



**WORKFORCEALLIANCE**  
**OF THE NORTH BAY**  
DRIVING WORKFORCE TALENT

## REGIONAL WORKFORCE DEVELOPMENT BOARD AMENDED MEETING AGENDA

Thursday, October 11, 2018  
9:00 – 10:30 AM

Napa Valley Opera House  
1030 Main Street  
Napa, CA 94559

CALL TO ORDER	
I.	A. Introductions & Call to Order
	B. Public Comment
CONSENT CALENDAR	
These matters typically include routine financial or administrative <b>action items</b> requiring a vote. Any item will be discussed separately at the request of any person. Items are approved with one single motion	
II.	A. April 26, 2018 Retreat Meeting Minutes [Attachment II.A]
	B. 2018-19 State Allocations to WANB [Board Letter II.B]
	C. Ratify Transfer of Funds from Dislocated Worker to Adult [Board Letter II.C]
	D. Ratify WANB Agreements [Board Letter II.D]
	E. Ratify Appointment of Advisory Subcommittee Nominations (Lake, Marin, Mendocino and Napa) [Board Letter II.E]
	F. Ratify Acceptance of Monetary Contributions [Board Letter II.F]
	G. Ratify Certification of AJCC CareerPoint North Bay Centers [Board Letter II.G]
	H. Ratify Establishment of Policy and Oversight Committee & Appointment of Members [Board Letter II.H]
	I. Ratify Debt Collection Letter Submission to Mendocino Private Industry Council [Board Letter II.I]
	J. Approve WANB Policies [Board Letter II.J]
	K. Accept Year End 2017-18 Program Reports [Board Letter II.K]
REGULAR CALENDAR	
III.	A. 2019 Meeting Schedule [Attachment III.A]
	B. Performance Negotiations [Walk-in Item]
INFORMATION/DISCUSSION ITEMS	
IV.	A. Keynote Presentation: Tim Rainey, Executive Director of California State Workforce Development Board [Presentation]
	B. Local & Regional Plan Update – What to Expect [Board Letter IV.B]
	C. BrightFutures Update – Sneak Peak [Presentation_Attachment IV.C]
MEMBER/DIRECTOR REPORTS	
V.	A. Member
	B. Director
ADJOURN	
VI.	A. Next Meeting



**MEETING MINUTES**  
**GOVERNING BOARD**  
**AND**  
**REGIONAL WORKFORCE DEVELOPMENT BOARD**  
**AMENDED RETREAT AGENDA**

**Thursday, April 26, 2018**  
**8:15 AM to 5:00 PM**

EMBASSY SUITES HOTEL NAPA VALLEY  
 SAUVIGNON ROOM  
 1075 CALIFORNIA BLVD.

### MORNING SESSION: GOVERNING BOARD & EXECUTIVE COMMITTEE

#### A. Welcome and Introductions

Workforce Alliance Executive Director Bruce Wilson welcomed members to the retreat and introduced the retreat's facilitator, John Baker. John Baker served as the Deputy Director of the California Workforce Association, Director of the Contra Costa County Workforce Investment Board and as a Project Officer for the Department of Labor in San Francisco, CA. At present Baker provides consulting services nationally. In addition, Regional Workforce Development Board (RWDB) member Rob Eyler was invited to the morning session. As an expert in the field of economics, he was asked to speak to regional economic and workforce trends.

Governing Board President Damon Connolly welcomed members and commenced the retreat at 8:30.

Governing Board members present: President Damon Connolly, Moke Simon, Dan Gjerde, Brad Wagenknecht and Alfredo Pedroza

Governing Board members absent: Jim Steele, Judy Arnold and Georgeanne Croskey

Executive Committee members present: Vice-chair David Zwicky, Monica Rosenthal, Windi Snearly, Paul Castro and Mary Ann Mancuso

Executive Committee members absent: Chair Jeri Hansen

### INFORMATION/DISCUSSION ITEMS

- A. Overview of the Morning and Anticipations
- B. Roles and Responsibilities of the Governing Board
- C. Key Issues We Want Addressed by the Regional Workforce Development Board
- D. Meeting Calendar Aligned with Work
- E. Communication Among Members of the Governing Board and with the Regional Workforce Development Board

Please see the attached documents, "Governing Board Planning Session Outcomes" and "Regional WDB Planning Session Outcomes", which provide points of discussion and areas of focused efforts moving forward.

### GOVERNING BOARD BUSINESS MEETING

#### CONSENT CALENDAR

Consent Calendar items 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.

President Connolly opened the Consent Calendar for discussion at 11:35. Connolly noted item A, Public Comment should be a stand-alone item. He then asked for public comment. No public comment was made.

A. Public Comment: None

- B. 2018-2019 Contracts (Attachment I - Board Letter)
- C. Approval of Regional Board Members (Attachment II - Board Letter)
- D. Accept Single Audit Report from Clifton Larson Allen (Attachment III - Board Letter)
- E. AJCC Certification (Attachment IV – Board Letter)

Motion made to approve Consent Calendar items B through E. M/S: Alfredo Pedroza/Brad Wagenknecht

Motion carried: 10-0

Yes: Damon Connolly, Moke Simon, Dan Gjerde, Brad Wagenknecht, Alfredo Pedroza, David Zwicky, Monica Rosenthal, Windi Snearly, Paul Castro and Mary Ann Mancuso

No: 0

Abstentions: 0

Absent: Jim Steele, Judy Arnold, Georgeanne Croskey, and Jeri Hansen

### LUNCHEON

**12:00 – 1:00**

### AFTERNOON SESSION: REGIONAL BOARD

#### A. Welcome and Introductions

Wilson welcomed the RWDB members to the retreat and introduced facilitator Baker and Governing Board President Damon Connolly. President Connolly provided a summary of the morning session. Facilitator Baker commenced the afternoon session with a request to members to introduce themselves.

RWDB members present: David Zwicky, Monica Rosenthal, Windi Snearly, Paul Castro, Mary Ann Mancuso, Suzie Byrne, Kelley Hartman, Cecilia Zamora, Paul Hicks, Rob Eyler, Cathy Balach, Tony Castillo, Ken Lippi, Hunter Stern, and Emilia Bartolomeu.

### INFORMATION/DISCUSSION ITEMS

- A. Board Member Anticipations
- B. Review of the Board Direction & Goals Set by Governing Board
- C. Roles, Responsibilities and Parameters of the Regional Board
- D. Discussion of Work Plan for the Coming Year
  - i. Selection of Committees
  - ii. Board Agendas
  - iii. Calendar and Timelines
  - iv. Reflection of the Afternoon

Please see the attached documents, “Governing Board Planning Session Outcomes” and “Regional WDB Planning Session Outcomes”, which provide points of discussion and areas of focused efforts moving forward.

### ADJOURN

Connolly and Wilson brought the retreat to a close at 4:45

## BOARD LETTER II.B



**TO:** REGIONAL WORKFORCE BOARD  
**FROM:** STAFF  
**SUBJECT:** BOARD LETTER II.B – 2018-19 STATE ALLOCATIONS TO WANB  
**DATE:** OCTOBER 11, 2018  
**CC:** FILE

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In accordance with the Workforce Innovation and Opportunity Act, the work of the **Regional Board** is performed in partnership with the Governing Board. The role of the Regional Board is to direct federal, state and local funding to workforce development programs within the Regional Area. Additionally, the Regional Board conducts research on these programs and the needs of their regional economy. They also competitively procure and oversee the American Job and Career Center systems (AJCC's), where job seekers can get employment information, find out about career development and training opportunities and connect to various employment and support programs in their area. AJCC's also provide many no-cost services to employers as well.

Below is a summary of the 13 core responsibilities of Regional Board:

- Submission of a local plan
- Workforce research and regional labor market analysis
- Convening, brokering, and leveraging of local stakeholders
- Sector partnerships and employer engagement
- Education partnerships and career pathways development
- Promote and disseminate information on proven and promising practices
- Develop strategies for use of technology to maximize accessibility and effectiveness of the local workforce development system
- Program oversight
- Negotiation of local performance measures
- Competitive selection and ongoing oversight of service providers
- Coordination with education and training providers, including reviewing the applications to provide adult education and literacy activities in the local area to ensure alignment with the local plan
- Budget and administration
- Annual assessment of one stop to ensure accessibility for individuals with disabilities

In May 2018, the Executive Committee, in accordance with the Regional Workforce Development Board bylaws reviewed and approved acceptance of the following allocations for 2018-19.

## BOARD LETTER II.B

Allocation Breakdown from the State for PY18-19									
	Round One			Round Two		Total			Grand Total
	Youth	Adult	Dislocated Worker	Adult	Dislocated Worker	Youth	Adult	Dislocated Worker	
WANB 17-18	\$ 881,981	\$ 120,854	\$ 157,537	\$ 828,206	\$ 839,372	\$ 881,981	\$ 949,060	\$ 996,909	\$ 2,827,950
WANB 18-19	\$ 832,953	\$ 139,773	\$ 174,677	\$ 741,975	\$ 827,070	\$ 832,953	\$ 881,748	\$ 1,001,747	\$ 2,716,448
Increase (Decrease)	\$ (49,028)	\$ 18,919	\$ 17,140	\$ (86,231)	\$ (12,302)	\$ (49,028)	\$ (67,312)	\$ 4,838	\$ (111,502)
Percent (Decrease)	-6%	16%	11%	-10%	-1%	-6%	-7%	0%	-4%

### STAFF RECOMMENDATION

Ratify approval of 2018-19 State Allocations to the WANB.

## BOARD LETTER II.C



**TO:** REGIONAL WORKFORCE DEVELOPMENT BOARD  
**FROM:** STAFF  
**SUBJECT:** BOARD LETTER II.C – RATIFY TRANSFER OF FUNDS FROM DISLOCATED WORKER TO ADULT  
**DATE:** OCTOBER 11, 2018  
**CC:** FILE

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- Develop strategies for using technology to maximize accessibility and effectiveness if the local workforce development system
- Program oversight
- Negotiation of local performance measures
- Competitive selection and ongoing oversight of service providers
- Coordination with education and training providers, including reviewing the applications to provide adult education and literacy activities in the local area to ensure alignment with the local plan
- Budget and administration
- Annual assessment of one stop to ensure accessibility for individuals with disabilities

On May 9<sup>th</sup>, 2018, the Executive Committee, in accordance with the Regional Workforce Development Board (RWDB) bylaws reviewed and approved a transfer of funds for Subgrant K8106647 to the amount of \$80,000 from Dislocated Worker to Adult. This transfer was requested by Marin County Health and Human Services due to the low number of Dislocated Workers and low unemployment in Marin County.

On August 8<sup>th</sup>, 2018, the Executive Committee, in accordance with the RWDB bylaws reviewed and approved a transfer of funds for Subgrant K8106647 to the amount of \$139,000 from Dislocated Worker to Adult. This transfer was a combination of an additional \$45,000 requested by Marin County Health and Human Services and \$94,000 requested by the Workforce Alliance of the North Bay on behalf of the region. The \$45,000 was due to the low

## **BOARD LETTER II.C**

number of Dislocated Workers and low unemployment in Marin County and \$94,000 was to bring the allocations into alignment with the distribution of costs.

### **STAFF RECOMMENDATION**

Ratify transfers noted herein from Dislocated Worker to Adult for Subgrant K8106647 to the WANB.

# BOARD LETTER II.D



**TO:** REGIONAL WORKFORCE DEVELOPMENT BOARD  
**FROM:** STAFF  
**SUBJECT:** BOARD LETTER II.D - RATIFY WANB AGREEMENTS  
**DATE:** OCTOBER 11, 2018  
**CC:** FILE

JPA staff solicits Workforce Alliance Regional Workforce Development Board ratification of the following agreements and amendments that were formally approved by the Regional Workforce Development Board Executive Committee and executed by the Governing Board.

CONTRACTOR	NEW/ AMENDMENT	Not to Exceed AMOUNT	COMMENTS
MPIC, Inc	Amendment	Mendo:\$364,000 Lake:\$360,814	CareerPoint Mendocino and CareerPoint Lake One Stop Operator and WIOA Adult and DW service provision.
Napa Health and Human Services	Amendment	\$438,477	CareerPoint Napa One Stop operator and WIOA Adult and DW service provision.
Napa Health and Human Services	New	\$193,206	CareerPoint Youth Services provision in Napa County
Marin Health and Human Services	New	\$506,543	CareerPoint Marin One Stop Operator and WIOA Adult and DW service provision.
Redwood Community Services	Amendment	Mendo: \$49,226 Lake: \$50,334	CareerPoint youth services provision in Mendocino County and Lake County. (Note: RCS has chosen to withdraw from agreement and will receive pro-rated amount)
MPIC, Inc.	New	\$299,785	Pro-rated CareerPoint youth services provision in Mendocino County and Lake County.
Petaluma People Services	Amendment	\$158,215	CareerPoint youth services provision in Marin County.
Craft Consulting	Amendment	\$24,000	Automated design, development and deployment of 50 career pathways utilizing the Career Pathway Network as a delivery tool.
Racy Ming Associates	Amendment	\$72,000	Continued chief strategist role for the Workforce Alliance, including overseeing the mandated update of the regional strategic plan, innovation fund project management, apprenticeship program project management and other duties assigned by the Executive Director.
Aldea	Amendment	\$783 per month 3% annually.	Part 1 – Lease of two additional offices for staff (increase of 270 sf) at the same rate of @2.90 a sf. Lease includes reception, janitorial, utilities, IT support, use of common areas including kitchen, training room, board room.  Part 2 - Negotiated additional two years on lease beginning October 2018, with 3% annual increase.



## BOARD LETTER II.D

California Human Development	MOU	Non-Financial	Partnership to equip and maintain a mobile career center with CareerPoint and BrightFutures branding. Under this agreement, WANB will purchase computers and technology to deploy workforce services to the further reaches of our communities and CHD will provide the vehicle.
Napa, Marin, Mendocino and Lake County office(s) of education	MOU	Non-Financial	Partnership to equip career hubs at the high schools, with BrightFutures branding. Under this agreement, WANB will purchase computers and technology to deploy workforce services at the high schools, with specific intent to connect business community members and students both in person and electronically.
MPIC, inc	New	\$121,005	Employee Loan Agreement for Business Services and Rapid Response Outreach.
Marin County Office of Ed (Innovation Fund)	New	\$50,000	Virtual Reality Training
Marin Economic Forum	New	\$50,000	Sector Strategies and framework Convening strategies Economic Education Employment Framework Business Services
Marin SBDC	New	\$13,356	Rx for Business Services
Napa SBDC	New	\$10,400	Rx for Business Services
Napa Hospitality Industry Partnership	New	\$6,900	Teacher summer externships
Napa Health and Human Services	New	\$50,000	Food Stamp Employment – Bridge Academy - Negotiated \$40,000
Economic Forensics	Amendment	\$30,000	Lake County Economic Strategic Plan in partnership with the cities and county of Lake.
Adaptive Edge	New	\$17,830	Internal and external SharePoint and Microsoft 365 solutions for the Workforce Alliance

### STAFF RECOMMENDATION:

Ratify agreements with the above noted contractors and partners.

