the individual, a supervisor or sub-ordinate.

Representative: All Alliance Board Members, staff, subrecipients, and partners.

POLICY

I. Code of Conduct

During the performance of duties, individuals' actions are a reflection upon Alliance. It is important that all Board members, staff, subrecipients, and partners act in a courteous and friendly, helpful and prompt manner in dealing with the public, customers, other employees, officials and members of both internal and external organizations of Alliance.

A. Ethical Principles

All Alliance Board Members, staff, subrecipients, and partners hereafter referred to as Representatives shall conduct themselves in an honest and ethical manner, including ethical handling of perceived, potential and actual conflicts of interest between Alliance interests and the personal and financial interests of an Alliance representative.

1. Compliance with the Law

It is Alliance's policy to be knowledgeable of and comply with applicable laws and regulations of the United States and State of California in a manner that will reflect a high standard of ethics. Compliance does not comprise one's entire ethical responsibility; rather it is at minimum, an essential condition for adherence to the organization's mission and duties.

2. Professional Standards



It is Alliance's policy that its Representatives be knowledgeable of emerging issues and professional standards in the field and conduct themselves with professional competence, fairness, efficiency and effectiveness.

Representatives should conform with the Alliance nondiscrimination and equal opportunity policy and the provisions under Section 188 of the Workforce Innovation and Opportunities Act prohibiting discriminatory behavior.

3. Ethics Training

Per the Regional Workforce Development Board bylaws, each member shall receive training in ethics. The training will consist of at least two hours of training in general ethics principles and ethics laws relevant to public service every two years. WANB RWDB members will utilize an online training program available via the Fair Political Practices Commission (FPPC) website, [Local Officials Ethics Training Course](#), established to allow local officials to satisfy the requirements of AB 1234 on a cost-free basis. This training will be completed within six months of becoming a member of the board. When the training is finished, the member must print the Certificate of Completion provided at the end and submit it to the WANB staff for filing.

B. Guidelines for Interpretation

Areas of concern are those actions or lack of actions which may lead to conflict of interest or the appearance of conflict of interest or to a perception of unfairness related to Alliance business outside board and committee meetings. Specific areas which may pose problems include, but are not limited to, comments made in public, information sharing, and disclosure of associations.

1. Comments Made in Public:

Representatives are encouraged to act in a public relations capacity for Alliance. This includes public speaking engagements and comments in a public forum. Because there is public interest in Alliance's actions, Representatives should differentiate between descriptive comments, which relate to actions already taken by the Board, statements which imply future Alliance decision-making, or the ability to influence decision making.

2. Information Sharing:

Representatives are encouraged to share information with the community about Alliance's activities. To the extent possible, access to information regarding Board activities and procurement of services should be available at the same time and under the same circumstances to all parties. Such information includes the local workforce plan, requests for proposals, notice of meetings, meeting minutes, and policies.

3. Disclosure of Associations:

Representatives have professional and personal associations throughout the community. Associations include those which pertain to membership in organizations or contractual agreements between partners, stakeholders, or employers or employees, as well as associations which arise out of custom, shared interests, friendships, or other relationships. Such associations have been and will continue to be of significant benefit to Alliance. Where a direct or indirect financial conflict of interest exists, Representatives may not vote or serve on a rating team. When associations raise appearance of fairness as an



issue, Representatives should qualify statements in public by disclosing the association and minutes of the Board meeting should reflect the disclosure. Whenever an Alliance representative is in doubt about a possible problem with appearance of fairness, they should disclose the association.

II. Conflict of Interests

- A. Each grant recipient and subrecipient shall maintain a written code of standards or conduct governing the performance of persons engaged in the award and administration of Alliance contracts and sub-agreements. This policy can be adopted if none exists. A written acknowledgement adopting this policy must be maintained on record.
- B. No individual in a decision-making capacity shall engage in any activity, if a conflict of interest (real, implied, apparent, or potential) is involved. This includes decisions involving the selection, award, or administration of a contract supported by WIOA or any other federal funds.
- C. Before any public discussions regarding the release of a Request for Proposal, or any matter regarding the release of funding or the provision of services, an Alliance Board member or Representative must disclose any real, implied or apparent, or potential conflicts of interest before engaging in the discussion. The minutes of the meeting should reflect the disclosure.
- D. An individual of the Board shall not cast a vote, nor participate in any decision-making capacity on the provision of services, or any organization which that individual directly represents, nor any matter which would provide any direct financial benefit to the individual, to the individual's immediate family, or to the individual's organization.
- E. An individual of the Board or Alliance Representative cannot solicit or accept gratuities, favors, or anything monetary value from awardees, potential awardees, or other parties to agreements. However, the Alliance allows for situations where the gift is an unsolicited item of a nominal value worth \$50.00 or less and can be shared by the members of the organization as a whole.
- F. The standards of conduct shall provide for disciplinary action, including termination of employment, board membership or contract for violations of this policy by any individual. The Alliance's Workforce Development Board (WDB) Executive Committee may evaluate any violations of these provisions on a case-by-case basis and recommend to the entire board, if and what penalties and sanctions or other disciplinary actions are appropriate.
- G. Individuals shall not use, for their own private gain, for the gain of others, or for other than officially designated purposes, any information obtained as a result of their committee, board or working relationships with the Alliance where the information is not available to the public at large, or divulge such information in advance of the time prescribed for its authorized release.
- H. One-Stop operators must disclose any potential conflicts of interest arising from relationships with training providers and other service providers, as specified in this conflict of policy. In the event the WDB staff acts in the capacity of the One-Stop operator, staff must disclose any potential conflict of interests arising from relationships with training providers and other service providers. In addition to the requirement for conflict disclosure the One-Stop operator may not perform any of the following: convening system stakeholders to assist in the development of the local plan; be responsible for oversight of itself, manage or significantly participate in the competitive selection process for One-Stop operators; select or terminate One-Stop operators, career services, and youth providers;



negotiate local performance accountability measures; or develop and submit budget for activities of Alliance.

- I. An organization that has been selected or otherwise designated to perform more than one function related to WIOA must develop a written plan that clarifies how the organization will carry out its multiple responsibilities while demonstrating compliance with WIOA, corresponding regulations, relevant Office of Management Budget circulars, and this conflict of interest policy. This plan must limit conflict of interest or the appearance of conflict of interest, minimize fiscal risk, and develop appropriate firewalls within that single entity performing multiple functions. The plan must be agreed by both the WDB and the Executive Board.
- J. Membership on the WDB or being a recipient of WIOA funds to provide training or other services, is not by itself a violation of conflict of interest provisions of WIOA or corresponding regulations. Unless and until a situation arises where there is a conflict of interest.

III. Conflict of Interest Code

WANB has adopted the Conflict of Interest Code for the Workforce Alliance of the North Bay Board, that identifies all officials and employees within the agency who make governmental decisions based on the positions they hold. The individuals in the designated positions must disclose their financial interests as specified in the agency's conflict of interest code. WANB will review the conflict of interest code at least every other year to ensure it remains current and accurate and submit it to the FPPC for certification of approval.

To help identify potential conflicts of interest, the law requires public officials and employees in designated positions in a conflict of interest code to report their financial interests on a form called Statement of Economic Interests (Form 700). The conflict of interest codes and the Form 700s are fundamental tools in ensuring that officials are acting in the public's best interest and not their own. WANB staff will coordinate the completion and filing of the Form 700s for designated positions in accordance with the FPPC.

POLICY UPDATE HISTORY

Date Board Approves – New Policy

INQUIRIES

Questions regarding this policy can be sent to Operations Unit.



**CONFLICT OF INTEREST CODE FOR THE
WORKFORCE ALLIANCE OF THE NORTH BAY BOARD**

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission had adopted a regulation (2 Cal. Code of Regs. Sec. 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Workforce Alliance of the North Bay (WANB).

Individuals holding designated positions shall file their statements of economic interest with the WANB, which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) All statements will be retained by the WANB.

APPENDIX A

DESIGNATED POSITIONS

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Workforce Alliance of the North Bay Members:	
• Governing Board	1, 2
• Regional Board	1, 2
Executive Director / Local Area Administrator	1, 2
Counsel	1, 2
Napa County Career Service Providers	1, 2
Lake County Career Service Providers	1, 2
Marin County Career Service Providers	1, 2
Mendocino County Career Service Providers	1, 2
Consultants/New Positions	*

Note: All positions other than the board members are filled by outside contractors, Napa County employees and/or Marin County employees, but act in a staff capacity for the WANB.

*Consultants/New positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The Executive Director may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Sec. 81008.)

APPENDIX B DISCLOSURE CATEGORIES

Category 1

Designated positions in this category must report:

Investments, business positions in business entities, and sources of income, including receipt of gifts, loans, and travel payments, from sources that provide services, supplies, materials, machinery or equipment of the type utilized by the WANB.

Category 2

Designated positions in this category must report:

Investments, business positions in business entities, and sources of income including receipt of gifts, loans, and travel payments, from business entities and nonprofit organizations of the type that receive loans, grants or other monies from or through the WANB.