## BOARD LETTER II.E



**TO:** REGIONAL WORKFORCE DEVELOPMENT BOARD  
**FROM:** STAFF  
**SUBJECT:** BOARD LETTER II.E – RATIFY APPOINTMENT OF SUBCOMMITTEE NOMINATIONS  
**DATE:** OCTOBER 11, 2018  
**CC:** FILE

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### BACKGROUND

The Workforce Alliance Regional Workforce Development Board (RWDB) is a legislatively mandated business led board. In partnership with the Workforce Alliance Governing Board, the RWDB oversees Lake, Marin, Mendocino and Napa Counties' workforce development activities and establishes programs in response to the workforce needs of those communities. It is the region's only organization that has workforce development as its sole purpose and function.

In accordance with Section 18, item e of the Joint Powers Agreement, signed by each member county's board of supervisors, "there will be four standing subcommittees:

1. Lake County
2. Marin County
3. Mendocino County
4. Napa County

The following individuals submitted applications for membership to Lake, Marin and Napa County Subcommittees and were approved by the RWDB Executive Committee.

County Subcommittee	Name	Title	Affiliation/Other
Lake	Judith Kanavle	Director of Mendocino College	Mendocino College
Lake	Mary Sharlow	Student Engagement	Woodland Community College
Marin	Jason Henderson	District Manager	Wells Fargo
Napa	Amar Inalsingh	CEO	AIS Group
Napa	Tami Pacho	HR Director	Meritage Resort
Napa	Mark Van Gorder	Public Affairs	Pg&E
Napa	Myles Davis	President	Myles Davis Electrical
Napa	Christine Meehan	Recruiting Manager	Auberge Resorts
Mendocino/Lake	Paul Castro	Director	California Human Development
Mendocino	Frank Cuneo	Coordinator	Sheet Metal Workers and Trades Introduction Program
Mendocino	Lene Vinding	Accounting Manager	Pamela's Products
Mendocino	Megan Barber-Allende	President	Community Foundation of Mendocino

## BOARD LETTER II.E

Mendocino	Heather Gurewitz	Executive Director	Economic Development & Financing Corporation
Mendocino	William Feather	Inmate Services Coordinator	Mendocino County Sheriff's Department
Mendocino	Christy Pedroncelli-Smith	Principal	Ukiah Adult School
Mendocino	Maureen Mulheren	Owner	Ukiah Valley Networking Agency
Mendocino	Pamela Jensen	Executive Director	Ukiah Valley Association for Habilitation

Note: Frank Cuneo, member of the Napa County Subcommittee requested a transfer to the Mendocino County Subcommittee.

### SAFF RECOMMENDATION

Ratify the above individuals for appointment to the WANB subcommittees as noted.

## BOARD LETTER II.F



**TO:** REGIONAL WORKFORCE DEVELOPMENT BOARD  
**FROM:** STAFF  
**SUBJECT:** BOARD LETTER II.F – RATIFY ACCEPTANCE OF MONETARY CONTRIBUTIONS  
**DATE:** OCTOBER 11, 2018  
**CC:** FILE

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Staff solicits Workforce Alliance Regional Governing Board ratification and approval to accept contributions of donations from 1) Wells Fargo Bank in the amount of (part 1 \$30,000; part 2 \$20,000; and 2) PG&E in the amount of \$20,000 for the Workforce Innovation Fund.

The purpose of the Innovation Fund is to support system-wide solutions which will lead to greater economic vitality for the residents and businesses in the four county Alliance region of Lake, Marin, Mendocino, and Napa counties. Successful applicants will design, develop, or prototype new tools, methods and strategies to create unique services tailored to the needs of customers.

Each project must identify a challenge or gap that if successfully addressed, would significantly “move the needle” on employment and/or business productivity. The project should address a challenge that the workforce system is facing in increasing opportunity, effectiveness, and/or scale in addressing the training, placement, or advancement of career seekers and/or the advancement of key industry sectors in terms of business expansion or layoff aversion. Some projects may be tailored to meet the needs of more than one group, or more than one aspect of the workforce pipeline.

**Paragraph 10 (a)(8) Powers/Responsibilities of the Agency exercised by the Governing Board** of the joint powers agreement, states that “the Agency shall have the power to exercise any power common to all Member Counties as authorized by Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (commencing with section 6500) and is hereby authorized to do all acts necessary for the exercise of these common powers, including...,

- (8) Apply for and receive state, federal, local governmental and privately funded grants, and may receive contributions of donations from any source and may also earn and expend income so received.

### **STAFF RECOMMENDATION:**

Ratify contributions of donations from 1) Wells Fargo Bank in the amount of \$30,000 and \$20,000; and 2) PG&E in the amount of \$20,000 to support the Workforce Innovation Fund.

## BOARD LETTER II.G



**TO:** REGIONAL WORKFORCE DEVELOPMENT BOARD  
**FROM:** STAFF  
**SUBJECT:** BOARD LETTER II.G – RATIFY CERTIFICATION OF AJCC CAREERPOINT NORTH BAY CENTERS  
**DATE:** OCTOBER 11, 2018  
**FILE:** FILE

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In Program Year 17-18 the State required every Workforce Development Board to conduct a certification process for each comprehensive AJCC (CareerPoint Center) within their local workforce development area. The State delineated a certification process with two parts. The first part or baseline certification focused on areas related to compliance. The second part or Hallmarks of Excellence, which includes a large number of qualitative factors. Every AJCC in the Workforce Alliance region was scored on eight defined Hallmarks, and each one received a continuous improvement plan, regardless of their scores.

Board members participated in site visits for all four of the Workforce Alliance's CareerPoint Centers. Staff completed the written reports and continuous improvement plans for each location. Scores took into account observations from the site visits as well as reviews of other relevant documents and information.

When the draft reports were complete, staff provided them to the contractors for an opportunity to review and add any additional supplemental documentation which may not have been previously considered but that they felt should be factored into their scores, before final submission to the state. At the joint meeting on April 26<sup>th</sup>, 2018 between the Regional Workforce Development Board and Governing Board, the Board empowered the chair of the Workforce Alliance Regional Workforce Development Board to sign off on the final reports which were submitted to the state by the June 30, 2018 deadline.

The AJCC certification reports for each of the WANB's comprehensive centers are available by right-clicking the links below:

[Lake AJCC Certification](#)  
[Marin AJCC Certification](#)  
[Mendocino AJCC Certification](#)  
[Napa AJCC Certification](#)

### STAFF RECOMMENDATION:

Ratify the AJCC certification of CareerPoint North Bay centers.

## BOARD LETTER II.H



**TO:** REGIONAL WORKFORCE DEVELOPMENT BOARD  
**FROM:** STAFF  
**SUBJECT:** BOARD LETTER II.H – RATIFY ESTABLISHMENT OF POLICY AND OVERSIGHT COMMITTEE AND APPOINTMENT OF MEMBERS  
**DATE:** OCTOBER 11, 2018  
**FILE:** FILE

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Staff solicits Workforce Alliance Regional Workforce Development Board (RWDB) ratification of the establishment of the WANB Policy and Oversight Committee.

ARTICLE IX, Section 1 of the of the Regional Workforce Board by laws state: *“In addition to the Executive Committee, the WANB RWDB shall, as necessary be organized into standing or ad hoc committees to carry out its functions and responsibilities as assigned. Standing committees are formed to consider subjects on an ongoing basis or stated period of time. As needed, the WANB RWDB may also form ad hoc committees charged with accomplishing specific tasks within a relatively short period of time. The Chair and members of the committees shall be designated by the Board Chair.*

Further, ARTICLE IX, Section 3 states: *“The size of each of the committees described in Section 1 and the terms of the members shall be established by the Executive Committee.”*

At its meeting on August 8<sup>th</sup>, 2018, the Executive Committee took action to establish a regionally configured policy and oversight committee composed of representatives from each of the four member counties. The purpose of the committee is two-fold. First, it is directed to review and establish policy recommendations for approval by the RWDB in accordance with the bylaws. Secondly, the committee is to assist the Executive Committee review performance of the Alliance’s CareerPoint centers.

Additionally, the committee approved the following individuals for appointment to the committee:

Paul Castro - Lake  
Heather Gurewitz - Mendocino  
Amar Inalsingh - Napa  
Beth Pratt - Marin

### STAFF RECOMMENDATION:

Ratify establishment of Policy and Oversight Committee and the appointment of members as presented.

## BOARD LETTER II.I



**TO:** REGIONAL WORKFORCE DEVELOPMENT BOARD  
**FROM:** STAFF  
**SUBJECT:** BOARD LETTER II.I – RATIFY DEBT COLLECTION LETTER SUBMISSION TO MENDOCINO PRIVATE INDUSTRY COUNCIL  
**DATE:** OCTOBER 11, 2018  
**CC:** FILE

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The Workforce Alliance Governing Board and Regional Workforce Development Board (RWDB) have a critical role in the creation and oversight of the workforce development system in Marin, Napa, Mendocino and Lake counties. Among the several responsibility areas of the boards are:

- In coordination with the regional board, develop workforce investment activities and approve providers of WIOA services.
- *Approve and monitor as required the WIOA budget/expenditures, activities and performance outcomes of American Job and Career Center Systems (AJCC).*

During the months of February to April 2018, the Executive Director's office assumed responsibility for and transitioned day to day accounting of WANB finances. Immediately upon receiving responsibility for fiscal service operations, the Executive Director ordered a complete review of all WANB fiscal transactions since WANB's inception. It was during this review that Executive Director's staff discovered that in program year 2016-17, one of its AJCC contractors, Mendocino Private Industry Council, Inc. (MPIC) had billed the JPA/WANB for \$58,745 more than what was stipulated in their contractual agreement and that the WANB Fiscal Services team had paid MPIC the full amount invoiced.

At its meeting on August 8<sup>th</sup>, 2018 the Executive Committee received a report from staff detailing the overpayment and recommended that staff pursue debt collection of the overpaid amount over the course of the next year. Additionally, at its meeting on September 28<sup>th</sup>, 2018, the Governing Board received the same report detailing the overpayment. The Governing Board concurred with the Executive Committee's recommendation and directed staff to take steps to recover the funds in the amount to \$58,745 and to determine whether an incident report would be necessary.

Staff have worked with the provider – MPIC to discuss terms of the repayment. Repayment will occur on a monthly basis of equal installments until all overpaid funds are repaid.

### STAFF RECOMMENDATION

Ratify the debt collection of \$58,745 in overpaid funds to MPIC.

## BOARD LETTER II.J



**TO:** REGIONAL WORKFORCE DEVELOPMENT BOARD  
**FROM:** STAFF  
**SUBJECT:** BOARD LETTER II.J – APPROVE WANB POLICIES  
**DATE:** OCTOBER 11, 2018  
**CC:** FILE

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Staff solicits Workforce Alliance Regional Workforce Development Board approval of the following Workforce Alliance of the North Bay policies. These policies were reviewed and approved for recommendation, as presented, by the newly established regional policy and oversight committee on October 2, 2018.

1. Incident Reporting Policy (Attached)
2. Personally Identifiable Information Policy (Attached)
3. Nondiscrimination and Equal Opportunity Policy (Attached)
4. Limited English Proficiency Policy (Attached)

### STAFF RECOMMENDATION:

Approve above policies as presented.





## INCIDENT REPORTING

### PURPOSE

This policy outlines the procedure for reporting incidents, including but not limited to criminal fraud, criminal abuse, or other criminal activity and noncriminal complaints, such as gross waste of funds, to the Compliance Review Office (CRO) of the Employment Development Department (EDD) and the Department of Labor's (DOL) Office of Inspector General (OIG). This policy applies to the Workforce Alliance of the North Bay (Alliance) and its subrecipients under the Workforce Innovation and Opportunities Act (WIOA). Nothing in this procedure should preclude or discourage the reporting of criminal incidents to local authorities as well.

### SCOPE

Workforce Innovation and Opportunity Act Title I contracted Service Providers

### RESPONSIBLE PARTY

Workforce Alliance of the North Bay  
Regional Workforce Development Board

### REFERENCES

- Title 20 Code of Federal Regulations (CFR) Sections 667.505 and 667.630
- DOL Training Employment and Guidance Letter 2-12, Employment and Training Administration (ETA) Grant Recipient Responsibilities for Reporting Instances of Suspected Fraud, Program Abuse and Criminal Conduct (July 12, 2012)
- Workforce Services Directive WSD12-18, Incident Reporting (June 12, 2013)

### DOCUMENTS

- Incident Report Form

### DEFINITIONS

**Complaint** – for this policy, means criminal and noncriminal complaints accepted by DOL as incidents, such as gross waste of funds, mismanagement, and dangers to public health and safety.

**Subrecipient** - for this policy, means a recipient that does not receive WIOA funds directly from the State, but rather through the Alliance.

**Emergency** – a situation involving imminent health or safety concerns, or the imminent loss of funds exceeding an amount larger than \$50,000.

**Employee/Participant Misconduct** – actions occurring during or outside work hours that reflect negatively on the Employment Development Department (EDD) or its mission, including, but not limited to: conflict of interest or the appearance of conflict of interest involving outside employment, business and

professional activities; the receipt or giving of gifts, fees, entertainment, and favors; misuse of government property; and, misuse of official information and other activities that might adversely affect the confidence of the public in the integrity of the government as well as serious violations of federal and State laws.

*Fraud, Misfeasance, Nonfeasance or Malfeasance* – any alleged deliberate action which may be in violation of government statutes and regulations. This category includes, but is not limited to, indications of bribery, forgery, extortion, embezzlement, theft of participant checks, kickbacks from participants or contractors, intentional payments to a contractor without the expectation of receiving services, payment to ghost enrollees, misuse of appropriated funds, misrepresenting information in official reports, and falsification of records and claims regarding trainees (e.g. knowingly enrolling ineligible participants). Criminal fraud is a type of larceny and is punishable under both federal and California law as a felony. Civil fraud is subject to tort actions under civil laws.