This is the last page of the conflict of interest code for the **Workforce Alliance of the North Bay**.



CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict of interest code for the **Workforce Alliance of the North Bay** was approved on 9/9/ 2019. This code will become effective on 10/9/ 2019.



John M. Feser, Jr.

Senior Commission Counsel

Fair Political Practices Commission



FOLLOW-UP SERVICES

PURPOSE

The purpose of this policy is to provide guidance on follow-up services for Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker and Youth program participants following the participants exit from the program.

SCOPE

Workforce Innovation and Opportunity Act Title I contracted Service Providers

RESPONSIBLE PARTY

Workforce Alliance of the North Bay
Regional Workforce Development Board

REFERENCES

- WIOA (Public Law 113-128) Sections 129 (c)(2)(I) and 134(c)(2)(A)(xiii)
- Title 20 CFR "WIOA Final Rule" Sections 680.150 and 681.580
- Training and Employment Guidance Letter (TEGL) 19-16 "Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for implementation of the WIOA Final Rules." (March 1, 2017)
- TEGL 21-16 "Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance" (March 2, 2017)
- Workforce Services Directive WSD17-07 "WIOA Youth Program Requirements" (January 16, 2018)
- TEGL 10-16 Change 1 "Performance Accountability Guidance for WIOA Title I, Title II, Title III and Title IV Core Programs" (August 23, 2017)
- TEGL 10-16 "Performance Accountability Guidance for WIOA Title I, Title II, Title III and Title IV Core Programs" (December 19, 2016)

POLICY

Follow-up services are services provided to WIOA Adult and Dislocated Worker program participants who are placed in unsubsidized employment and have exited the program. These services are designed to help individuals retain employment, earn wage gains or advance within their occupation. For youth, follow-up services are critical services provided following a participant's exit from the program to help ensure the youth is successful in employment and/or postsecondary education and training.

Participants are to be informed about follow up services during the intake process and encouraged to maintain updated contact information and respond to follow up service contacts following exit from the program.

I. Adult and Dislocated Workers Programs

A. The WIOA requires that follow-up services must be made available to Adult and Dislocated Workers for a period up to 12 months following exit from the program.

1. Services may include, but are not limited to the following:
 - a) Counseling individuals about the workplace;
 - b) Contacting individuals or employers to verify employment;
 - c) Contacting individuals or employers to help secure better paying jobs; additional career planning, and counseling for the individual;
 - d) Assisting individuals and employers in resolving work-related problems;
 - e) Connecting individuals to peer support groups;
 - f) Providing individuals with information about additional educational or employment opportunities; and
 - g) Providing individuals with referrals to other community resources.
2. Staff should attempt a minimum of three (3) times to contact the participant and provide any follow-up services. All contacts shall be entered into CalJOBS Follow-up ribbon and any new or change shall be case noted. Any services provided shall be recorded in the Activities/Enrollments/Services ribbon using the CalJOBS Follow-up Activity Codes. It is also important to obtain any changes in employment information and update the system. The need and the level of intensity for follow-up services must be evaluated for each individual and determined appropriate. Documentation addressing the need and type of services required must be maintained in the case notes. For individuals who decline follow-up services, it must be documented in the case notes.
3. Follow-up contact attempts will not be required for participants who are not responsive, cannot be located, refuse to provide information or have relocated out of state with no intention of returning. Reason for discontinuation of follow-up services must be documented in the case notes.
4. Exits are retroactive to the last date of services so follow-up services should begin immediately following the last date of service if it is expected that the participant will not receive any future services other than follow-up services. Follow-up services can be provided and recorded at any time during the follow-up quarter. During the first quarter until the follow-up ribbon is available, any service or contacts shall be document in case notes and the information shall be entered into the follow-up ribbon when it comes available. Follow-up services do not trigger the exit date to change or delay exit for performance reporting.
5. Supportive services can only be provided to adult and dislocated worker participants receiving career and/or training services. Those participants who have exited from the adult and dislocated worker programs cannot receive supportive services as a follow-up service.
6. For special projects/grants staff should adhere to the guidelines and requirements of the program.



II. Youth Program Follow-up

- A. All Youth program participants must be provided follow-up services for a minimum of 12 months from the date of exit. The goal of follow-up services for youth is to enable participants to continue life-long learning and achieve a level of self-sufficiency to ensure job retention, wage gains, and postsecondary education and training progress. To ensure this goal, follow up services must consist of more than a communication, contact or effort to secure documentation in order to report a performance outcome to be considered a follow-up service.
- B. The types of services provided, and the intensity of services must be determined based on the needs of the youth. Follow-up services for youth may include, but are not limited to the following program elements:
 - 1. Supportive services;
 - 2. Adult mentoring;
 - 3. Financial literacy education;
 - 4. Services that provide labor market information and employment information about in-demand industry sectors;
 - 5. Activities that help youth prepare for and transition to postsecondary education and training; and
 - 6. Other services necessary to ensure the success of the youth in employment and/or postsecondary education.
- C. Follow-up services can be provided and recorded at any time during the follow-up quarter. A minimum of three (3) attempts to contact and provide services must be made. Various methods of contact should be attempted if contact has not been successful.
- D. Follow-up services must be recorded in the Activities/Enrollments/Services ribbon using the CalJOBS Follow-Up Activity Codes and documented in a case note.
- E. If a youth declines to receive follow-up services or if the youth cannot be located or contacted it must be documented in the case notes and the attempts in the follow-up ribbon. Follow-up contact attempts will not be required for participants who have declined to receive follow-up services.
 - 1. If a provider documents a majority of participants as declining to receive follow-up services or cannot be located or contacted for follow-up services, the program provider will evaluate their practices to improve follow-up service delivery.
- F. Follow-up services that are reported using the CalJOBS Follow-up Activity Codes do not cause the exit date to change and do not trigger re-enrollment in the program.
 - 1. For special projects/grants staff should adhere to the guidelines and requirements of the program.

POLICY UPDATE HISTORY

Date Board Approves – New Policy

INQUIRIES

Questions regarding this policy can be sent to Operations Unit.



SUMMARY OF COMMENTS

There was one comment to the draft version of this policy:

Comment #1 - Section I. A. 3.: This section discusses clients refusing services. Does this apply to youth as well? It does not specify, and we do have youth that refuse follow up or are non-responsive.

Resolution – The Workforce Alliance of the North Bay clarified what was in section II. D. by creating section II.E. and II.E.1. Follow-up contact attempts will not be required for participants who have declined to receive follow-up services. If a provider documents a majority of participants as declining to receive follow-up services or cannot be located or contacted for follow-up services, the program provider will evaluate their practices to improve follow-up service delivery.



ON-THE-JOB TRAINING (OJT)

PURPOSE

The purpose of this policy is to provide guidelines to Workforce Alliance of the North Bay's (WANB) Service Providers to be used in the provision of On-the-Job Training (OJT) activities, pursuant to the requirements of the Workforce Innovation and Opportunity Act (WIOA), Department of Labor Regulations (DOL), State Directives, and WANB policy.

SCOPE

Workforce Innovation and Opportunity Act Title I contracted Service Providers

RESPONSIBLE PARTY

Workforce Alliance of the North Bay
Regional Workforce Development Board

REFERENCES

- WIOA (Public Law 113- 128) Section 3(44) and Section 134(c)(3)(H)
- Title 20 CFR "WIOA Final Rule" Sections 680.200, 680.700-680.750
- Training and Employment Guidance Letter (TEGL) 19-16 "Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for implementation of the WIOA Final Rules." (March 1, 2017)

DEFINITIONS

On-the-Job Training (OJT) - is training by an employer that is provided to a paid participant while engaged in productive work in a job that:

- Provides knowledge or skills essential to the full and adequate performance of the job;
- Provides reimbursement to the employer, typically up to 50 percent of the wage rate of the participant for the extraordinary costs of providing the training and additional supervision related to the OJT. In limited circumstances, the reimbursement may be up to 75 percent of the wage rate of the participant; and
- Is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

POLICY

- I. On-the-Job Training (OJT) must be provided through a contract that provides a structured training opportunity for the OJT trainee to gain the knowledge and skills to be competent in the job for

which they are hired. The contract must be completed and signed by all parties before the OJT trainee may begin the OJT.

OJT's must be a minimum of four weeks and no more than 26 weeks, not to exceed 1,040 hours, with a starting wage of at least \$15/hr. Exceptions to the minimum wage requirement may be approved by Service Provider Director. Exceptions should take into consideration if the OJT is for a demand occupation and/or part of a career ladder.

OJT may be sequenced with other WIOA program services, such as work experience or classroom training.

A. Participant Eligibility

1. OJT trainees must meet program eligibility requirements and be enrolled in a WIOA program or special project administered by WANB. OJT may be provided for enrolled participants who are either employed or unemployed.
2. An assessment must be conducted and justify OJT is the appropriate training service. The assessment must support the participant is suitable for OJT based upon the skill requirements of the occupation and employer, the academic and occupational skill level of the participant, the participant's prior work history and experience, and the participant's level of commitment.
3. OJT for employed participants may be provided when the employee is not earning a self-sufficient wage and the OJT relates to the introduction of new technologies, new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes.
4. Participants who received funding through an Individual Training Account (ITA) or other WIOA funded training may also be eligible for OJT.