*Gross Mismanagement* - any actions or situations arising out of management ineptitude or oversight and leading to a major violation of the legislative process, regulations, or contract/grant provisions. These actions or situations have the potential to severely hamper accomplishment of program goals, waste government resources, and jeopardize future support for a particular project. This category includes, but is not limited to, unauditable records, unsupported costs, highly inaccurate fiscal reports or program reports, payroll discrepancies, payroll deductions not paid to the IRS or the State of California, and lack of good internal control procedures.

*Incident Report* - the primary form for reporting instances of fraud, misapplication of funds, gross mismanagement, and any other incidents of known or suspected criminal or other serious activities.

*Misapplication of Funds* - any alleged deliberate use of funds, assets or property not authorized or provided for by legislation or regulations, grants, or contracts. This category includes, but is not limited to, nepotism, political patronage, use of participants for political activity, ineligible enrollees, conflict of interest, failure to report income from federal funds, violation of contract/grant procedures, the use of government funds for other than specified purposes, and the use of WIOA funds for other than WIOA purposes.

*Standard of Conduct Violations* - violations of terms and conditions stipulated in the subgrant agreement. The relevant stipulations in the subgrant agreement are General Assurances, Employment of Former State Employees, Conducting Business Involving Relatives, Conducting Business Involving Close Personal Friends and Associates, Avoidance of Conflict of Economic Interest, and Maintenance of Effort.

*OIG Hotline* - The OIG operates the hotline to receive and process allegations of fraud, waste, and abuse concerning grants, contracts, programs and operations. The OIG also uses the hotline to address allegations of criminal activity and serious misconduct involving government employees.

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## POLICY

### I. General

- A. All Alliance staff members and subrecipients that receive WIOA funds must be alert for instances of fraud, abuse, and criminal activity committed by staff, contractors, or program participants and report all such instances to the Alliance, OIG and the EDD CRO immediately.
- B. Each Alliance subrecipient shall establish appropriate internal program management procedures to prevent and detect fraud, abuse, and criminal activity. These procedures must include a reporting process to ensure that the Alliance, OIG and CRO are notified



immediately of any allegations of WIOA-related fraud, abuse, or criminal activity. Internal management procedures must be in writing and include the designation of a person on the subrecipients' staff who will be responsible for such notifications.

- C. Alliance subrecipients procedures must include immediately notifying the Alliance of any suspected or proven fraud, abuse, or other criminal activity involving WIOA-funded activities and adhere to the Alliance policy reporting process. Subrecipients must be alert for instances of fraud, abuse, and criminal activity committed by staff, contractors, or program participants and report all such instances to the Alliance, OIG and CRO immediately. Subrecipients detecting the presence or appearance of fraud, abuse, or other criminal activity must obtain sufficient information to provide a clear, concise report of each incident. Reports must include a statement of all facts, known at the time, as well as any known or estimated loss of WIOA funds resulting from the incident. It is important that an initial report is made to the Alliance, OIG and CRO within one working day of the detection of the incident. The submission of an incident report should not be delayed even if all facts are not readily available. Any facts subsequently developed by the subrecipient are to be forwarded in a supplemental incident report.
- D. The reporting procedures do not supersede the responsibility for subrecipients to safeguard WIOA funds by taking prompt and appropriate corrective action when any evidence of a violation of WIOA or its implementing regulations is found.

## II. Reporting

- A. Immediately upon detection or discovery of information alleging fraud, abuse, or other criminal activity involving WIOA funds, the Alliance subrecipients will notify the Alliance Complaints Analyst by either telephone or email as follows:

**Tamara Ochoa**

Telephone: (707) 699-1650

Email: [tochoa@workforcealliancenorthbay.org](mailto:tochoa@workforcealliancenorthbay.org)

- B. Within one workday of detection or discovery of information alleging fraud, abuse, or other criminal activity involving WIOA funds, a written incident report shall be prepared by the detecting entity. The report must be submitted on the Alliance Incident Report Form containing the requested information. Submit the report to the Alliance, CRO, and OIG as follows:

The Alliance: Attention: Operations Unit  
Workforce Alliance of the North Bay  
1546 First Street, Napa, CA 94559

CRO: Attention: Compliance Resolution Unit  
Compliance Review Office, MIC 22  
Employment Development Department  
P.O. Box 826880  
Sacramento, CA 94280-001

OIG: (choose one of the following methods)  
Website: [www.oig.do.gov/hotlinecontact.htm](http://www.oig.do.gov/hotlinecontact.htm)  
Telephone: 1-800-347-3756  
FAX: (202) 693-7020  
Mail: Office of Inspector General  
Complaints Analysis Office  
200 Constitution Avenue, N.W., Room S-5506  
Washington, D.C. 20210



- C. Allegations considered to be of an emergency nature may be reported by telephone to the Compliance Resolution Unit Supervisor at (916) 653-0298 and by calling the OIG/DOL Hot Line at 1-800-347-3756 and followed immediately thereafter by a written incident report.
- D. Whenever the entity reporting the allegation of an incident believes that immediate action to prevent further financial loss or other damage is necessary, or recovery of funds or property may be impeded if immediate action is not taken, the reporting entity has the responsibility to take any action it deems appropriate, including contacting the local law enforcement agency. Any immediate action taken or planned by the reporting entity must be reported to the CRO when the incident report is submitted.
- E. The Workforce Services Division will forward any incident report it receives to the CRO. The CRO will record any incident report it receives in the WIOA Incident Report System and forward the incident report to DOL/ETA, Region 6, within one working day of receipt. However, the CRO may have to contact the reporting entity for clarification or additional details prior to forwarding it to Region 6. Concurrently with its transmittal of the incident report to Region 6, the CRO will, when applicable, notify the reporting entity to take appropriate action to recover misspent funds, or to contain its financial liability.
- F. Upon receipt, Region 6 will forward the incident report to the DOL Regional OIG, San Francisco. Subsequently, Region 6 will advise the EDD of the action to be taken by the DOL Regional OIG. If the OIG decides to investigate the incident, the CRO will wait for the OIG's results before commencing the state-level formal resolution. If the OIG decides not to investigate the incident, the CRO will request, when appropriate, a special monitoring review or an investigation by the appropriate state entities. Otherwise, the CRO will require the Alliance to submit its fact finding and local resolution.
- G. Allegations of fraud, abuse, or other criminal activity in WIOA-funded programs may originate from sources other than subrecipients. Such sources may include informants, independent auditors, or local law enforcement agencies. Whenever the EDD receives an allegation from such source, the CRO will prepare an incident report (DOL Form DL 1-156) and submit it to Region 6, in accordance with this directive. In such a case, the CRO will, when appropriate, inform the subject subrecipient of the incident reported and advise the latter of the need to take certain action. Upon contact from the CRO, the subrecipient will contact the Alliance Complaints Analyst and inform them of the report.
- H. During an investigation, based on a report of fraud or abuse, the DOL OIG investigators or auditors may contact a subrecipient regarding an incident of which the subrecipient was not previously aware. Upon learning of the incident from federal sources, the subrecipient should contact the CRO to determine whether the latter is aware of the incident. If the subrecipient is not aware of the allegations but the CRO is, then the CRO will, when appropriate, inform the subrecipient of the specific allegations contained in the incident report. The subrecipient will contact the Alliance Complaints Analyst and inform them of the allegations.
- I. Action will not be taken against any complainant for disclosing information concerning criminal or improper activities or making a valid complaint to proper authorities. Complainants may remain anonymous. If a complainant considers that their position will be compromised by reporting information via an incident report, they may send the report directly to the OIG.



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**POLICY UPDATE HISTORY**

(Date Board Approves) – New Policy

**INQUIRIES**

Questions regarding this policy can be sent to the Complaints Analyst.



## PERSONALLY IDENTIFIABLE INFORMATION (PII)

### PURPOSE

The purpose of this policy is to provide guidance to Workforce Alliance of the North Bay (Alliance) service providers on compliance with the requirements of acquiring, handling, transmitting, and protecting Personally Identifiable Information (PII).

### SCOPE

Workforce Alliance of the North Bay Staff  
Workforce Innovation and Opportunity Act Title I contracted Service Providers

### RESPONSIBLE PARTY

Workforce Alliance of the North Bay  
Regional Workforce Development Board

### REFERENCES

- Workforce Innovation and Opportunity Act (WIOA)
- U.S. Department of Labor, Training and Employment Guidance Letter (TEGL) WIOA NO. 39-11
- Federal Information Processing Standards (FIPS) 140-2
- Office of Management and Budget (OMB) M-07-16

### DEFINITIONS

**Non-Sensitive PII** - Information that if disclosed, by itself, could not reasonably be expected to result in personal harm. Essentially, it is stand-alone information that is not linked or closely associated with any protected or unprotected PII. Examples of non-sensitive PII include information such as first and last names, e-mail addresses, business addresses, business telephone numbers, general education credentials, gender, or race. However, depending on the circumstances, a combination of these items could potentially be categorized as protected or sensitive PII.

**PII** - Information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.

**Protected PII** - Information that if disclosed could result in harm to the individual whose name or identity is linked to that information. Examples of protected PII include, but are not limited to, social security numbers (SSNs), credit card numbers, bank account numbers, home telephone numbers, ages, birthdates, marital status, spouse names, educational history, biometric identifiers (fingerprints, voiceprints, iris scans, etc.), medical history, financial information, and computer passwords.

**Sensitive Information** - Any unclassified information whose loss, misuse, or unauthorized access to or modification of could adversely affect the interest or the conduct of Federal programs, or the privacy to which individuals are entitled under the Privacy Act.



*Service Provider* - WIOA Title I contracted service providers for One-Stop Operator, and Adult, Dislocated Worker, and Youth Services, as well as any other contracted entity providing WIOA services.

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## POLICY

- I. Federal Law and OMB policies require that PII and sensitive information be protected. To ensure compliance with Federal Law and Regulations, Alliance service providers must secure the storage and transmission of PII and sensitive data developed, obtained, or otherwise associated with Workforce Innovation and Opportunities Act (WIOA) funds.
- II. In addition to the requirement above, all grantees must also comply with all the following:
  - A. To ensure that such PII is not transmitted to unauthorized users, all PII and other sensitive data transmitted via e-mail or stored on CDs, DVDs, thumb drives, etc. must be encrypted using Federal Information Processing Standards (FIPS) 140-2 compliant and National Institute of Standards and Technology (NIST) validated cryptographic module. **Service providers must not e-mail unencrypted sensitive or protected PII to any entity.**
  - B. Service providers shall ensure that any PII used during the performance of their grant has been obtained in conformity with this policy and applicable Federal and State Laws governing confidentiality of information.
  - C. Service providers further acknowledge that all PII data obtained through the provision of WIOA services shall be stored in an area that is physically safe from access by unauthorized persons at all times and the data will be processed using grantee issued equipment, managed Information Technology (IT) services, and designated locations approved by the Alliance. Accessing, processing, and storing of WIOA grant PII data on personally owned equipment, at off-site locations (e.g. employee's home), and non-grantee managed IT services (e.g. Yahoo mail), is strictly prohibited.
  - D. Service providers' employees and other personnel who will have access to sensitive confidential/proprietary/private data must be advised of the confidential nature of the information, the safeguards required to protect the information, and that there are civil and criminal sanctions for noncompliance with such safeguards that are contained in Federal and State laws.
  - E. Service providers must have policies and procedures in place under which their employees and other personnel, before being granted access to PII, acknowledge their understanding of the confidential nature of the data and the safeguards with which they must comply in their handling of such data as well as the fact that they may be liable to civil and criminal sanction for improper disclosure.
  - F. Service providers must not extract information from data supplied for any purpose not stated in the related Memorandum of Understanding (MOU), contracts, and/or agreements.
  - G. Access to any PII created by the WIOA grant must be restricted to only those employees of the service provider who need it in their official capacity to perform duties in connection with the scope of work in related MOU, contracts, and/or agreements.
  - H. All PII data must be processed in a manner that will protect the confidentiality of the records/documents and is designed to prevent unauthorized persons from retrieving such records by computer, remote terminal, or any other means. Data may be downloaded to, or maintained on, mobile or portable devices only if the data are encrypted using NIST validated



software products based on FIPS 140-2 encryption. In addition, wage data may only be accessed from secure locations.

- I. Service providers must permit the Alliance to make onsite inspections during regular business hours for the purpose of conducting audits and/or conducting other investigations to assure compliance with the confidentiality requirements. In accordance with this responsibility, services providers must make records available to authorized persons for the purpose of inspection, review, and/or audit.
- III. A service provider's failure to comply with these requirements, or any improper use or disclosure of PII for an unauthorized purpose may result in termination or suspension of the WIOA grant, or the imposition of special conditions or restrictions, or such other actions as the Alliance may deem necessary to protect the privacy of participants or the integrity of data.
- IV. Protected PII is the most sensitive information encountered by service providers and it is important to protect this information. Service Providers are required to protect PII and sensitive information when transmitting, collecting, transporting, storing, and/or disposing of information as well. Outlined below are steps to be followed to help protect PII:
  - A. Before collecting PII or sensitive information from participants, have participants sign releases acknowledging the use of PII for WIOA purposes only.
  - B. Whenever possible, use unique identifiers for participant tracking instead of SSNs. When tracking individuals using an SSN, a truncated version should be used so that the full SSN does not display (\*\*\*-\*\*-1111 for example).
  - C. When disposing of paper files containing PII, the documents shall be shredded. Any PII stored electronically shall be deleted using a secure manner.
  - D. Records containing PII shall never be left unattended and computer terminals shall be password protected when a computer is left unattended for any length of time.
  - E. Documents containing PII shall be locked in cabinets when not in use and at the end of each business day.
  - F. When transporting documents containing PII, the documents shall be secured in a locked mobile file storage box/case.
- V. Any perceived or suspected breach of PII either electronically or by other means shall be reported immediately to the Alliance Operations Analyst, who will report it to the US Department of Labor Employment and Training Administration (ETA) Information Security at [ETA.CSIRT@dol.gov](mailto:ETA.CSIRT@dol.gov), (202) 693-3444.

## POLICY UPDATE HISTORY

(Date Board Approves) – New Policy

## INQUIRIES

Questions regarding this policy can be sent to the Alliance Operations Analyst.







## NONDISCRIMINATION AND EQUAL OPPORTUNITY

### PURPOSE

This policy provides guidance on the nondiscrimination and equal opportunity provisions found in Section 188 of the Workforce Innovation and Opportunities Act (WIOA) and Title 29 Code of Federal Regulations (CFR) Part 38. These provisions prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including LEP), age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship or participation in a WIOA Title I financially assisted program or activity.

### SCOPE

Workforce Innovation and Opportunity Act Title I contracted Service Providers

### RESPONSIBLE PARTY

Workforce Alliance of the North Bay  
Regional Workforce Development Board

### REFERENCES

- Civil Rights Act of 1964 (Public Law 88-352) Titles VI and VII
- Education Amendment of 1972 (Public Law 92-318) Title IX
- Rehabilitation Act of 1973 (Public Law 93-112) Title V, Section 504
- Age Discrimination Act of 1975 (Public Law 94-135)
- American Disabilities Act of 1990 (ADA) (Public Law 101-336)
- Workforce Innovation and Opportunities Act (WIOA) (Public Law 113-128) Sections 121(b), 188, and 183(c)
- Title 20 Code of Federal Regulations (CFR) Sections 658.400
- Title 28 CFR Part 35, Subpart A
- Title 29 CFR Parts 31, 32, 34, 38, and 1690-1691
- Title 41 CFR Part 101-19, Subpart 101-19.6
- Title 45 CFR Part 90, Subpart D, Section 90.43(c)(3)
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP)
- Fair Employment and Housing Act Government Code Section 12900 – 12996
- Dymally-Alatorre Bilingual Services Act (DABSA), Government Code Section 7290-7299.8
- Workforce Services Directive WSD17-01, Subject Nondiscrimination and Equal Opportunity Procedures (August 1, 2017)

## DOCUMENTS

- Equal Opportunity Is The Law Notice/Poster
- WANB103 - Equal Opportunity Is The Law Acknowledgement Form
- WANB104 – Discrimination Complaint Form
- WANB105 – Discrimination Complaint Log

## DEFINITIONS

*Complaint* – an allegation of a violation of the nondiscrimination and equal opportunity provisions

*Nondiscrimination Plan* – a state-level document that reflects the Governor’s commitment to nondiscrimination and equal opportunity provisions of WIOA. The Nondiscrimination Plan replaces the Methods of Administration (MOA) under the Workforce Investment Act (WIA) of 1998

*Recipient* - any entity to which financial assistance under WIOA Title I is extended, either directly from the Department of Labor (DOL) or through the Governor or another recipient (including any successor, assignee, or transferee of a recipient), but excluding the ultimate beneficiaries of the WIOA Title I funded program or activity. In addition, One-Stop partners, as defined in Section 121(b) of the WIOA, are treated as “recipients” and are subject to the nondiscrimination and equal opportunity requirements of Title 29 CFR Part 38, to the extent that they participate in the One-Stop delivery system (29 CFR 38.4[zz])

*State Equal Opportunity (EO) Officer* – The Employment Development Department’s (EDD) EO Officer

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## POLICY

- I. Equal Opportunity Officer - The Workforce Alliance of the North Bay (Alliance) has designated the following individual as the Equal Opportunity (EO) Officer for the four-county area of Napa, Marin, Lake, and Mendocino Counties:

**Tamara Ochoa**

1546 First Street, Napa, CA 94559

T: (707) 699-1950, California Relay Service 711

[EEOMail@workforcealliancenorthbay.org](mailto:EEOMail@workforcealliancenorthbay.org)

- A. The EO Officer’s responsibilities include the following:
  1. Serving as liaison with EDD EEO Office
  2. Investigating and monitoring the Alliance and its service providers’ WIOA Title I funded activities and programs.
  3. Reviewing written policies of the Alliance and its service providers.
  4. Developing, publishing, and enforcing the Alliance’s discrimination complaint procedures.
  5. Conducting outreach and education about equal opportunity and nondiscrimination requirements consistent with 29 CFR Section 38.40, and how an individual may file a complaint consistent with 29 CFR 38.69.
  6. Participating in continuing training and education, and ensuring that assigned staff receives the necessary training and support to maintain competency.



7. Informing participants, employees and program beneficiaries of their equal opportunity rights and responsibilities, and how the discrimination complaint process works.
- B. The EO Officer's identity and contact information shall appear on all internal and external communications about the recipient's nondiscrimination and equal opportunity programs.
- C. The state shall be notified whenever the individual assigned as the EO Officer changes.

## II. Notice and Communication

- A. Initial and continuing notice of nondiscriminatory practices must be provided by Alliance service providers to participants and applicants. Service providers shall use the Alliance notice/poster titled **Equal Opportunity is the Law** that also includes language highlighting the right to file a complaint. Service providers shall use this notice/poster to meet the following criteria:
  1. Post prominently, in reasonable numbers and places, in available and conspicuous physical locations and on the service provider's website pages.
  2. Disseminate in internal memoranda and other written or electronic communications with staff.
  3. Include in employee and participant handbooks or manuals regardless of form, including electronic and paper form if both are available.
  4. Provide to each participant and employee; the notice must be made part of each employee's and participant's file. It must be part of both paper and electronic files, if both are maintained.
  5. Review with each participant and have them sign the Equal Opportunity is the Law Acknowledgement form. The acknowledgment form must be made part of each participant's file. It must be part of both paper and electronic files, if both are maintained.
- B. The notice shall be provided in appropriate formats to registrants, applicants, eligible applicants/registrants, applicants for employment, employees, and participants with visual impairments. Where notice has been given in an alternate format to registrants, applicants, eligible applicants/registrants, participants, applicants for employment, and employees with a visual impairment, a record that such notice has been given must be made part of the employee's or participant's file.
- C. The notice must be provided in appropriate languages other than English (29 CFR Section 38.36[b]).
- D. Distributed publications, electronic media and other communications including the homepage of the Alliance and its service providers' websites and broadcasts in news media which promote WIOA programs or activities, shall include language that the WIOA Title I financially assisted program or activity is an "equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities."
- E. Where hard copy or electronic materials indicate that the Alliance or its service providers may be reached by telephone, the materials must also provide a TTY number or equally



effective communication system. The telephone number of the California Relay Service (CRS), which can be reached by dialing 711 or 1-800-735-2922, can be indicated.

- F. The Alliance and its service providers shall take reasonable steps to ensure that limited English proficiency (LEP) individuals have meaningful access to programs and activities. Interpretation or translation services shall be provided free of charge, and in a timely manner as to ensure equal access to programs and activities.
- G. During each presentation to orient new participants, new employees, and/or the general public to its WIOA Title I-financially assisted programs or activity, whether this be in person or over the internet or using other technology, a discussion of rights and responsibilities under the nondiscrimination and equal opportunity provisions of WIOA Section 188 and 29 CFR Part 38 must be included, including the right to file a complaint of discrimination with the Alliance, its service providers, or the Director of the U.S. Department of Labor (DOL) Civil Rights Center (CRC ).

### III. Data and Information Collection and Maintenance

- A. Nondiscrimination data shall be collected and maintained by the Alliance and its service providers and will be maintained so that the Governor and/or the CRC may conduct statistical or other quantifiable data analyses to verify the compliance with Section 188 of the WIOA and 29 CFR Part 38.
- B. Nondiscrimination data must include, but is not limited to, records on applicants, registrants, eligible applicants/registrants, participants, terminees, employees, and applicants for employment. The Alliance and its service providers shall record the race/ethnicity, sex, age, and where known, disability status, of every applicant, registrant, participant, terminee, applicant for employment, and employee. Such information will be kept for a period of not less than three years from the close of the applicable program year, stored in a manner that ensures confidentiality, and will be used only for the purposes of any of the following:
  - 1. Recordkeeping and reporting.
  - 2. Determining eligibility, where appropriate, for WIOA Title I-financially assisted programs or activities.
  - 3. Determining the extent to which the recipient is operating its WIOA Title I-financially assisted program or activity in a nondiscriminatory manner.
  - 4. Other use authorized by law.
- C. Any medical or disability-related information obtained about a particular individual, including information that could lead to the disclosure of a disability, must be collected on separate forms. All such information, whether in hard copy, electronic, or both, must be maintained in one or more separate files, apart from any other information about the individual, and treated as confidential. Whether these files are electronic or hard copy, they must be locked or otherwise secured (e.g., through password protection).

### IV. LEP and Preferred Language Data

- A. As indicated in 29 CFR Section 38.41, "LEP and preferred language" has been added to the list of categories of information that must be recorded about each applicant, registrant, eligible applicant/registrant, participant, and terminee. (LEP data does not need to be collected for employment or employees).

### V. Complaint Log



- A. Service providers shall promptly notify the Alliance, who will notify the state or CRC when any administrative enforcement actions or lawsuits are filed against them alleging discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including LEP), age, disability, or political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship or participation in a WIOA Title I-financially assisted program or activity.
- B. The Alliance will maintain a log of complaints filed with the Alliance and/or its service providers alleging discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin, age, disability, political affiliation or belief, citizenship, and/or participation in a WIOA Title I-financially assisted program or activity.
- C. The Discrimination Complaint Log will contain the following information:
  - 1. The name and address of the complainant
  - 2. The basis of the complaint
  - 3. A description of the complaint
  - 4. The date the complaint was filed
  - 5. The disposition and date of the disposition of the complaint
  - 6. Other pertinent information
- D. The complaint log will be mailed annually to the following address:  
 Equal Employment Opportunity Office  
 Employment Development Department  
 800 Capitol Mall, MIC 49  
 Sacramento, CA 94280-0001  
 Or, Emailed to [EEOMAIL@edd.ca.gov](mailto:EEOMAIL@edd.ca.gov)

#### VI. Affirmative Outreach

- A. The guidelines found in 29 CFR Section 38.40 require the Alliance and its service providers to take appropriate steps to ensure that they are providing equal access to their WIOA Title I-financially assisted programs and activities. These steps should involve reasonable efforts to include members of the various groups protected by 29 CFR Part 38 including but not limited to persons of different sexes, various racial and ethnic/national origin groups, various religions, LEP individuals, individuals with disabilities, and individuals in different age groups. Such efforts may include, but are not limited to, the following:
  - 1. Advertising the WIOA Title I programs and/or activities in media such as newspapers or radio programs that specifically target various populations.
  - 2. Sending notices about openings in the WIOA Title I programs and/or activities to schools or community service groups that serve various populations.
  - 3. Consulting with appropriate community service groups about ways in which the Alliance and/or its service providers may improve their outreach and service to various populations.

#### VII. Discrimination Prohibited Based on Disability

- A. In providing any aid, benefit, service, or training under a WIOA Title I-financially assisted program or activity, whether directly or through contractual, licensing, or other



arrangements, on the basis of disability, the Alliance and its service providers must not do any of the following:

1. Deny a qualified individual with a disability the opportunity to participate in or benefit from the aid, benefit, service, or training, including meaningful opportunities to seek employment and work in competitive integrated settings.
2. Afford a qualified individual with a disability an opportunity to participate in or benefit from the aid, benefits, services, or training that is not equal to that afforded others.
3. Provide a qualified individual with a disability with any aid, benefit, service, or training that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others.
4. Provide different, segregated, or separate aid, benefit, service, or training to individuals with disabilities, or to any class of individuals with disabilities, unless such action is necessary to provide qualified individuals with disabilities with any aid, benefit, service, or training that is as effective as those provided to others, and consistent with the requirements of the Rehab Act as amended by the WIOA, including those provisions that prioritize opportunities in competitive integrated employment.
5. Deny a qualified individual with a disability the opportunity to participate as a member of planning or advisory boards.
6. Otherwise limit a qualified individual with a disability in enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving any aid, benefit, service, or training.

#### VIII. Accessibility Requirements

- A. No qualified individual with a disability may be excluded from participation in, or be denied the benefits of a recipient's service, program, or activity or be subjected to discrimination by any recipient because a recipient's facilities are inaccessible or unusable by individuals with disabilities.
- B. All WIOA Title I-financially assisted programs and activities must be programmatically accessible; this includes:
  1. Providing reasonable accommodations for individuals with disabilities;
  2. Making reasonable modifications to policies, practices, and procedures;
  3. Administering programs in the most integrated setting appropriate;
  4. Communicating with persons with disabilities as effectively as with others; and
  5. Providing appropriate auxiliary aids or services.

#### IX. Reasonable Accommodation and Reasonable Modifications for Individuals with Disabilities

- A. With regard to any aid, benefit, service, training, and employment, reasonable accommodations must be provided to qualified individuals with disabilities who are applicants, registrants, eligible applicants/registrants, participants, employees, or applicants for employment, unless providing the accommodation would cause undue hardship. For more information on what would constitute undue hardship as it relates to a reasonable accommodation of individuals with disabilities, please see the definition of "undue burden or undue hardship" found in 29 CFR Section 38.4(rrr)(1).





- B. With regard to any aid, benefit, service, training, and employment, reasonable modifications must be made in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless making the modifications would fundamentally alter the nature of the service, program, or activity, which would constitute a fundamental alteration. For more information, see the definition of “fundamental alteration” found in 29 CFR Section 38.4(z).
  - C. In circumstances where the Alliance or its service providers believe that a proposed accommodation would cause undue hardship, or proposed modification would fundamentally alter the program, it must be proven that compliance would result in such hardship and alteration.
    - 1. The decision will be made after considering all factors listed in the definitions of undue hardship and fundamental alteration.
    - 2. The decision will be accompanied by a written statement with the reasons the conclusion was made.
    - 3. A copy of the decision will be provided to the individual(s) who requested the accommodation or modification.
  - D. If a requested accommodation has been determined to result in undue hardship or a modification would result in a fundamental alteration, the Alliance and/or its service providers must take any other action that would not result in such hardship or such alteration but would nevertheless ensure that individuals with disabilities receive the aid, benefits, services, training or employment provided by the recipient.
  - E. The Alliance and its service providers shall utilize A Reasonable Accommodation Policy and Procedure Guide, published by EDD, when processing reasonable accommodation requests. This document contains two sections: (1) general guidance and definitions for use when processing reasonable accommodation requests, and (2) step-by-step instructions on how to process these requests.
- X. Service Animals
- A. Individuals with disabilities shall be permitted to use service animals for WIOA activities and in facilities providing WIOA services in the Alliance local area.
- XI. Mobile Aids and Devices
- A. Individuals with mobility disabilities shall be permitted to use wheelchairs and manually-powered mobility aids, such as walkers, crutches, canes, braces, or other similar devices designed for use by individuals with mobility disabilities, in any areas open to pedestrian use.
  - B. Reasonable modifications shall be made to policies, practices, and/or procedures to permit the use of other power-driven mobility devices by individuals with mobility disabilities. An exception would be when it has been demonstrated that the class of other power-driven mobility devices cannot be operated in accordance with legitimate safety requirements.
- XII. Complaint Processing Procedures
- A. Any person who believes that he or she or any specific class of individuals has been or is being subjected to discrimination prohibited by the nondiscrimination and equal opportunity provisions of WIOA may file a written complaint using the Discrimination Complaint Form. A representative may file the complaint on the individual's behalf.