B. Employer Eligibility

1. To qualify for an OJT contract, the employer must meet the following requirements:
 - a) Has not previously exhibited a pattern of failing to provide OJT trainees with continued long-term employment as a regular employee with wages, benefits, and working conditions at the same level as other employees performing the same type of work for the same length of time.
 - b) Verifies WIOA funds will not be used to relocate operations in whole or in part.
 - c) Has operated at its current location for at least 120 days. If less than 120 days, employees were not laid off at the previous location as a result of the relocation.
 - d) Must not have workers currently in a layoff status or utilize OJT participants to fill job openings as a result of a labor dispute.
 - e) OJT funds will not be used to directly or indirectly assist, promote, or deter union organizing.
 - f) The OJT will not result in the full or partial displacement of employed workers or alter promotional opportunities for current employees.
 - g) Must comply with the non-discrimination and equal opportunity provisions of WIOA and its regulations.
 - h) Must provide trainees the same worker's compensation, health insurance, unemployment insurance, retirement benefits, etc. as regular non-OJT employees.



- i) Pay OJT wages at the same rate, including periodic increases, as other participants or employees who are similarly situated in comparable occupations with the same employer, and who have equivalent training, experience and skills; and, no less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1) or the applicable Federal, State or local minimum wage.
 - j) Must be financially solvent and have adequate payroll record keeping systems that track hours worked, gross pay, deductions and net pay.
- 2. These requirements must be documented in the case file.
- 3. OJT contracts may be written with registered apprenticeship programs or participating employers in registered apprenticeship programs.
- 4. Liquor stores, bars, grocery stores, restaurants, churches or any building where religious sectarian activities are conducted, and home-based businesses may not qualify to participate in the OJT program if they cannot provide permanent full-time employment that leads to self-sufficiency.
- 5. Training positions for commission salespersons, temporary or seasonal workers do not qualify for OJT.
- C. Employer Reimbursement
 - 1. Employers may be reimbursed up to 50 percent of the wage rate of an OJT trainee for the extraordinary costs of providing the training and additional supervision related to the OJT. The primary wage rate cannot be in the form of a commission.
 - 2. OJT reimbursements must be for regular wages paid by the employer. Payments for overtime, vacation, holidays, sick leave, work plant closures or any time in which training does not occur is not allowable.
- D. Training Duration
 - 1. Training shall be limited to the period of time required for a participant to become proficient in the occupation for which they are receiving the OJT. In determining the appropriate length of training, the following factors should be taken into consideration: the skill requirements of the job, the Specific Vocational Preparation (SVP) Code, the academic and occupation level of the participant, and the participant's prior work experience.
 - a) On the Job training must be at a minimum four weeks and no more than 26 weeks, not to exceed 1040 hours.
- E. OJT Contract
 - 1. An OJT contract (Agreement) is required for every participant entering into an OJT program. The Agreement stipulates the general terms and conditions that must be adhered to by the Employer and Service Provider. The Agreement includes the requirements of WIOA rules and regulations, the occupation, skills and measurable competencies to be learned and the length of time the training will be provided.
 - 2. Prior to the start of the training, the Employer, the Service Provider and Trainee must sign the Agreement.
 - 3. Any modifications to the Agreement must be in writing, signed and dated by all parties prior to the effective date of the modification. Verbal modifications are not valid.



F. OJT Monitoring

1. OJT Agreements are required to be monitored by Service Provider staff at the mid-point of the training agreement and an evaluation of the of the Trainee's skills must be completed by the Employer. This evaluation must be signed by the Employer and Trainee. An on-site monitoring visit must be conducted and shall ensure that training objectives are being met in accordance with the participant's training plan. Any issues identified during the monitoring review must be addressed, resolved and documented within a timely manner. Non- compliance or deviations to the OJT Agreement may result in a Corrective Action(s).

G. OJT Final Evaluation

1. Upon completion of the OJT, a final evaluation must be completed and signed by the Employer and Trainee. This evaluation certifies that the participant has successfully completed the training and has attained the necessary skills ensuring proficiency in the occupation for which the training is being provided and/or within an occupation that requires the same/similar standards.

H. Exceptions

1. Exceptions to this policy may be approved by WANB Executive Director on a case-by-case basis for specific training programs or employment opportunities with higher support costs/needs or for special projects and grants that allow for flexibility.

POLICY UPDATE HISTORY

Date Board Approves – New Policy

INQUIRIES

Questions regarding this policy can be sent to Operations Unit.



SUMMARY OF COMMENTS

There was one comment to the draft version of this policy:

Comment #1 – This directive states that we would not be able to do an OJT for part-time employment. We are wondering if that is a state or federal guideline? We ask because there might be a candidate that would benefit from a part-time position that could potentially lead to a full-time position and are wondering if there is wiggle room around this. It does say that the director can approve exceptions to the minimum wage requirement. Does this also apply to the full-time requirement? If so, can that be made more clear? If not, can you please consider that as an option? We do not foresee it happening often but it may come up.

It does stipulate on page 3 that full time is considered to be 32 hours per week. We suggest that it also be stated on page 2 where it talks about the minimum hour and wage requirements.

Resolution – The Workforce Alliance of the North Bay found that the regulations specify the training duration of OJT's as a minimum of four weeks and a maximum of 26 weeks, not to exceed 1,040 hours. Although we were not able to find an hours per week requirement a review of policies from other regions showed a range from 30 to 40 hours per week as practice. We have modified the language of our policy on page 2 and 3 to include the required duration and have removed the hours per week language to allow our service providers the ability to utilize OJT's that meet the regulatory requirements.



RAPID RESPONSE & LAYOFF AVERSION

PURPOSE

The primary purpose of Rapid Response (which includes layoff aversion activities) is to enable affected workers to return to work as quickly as possible following a layoff, or to prevent layoffs altogether. To accomplish this, Workforce Alliance of the North Bay (WANB) and its Subcontractors must be coordinated, comprehensive, and proactive in communicating with business. This includes providing labor market and workforce information, integrating industry requirements into training strategies and career pathways, brokering relationships and job connections, making services efficient and easy to access. Relationships must be built with employers, labor organizations, workforce and economic development agencies, training institutions, service providers, community-based organizations and other appropriate entities. These relationships provide timely information and help to assure an early warning system is in place to allow a timely and effective response to potential layoffs and business closures.

SCOPE

Workforce Innovation and Opportunity Act (WIOA) Title I Providers

RESPONSIBLE PARTY

Workforce Alliance of the North Bay
Regional Workforce Development Board

REFERENCES

- WIOA (Public Law 113-128) Sections 3(15) and (51), 107(d)(4), and 134(a)(2)(A)
- Title 20 *Code of Federal Regulations* (CFR) WIOA Notice of Proposed Rule Making (NPRM) Section 682.300-340
- [Training and Employment Guidance Letter \(TEGL\) 03-15](#), Subject: *Operating Guidance for WIOA* (July 1, 2015)
- [Training and Employment Notice \(TEN\) 09-12](#), Subject: *Layoff Aversion in Rapid Response Systems* (August 31, 2012)
- [TEN 31-11](#), Subject: *The Rapid Response Framework* (March 1, 2012)
- [TEN 32-11](#), Subject: *Rapid Response Self-Assessment Tool* (March 1, 2012)
- [TEN 03-10](#), Subject: *The National Rapid Response Initiative* (August 9, 2010)
- California Labor Code Sections [1400-1408](#)
- [California's Strategic Workforce Development Plan: 2013-2017](#), *Shared Strategy for a Shared Prosperity*
- [Workforce Services Directive WSD15-23](#) Subject: *Transfer of Funds – WIOA Adult/Dislocated Worker Programs* (March 29, 2016)

- [WSD15-19](#) Subject: *Revised Amendment to PY 2015-16 RR Allocations and Guidance on Use of these Funds for WIOA Transition Activities* (March 14, 2016)
- [WSD13-1](#) Subject: *Authorization to Work Verification Requirements* (July 2, 2013)
- [WSD12-3](#) Subject: *Quarterly and Monthly Financial Reporting Requirements* (July 18, 2012)
- [Workforce Investment Act Directive WIAD05-18](#) Subject: *Dislocated Worker 25 Percent Funding Policy* (June 14, 2006)
- [WIAD04-22](#) Subject: *State Required Surveys of Dislocated Workers* (June 15, 2005)
- [WIAD02-9](#) Subject: *Worker Displacement Prohibition* (November 22, 2002)
- [Workforce Services Information Notice WSIN15-21](#) Subject: *Implementation of the CalJOBS Customer Relations Management Module* (December 30, 2015)

DOCUMENTS

- Categorization of Rapid Response Activities
- Dislocated Worker Survey
- Employer RR Questionnaire
- Rapid Response 121 Report Line Item Instructions & Form
- Rapid Response 122 Report Line Item Instructions & Form
- Rapid Response Check Off List

DEFINITIONS

Business Cycle – A business cycle is identified as a sequence of four phases:

Contraction – A slowdown in the pace of economic activity

Trough – The lower turning point of a business cycle, where a contraction turns into an expansion

Expansion – A speedup in the pace of economic activity

Peak – The upper turning of a business cycle

Customer Relationship Management Module (CRM) – The CRM is a CalJOBSSM based tool, supported by the Employment Development Department (EDD), which allows Local Boards and their partners who have access to the CalJOBS system to record, track and report a variety of business engagement activities at the individual company level.