- B. The complaint may be filed with the Alliance EO Officer, or directly with the CRC at DOL, Constitution Avenue N.W., Room N-4123, Washington, D.C. 20210
  - 1. If filing directly with the CRC, a complainant may file a complaint by completing and submitting CRC's Complaint Information and Privacy Act Consent Form (DL 1-2014a), which may be obtained either from the Alliance EO Officer or from CRC. However, no specific form or format is required to make a complaint valid.
  - 2. The Alliance EO Officer, or a designated alternate, will be available to assist in the preparation and completion of a complaint.
  - 3. The complainant or their representative will be permitted to file by mail or by delivery in person to the Alliance EO Officer or designated alternate.
- C. A complaint filed pursuant to Title 29 CFR 38 must be filed within 180 days of the alleged discrimination. The official filing of the complaint is the date the complaint is received by the EO Officer. The CRC, for good cause shown, may extend the filing time. In order to receive an extension, the complainant must be notified that a waiver letter is to be filed with CRC. The waiver letter should include the reason the 180-day time period elapsed. This time period for filing is for the administrative convenience of CRC and does not create a defense for the respondent.
- D. Complaints must be filed in writing and shall:
  - 1. Be signed by the complainant or his or her representative;
  - 2. Contain the complainant's name, address, or other means of contacting him or her;
  - 3. Identify the respondent; and
  - 4. Describe the complainant's allegation in sufficient detail to allow CRC or the EO Officer, as applicable, to determine whether:
    - a) CRC or the Local Area has jurisdiction over the complaint;
    - b) The complaint was filed timely; and
    - c) The complaint has apparent merit, i.e., whether the allegations, if true, would violate any of the nondiscrimination and equal opportunity provisions of WIOA.
  - 5. Each complainant and respondent has the right to be represented by an attorney or other individual of his or her own choice.

### XIII. Complaints filed with Alliance

- A. The EO Officer shall issue an initial written acknowledgement within five working days of receipt by the EO Officer of a complaint alleging discrimination by a WIOA Title I recipient and shall include a notice of the complainant's right to representation in the complaint process. The initial notice will be sent by registered mail, return receipt requested.
- B. The EO Officer shall provide a copy of the complaint to the following:
 

Equal Employment Opportunity Office  
 Employment Development Department  
 800 Capitol Mall, MIC 49  
 PO Box 826880  
 Sacramento, CA 94280-0001

Or, email to [EEOMAIL@edd.ca.gov](mailto:EEOMAIL@edd.ca.gov)





- C. The EO Officer shall send a written statement of the issue(s) to the complainant within 30 days of the date on which the complaint is filed. The statement shall be sent by registered mail, return receipt requested. The statement will include:
1. A list of the issues raised in the complaint;
  2. For each such issue, a statement whether the EO Officer will accept the issue for investigation or reject the issue, and the reasons for each rejection;
  3. A period for fact-finding or investigation of the circumstances underlying the complaint; and
  4. A period during which the EO Officer attempts to resolve the complaint. The methods available to resolve the complaint must include alternative dispute resolution.

XIV. Alternative Dispute Resolution (ADR):

- A. The complainant must be immediately offered alternative dispute resolution upon receipt of the complaint. The choice whether to use ADR or the customary process rests with the complainant; the preferred form of ADR is mediation.
- B. Mediation is a voluntary process during which a neutral third party assists both parties (complainant and respondent) to communicate their concerns and come to an agreement about how to resolve a dispute. The mediator does not make decisions, rule as to who is right or wrong, take sides or advocate for one side or the other. The role of the mediator is to help with communication, so the parties can reach an understanding about how to best resolve their differences. As the law allows, mediation proceedings and the information shared are confidential, and no information divulged during this mediation may be used in court or any legal or administrative proceedings.
- C. If the parties do not reach an agreement under ADR, the complainant may file directly with CRC as described in Title 29 CFR Sections 38.69 through 38.72.
- D. A party to any agreement reached under ADR may file a complaint with CRC in the event the agreement is breached. In such circumstances, the following rules will apply:
1. The non-breaching party may file a complaint with CRC within 30 days of the date on which the non-breaching party learns of the alleged breach.
  2. CRC must evaluate the circumstances to determine whether the agreement has been breached. If CRC determines that the agreement has been breached, the complainant may file a complaint with CRC based upon his or her original allegation(s) and CRC will waive the time deadline for filing such a complaint.
- E. All complaints filed under this process will be treated confidentially except to the extent necessary to conduct the investigation, hearing, or judicial procedure. The identity of any person who has furnished information relating to, or assisting in, an investigation of a possible violation of the Act shall be kept confidential to the extent possible, consistent with a fair determination of the issues.
- F. At any point in the investigation of the complaint, the complainant, respondent, or the EO Officer may request that the parties attempt conciliation. The EO Officer shall facilitate such conciliation efforts.
1. Conciliation is a process whereby the parties to a dispute agree to utilize the services of a conciliator, who then meets with the parties separately in an attempt to resolve their differences. Conciliation differs from mediation in that the main goal is to conciliate, most of the time by seeking concessions.



2. If the conciliator is successful in negotiating an understanding between the parties, said understanding is almost always committed to writing (usually with the assistance of legal counsel) and signed by the parties, at which time it becomes a legally binding contract and falls under contract law.
- G. The EO Officer shall issue a Notice of Final Action within 90 days of the date on which the complaint is filed. The Notice of Final Action shall contain the following information:
  1. For each issue raised in the complaint, a statement of either:
    - a) The EO Officer's decision for each issue and an explanation of the reasons underlying the decision, or
    - b) A description of the way the parties resolved the issue; and
  2. Notice that the complainant has the right to file a complaint with CRC, within 30 days of receipt of the Notice of Action, if they are dissatisfied with the EO Officer's final action on the complaint.
- H. If the 90 days expire and the complainant does not receive a Notice of Final Action from the EO Officer, or the EO Officer failed to issue a Notice of Final Action, the complainant or their representative may, within 30 days of the expiration of the 90-day period, file a complaint with CRC. In other words, the complaint must be filed with CRC within 120 days of the date on which the complaint was filed with the Alliance.
- I. CRC may extend the 30-day time limit if the complainant is not notified, as provided in Title 29 CFR Section 38.81, or for other good cause shown.
- J. The EO Officer shall notify the complainant in writing immediately upon determining that the Alliance does not have jurisdiction over a complaint that alleges a violation of the nondiscrimination and equal opportunity provisions of WIOA. The Notice of Lack of Jurisdiction must also include the basis for such determination, as well as a statement of the complainant's right to file a written complaint with CRC within 30 days of receipt of the Notice.
- K. Where an alleged violation of the Act or regulation is also an alleged violation of another law, nothing shall preclude an individual or organization from filing a complaint or grievance under such other law or agreement with respect to the non-WIOA cause of action, as well as filing a complaint under WIOA.

#### XV. Corrective Actions/Sanctions for Recipients

- A. Overview of Corrective Actions, Sanctions, and Violations:
  1. Corrective actions and sanctions are intended to guarantee equal access to programs, activities, and employment opportunities provided by WIOA financially assisted recipients. Corrective actions or sanctions will be applied as necessary when violations of WIOA Title 1, Section 188 or 29 CFR Part 38 are found.
  2. Corrective actions must be appropriate for the violation identified and serve to end the discrimination or redress specific violation(s). Sanctions may include termination of funding (partial, offset, and/or temporary suspension). Timeframes will be established as necessary that set the minimum time necessary to completely redress the violation. Follow-up monitoring will occur to ensure that commitments to take corrective and remedial actions are fulfilled.
  3. Violations may range in seriousness from technical violations, such as failure to post EO notices, to discrimination violations based on the prohibited grounds of discrimination or equal opportunity protections afforded by the law.



## B. Corrective Actions:

1. Corrective action is indicated in the following circumstances:
  - a) A monitoring review or an on-site review identifies a technical deficiency, a failure to follow through on a written assurance, or a barrier to universal access to programs or services.
  - b) The assessment of the circumstances surrounding a complaint and/or grievance reveals barriers to equal opportunity or access.
  - c) A service provider refuses to implement voluntary corrective action, submit requested data or documentation, or provide access to premises or records during a compliance review.
2. When the local EO Officer identifies the need for corrective action, they will recommend to the service provider voluntary corrective action(s) and a reasonable minimum timeframe to completely correct each situation for which corrective action is recommended.
3. Corrective actions must correct the specific violation and/or make whole the complainant. There may be instances where a violation has not yet occurred, but the service provider will be notified of the potential problem so that corrective action may be taken on the provider's own volition.

## C. Violations:

1. Technical Violations: When only technical violations are found, the EO Officer will notify the responsible officer of the subrecipient in writing of the violations found and a recommended corrective action plan. The subrecipient may submit a proposed corrective action plan. However, the determination of the EO Officer as to the terms of the corrective action plan is final. The subrecipient will be given a specific time frame within which to correct the technical violation and will be required to provide a written assurance that the violation is corrected and will not recur. The EO Officer will be available to the subrecipient for technical assistance and guidance.
2. Findings of Discrimination: When there are findings of discrimination, a conciliation agreement is required. A conciliation agreement calls for corrective action and is comprised of an introduction describing whom the agreement is between, the event that brought about the agreement, and the legal authority by which the investigation was conducted. Also included in the agreement is a section that describes each deficiency and the action required to correct it, the timeframe(s) for completion of the corrective action(s), and an enforcement section that describes the consequences of a breach of the agreement.

## D. Sanctions:

1. The Alliance's intent is to be fully supportive of the local workforce development system. To that end, sanctions will be a last resort, and used when the subrecipient does not abide by the terms of the corrective action agreement. Technical assistance, clarification, and reasonable corrective action opportunities will be offered first. Sanctions will be determined by the deliberateness, seriousness, and/or frequency of the violation. Failure to respond in good faith to corrective action requirements will lead to progressive sanction activity.
2. Sanctions which may be imposed by the Alliance upon sub-recipients include, but are not limited to:



- a) Reduction in funding.
- b) Restriction from bidding on competitive or discretionary funds.
- c) Disallowance of costs associated with the particular violation or deficiency.
- d) Termination of future funding.

#### XVI. Actions by CRC for Complaints Filed Against the Alliance

- A. CRC determines acceptance of a complaint filed pursuant to Title 29 CFR Section 38.78. When CRC accepts a complaint for investigation, it shall:
  - 1. Notify the EO Officer and the complainant of the acceptance of the complaint for investigation; and
  - 2. Advise the EO Officer and complainant on the issues over which CRC has accepted jurisdiction.
- B. The EO Officer, the complainant, or a representative may contact CRC for information regarding the complaint filed.
- C. When a complaint contains insufficient information, CRC will seek the needed information from the complainant. If the complainant is unavailable after reasonable efforts have been made to reach him or her, or the information is not provided within the time specified, the complaint file may be closed without prejudice upon written notice sent to the complainant's last known address (29 CFR Section 38.79).
- D. CRC, per WIOA Section 183(c), may issue a subpoena to the complainant to appear and give testimony and/or produce documentary evidence, before a designated representative, relating to the complaint being investigated. Issuing a subpoena can be done any place in the United States, at any designated time and place.
- E. Where CRC lacks jurisdiction over a complaint, CRC shall:
  - 1. Notify the complainant, explaining why the complaint is not covered by the nondiscrimination and equal opportunity provisions of WIOA or Title 29 CFR Part 38; and
  - 2. Refer the complainant to the appropriate federal, state, or local authority, when possible.
- F. CRC will notify the complainant when a claim is not to be investigated and explain the basis for that determination.
- G. CRC will refer complaints governed by the Age Discrimination Act of 1975 to mediation as specified in Title 45 CFR Section 90.43(c)(3).
- H. If the complainant alleges more than one kind of complaint, "joint complaint," e.g., individual employment discrimination, age discrimination, equal pay discrimination, etc., CRC shall refer such joint complaint to the Equal Employment Opportunity Commission for investigation and conciliation under the procedures described in Title 29 CFR, Parts 1690 or 1691, as appropriate. CRC will advise the complainant and the EO Officer of the referral.
- I. Under the America's Job Centers of California (AJCC) delivery system where the complainant alleges discrimination by an entity that operates a program or activity financially assisted by a federal grant making agency other than DOL, but participates as a partner in an AJCC delivery system, the following procedures apply:
  - 1. If the complainant alleges discrimination on a basis that is prohibited both by Section 188 of WIOA and by a civil rights law enforced by the federal grant making



agency, CRC and the grant making agency have dual jurisdiction over the complaint. CRC will refer the complaint to the grant making agency for processing. The grant making agency's regulations will govern the processing of the complaint.

2. If the complainant alleges discrimination on the basis that is prohibited by Section 188 of WIOA, but not by any civil rights laws enforced by the federal grant making agency, CRC has sole jurisdiction over the complaint and will retain and process the complaint pursuant to Title 29 CFR Part 38. CRC will advise the complainant and the EO Officer of the referral.
- J. CRC may offer the parties of a complaint the option of mediating the complaint. In such circumstances, the following rules apply:
1. The mediation is voluntary; the parties must consent before the mediation process will proceed.
  2. The mediation will be conducted under the guidance issued by CRC.
  3. If the parties are unable to reach resolution of the complaint through the mediation, CRC will investigate and process the complaint under Title 29 CFR Sections 38.82 through 38.88.
- K. After making such a cause finding, CRC shall issue an Initial Determination. The Initial Determination shall notify the complainant and the EO Officer, in writing, of:
1. The specific findings of the investigation;
  2. The proposed corrective or remedial action and the time by which the corrective or remedial action must be completed;
  3. Whether it will be necessary for the Alliance to enter into a written agreement; and
  4. The opportunity to participate in voluntary compliance negotiations.
- L. Where a no cause determination is made, CRC must issue a Final Determination to the complainant and the EO Officer. The Final Determination represents the DOL's final agency action on the complaint.