Economic Development – The International Economic Development Council defines economic development as a program, group of policies, or activity that seeks to improve the economic well-being and quality of life for a community, by creating and/or retaining jobs that facilitate growth and provide a stable tax base. For a good resource, see the California Association of Local Economic Development and the Governor's Office of Business and Economic Development.



Employer Contact (Rapid Response 121 Report) – A visit to an employer by staff for the purposes of conducting Rapid Response activities. This visit may be in person, by telephone or through the use of other interactive technology. This is a cumulative report.

Employer Contact (122 Report) – This form is used only to report the development, implementation and completion of a business solution strategy(s) relating to and resulting in job retention at the current place of employment and the rapid re-employment (talent transfer) of affected workers. This is a cumulative report.

Employment Training Panel (ETP) – The ETP provides incumbent worker training funding to employers to assist in upgrading the skills of their workers through training that leads to good paying, long-term jobs. The ETP is a funding agency, not a training agency. Businesses determine their own training needs and how to provide training. ETP staff is available to assist in applying for funds and other aspects of participation.

Incumbent Worker – An employee of a business applying for incumbent worker training funds to up-skill and/or retrain in accordance with the WIOA.

Incumbent Worker Training – Developed with an employer or employer association to upgrade skills of a particular workforce. The employer agrees to retain the trained worker(s) upon completion of the training. Frequently, such training is part of an economic development or layoff aversion strategy.

Jobs Retained – A layoff is averted when (1) a worker's job is retained with the current employer that is at risk of downsizing or closing, or (2) when a worker at risk of dislocation transitions to a different job with the same employer.

Layoff Aversion – The process of using a series of activities, studies, and networks to examine a business or sector's cycle, organizational conditions, markets, and broad community relationships etc., in an effort to determine workforce and economic solutions that can mitigate job loss or save jobs.

Manufacturing Extension Partnership (MEP) – The National Institute of Standards and Technology's Hollings MEP works with small and mid-sized U.S. manufacturers to help them create and retain jobs, increase profits, and save time and money. The MEP also works with partners at the state and federal levels on programs that put manufacturers in position to develop new customers, expand into new markets and create new products.

Rapid Re-Employment (Talent Transfer) – A laid off worker is hired by a different employer and experiences short term unemployment (45 calendar days or less). To qualify for this activity, a confirmed job offer must be on file from the hiring employer and issued within 45 days of the date the participant becomes unemployed.

Rapid Response Packet – Informational brochures and flyers shared at the RR event representing the various resources that will meet the needs of the dislocated workers. Examples of what could be included, based on the worker's needs; EDD brochures and information, Department of Labor Cobra information, brochures and flyers on AJCC services and resources, TANF, Medi-Cal and food resources, other AJCC Partner resources and the RR worker survey.

Small Business Development Centers of California (SBDC) – The SBDCs provide training and no-cost one-on-one counseling to help small businesses and entrepreneurs overcome obstacles to growth. Topics range from: start-up assistance, planning for growth and expansion, technology and innovation and access to capital.



Work Sharing Program/Short Term Compensation – Work Sharing is described in Section 1279.5 of the California Unemployment Insurance Code and provides employers with an alternative to layoffs and provides their employees with the payment of reduced Unemployment Insurance benefits. Note: This activity is considered a job saved/retained as this strategy does minimize the impact on the Unemployment Insurance fund and should be reported on the Layoff Aversion Form 122.

POLICY

I. Rapid Response Services

Rapid Response (RR) services are a required activity outlined in the yearly WIOA WANB Contract for Service Provision with all America's Job Center of CaliforniaSM (AJCC) locations and the WIOA. Requirements include:

- A. The AJCC must provide required RR services through a planned delivery of services which enable dislocated workers to transition to new employment as quickly as possible, following either a permanent closure or mass layoff, or a natural or other disaster resulting in a mass job dislocation;
- B. The AJCC will provide a RR packet designed to meet the needs of the workers involved in the layoff or closure;
- C. Rapid Response coordinators are required to immediately respond or respond no more than two days after becoming aware of layoff and closure events in their area in order to provide the required activities and services;
- D. A RR team must be active in each county. The RR team must include, at a minimum; AJCC staff, EDD representatives and a WANB Business Engagement Representative (BER). The WANB BER reports all activities to the WANB Regional Rapid Response Coordinator.

II. Layoff Aversion Services

Layoff Aversion is one of several required RR activities the AJCCs must provide. A layoff aversion strategy helps employers retain a skilled workforce and/or provides workers rapid transition to new employment, minimizing periods of unemployment.

- A. The intent of layoff aversion as a business engagement strategy is to provide business solutions to companies that want to save jobs. To save jobs, a business engagement team must be able to identify an at-risk company well in advance of layoffs, get executive level commitment to work together, assess the needs of the company, and deliver solutions to address risk factors.
- B. This requires a new culture of prevention and a strong infrastructure, including clarity of roles among regional partners. It requires data collection and analysis of regional labor market and industry sector trends, early warning mechanisms that can alert of problem areas and well-trained staff with capacity to build relationships among businesses, labor organizations and civic leaders. Layoff aversion is a central component of a high-performing business engagement strategy, requiring a shared responsibility among numerous partners at the state, regional, and local levels.

III. Coordinating the Rapid Response Event



The Business Engagement Representative will:

- A. Speak with the employer and gather information using the Employer Questionnaire document.
- B. Coordinate and plan the RR event utilizing the RR Check Off List.
- C. Coordinate event location with WIOA Program provider and EDD Representative.
- D. Invite AJCC Partner's as appropriate.
- E. Document all actions in CalJOBSSM Customer Relationship Management (CRM) module noting an employer activity, using a CalJOBSSM activity code and completing a case note with details of the services provided.

IV. Reporting Requirements

- A. Rapid Response and Layoff Aversion Services are reported by the WANB Regional Rapid Response Coordinator on standardized forms. The reports are cumulative (each month's activity is added to the prior month's information) during the total report period. The report period for both the Rapid Response (RR) 121 Report and the Layoff Aversion (LOA) 122 Report is April 1 through March 31 of the following year.
- B. RR 121 and LOA 122 Report forms are submitted to the WANB administrative office on or before the 15th of the month following the report month. The completed forms (and appropriate backup documentation is to be emailed).

V. Rapid Response 121 Report

- A. A RR 121 Report must include those activities relating to employer contacts in a response to a layoff or closure. The 121 Report must be completed to report RR activity by staff when conducting on-site layoff/closure planning meetings and/or on-site layoff/closure orientations for all Worker Adjustment and Retraining Notification (WARN) and non-WARN events. Planning meetings are for information only and will not be used in the calculations of the RR funding, but still should be reported.
- B. As of October 2015 the California Workforce Development Board (WDB) is requiring that all events regardless of worker numbers impacted are reported to the State. The communication from the California WDB requires that information and resources provided must be listed in the comments section.
- C. When RR staff is invited by another Local Workforce Development Area to participate in a joint rapid response event, staff would document on the 121 form with the following instructions to complete the report:
 - 1. For the "*Number of Affected Employees*" only indicate the number of affected workers who reside in the county or Region;
 - 2. In the "Comments" section explain that it is a joint RR, give name of other local area, the total number of affected employees, and how many of the total employees reside within the county or Region.

NOTE: RR activities are not reported for an out-of- town/out-of-state employer UNLESS WANB staff participated in an on-site visit.

- D. Pursuant to WIAD04-22, State-Required Surveys of Dislocated Workers, recipients of Workforce Innovation and Opportunity Act (WIOA) 25% RR funds must conduct Dislocated Worker surveys in respect to every significant layoff event that necessitates on-site Rapid Response in their service areas. The State of California states that at a



minimum the surveys must determine the number of affected workers who express an interest in receiving WIOA funded services; the kinds of WIOA services the affected workers express an interest in receiving; and number of affected workers who are not interested in WIOA funded services and why they are not interested. Following are additional requirements for completion and retaining the surveys:

1. WANB RR teams must use the WANB standardized Dislocated Worker Survey;
2. Surveys must be completed on all Worker Adjustment and Retraining Notification (WARN) events; all non-WARN events where 10 or more workers are laid off from a single employer; and all “significant layoffs” defined as “one that affects an employee that works at least 20 hours per week in a business that employs at least 30 employees when at least 10 individuals are laid off or 30% of the employees are laid off from a single employer.”
3. Documentation of each survey must be maintained by the WANB BER and CareerPoint staff. A statement of the program action that was taken as a result of the findings of the surveys shall be reported to the BER;
4. Dislocated Worker Surveys are not submitted with the 121 Reports. Upon request these document must be available.

VI. Layoff Aversion 122 Reporting

- A. The Layoff Aversion 122 report form has been developed to capture and report business solution strategies delivered to businesses during any stage of the business cycle that relate to and result in job retention/saved and/or rapid re-employment.
- B. A 122 Report is completed for job(s) retained at an existing employer and/or a rapid re-employment(s) with a different employer. It is important that Local Areas consider and document how layoff aversion activities will result in a positive outcome before allocating resources. For completion of a Business Solution strategy, documentation of outcomes must be attached to the 122 Report that is submitted to the WANB Regional Rapid Response Coordinator and retained locally for audit purposes.

Note – The 122 form is to be used to report only business solutions completed during the reporting quarter. It is not a register of local activities. This may be accomplished on the Customer Relationship Management Module on the CalJOBSSM.

POLICY UPDATE HISTORY

<Date Board Approves> – New Policy.

INQUIRIES

Questions regarding this policy can be sent to the Business Services Unit.



Categorization of Rapid Response Activities
Title 20 Code of Federal Regulations Notice of Proposed Rule Section 682.330

Activity	Required	Allowable	Prohibited
Conducting planning meeting with employer	X		
Assessing layoff aversion potential	X		
Conducting orientation meeting with employees	X		
Providing TAA orientation	X		
Delivering/mailling Rapid Response informational materials	X		
Providing access to CalJOBS SM and SkillsMatch on-site, using company's or mobile facility	X		
Enabling participants to register with America's Job Center of California SM onsite	X		
Job fair or information expo focused on one or more dislocation events, at or not at the dislocation site	X		
Coordinating Labor-Management/Workforce Transition Committee	X		
Providing information about services available in the AJCCs and setting up systems to provide on-site access to information and services	X		
Providing training orientation on industry specific opportunities (ex: Biotech)	X		
Providing resources for food, shelter, clothing and other emergency assistance	X		
Conducting Business Engagement Activities	X		
Conducting Research on Business Activities	X		
Devising layoff aversion strategies with employer	X		
Providing layoff aversion technical assistance to employer	X		
Conducting business services workshops	X		
Training affected workers to upgrade skills for another position in company	X		
Attending Regional Roundtable		X	
Attending conferences		X	
Conducting interview technique workshops		X*	
Conducting job search assistance and resume writing workshops		X*	
Completing Unemployment Insurance applications			X
Job fair or information expo not related to a dislocation event			X

* Local Workforce Development Areas may conduct group workshops (e.g. job search assistance and/or resume writing workshops) as part of on-site Rapid Response to business closures or significant layoffs and charge the cost to their 25 Percent Rapid Response funds if they have determined, in consultation with the local workforce services manager, that EDD workforce services staff are not available to conduct such workshops.

Laid-Off Worker Survey

Due to the loss of your job you may be eligible for valuable services to help you transition back to work or enter into a training program. The information you provide will help us in determining how we can be the most effective in serving you.

To access services, please complete this form and return it to CareerPoint located at . A group orientation will be held on . If you are unable to attend, please call to schedule a one-on-one appointment. We look forward to helping you.

Name: _____ Date: _____

Phone #: () _____ Email: _____

Address/City/Zip Code: _____

Date of Birth: _____ Last 4 digits of your Social Security # XXX-XXXX- _____

1. I have worked for: _____
Company Name Name of Supervisor

Company Address/City/Zip Code: _____

2. My earnings from this job were: \$ _____ ☐ Hourly Wages ☐ Monthly Salary

3. My job title for this job was: _____ Dates of employment were: _____ to _____

4. The conditions of my employment was: ☐ Regular ☐ Seasonal ☐ Temporary ☐ Contract

5. I have been in this occupation for: _____ years. (years of experience)

6. Reason for lay off: ☐ Seasonal ☐ Business slowing down due to economy ☐ Change in management
☐ Business closure Date of Closure: _____
☐ Disagreement or problems with my manager or other employees
☐ Other (please explain): _____

7. How many other workers were laid off? _____ Do you think there will be more? ☐ Yes ☐ No

8. Which best describes your plans: ☐ I plan to take some time off and look for work later.
☐ I plan to use the services at CareerPoint to help me return to work. ☐ I qualify for and plan to take retirement.
☐ I plan to return to work immediately but do not need assistance from CareerPoint.

9. Which best describes your current situation: ☐ I have already lined up a replacement job.
☐ I believe I need to enhance or upgrade my skills to become re-employed.
☐ I believe I am ready and qualified for an immediate replacement job in the following field(s): _____

10. Do you plan to or are you willing to relocate? ☐ Yes ☐ No ☐ Maybe

11. Which of the following services would be helpful to you at this time?
☐ Training ☐ Unemployment Insurance ☐ Childcare Information ☐ Transportation Assistance
☐ Housing Assistance ☐ On-The-Job Training ☐ Education/training Grants ☐ Job Placement Assistance
☐ Relocation Assistance ☐ Out-of-Area Job Search Assistance
☐ Other (Explain): _____

**Employer Questionnaire
for Business Closures and/or Layoffs**

Company Name: _____ **Date:** _____

Address: _____

Contact Name & Title: _____

Email: _____ **Phone #:** _____

How long has the company been in business in the local area? _____

1. Is this a ☐ permanent closure ☐ layoff ☐ Department Only _____

2. What is the reason for the closure/layoff? _____

3. Effective date of closure/layoff: _____

4. Have all employees been notified of the lay-off? ☐ Yes ☐ No

If not, when will they be notified? _____

5. Warn Notice: ☐ Yes ☐ No - TAA: ☐ Yes ☐ No - Union: ☐ Yes ☐ No

6. If layoffs will occur in phases, please list dates and number of employees affected by each phase:

Date:		No. #:		Date:		No. #:	
Date:		No. #:		Date:		No. #:	

7. Total number of employees affected Fulltime: _____ Part-Time: _____

8. Hourly wage range of employees affected: _____

9. What job positions are affected by closure/layoff? Please list below or attach list:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

10. Will the affected employees have bumping rights or transfer opportunities? ☐ Yes ☐ No

If yes, please explain: _____

11. What is the average length of time the affected employees have worked for the company?

12. Will all of the affected workers be from this location? ☐ Yes ☐ No

If "NO", where are the other locations? _____

13. Is there a possibility of recall? ☐ Yes ☐ No

14. Is there a severance package being offered? ☐ Yes ☐ No

Is there any incentive for the affected workers to remain on the job until the date of lay off?

What outplacement services (if any) is the company offering to the affected workers? *(by law, we cannot duplicate any services, but we can supplement those already being offered)*

What outplacement or reemployment services would the company like to see provided?

15. Are any of the employees limited English speaking? ☐ Yes ☐ No

If yes, how many: ☐ Spanish # ☐ Other #

16. How many affected employees are 55 years or older? _____

17. Are there any employees needing special accommodations? ☐ Yes ☐ No
i.e: (Translator, assistive devices, ramps, etc)

18. What are the educational levels of the affected employees?

☐ Lacks a high school diploma # _____ ☐ High school graduate # _____

☐ 2 year college degree # _____ ☐ 4 year college degree or above # _____

19. Do any of the affected employees possess skills that are unique to the company?

☐ Yes ☐ No If yes, briefly explain: _____

20. Are there other businesses that may be affected by the closure/layoff? ☐ Yes ☐ No

RAPID RESPONSE 121 REPORT LINE ITEM INSTRUCTIONS

The Excel Spreadsheet Report is designed to collect data to be considered as a factor in the process of allocating Rapid Response funds to Local Workforce Development Areas (Local Area). Activities reported on the Rapid Response 121 Report are those relating to employer contacts in response to layoffs or closures, as defined by the California Workforce Development Board. Reportable employer contacts include Worker Adjustment and Retraining Notification (WARN) and non-WARN events. The Rapid Response 121 Report must be completed to report all employer layoff/closure planning/orientation meetings. Planning meetings and/or orientations of nine or less employees are for information only and will not be used in the calculation of the dislocation-based formula funding factor.

Complete a separate line item entry for each employer contact occurring on different days, locations, or employers. Complete a single line item entry if multiple sessions are conducted on the same day, for a single employer with the note of how many multiple orientations were made that day.

The Rapid Response 121 Report is cumulative, and must be completed quarterly and submitted via email by the 20th of the month following the quarter's end to the assigned Regional Advisor, with a "cc" to the Local Area administrator.

Date	Date on which the Local Area staff provided Rapid Response planning services to a company where workers are being laid off or date that orientation was provided to affected workers. If the services span more than one day or extend to more than one site, complete a separate line item entry for each day and/or site.
Reason for Visit	Enter "OR" for an orientation provided to affected workers or "PLAN" for an employer planning meeting.
Company Name	Name of the company.
Street Address	Street address of company, which is location where Rapid Response services were provided.
City	City of company.
Zip Code	Zip code of company.
Industry Sector (NAICS Code)	Select item from drop down menu.
Date of Layoff	Date of first layoff.
Total number of affected employees	Enter the total number of employees affected by the layoff/closure. If multiple local areas participate in a joint meeting, the local areas must agree on the division of the affected workers to report on the RR121. The aggregate shall not exceed that the total number of affected workers for the event.
Number of affected employees who attended	Enter number of employees who attended the orientation.
Comments	Additional comments, notes, explanations.