#### XVII. Corrective Actions/Sanctions for the Alliance

- A. A Letter of Findings Notice to Show Cause, or Initial Determination issued pursuant to Title 29 CFR Sections 38.86 or 38.87, 38.88 and 38.89, or 38.90, respectively, must include the steps and the specific time period it will take the Alliance to achieve voluntary compliance. (See Section 38.90 for corrective action steps.)
- B. Monetary corrective action may not be paid from federal funds.
- C. If the Alliance receives a finding of noncompliance, the following sections of Title 29 CFR Part 38 may be referred to for detailed information:
  1. "Final Determinations", Sections 38.96 through 38.97
  2. "Breaches of Conciliation Agreements", Sections 38.98 through 38.100
  3. Subpart E – "Federal Procedures for Effecting Compliance", Sections 38.110 through 38.115

#### XVIII. Intimidation and Retaliation Prohibited

- A. The Alliance and/or its service providers may not discharge, intimidate, retaliate, threaten, coerce, or discriminate against any individual because the individual has filed a complaint; opposed a practice prohibited by the nondiscrimination and equal opportunity provisions of the WIOA; furnished information to, or assisted or participated in any manner



in an investigation, review, hearing, or any other activity related to administration of, exercise of authority under, or exercise of privilege secured by the nondiscrimination and equal opportunity of WIOA or Title 29 CFR Part 38. The sanctions and penalties contained in these procedures may be imposed against any entity which engages in any such retaliation or intimidation, or fails to take necessary steps to prevent such activity.

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## **POLICY UPDATE HISTORY**

December 13, 2017 – New Policy  
(Date Board Approves) – Policy revisions include: new policy template, updated Alliance EO officer, and additional enhancements that align with and implement the Employment Development Department Directive (WSD17-01) (August 1, 2017).

## **INQUIRIES**

Questions regarding this policy can be sent to the Alliance EO Officer.







## LIMITED ENGLISH PROFICIENCY

### PURPOSE

The purpose of this policy is to transmit federal and state policy guidance regarding the prohibition against national origin discrimination as it affects persons with limited English proficiency (LEP).

### 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 113-125) Section 188
- Title 29 CFR Part 38
- Department of Labor (DOL) Training and Employment Notice (TEN) 28-16, Subject: Best Practices, Partnership Models, and Resources Available for Serving English Language Learners, Immigrants, Refugees, and New Americans (January 9, 2017)

### DEFINITIONS

*Babel Notice* – a short notice included in a document or electronic medium (e.g. web site, “app,” email) in multiple languages informing the reader that the communication contains vital information, and explaining how to access language services to have the contents of the communication provided in other languages (29 CFR Section 38.4[i]).

*Employment-related training* – training that allows or enables an individual to obtain skills, abilities and/or knowledge that are designed to lead to employment (29 CFR Section 38.4[t]).

*LEP individual* – an individual whose primary language for communication is not English and who has a limited ability to read, speak, write, and/or understand English. An LEP individual may be competent in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing) (29 CFR Section 38.4[hh]).

*LEP Plan* – a written language access plan which assists in ensuring that LEP individuals have meaningful access to WIOA Title I – financially assisted programs and activities (29 CFR Section 38.9 Appendix).

*Meaningful Access* – language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.

*Primary language* – an individual's primary language is the language in which an individual most effectively communicates, as identified by the individual.

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

*Vital Information* – information, whether written, oral or electronic, that is necessary for an individual to understand how to obtain any aid, benefit, service, and/or training; necessary for an individual to obtain any aid, benefit, service, and/or training; or required by law.

## POLICY

- I. Reasonable Steps to Ensure Meaningful Access for LEP individuals
  - A. The Workforce Alliance of the North Bay (The Alliance) and its service providers shall take reasonable steps to ensure that LEP individuals have meaningful access to their programs and activities. These reasonable steps shall include, but are not limited to, the following:
    1. Conducting an assessment of an LEP individual to determine their language assistance needs.
    2. Providing oral interpretation or written translation of both hard-copy and electronic materials, in the appropriate non-English languages, to LEP individuals.
    3. Conducting outreach to LEP communities to improve service delivery in needed languages.
  - B. Reasonable steps for providing meaningful access to training programs shall include, but are not limited to the following:
    1. Written training materials in appropriate non-English languages by written translation, or by oral interpretation, or summarization.
    2. Oral training content in appropriate non-English languages through in-person or telephone translation.
  - C. Furthermore, The Alliance and its service providers shall ensure that every program delivery method, whether it be in person, electronic, or by phone, conveys in the appropriate language how an LEP individual may effectively learn about, participate in, and/or access any aid, benefit, service, or training available to them.
- II. Language Assistance Services
  - A. Language assistance generally comes in two forms: oral interpretation or written translation. The Alliance and its service providers shall ensure that these services are free of charge and provided in a timely manner. An LEP individual must be given adequate notice about the existence of interpretation and translation services and that they are available free of charge. Language assistance will be considered timely when it is provided at a place and time that ensures equal access and avoids the delay or denial of any aid, benefit, service, or training.
- III. Interpreter Services
  - A. WIOA Service Providers for the Alliance shall not require an LEP individual to provide their own interpreter. Service Providers shall not rely on an LEP individual's minor child or adult family member or friend to interpret or facilitate communication, except for the following circumstances:
    1. In emergency situations while awaiting a qualified interpreter.
    2. When the information conveyed is of minimal importance to the services to be provided.





3. When an LEP individual specifically requests that an accompanying adult provide language assistance and they agree to provide assistance to the individual. If the service provider permits an accompanying adult to serve as an interpreter for an LEP individual, it must make and retain a record of the LEP individual's decision to use their own interpreter.

- B. Finally, where precise, complete, and accurate interpretations or translation of information and/or testimony are critical for adjudicatory or legal reasons, Local Areas can still provide their own, independent interpreter, even if an LEP individual wants to use their own interpreter as well. This also applies in cases where the competency of the interpreter requested by the LEP individual is not established.

#### IV. LEPs and Vital Information

- A. Federal Regulations require written materials to be translated for those languages that are spoken by a significant portion of the population eligible to be served, or likely to be served. The Alliance has determined that a five percent (5%) threshold shall apply when considering which languages are spoken by a significant portion of the populations. No languages currently or have historically met the 5% threshold, however, the WIOA service providers of the Alliance will be responsible for periodically reviewing the potential eligible population of their assigned service area to determine if the language threshold has been met in their area.
- B. For all spoken languages and LEP individuals, the Alliance and its service provider shall take reasonable steps to meet the particularized language needs of LEP individuals who seek to learn about, participate in, and/or access the aid, benefit, service, or training that is available to them. Vital information may be conveyed orally if not translated.
- C. Finally, to the extent otherwise required by 29 CFR Part 38, once a service provider becomes aware of the non-English preferred language of an LEP beneficiary, participant, or applicant for aid, benefit, service, or training, the service provider must convey vital information in that language.

#### V. Babel Notice

- A. A babel notice is now required for all communications of vital information. "Babel Notice" means a notice which provides written translation in multiple languages of a phrase which informs LEP individuals of the availability of translation and interpretation services upon request. "Vital Information" shall include any notices, decisions, or letters sent to an individual, either electronically or in writing.
- B. Based on policy direction and state guidance, the Alliance has determined that the top 6 non-English spoken languages in California, as determined by the United States Census Home Survey, will be the necessary languages to be displayed on the Babel Notice. Service providers shall begin sending the Alliance Babel Notice with all communications of vital information.

#### VI. Written LEP Plan

- A. The Alliance and its service providers will develop, implement, and periodically revise an LEP plan that addresses the following elements in our local area to ensure meaningful access to LEP individuals:
  1. The process to determine the language needs of individuals who may or may seek to participate in programs and activities (self-assessment or needs – assessment) that receive financial assistance under WIOA Title I.
  2. The results of assessment.



3. Timelines for implementing the LEP plan.
  4. All language services to be provided to LEP individuals.
  5. The manner in which LEP individuals will be advised of available services.
  6. Steps LEP individuals should take to request language assistance.
  7. The manner in which service provider staff will provide language assistance services.
  8. Steps to be taken to implement the LEP plan.
  9. The manner in which service provider staff will be trained.
  10. Steps the service provider's will take to ensure quality control, including monitoring implementation, establishing a complaint process, timely addressing complaints, and obtaining feedback from stakeholders and employees.
  11. The manner in which the service providers will document the provisions of language services.
  12. The schedule for revising the LEP plan.
  13. The individual(s) assigned to oversee implementation of the LEP plan.
  14. Allocation of resources to implement the LEP plan.
- B. The elements of the LEP plan will be tailored to the Alliance service providers specific programs and activities. Revisions to the plan will reflect the following:
1. New recommendations and government guidance.
  2. Changes in the Local Area's operations as well as the experiences and lessons learned.
  3. Changing demographics.
  4. Stakeholder and beneficiary feedback.

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## POLICY UPDATE HISTORY

(Date Board Approves) – New Policy

## INQUIRIES

Questions regarding this policy can be sent to the Operations Analyst.



## BOARD LETTER II.K



**TO:** REGIONAL WORKFORCE DEVELOPMENT BOARD  
**FROM:** STAFF  
**SUBJECT:** BOARD LETTER II.K - RATIFY 2017-18 YEAR END PROGRAM REPORTS  
**DATE:** OCTOBER 11, 2018  
**CC:** FILE

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Among the several responsibilities of the Workforce Alliance Regional Workforce Development Board, is its responsibility to assist the Governing Board *“conduct program oversight of local youth, and adult training activities and the one-stop delivery system.”*

The attached performance reports for each of the four counties within the Workforce Alliance assist the board in fulfilling its obligation to monitor the performance of its job and career system. The reports illustrate planned vs actual carry-in numbers, enrollment and exit numbers, demographics and other indicators for adult, dislocated workers and youth. This is a top-level summary report with board selected indicators designed to show the numbers of people served through the workforce system and cost by county. It does not display the quality of the service delivered.

These reports are reviewed by local standing committees, the new policy and oversight committee, and the Governing Board and are submitted here for ratification and information for the full board.

### STAFF RECOMMENDATION

Ratify and accept the PY 2017-18 adult, dislocated worker and youth program reports.

# ADULT / DISLOCATED WORKER PERFORMANCE

## CAREERPOINT LAKE

Mendocino Private Industry Council  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
Total Allocation:	\$405,144	100%
Expenditures:	\$405,144	Funds spent by end of year
Cost Per Participant		
Proposed:	\$3,641	101%
Actual:	\$3,933	The percent of planned participants enrolled. Planned to serve 102, served 103, 77 were new
Training Expenditures		
Required:	\$135,048	103%
Expenditures:	\$139,638	
Training:	\$113,697	
Leverage:	\$25,941	
MPIC has exceeded the training expenditure requirement for Lake county.		
Cost of Training (participants in training)		
Proposed:	\$1,286	67%
Actual:	\$2,419	Planned participants in training services. Planned 70, Training 47
(WIOA Funds Only)		
*Actual:	\$2,971	*This total includes WIOA funds and total leveraged funds. 58% of allowed leverage was attained to contribute to the training expenditure requirement.
(With total leveraged)		
Entered Employment		Credential Rates (of those in training)
64%	Participants who exited the program with a job	60%
42%	Participants who received training and exited to training-related jobs	Participants in training services who received at minimum a certificate
Retention Rates		Population Demographics
Pending Data		62
Participants who retain their job at least 90 days after program exit.		Barriers identified by enrollees
		115
		Low income & public assistance identified by enrollees

# ADULT PERFORMANCE CAREERPOINT LAKE

Mendocino Private Industry Council  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
Total Allocation:	\$231,282	100%
Expenditures:	\$231,282	Funds spent by end of year
Cost Per Participant		
Proposed:	\$3,641	100%
Actual:	\$3,920	The percent of planned participants enrolled. Planned 59, Served 59, 46 were new
Training Expenditures		
Required:	\$77,094	101%
Expenditures:	\$77,597	
Training:	\$68,353	
Leverage:	\$9,244	
MPIC has met the training expenditure requirement for Lake county.		
Cost to Train (participants in training)		
Proposed:	\$1,285	78%
Actual: (WIOA Funds Only)	\$2,205	The percent of planned participants in training services. Planned 40, Training 31
*Actual: (With total leveraged)	\$2,503	*This total includes WIOA funds and total leveraged funds.
Entered Employment		Credential Rates (of those in training)
65%	Participants who exited the program with a job	71%
42%	Participants who received training and exited to training-related jobs	Participants in training services who received at minimum a certificate
Retention Rates		Population Demographics
Pending Data		49
Participants who retain their job at least 90 days after program exit.		Barriers identified by enrollees
		89
		Low income & public assistance identified by enrollees

# DISLOCATED WORKER PERFORMANCE

## CAREERPOINT LAKE

Mendocino Private Industry Council  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
Total Allocation:	\$173,862	100%
Expenditures:	\$173,862	Funds spent by end of year
Cost Per Participant		
Proposed:	\$3,641	102%
Actual:	\$3,951	The percent of planned participants enrolled. Planned 43, Served 44, 31 were new
Training Expenditures		
Required:	\$57,954	107%
Expenditures:	\$62,042	
Training:	\$45,344	
Leverage:	\$16,698	
MPIC has met the training expenditure requirement for Lake county.		
Cost to Train (participants in training)		
Proposed:	\$1,288	53%
Actual:	\$2,834	The percent of planned participants in training services Planned 30, Training 16
(WIOA Funds Only)		
*Actual:	\$3,878	*This total includes WIOA funds and total leveraged funds.
(With total leveraged)		
Entered Employment		Credential Rates (of those in training)
62%	Participants who exited the program with a job	38%
42%	Participants who received training and exited to training-related jobs	Participants in training services who received at minimum a certificate
Retention Rates		Population Demographics
Pending Data		13
Participants who retain their job at least 90 days after program exit.		Barriers identified by enrollees
		26
		Low income & public assistance identified by enrollees

# YOUTH PERFORMANCE CAREERPOINT LAKE

Redwood Community Services, Inc.  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
Total Allocation:	\$170,505	RCS has spent 100% of the funding by end of the year.
Expenditures:	\$170,505	
Expenditure School Status		
Out of School:	\$170,505	100% of RCS funding has been spent on Out of School Youth.
In School:	\$0	
Cost Per Participant		
Proposed:	\$4,872	RCS planned to serve 35 participants and is serving 15 - 43% of their goal. 14 of these are new participants.
Actual:	\$11,367	
Work Experience		
Required:	\$37,890	RCS has met 37% of their goal for Work Experience by end of the year.
Actual:	\$14,032	
Cost Per Work Experience		
Actual:	\$4,677	3 participants were provided with paid Work Experience.
Entered Employment		Population Demographics
43%		105
Participants who exit the program with a job.		56
		Barriers identified by enrollees
		Low income & public assistance identified by enrollees