**LAYOFF AVERSION 122 REPORT
LINE ITEM INSTRUCTIONS**

Activities reported on the Layoff Aversion 122 Report are those relating to layoff aversion (LOA) activities resulting in jobs retained at the current employer and/or rapid re-employment services (talent transfer) at new employer, conducted during any stage of the business cycle as defined in the directive.

Complete a separate line item entry for each layoff aversion solution and/or rapid re-employment service delivered. The Layoff Aversion 122 Report must be completed quarterly and submitted via e-mail by the 20th of the month following the quarter end to the assigned Regional Advisor, with a "cc" to the Local Area administrator. This report is cumulative and the report year is April 1 through March 31 of the following year.

Date	R/RE	Insert Date of Initial Contact (mm/dd/yy)
Company Name (Company Retaining Jobs)	R	Insert Company Name where Business Solution is Delivered
Company Name (Company hiring within 45-days)	RE	Insert Company Name where worker(s) are Rapidly Re-Employed
City	R/RE	Insert City where Company is Located
Start Date of LOA Solution Delivery (or) Termination Date for Rapid Re-Employment	R/RE	Insert Date (mm/dd/yy)
End Date of LOA Solution Delivery (or) Rapid Re-Employment Date (45-days)	R/RE	Insert Date when Solution is Completed and/or Date of Hire (maximum of 45 calendar days from layoff) (mm/dd/yy)
Business Solution Delivered	R	Identify Solution Delivered (Incumbent Worker Training, Customized Training, Work Sharing, etc.) and by Whom (Employment Training Panel, Vendor, Partner)
Industry Sector (NAICS Code) and Title	R/RE	Enter Code -- Select item from drop down menu
Local Area Priority Sector	R/RE	Yes or No -- Is the Sector identified in the local/regional Strategic Plan as a Priority (Select item from drop down menu)
Number of Jobs Retained	R	Enter Total Number of Jobs Retained Resulting from Business Solution
Number Rapidly Re-Employed Jobs	RE	Enter number of workers Rapid Re-Employed (Talent Transfer)
Documentation from Employer for # of Jobs Retained	R	Yes or No -- Do you have documentation from the employer attesting to the jobs retained? (Select from drop down menu) <i>(Documentation must be attached to this report and retained at the local level)</i>
Documentation from Employer for # of Rapid Re-Employment	RE	Yes or No -- Do you have documentation from the gaining employer(s) attesting to the placement/hiring of the worker(s). A pay stub from the participant is acceptable documentation. (Select from the drop down menu) <i>(Documentation must be attached to this report and retained at the local level)</i>

Legend:

R = Jobs Retained

RE = Rapid Re-Employment

Rapid Response/Layoff Aversion Activities Check off list: July 2019

- ✓ Initial investigating- Gather the facts first. Do a Google search and check online sources for the reported lay-off.
- ✓ All RR outreach activities must be noted in Cal JOBS within **24 hours of receiving a WARN** notification. Note the actions taken by entering an activity code and making a detailed case note.
- ✓ Call the business affected and explain who you are and the Rapid Re employment services available through WIOA. Stress that our goal is to get them re-employed or their skills upgraded, ASAP. Ideally before they file for Unemployment Insurance.
- ✓ Use the interview questionnaire to gather the necessary information to report out regionally, when you are speaking with the employer. (Attached)
- ✓ Once you've gathered the facts, ask to present onsite to the affected workers.
- ✓ If onsite isn't an option, explain that the presentation can take place at CareerPoint or another convenient location that you can secure.
- ✓ Call the CareerPoint WIOA Program Director and EDD Manager in your area and provide the details you gathered about the layoff. Coordinate the RR event.

NOTE: You coordinate and plan the Rapid Respond event but the CareerPoint staff & partners prepare folders with information on their services and together with EDD do the actual RR presentation. The RR event is a recruiting opportunity to meet their dislocated worker numbers.

- ✓ The day of the RR event, you are responsible for having all attendees sign a sign in sheet and that each individual completes a Dislocated Worker Survey. (Also attached)
- ✓ When a RR event date is agreed upon, you need to create it as an event in Cal JOBS. (Same steps as creating a workshop in Cal JOBS) Once this is done, the system generates a sign in sheet. This sheet is used at the RR event to gather all attendee's signatures.
- ✓ Depending on the circumstances of the affected workers, other partner agencies may be invited to the RR event. Work with your CareerPoint Program Manager to determine who needs to be there. Each event is unique.
- ✓ Reporting out to the Regional RR Coordinator- After the event has taken place you then need to scan all documents collected into the WANB SharePoint system.
- ✓ Each RR event needs an individual folder with the business named and the program year the RR event happened in.
- ✓ All documentation collected will be in each folder. (i.e. Marin Unified School District_ Marin PY 18-19)
- ✓ Notify the WANB Regional Rapid Response Coordinator when the folder is available on SharePoint.
- ✓ Note all business engagement contacts by entering employer activities in Cal JOBS. (Typical codes used: E32 Rapid Response, E54 Layoff Aversion Activities, etc.)



REGISTERED APPRENTICESHIP

PURPOSE

The purpose of this policy is to provide direction and guidance in providing training and employment Opportunities in Registered Apprenticeship (RA) programs to Workforce Innovation Opportunity Act (WIOA) Adults, Dislocated Workers and Out-of-School Youth.

SCOPE

Workforce Innovation and Opportunity Act Title I contracted Service Providers

RESPONSIBLE PARTY

Workforce Alliance of the North Bay
Regional Workforce Development Board

REFERENCES

- Training & Employment Guidance Letter (TEGL) 13-16–Guidance on Registered Apprenticeship Provisions and Opportunities in WIOA

DEFINITIONS

Registered Apprenticeship - is a proven model of job preparation that combines paid on-the-job training (OJT) with related instruction to progressively increase workers' skill levels and wages.

POLICY

- I. Apprenticeships are a unique training where a combination of classroom and job-based training are required. Apprentices must gain and demonstrate competencies either over a period of time that is set by the industry. When specific competencies are gained, as defined by the curriculum, the apprentice earns set increases in wages. Apprenticeships can be trade (nationally registered), registered apprenticeship (state registered), or company apprenticeships. Company apprenticeships must meet the criteria for learning, skill gain and wage increase to qualify under this policy.
- II. WIOA advances the use of apprenticeship as an effective work-based learning approach that builds worker skills and establishes pathways to higher levels of employment and wages. WIOA funds can be used in a variety of ways to help job seekers and workers prepare for, enter, and complete apprenticeship programs.
 - A. Career Planning and Preparations
 1. Staff may use assessments, career planning, and care management to identify strategies and supports necessary to overcome barriers to enter and complete an apprenticeship program. This may include planning and support in basic skills

preparation, language skills, accommodations, and/or job readiness to prepare participants to enter apprenticeship programs. Tutoring and mentoring may be part of the service delivery for out-of-school youth during the course of an apprenticeship program. Other wrap-around services, career planning, and job readiness activities may be provided before and/or during apprenticeship participation. Follow-up services may also support apprenticeship completion.

III. Funding Apprenticeships and Registered Apprenticeships

A. Individual Training Accounts (ITA)

1. RA sponsors are able to use ITA funds to support the educational portion (i.e., related instruction component) of the registered apprenticeship for eligible apprentices.
2. ITAs also can finance pre-apprenticeship training in preparation for formal RA if they are on the State Eligible Training Provider List (ETPL). Additionally, individuals in receipt of ITAs may also receive supportive services to enable them to participate in the training.

B. Contracted Classes for Training Cohorts for Related Instruction -In certain circumstances a Local Workforce Development Board (LWDB) may determine that a contract with an Eligible Training Provider (ETP) to train a cohort of potential apprentices in in-demand industry sectors or occupations may be developed instead of an ITA. This approach provides an efficient and well-suited process for certain cohorts of RA training. Note that grantees must ensure that contracts with training providers, including for-profit training providers, meet the procurement standards found in the Uniform Guidance.

C. Youth Occupational Skills Training - Youth occupational skills training is one of the 14 elements under WIOA which includes RA as a viable training option for out of school youth 16 to 24 years of age that provides both a living and a pathway to the middle class. This program element also emphasizes training that aligns with in-demand industry sectors and occupations, which is a key component of RA programs.

D. Customized Training - RA programs can be conducted through customized training agreements.

E. On-the-Job Training (OJT) - WIOA expands the potential for utilizing OJT to support RA. An OJT contract can reimburse the employer up to 50 percent of the apprentices' wages if the employer meets the criteria for the OJT. Unlike the related instruction component, the OJT component is supported by a contract, not an ITA.

F. Incumbent Worker Training - LWDBs may use up to 20% of their adult and dislocated worker funds to pay the Federal share of the cost of incumbent worker training, enabling current workers to remain on the job while in training.

G. ITA/OJT Joint Funding – There is no federal prohibition on using both ITA and OJT funds when placing participants into a registered apprenticeship program. A combination of an ITA to cover the classroom instruction along with an OJT contract to cover the on-the-job portions of the RA is allowed. OJT contracts may be entered into with RA program sponsors or participating employers in RA programs for the OJT portion of the RA program. Depending on the length of the RA, OJT funds may cover some or all of the RA training.

IV. Supportive Services

A. Supportive Services are available to participants in RA programs. They include:

1. Books



2. Supplies
 3. Childcare
 4. Transportation
 5. Tools
 6. Uniforms
-

POLICY UPDATE HISTORY

Date Board Approves – New Policy

INQUIRIES

Questions regarding this policy can be sent to Operations Unit.





TRANSITIONAL JOBS

PURPOSE

The purpose of this policy is to provide guidelines to Workforce Alliance of the North Bay's (WANB) Service Providers to be used in the provision of transitional job activities, pursuant to the requirements of the Workforce Innovation and Opportunity Act (WIOA), Department of Labor Regulations (DOL), State Directives, and WANB policy.

Transitional jobs should be designed to provide a participant with time-limited work experiences to help them establish a work history, achieve success in the workplace, and develop the skills needed to obtain and retain unsubsidized employment.

The following provides information on the minimum requirements/elements for transitional jobs. Service Providers may include additional elements in their procedures, so long as they are in conformance with this policy, the WIOA, DOL Regulations, and State Directives.

SCOPE

Workforce Innovation and Opportunity Act Title I contracted Service Providers

RESPONSIBLE PARTY

Workforce Alliance of the North Bay
Regional Workforce Development Board

REFERENCES

- WIOA section 134(d)(5) and WIOA Regulations section 680.190.
- DOL TEGL 3-15, Guidance on Services Provider through the Adult and Dislocated Worker Program under WIOA.

POLICY

- I. A transitional job is defined as a job that provides a time-limited work experience that is wage-paid and subsidized, and is in the public, private, or non-profit sectors for those individuals with barriers to employment who are chronically unemployed or have inconsistent work history.

These jobs are designed to enable an individual to establish a work history, demonstrate work success in an employee-employer relationship, and develop the skills that lead to unsubsidized employment. Transitional job activities must be combined with comprehensive career and supportive services provided prior to, or concurrently with, the transitional job activity.

Transitional job expenditures may account for up to 10% of a Service Provider's expenditures in the Adult program and up to 10% in the Dislocated Worker program during a given program year

(July 1 – June 30), and includes only wages and fringe for the individual participating in a transitional job activity.

A. PARTICIPANT ELIGIBILITY REQUIREMENTS

In addition to meeting general eligibility requirements for the WIOA program and being unemployed at the date of application to the WIOA program, the participant must also have: (1) one or more barriers to employment; and (2) be chronically unemployed or have an inconsistent work history. These eligibility requirements must be documented in the participant file.

1. Barriers to Employment - For the purpose of participant eligibility for transitional job activities, barriers to employment include one or more of the following:
 - a) Low-income individuals
 - b) Individuals with disabilities (maintained confidential and filed separately)
 - c) Ex-Offenders
 - d) Homeless individuals
 - e) English Language Learners
 - f) Displaced Homemaker
 - g) Secondary School Dropout
 - h) Basic Skills Deficient
2. Chronically Unemployed or Inconsistent Work History – For the purpose of participant eligibility for transitional job activities, individuals are considered to be chronically unemployed or to have an inconsistent work history when they meet one or more of the following criteria:
 - a) Has never held a full-time job (30+ hours per week) for more than 13 consecutive weeks
 - b) Has been fired from a job within the 12 months prior to application
 - c) Has held more than three jobs in the 52 weeks prior to application
 - d) Is on parole or probation, or has been released from prison/jail within the 12 months prior to application
 - e) Has been unemployed for the 13 consecutive weeks prior to application
 - f) Has been unemployed for 15 or more of the 26 weeks prior to application
3. Service Providers shall attempt to obtain documentary evidence or utilize a collateral contact to document the met requirements and may only utilize an applicant statement when attempts to collect documentary evidence or a collateral contact were unsuccessful or are not practicable within a reasonable period of time.
4. Typically, one would not assume that a dislocated worker would be eligible for transitional job activities with respect to being chronically unemployed or have an inconsistent work history. Displaced homemakers and spouses of members of the Armed Force on active duty may, however, have a need for this service. While other categories of dislocated workers may meet the eligibility requirements and receive such services, it is anticipated that most individuals who participate in transitional job activities will be enrolled in the WIOA Adult program. Service Provider staff should



take extra care during the assessment and Individual Employment Plan (IEP) development process to ensure that the rationale for participating in transitional job activities as a participant of the WIOA Dislocated Worker program is clearly outlined in the IEP and case notes.

B. EMPLOYER REQUIREMENTS

1. Employers willing to work with participants in transitional job activities may be from the private for-profit sector, the private non-profit sector, or the public sector. As transitional jobs are structured to help participants achieve success in the workplace and develop the skills needed to obtain and retain unsubsidized employment, the employer must be able to provide supervision and appropriate feedback to the participant at regular intervals during the course of the activity.
2. Employers must also be willing to participate in the required monthly on-site monitoring visits conducted by Service Provider staff to evaluate the participant's performance.
3. There is no expectation that the employer will retain the participant at the completion of the transitional job. However, if the employer is interested in hiring the participant after the transitional job activity has been completed, and additional training is needed, an On-The-Job Training (OJT) may be developed.

C. PROVISION OF TRANSITIONAL JOB SERVICES

1. Participants who are unemployed at the point of application, have a qualifying barrier to employment, and who are chronically unemployed or have an inconsistent work history may participate in transitional job activities.
2. All eligible participants must first undergo an appropriate assessment and develop, with the assistance of a Service Provider staff member, an IEP that includes the rationale for a transitional job.
3. The transitional job must be accompanied by comprehensive career and supportive services delivered prior to, or concurrently with, the transitional job. Supportive service needs shall be determined during the assessment process, and the identified supportive service needs and how they will be delivered shall be outlined in the IEP.
4. The appropriate mix of career services shall also be outlined in the IEP and must include, at a minimum, at least one of the following individualized career services:
 - a) Career Planning
 - b) Group and/or Individual Counseling
 - c) Short-term Prevocational Services (including soft skills training)
 - d) Workforce Preparation Activities
 - e) Financial Literacy Services
 - f) Out-of-Area Job Search Assistance and Relocation Assistance
 - g) English language acquisition and integrated education and training programs
5. Individualized career services may also be delivered upon completion of the transitional job activity, as long as one or more of the above are delivered prior to or during the transitional job.



6. Eligible participants may participate in up to 520 hours of transitional job activities, delivered over a maximum period of 26 weeks. The participant may be placed with more than one employer during the transitional job activity, but the total number of hours for all worksites may not exceed 520 hours or 26 weeks, whichever comes first.

Transitional jobs shall be developed, to the extent practicable, with an employer in an industry that is of interest to the participant. It is anticipated that most transitional jobs will be entry-level positions, and the participant shall be paid minimum or prevailing wage, whichever is greater.

D. WORKSITE AGREEMENT

1. WANB requires a written, signed agreement between a Service Provider representative and a qualified employer prior to the start of work. These worksite agreements will be similar to those used for work experience and other work-based learning activities where the participant is being paid and the employer providing the supervision for the participant is not the employer of record.

E. MONITORING

1. WANB Service Providers shall monitor on-site at least once each calendar month during the transitional job period. All monitoring results must be documented in the participant's file and retained by the Service Provider.
2. This on-site monitoring shall include not only an evaluation of soft skills, but an evaluation of occupational skills listed in the job description/training plan that is incorporated into the Worksite Agreement.
3. WANB will monitor Service Providers for compliance with this Transitional Jobs policy as part of the regularly scheduled program and fiscal monitoring, as appropriate.

F. PROHIBITIONS

1. Agreements shall not be entered into with employers of a business or part of a business that has relocated from any location in the United States, until such company has operated at the new location for 120 days, if the relocation resulted in any employee losing her/his job at the original location.
2. Participants may not be employed in a transitional job involving political activities.
3. Participants may not be employed in a transitional job that directly or indirectly assists, promotes or deters union organizing.
4. Participants may not be employed in a transitional job involving the construction, operations, or maintenance of that part of a facility which is used for religious instruction or worship (sectarian activities).

G. POLICY EXCEPTIONS

1. Service Providers may only make exceptions to this policy with prior written authorization from the WANB Executive Director.

POLICY UPDATE HISTORY

Date Board Approves – New Policy



INQUIRIES

Questions regarding this policy can be sent to Operations Unit.



SUMMARY OF COMMENTS

There was one comment to the draft version of this policy:

Comment #1 – We would like to know examples of documentary evidence. What would this evidence look like? We go off of participant's stated work history to determine whether or not they are unemployed. We do not ask for additional documentation because most people do not claim they don't have a consistent work history unless it is true.