# ADULT / DISLOCATED WORKER PERFORMANCE

## CAREERPOINT MENDOCINO

Mendocino Private Industry Council  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
Total Allocation:	\$429,965	101%
Expenditures:	\$433,127	Funds spent by end of year
Cost Per Participant		
Proposed:	\$4,012	103%
Actual:	\$4,867	The percent of planned participants enrolled. Planned to serve 86, served 89, 41 were new
Training Expenditures		
Required:	\$143,322	108%
Expenditures:	\$155,393	
Training:	\$109,667	
Leverage:	\$45,726	
MPIC has exceeded the training expenditure requirement for Mendocino county.		
Cost to Train (participants in training)		
Proposed:	\$1,517	81%
Actual:	\$1,232	Planned participants in training services. Planned 63, Training 51
(WIOA Funds Only)		
*Actual:	\$1,746	*This total includes WIOA funds and total leveraged funds. Mendocino leveraged 96% of what is allowed to contribute to the training expenditure requirement.
(With total leveraged)		
Entered Employment		Credential Rates (of those in training)
83%	Participants who exited the program with a job	33%
54%	Participants who received training and exited to training-related jobs	Participants in training services who received at minimum a certificate
Retention Rates		Population Demographics
Pending Data		26
Participants who retain their job at least 90 days after program exit.		Barriers identified by enrollees
		79
		Low income & public assistance identified by enrollees

# ADULT PERFORMANCE CAREERPOINT MENDOCINO

Mendocino Private Industry Council  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
Total Allocation:	\$207,920	102%
Expenditures:	\$212,009	Funds spent by end of year
Cost Per Participant		
Proposed:	\$4,036	122%
Actual:	\$3,855	The percent of planned participants enrolled. Planned 45, Served 55, 27 were new
Training Expenditures		
Required:	\$69,307	121%
Expenditures:	\$83,606	
Training:	\$70,585	
Leverage:	\$13,021	
MPIC has met the training expenditure requirement for Mendocino County.		
Cost to Train (participants in training)		
Proposed:	\$1,400.13	103%
Actual: (WIOA Funds Only)	\$1,283	The percent of planned participants in training services Planned 33, Training 34
*Actual: (With total leveraged)	\$1,520	*This total includes WIOA funds and total leveraged funds.
Entered Employment		Credential Rates (of those in training)
79%	Participants who exited the program with a job	50%
88%	Participants who received training and exited to training-related jobs	Participants in training services who received at minimum a certificate
Retention Rates		Population Demographics
Pending Data		20
Participants who retain their job at least 90 days after program exit.		Barriers identified by enrollees
		69
		Low income & public assistance identified by enrollees

# DISLOCATED WORKER PERFORMANCE

## CAREERPOINT MENDOCINO

Mendocino Private Industry Council  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
Total Allocation:	\$222,045	100%
Expenditures:	\$221,119	Funds spent by end of year
Cost Per Participant		
Proposed:	\$3,987	83%
Actual:	\$6,503	The percent of planned participants enrolled Planned 41, Served 34, 14 were new
Training Expenditures		
Required:	\$74,015	97%
Expenditures:	\$71,787	
Training:	\$39,082	
Leverage:	\$32,705	
MPIC has met the training expenditure requirements for Mendocino county.		
Cost to Train (participants in training)		
Proposed:	\$1,645	57%
Actual: (WIOA Funds Only)	\$2,299	The percent of planned participants in training services Planned 30, Training 17
*Actual: (With total leveraged)	\$4,223	*This total includes WIOA funds and total leveraged funds.
Entered Employment		Credential Rates (of those in training)
88%	Participants who exited the program with a job	24%
40%	Participants who received training and exited to training-related jobs	Participants in training services who received at minimum a certificate
Retention Rates		Population Demographics
Pending Data		6
Participants who retain their job at least 90 days after program exit.		Barriers identified by enrollees
		10
		Low income & public assistance identified by enrollees

# YOUTH PERFORMANCE CAREERPOINT MENDOCINO

Redwood Community Services, Inc.  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
Total Allocation:	\$206,347	RCS has spent 100% of the funding by end of the year.
Expenditures:	\$206,347	
Expenditure School Status		
Out of School:	\$206,347	100% of RCS funding has been spent on Out of School Youth.
In School:	\$0	
Cost Per Participant		
Proposed:	\$5,262	RCS planned to serve 35 participants and has served 30 - 86% of their goal. 16 of these are new participants.
Actual:	\$6,878	
Work Experience		
Required:	\$36,834	RCS has met 124% of their goal for Work Experience by end of the year.
Actual:	\$45,682	
Cost Per Work Experience		
Actual:	\$4,568	10 participants were provided with paid Work Experience. 2 participants were provided with unpaid Work Experience.
Entered Employment		Population Demographics
35%		125
Participants who exit the program with a job.		3
		Barriers identified by enrollees
		Low income & public assistance identified by enrollees

# ADULT / DISLOCATED WORKER PERFORMANCE

## CAREERPOINT MARIN

Marin County Health & Human Services  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
<b>Total Allocation:</b>	<b>\$494,393</b>	<b>92%</b>
<b>Expenditures:</b>	<b>\$454,841</b>	Funds spent by end of year
*Cost Per Participant		
<b>Proposed:</b>	<b>\$4,875</b>	<b>76%</b>
<b>Actual:</b>	<b>\$5,907</b>	The percent of planned participants enrolled. Planned to serve 101, Served 77, 37 were new
Training Expenditures		
<b>Required:</b>	<b>\$164,798</b>	<b>47%</b>
<b>Expenditures:</b>	<b>\$77,735</b>	
Training:	\$22,858	Percent of training expenditure requirement attained by Marin County H&HS by end of year.
*Leverage:	\$54,878	*Maximum leveraged amount equal to a third of the training requirement
Cost of Training (participants in training)		
<b>Proposed:</b>	<b>\$4,578</b>	<b>83%</b>
<b>Actual:</b> (WIOA Funds Only)	<b>\$1,143</b>	Planned participants in training services Planned 24, Training 20
<b>*Actual:</b> (With total leveraged)	<b>\$5,080</b>	*This total includes WIOA funds and total leveraged funds. Marin leveraged over 43% more than is allowed to contribute to the training expenditure requirement.
Entered Employment		Credential Rates (of those in training)
<b>75%</b>	Participants who exit the program with a job	<b>15%</b>
<b>44%</b>	Participants who received training and exited to training-related jobs	Participants in training services who received at minimum a certificate
Retention Rates		Population Demographics
Pending Data		<b>53</b> Barriers identified by enrollees
Participants who retain their job at least 90 days after program exit.		<b>115</b> Low income & public assistance identified by enrollees

# ADULT PERFORMANCE CAREERPOINT MARIN

Marin County Health & Human Services  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
<b>Total Allocation:</b>	<b>\$321,401</b>	<b>94%</b>
<b>Expenditures:</b>	<b>\$301,625</b>	Funds spent by end of the year
Cost Per Participant		
<b>Proposed:</b>	<b>\$4,043</b>	<b>81%</b>
<b>Actual:</b>	<b>\$4,788</b>	The percent of planned participants enrolled. Planned 78, Served 63, 35 were new
Training Expenditures		
<b>Required:</b>	<b>\$107,134</b>	
<b>Expenditures:</b>	<b>\$45,647</b>	<b>43%</b>
Training:	\$18,208	Percent of training expenditure requirement met by end of year
*Leverage:	\$27,439	*Maximum leveraged amount
Cost of Training (participants in training)		
<b>Proposed:</b>	<b>\$4,761</b>	<b>113%</b>
<b>Actual:</b> (WIOA Funds Only)	<b>\$1,071.05</b>	Planned participants in training services Planned 15, Training 17
Entered Employment		Credential Rates (of those in training)
<b>74%</b>	Participants who exit the program with a job	<b>12%</b>
<b>46%</b>	Participants who received training and exited to training-related jobs	Participants in training services who received at minimum a certificate
Retention Rates		Population Demographics
Pending Data		<b>52</b> Barriers identified by enrollees
Participants who retain their job at least 90 days after program exit.		<b>111</b> Low income & public assistance identified by enrollees

# DISLOCATED WORKER PERFORMANCE

## CAREERPOINT MARIN

Marin County Health & Human Services  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
Total Allocation:	\$172,992	89%
Expenditures:	\$153,216	Funds spent by end of the year
Cost Per Participant		
Proposed:	\$6,139	61%
Actual:	\$10,944	The percent of planned participants enrolled Planned 23, Served 14, 2 were new
Training Expenditures		
Required:	\$57,664	56%
Expenditures:	\$32,089	
Training:	\$4,650	
*Leverage:	\$27,439	
Percent of training expenditure met by end of year		
*Maximum leveraged amount		
Cost of Training (participants in training)		
Proposed:	\$4,271	33%
Actual:	\$1,550	Planned participants in training services Planned 9, Training 3
(WIOA Funds Only)		
Entered Employment		Credential Rates (of those in training)
77%	Participants who exit the program with a job	33%
40%	Participants who receive training and exited to training-related jobs	Participants in training services who received at minimum a certificate
Retention Rates		Population Demographics
Pending Data		1
Participants who retain their job at least 90 days after program exit.		Barriers identified by enrollees
		4
		Low income & public assistance identified by enrollees



# YOUTH PERFORMANCE CAREERPOINT MARIN

Petaluma Peoples Services  
Fiscal Year 2017-2018 (Quarter 4)

Funding			
Total Allocation:	\$137,040	22%	
Expenditures:	\$30,468	Funds spent by end of year (Invoicing began in January 2017)	
Expenditure School Status			
Out of School:	\$30,468	100%	75% of funding must be spent on Out of School Youth.
In School:	\$ -	0%	
Cost Per Participant			
Proposed:	\$7,305	PPS planned to serve 19 participants and has served 3 participants - 16% of their goal. 3 of these are new participants.	
Actual:	\$10,156		
Work Experience			
Required:	\$30,453	PPS has not had any participants in work experiences.	
Actual:	\$0		
Cost Per Work Experience			
Actual:	\$0	PPS has not had any participants in work experiences.	
Entered Employment		Population Demographics	
N/A		16	Barriers identified by enrollees
PPS has not had any participants exit the program.		9	Low income & public assistance identified by enrollees

# ADULT / DISLOCATED WORKER PERFORMANCE

## CAREERPOINT NAPA

Napa County Health & Human Services  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
Total Allocation:	\$477,890	<b>100%</b>
Expenditures:	\$477,890	Funds spent by end of year
*Cost Per Participant		
Proposed:	\$4,757	<b>137%</b>
Actual: (WIOA Funds Only)	\$2,845	The percent of planned participants enrolled. Planned 123, Served 168, 88 were new
Actual: (Combined Funds)	\$4,473	*Actual cost per is listed twice. The first amount reflects the total cost using only the budgeted WIOA funds. The second amount includes the funding the County of Napa contributed after the WIOA funds were exhausted.
Training Expenditures		
Required:	\$159,297	
Expenditures:	\$109,330	<b>69%</b>
Training:	\$87,241	Percent of training expenditure requirement attained by
Leverage:	\$22,089	Napa County H&HS by end of year.
Cost of Training (participants in training)		
Proposed:	\$2,723	<b>167%</b>
Actual: (WIOA Funds Only)	\$1,342	Planned participants in training services Planned 39, Training 65
*Actual: (With total leveraged)	\$1,682	*This total includes WIOA funds and the total leveraged funds. Napa leveraged 42% of what is allowed to contribute to the training expenditure requirement.
Entered Employment		Credential Rates (of those in training)
<b>75%</b>	Participants who exit the program with a job	<b>28%</b>
<b>46%</b>	Participants who received training and exited to training -related jobs	Participants in training services who received at minimum a certificate
Retention Rates		Population Demographics
Pending Data		<b>139</b> Barriers identified by enrollees
Participants who retain their job at least 90 days after program exit.		<b>237</b> Low income & public assistance identified by enrollees

## ADULT PERFORMANCE CAREERPOINT NAPA

Napa County Health & Human Services  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
Total Allocation:	\$231,341	100%
Expenditures:	\$231,341	Funds spent by end of year
*Cost Per Participant		
Proposed:	\$3,630	212%
Actual: (WIOA Funds Only)	\$1,881	The percent of planned participants enrolled Planned 58, Served 123, 68 were new  * Actual cost per is listed twice. The first amount reflects the total cost using only the budgeted WIOA funds. The second amount includes the funding the County of Napa contributed after the WIOA funds were exhausted.
Actual: (Combined Funds)	\$3,652	
Training Expenditures		
Required:	\$77,114	87%  Percent of training expenditure requirement met by end of year
Expenditures:	\$67,444	
Training:	\$45,355	
Leverage:	\$22,089	
Cost of Training (participants in training)		
Proposed:	\$3,955	323%
Actual: (WIOA Funds Only)	\$1,080	Planned participants in training services Planned 13, Training 42
Entered Employment		Credential Rates (of those in training)
73%	Participants who exit the program with a job	33%
42%	Participants who received training and exited to training -related jobs	Participants in training who received at minimum a certificate
Retention Rates		Population Demographics
Pending Data		121
Participants who retain their job at least 90 days after program exit.		201
		Barriers identified by enrollees
		Low income & public assistance identified by enrollees

## DISLOCATED WORKER PERFORMANCE CAREERPOINT NAPA

Napa County Health & Human Services  
Fiscal Year 2017-2018 (Quarter 4)

Funding		
Total Allocation:	\$246,549	<b>100%</b>
Expenditures:	\$246,549	Funds spent by end of year
*Cost Per Participant		
Proposed:	\$3,524	<b>69%</b>
Actual: (WIOA Funds Only)	\$5,479	The percent of planned participants enrolled
Actual: (Combined Funds)	\$6,715	Planned 65, Served 45, 20 were new
*Actual cost per is listed twice. The first amount reflects the total cost using only the budgeted WIOA funds. The second amount includes the funding the County of Napa contributed after the WIOA funds were exhausted.		
Training Expenditures		
Required:	\$82,183	
Expenditures:	\$41,886	<b>51%</b>
Training:	\$41,886	Percent of training expenditure requirement met by
Leverage:	\$0	end of year
Cost of Training (participants in training)		
Proposed:	\$2,107	<b>88%</b>
Actual:	\$1,821	Planned participants in training services
		Planned 26, Training 23
Entered Employment		Credential Rates (of those in training)
<b>79%</b>	Participants who exit the program with a job	<b>17%</b>
<b>52%</b>	Participants who received training and exited to training related jobs	Participants in training services who received at minimum a certificate
Retention Rates		Population Demographics
Pending Data		<b>18</b> Barriers identified by enrollees
Participants who retain their job at least 90 days after program exit.		<b>36</b> Low income & public assistance identified by enrollees


# YOUTH PERFORMANCE CAREERPOINT NAPA

Napa County H&HS (On The Move)  
Fiscal Year 2017-2018 (Quarter 4)

Funding			
Total Allocation:	\$261,012	H&HS and On The Move spent 98% of the funding by end of the year.	
Expenditures:	\$257,075		
Expenditure School Status			
Out of School:	\$238,571	93%	75% of funding must be spent on Out of School Youth.
In School:	\$18,505	7%	
Cost Per Participant			
Proposed:	\$7,010	Napa County H&HS planned to serve 37 participants and has served 43 participants - 116% of their goal. 17 of these are new participants.	
Actual:	\$5,978		
Work Experience			
Required:	\$58,003	Napa County H&HS has met 78% of the Work Experience requirement by end of year.	
Actual:	\$45,345		
Cost Per Work Experience			
Actual:	\$1,813.79	25 participants were provided with paid Work Experience.	
Entered Employment		Population Demographics	
22%		109	Barriers identified by enrollees
Participants who exit the program with a job.		57	Low income & public assistance identified by enrollees

# BOARD LETTER II.K

## Workforce Alliance of the North Bay Providers of Services Report for Program Year 2017-2018, Quarter 4, 100% of Program Year

			Carry-ins	New Clients	Total Enrolled			Placements Area Plan = 80%			Exits Area Plan = 80%			Training Area Plan = 90%			Expenditures Quarter 4			
					(Qtr 4) Actual	Area Plan Qtr 4/ PY	% Achieved of Qtr 4	(Qtr 4) Actual	Area Plan Qtr 4/PY	% Achieved of Qtr 4	(Qtr 4) Positive Exits	(Qtr 4) Negative Exits	(Qtr 4) % of Positive Exits to Total Exits	(Qtr 4) Actual	30% of Enrollments / Total Enrolled	% Achieved 30% Enrolled In Training	(Qtr 4) Actual Invoiced	Budget to PY	Total % Achieved	Combined
Lake	MPIC	Adult	13	46	59	59/59	100%	28	21/21	133%	28	15	65.1%	31	18/59	175.1%	\$231,282	\$231,282	100.0%	100%
		Dislocated Worker	13	31	44	43/43	102%	21	13/13	162%	21	13	61.8%	16	13/44	121.2%	\$173,862	\$173,862	100.0%	
Mendocino	MPIC	Adult	28	27	55	45/45	122%	26	18/18	144%	26	7	78.8%	34	17/55	206.1%	\$212,009	\$207,920	102.0%	101%
		Dislocated Worker	20	14	34	41/41	83%	22	14/14	157%	22	3	88.0%	17	10/34	166.7%	\$221,119	\$222,045	99.6%	
Marin	Marin HHS	Adult	28	35	63	78/78	81%	26	15/15	173%	26	9	74.3%	17	19/63	89.9%	\$301,625	\$321,401	93.8%	92%
		Dislocated Worker	12	2	14	23/23	61%	10	6/6	167%	10	3	76.9%	3	4/14	71.4%	\$153,216	\$172,992	88.6%	
Napa	Napa HHS	Adult	55	68	123	58/58	212%	74	19/19	389%	74	27	73.3%	42	37/123	113.8%	\$231,341	\$231,341	100.0%	100%
		Dislocated Worker	25	20	45	65/65	69%	26	22/22	118%	26	7	78.8%	23	14/45	170.4%	\$246,549	\$246,549	100.0%	
System Totals			194	243	437						233	84					\$1,771,002	\$1,807,392	98.0%	

Enrolled	
	95% and above
	90% to 94.9%
	89.9% or below

**Staff Comments:**  
Lake: Adult -

Placements	
	80% and above
	70% to 79.9%
	69.9% and below

Lake: Dislocated Worker -

Mendocino: Adult -

Exits	
	80% and above
	70% to 79.9%
	69.9% and below

Mendocino: Dislocated Worker -

Marin: Adult -

Training	
	90% and above
	80% to 89.9%
	79.9% and below

Marin: Dislocated Worker -

Expenditures	
	100% and above
	80% to 99.9%
	79% or below

Napa: Adult -

Napa: Dislocated Worker -

# WORKFORCE ALLIANCE OF THE NORTH BAY MASTER MEETING CALENDAR 2019

JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	OCT	NOV	DEC
<b>REGIONAL WORKFORCE DEVELOPMENT BOARD 4th Thursday @ 9-10:30 AM</b>											
	2/28/19 9-10:30			5/23/19 9-10:30			8/22/19 9-10:30			11/21/19* 9-10:30	
<b>GOVERNING BOARD 1st Thursday @ 9-10:30 AM</b>											
		3/7/19 9-10:30			6/6/19 9-10:30			9/5/19 9-10:30			12/5/19 9-10:30
<b>EXECUTIVE COMMITTEE 2nd Wednesday @ 9-10:30 AM</b>											
1/9/19 9-10:30		3/13/19 9-10:30	4/10/19 9-10:30		6/12/19 9-10:30	7/10/19 9-10:30		9/11/19 9-10:30	10/9/19 9-10:30		12/11/19 9-10:30
<b>POLICY AND OVERSIGHT SUBCOMMITTEE 1st Tuesday @ 3:00-4:30 PM</b>											
	2/5/19 3-4:30		4/2/19 3-4:30		6/4/19 3-4:30		8/6/19 3-4:30		10/1/19 3-4:30		12/3/19 3-4:30
<b>LAKE ADVISORY SUBCOMMITTEE 2nd Thursday @ 9-10:30 AM</b>											
		3/14/19 9-10:30			6/13/19 9-10:30			9/12/19 9-10:30			12/12/19 9-10:30
<b>MARIN ADVISORY SUBCOMMITTEE 3rd Wednesday @ 8-9:30 PM</b>											
		3/20/19 8-9:30			6/19/19 8-9:30			9/18/19 8-9:30			12/18/19 8-9:30
<b>MENDOCINO ADVISORY SUBCOMMITTEE 2nd Thursday @ 3-4:30 PM</b>											
		3/14/19 3-4:30			6/13/19 3-4:30			9/12/19 3-4:30			12/12/19 3-4:30
<b>NAPA ADVISORY SUBCOMMITTEE 3rd Wednesday @ 3-4:30 PM</b>											
		3/20/19 3-4:30			6/19/19 3-4:30			9/18/19 3-4:30			12/18/19 3-4:30



\*Due to Thanksgiving, Regional Board will meet a week early.

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





**TO:** REGIONAL WORKFORCE DEVELOPMENT BOARD  
**FROM:** STAFF  
**SUBJECT:** BOARD LETTER IV.B - LOCAL AND REGIONAL PLAN UPDATE  
**DATE:** OCTOBER 11, 2018  
**CC:** FILE

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Under WIOA, a biennial update of regional and local plans is required in order to ensure plans remain current and account for “changes in labor market and economic conditions or in other factors affecting the implementation of the local plan” (29 U.S. Code § 3123).

The California Workforce Development Board (State Board) has made changes to the State Plan which require that Local Boards update their plans to keep them consistent with the policy direction of the State Plan.

**New state level partnership agreements with:**

- California Department of Social Services (CDSS), the County Welfare Directors Association (CWDA), and the CWA with the goal of improving labor market outcomes for all recipients of CalFresh.
- California Department of Child Support Services (DCSS) with the goal of improving labor market outcomes for unemployed, underemployed, and payment-delinquent non-custodial parents.
- Updated Dept of Rehabilitation partnership agreement which includes new language about how workforce, DOR, and additional Competitive Integrated Employment (CIE) partners will collaborate to create more CIE opportunities for Californians with intellectual and developmental disabilities.
- California Department of Corrections (CDCR), the California Prison Industry Authority (CALPIA), and the California Workforce Association (CWA), with the goal of improving labor market outcomes of the state’s formerly-incarcerated population.

**Local Plan Update:**

- Coordination of services for CalFresh recipients
- Coordination of services with local Child Support Agency
- Strategies to enhance Competitive Integrated Employment
- Services for English language learners, the foreign born and refugees

**Regional Plan Update:**

- Description of efforts to align, coordinate, and integrate reentry and workforce services for the formerly incarcerated and other justice-involved individuals

## BOARD LETTER IV.B

- Compliance with state requirements pertaining to Multi-Core Craft Curriculum (MC3) pre-apprenticeship partnerships.
- Required regional self assessment using Indicators of Regional Coordination and Alignment

### **State requirements for community engagement:**

- After hours “listening session”
- Required outreach to state’s “Directory of Planning Partners”
- List of required partners by subject area
- Public posting of meeting notices on website, in AJCC, and lobby locations
- Notify the state board of meeting schedule to be posted on State website

A 30-day public comment period on the draft plan will most likely occur in February 2019.



INTRIGUE. INFORM. INSPIRE.

# Research Outcomes

- Peer reviewed research shows that young people who experience 4 or more school-mediated employer contacts as teens go on to earn as young adults 18% more on average than comparable peers with no such experience.
- Furthermore, with just 2+ contacts (career talks, work experience, worksite visits), young people were 5-20% less likely to be NEET
- More generally, When asked, 95% of young people reported that they would like more employers to be involved in providing advice and guidance about careers and jobs.

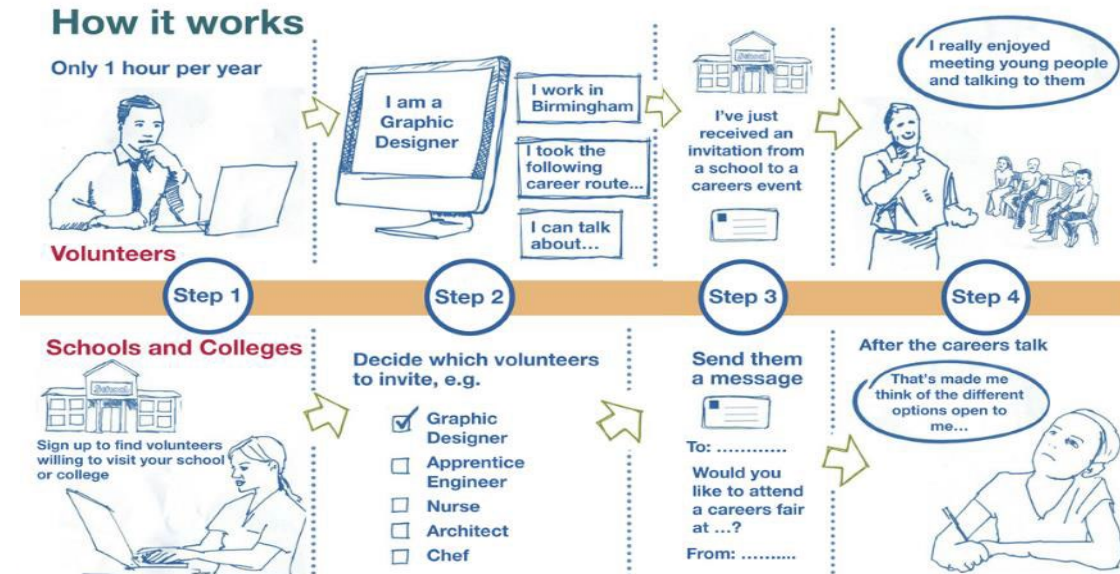
# Therefore:

- More is more, when it comes to employer engagement.
- Start young.
- Students should do different activities with different employers. Different impacts can result, depending on the individual student.

# BrightFutures Product Line

## Career Ambassadors

The cornerstone of the BrightFutures program. They are the main resource of real world information, providing youth with a view of the needed education, training, job search and workplace readiness they will need for their future career.





# BrightFutures Product Line



## Career Hubs

The centers will be equipped with modern technology and staffed by educators and volunteers. The career hubs will provide a space for youth to explore careers.





# BrightFutures Product Line



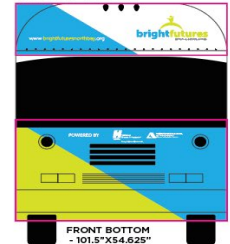
## The Career Explorer

The Career Explorer will be equipped with the same resources as the career hubs but will be a mobile unit that is able to connect us to young people in the outer areas of or region.

DRIVER - 375"X120"



FRONT TOP - 101.5"X28"



FRONT BOTTOM - 101.5"X54.625"

REAR - 96"X109.75"



PASSENGER - 375"X120"



# BrightFutures Product Line



## Career Exploration Resources

A wide range of tools, resources and activities will be provided for youth to explore their career interests including career videos, career workshops, work experience & internships.

fall 
 winter 
 spring

[www.humanities.ucla.edu/hcps](http://www.humanities.ucla.edu/hcps)  
please check our website for event updates!

<b>oct 19</b> <b>CBS on Tour!</b> Learn about career opportunities with this television powerhouse!	<b>nov 2</b> <b>The Ins &amp; Outs of Applying for Graduate School</b> Get the scoop on the do's and don'ts of applying to graduate school.	<b>nov 9</b> <b>Academic &amp; Professional School Panel</b> Get insider knowledge from faculty members about getting into grad/professional school.	<b>nov 16</b> <b>Statement of Purpose Workshop</b> Gain best practices and techniques to write an effective statement of purpose. Then work one-on-one with current graduate students to create, review, and revise your statement of purpose. RSVP is required.	<b>jan 18</b> <b>The Art of Finding a Career at a Museum or Arts Non profit</b> Experienced staff from various museums and arts non profit organizations in Los Angeles discuss employment opportunities at their institutions.
<b>jan 25</b> <b>What to do with Your Gap Year</b> Representatives from organizations such as the Peace Corps, Teach for America, City Year and more speak about how to optimize your gap year.		<b>feb 8</b> <b>Resume and Cover Letter Workshop</b> Designed specifically for Humanities students, this workshop will address which skills Humanities students should highlight in their resumes and cover letters.	<b>feb 22</b> <b>Internships!</b> Build your resume and work experience by finding an internship! A panel of UCLA alumni will speak about their own internship experiences and their current careers.	<b>mar 1</b> <b>Leveraging Your Humanities Degree in non-Humanities Careers</b> Meet a panel of Humanities alumni whose career trajectories have moved away from the traditional fields associated with their majors.
<b>apr 19</b> <b>Government Career/Internship Opportunities</b> A panel of representatives from governmental agencies will discuss how to better your chances of securing a career in the government.	<b>apr 26</b> <b>Careers in Languages &amp; Communication</b> Translate your foreign language skills into a career! Representatives from various industries will discuss why and how their respective fields recruit students with backgrounds in languages other than English.	<b>may 17</b> <b>Careers in Education and Student Affairs</b> Want to become a teacher? Do you want to find a career in student affairs? Take advantage of an opportunity to learn about careers in education by networking with professionals and exploring our resource fair.		<b>may 24</b> <b>Careers in Management</b> Learn how your Humanities degree can help you reach the top of the career ladder.