Resolution – The Workforce Alliance of the North Bay finds the documentary evidence for meeting criteria for the chronically unemployed or inconsistent work history may include but not be limited to court documents, documents from employers, and State unemployment documents. Documents supporting the participants claims provide the evidence required to ensure compliance with program. Technical assistance is available from Workforce Alliance of the North Bay for additional support on documentary evidence for these criteria.

Comment #2 – For on-site monitoring, does this have to be a WIOA staff? If the participant is co-enrolled in another program, can the other program staff conduct the site visit?

Resolution – The Workforce Alliance of the North Bay and its service providers operating WIOA funded programs must monitor those WIOA funded programs and activities. If the participant is co-enrolled in another program, the program funding the transitional job should conduct the monitoring.



WORK EXPERIENCE SERVICES

PURPOSE

The purpose of this policy is to provide direction and guidance in administering Work Experience (WEX) to Workforce Innovation Opportunity Act (WIOA) Adults, and Dislocated Workers.

SCOPE

Workforce Innovation and Opportunity Act Title I contracted Service Providers

RESPONSIBLE PARTY

Workforce Alliance of the North Bay
Regional Workforce Development Board

REFERENCES

- WIOA Section 129 (c)(2)(C)
- WIOA Section 134 (c)(2)(A)
- WIOA Section.188 (a)(2) and (3)
- Title 20 CFR 680.180
- Title 20 CFR 680.190

POLICY

- I. WEX is designed to promote the development of good work habits and basic work skills for individuals who have never worked, have very limited occupational exposure or have been out of the labor force for an extended period of time. WEX may be in the private for-profit sector, the non-profit sector or the public sector. WEX may be paid or unpaid and must be consistent with the Fair Labor Standards Act and other applicable laws. WEX is not designed to replace an existing employee or position. WEX wages are paid directly to the WEX participant and not the WEX employer. Employers are not monetarily compensated. Labor standards apply in any WEX where an employee/employer relationship exists, as defined by the Fair Labor Standards Act.
- II. Participant Eligibility
 - A. All WEX participants must meet WIOA program eligibility requirements and:
 1. Be enrolled into the respective WIOA program
 2. Have received an assessment
 3. Have developed a current Individual Employment Plan (IEP) that documents the participant's need and benefit for WEX.
- III Employer Eligibility

- A. The following standards apply to all employers utilized as WEX placements for participants engaged in programs and activities under Title I of WIOA:
1. Must be registered with the Internal Revenue Service (IRS) and have an account with the Employment Development Department (EDD) for Unemployment Insurance and carry Workers' Compensation Insurance;
 2. Must be licensed to operate in the State of California and provide their Federal Employer Identification Number (FEIN);
 3. Must have safe and healthy working conditions with no previously reported health and safety violations that have been reported but not corrected;
 4. Must not illegally discriminate in training or hiring practices because of race, color, sex, national origin, religion, physical or mental disability, political beliefs, affiliations, or age;
 5. Shall not terminate the employment of any of their current employees or otherwise reduce its workforce either fully or partially (such as reduction in hours or benefits) with intention of filling the vacancy with a WEX participant or as a result of having a WEX participant;
 6. Shall not allow the WEX activity to result in the infringement of promotional opportunities of their current employees; and
 7. Shall not allow the participant to be involved in the construction, operation, or maintenance of any part of a facility that is used, or to be used, for religious instruction or as a place for religious worship.

IV. Compensation

- A. Participants enrolled in a paid WEX shall be compensated at an hourly wage not less than the State or local minimum wage. The following factors should be considered when determining the participant's hourly wage:
1. Participant's skill set and skill level
 2. Type of work performed
 3. Required skill set
 4. Training objectives
 5. Service Providers budget
- B. Hours worked shall be tracked on a WEX time sheet which will be signed by the participant and assigned WEX site supervisor. A copy will be kept in the case file.
1. Participants will only be paid for hours worked as documented on the WEX time sheet.
- C. WEX participants shall not be paid for:
1. Vacation breaks;
 2. Lunch breaks; or
 3. A holiday recognized by the service provider as a "paid holiday".
- D. WEX participants shall not be authorized to work overtime.

V. WEX Agreement



- A. WEX Agreements must be used for all WEX assignments. A single WEX Agreement may be written for a group training with a single training site provided the working conditions, job description, training plan, wage rates and terms of the Agreement are the same for all participants covered by the Agreement.
 - B. The WEX Agreement details the specific guidelines that must be followed by the employer, participant and Service Provider.
 - C. Agreements must have a mid and final evaluation of participants objectives.
 - D. WEX agreements must be fully approved by each Service Provider signatory and employer.
 - 1. Signatures must be obtained by all parties prior to the start of the WEX.
 - E. WEX Agreements may be modified.
 - 1. All modifications must be in writing and signed by all parties prior to the effective date of the modification. Verbal modifications of WEX agreements are not allowed.
 - F. The maximum length of any WEX activity is 180 days.
 - G. A worksite supervisor shall not have more than five (5) participants under their direction.
- VI. Academic and Occupational Education Component refers to contextual learning that accompanies a work experience. It includes information necessary to understand and work in specific industries and/or occupations.
- A. All WEX must include an academic and occupational education component.
 - B. The component may occur concurrently or sequentially with the WEX.
 - C. It may occur inside or outside the work site.
 - D. The WEX employer can provide the academic and occupational component may be provided in through classroom instruction.
- VII. Monitoring
- A. WIOA program staff must ensure regular and on-going monitoring and oversight of WEX. Monitoring may include on-site visits and phone/email communication with the employer and participant to review the participant's progress in meeting training plan objectives. Any deviations from the WEX agreement should be dealt with promptly.
 - B. WEX participant's training and payroll records may be reviewed by Federal, State and Workforce Alliance of the North Bay fiscal and program monitors. These entities have the right to access, examine and inspect any site where any phase of the WEX program is being conducted. Proper WEX documentation must be maintained in such a way to facilitate an audit. WEX training and payroll records must be maintained for three (3) years after the participant's conclusion of WIOA enrollment activities.

POLICY UPDATE HISTORY

Date Board Approves – New Policy

INQUIRIES

Questions regarding this policy can be sent to Operations Unit.



WORKFORCE ALLIANCE OF THE NORTH BAY MASTER MEETING CALENDAR 2020											11.13.19
JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	OCT	NOV	DEC
REGIONAL WORKFORCE DEVELOPMENT BOARD 2nd Thursday @ 10:00 AM-2:00 PM											
					6/11/20 10:00-2:00						12/10/20 10:00-2:00
GOVERNING BOARD 3rd Friday @ 9-10:30 AM											
		3/20/20 9-10:30			6/19/20 9-10:30			9/18/20 9-10:30			12/18/20 9-10:30
EXECUTIVE COMMITTEE 2nd Wednesday @ 9-10:30 AM											
	2/12/20 9-10:30		4/8/20 9-10:30	5/13/20 9-10:30		7/8/20 9-10:30	8/12/20 9-10:30		10/14/20 9-10:30	11/4/20* 9-10:30	
POLICY AND OVERSIGHT SUBCOMMITTEE 1st Tuesday @ 3-4:30 PM											
	2/4/20 3-4:30		4/7/20 3-4:30		6/2/20 3-4:30		8/4/20 3-4:30		10/6/20 3-4:30		12/1/20 3-4:30
LAKE ADVISORY SUBCOMMITTEE 4th Thursday @ 9-10:30 AM											
	2/27/20 9-10:30			5/28/20 9-10:30			8/27/20 9-10:30			11/19/20** 9-10:30	
MARIN ADVISORY SUBCOMMITTEE 4th Wednesday @ 8-9:30 AM											
	2/26/20 8-9:30			5/27/20 8-9:30			8/26/20 8-9:30			11/18/20** 8-9:30	
MENDOCINO ADVISORY SUBCOMMITTEE 4th Thursday @ 3:30-5 PM											
	2/27/20 3:30-5			5/28/20 3:30-5			8/27/20 3:30-5			11/19/20** 3:30-5	
NAPA ADVISORY SUBCOMMITTEE 4th Wednesday @ 3-4:30 PM											
	2/26/20 3-4:30			5/27/20 3-4:30			8/26/20 3-4:30			11/18/20** 3-4:30	

Attachment IV. A



* Due to Veteran's Day, Executive Committee will meet a week earlier in November.

**Due to Thanksgiving, Advisory Subcommittees will meet a week earlier in November.

REQUIRED ATTENDANCE	
Regional Workforce Development Board (RWDB)	All appointed RWDB members
Governing Board	Governing Board Members representing Lake, Marin, Mendocino, and Napa Counties
Executive Committee	RWDB Officers & Chairs
Policy and Oversight Subcommittee	RWDB Members representing Lake, Marin, Mendocino, and Napa Counties
Lake Advisory Subcommittee	RWDB Members representing Lake & Appointed Lake Advisory Subcommittee Members
Marin Advisory Subcommittee	RWDB Members representing Marin & Appointed Marin Advisory Subcommittee Members
Mendocino Advisory Subcommittee	RWDB Members representing Mendocino & Appointed Mendocino Advisory Subcommittee Members
Napa Advisory Subcommittee	RWDB Members representing Napa & Appointed Napa Advisory Subcommittee Members