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Our Vision:

Contra Costa County's Workforce Development Board supports a network that creates and promotes dynamic education systems, high-performing businesses, and a prosperous local economy with an abundance of high-quality jobs and skilled workers to fill them.

Executive Committee Meeting

Agenda

March 13, 2019

3:00 p.m. – 5:00 p.m.

**4071 Port Chicago Highway,
Conference Room A, 2nd Floor**

AND

**1201 California Ave, Pittsburg, CA 94565
Conference Room**

AND

**2525 San Pablo Dam Rd. San Pablo, CA 94806
Conference Room**

3:00 PM CALL TO ORDER AND REMINDER OF POTENTIAL CONFLICT OF INTEREST

PUBLIC COMMENT

3:10 PM **CONSENT AGENDA**

C1 Approve minutes from January 9th meeting

3:15 PM **PRESENTATION AGENDA**

P1 Presentation on New Website Design

3:45 PM **ACTION ITEMS**

A1 Approve Authorization to Work Policy

A2 Approve Updates to Local Plan as necessary

4:15 PM **DISCUSSION ITEMS**

D1 Designation of local area and local board recertification

4:40 PM **COMMITTEE MEMBER REPORTS**

COMMITTEE CHAIR/MEMBER REPORTS

CHAIR'S REPORT

EXECUTIVE DIRECTOR'S REPORT

5:00 PM **ADJOURN**

Next Executive Committee is on April 10, 2019

Any appropriate public records related to an open session item on a regular meeting agenda and distributed by the Workforce Development Board and any of its committees to a majority of members of the Workforce Development and/or its committees, less than 72 hours prior to that meeting are available and for public inspection at 300 Ellinwood Way, 3rd Floor, Pleasant Hill during normal business hours.

The Workforce Development Board will provide reasonable accommodations for individuals with disabilities planning to attend Board meetings. Arrangements can be made by contacting the Board at 925.671.4560

**Workforce Development Board (WDB) of Contra Costa County
Executive Committee Charter**

| Charter Element | Charter Agreement Information |
|--------------------------------|--|
| Business Objective | The primary objective of the WDB Executive Committee is to support system alignment, service integration, and continuous improvement, using data to support evidence-based policymaking. |
| Case for Action | <p>As we advance our work toward realizing our vision for creating shared opportunity and economic prosperity, a number of key factors drive our work:</p> <ul style="list-style-type: none"> • Good jobs in today’s economy and labor market require workers to have a growing level of knowledge and skill in order to compete for them; • The employment gap is widening between those with higher levels of education and credentials and those who lack them; • Jobs are growing at both the high-skill and low-skill end of the labor market, while growth of “middle skill” jobs has been lagging; however, the retirement of baby boomers from the labor force will create openings in nearly every industry and occupation; • The incoming workforce does not have the education and skill-sets needed to perform many of these jobs, as manifested by a continued lag in the educational attainment levels of young people (although beginning to show some signs of improvement, student preparedness for post-secondary education remains very low); and • The difference between supply and demand indicates that there is a “skills gap” between what most workers have to offer and what businesses need, creating the urgency to develop and support new strategies that can better equip and train people for jobs in today’s economy. |
| Requirements | <p>The WDB Executive Committee will:</p> <ul style="list-style-type: none"> • Improve and expand the Workforce Development Board's communications systems and networks • Develop and present legislative/advocacy platforms and position statements for consideration by the Contra Costa County Board of Supervisors and other local elected officials • Recruit qualified board member candidates who are able to effectively advance the board’s strategic priorities and recommend membership appointments to the Board of Supervisors • Support and strengthen administrative, fiduciary, management, and oversight roles and responsibilities of the WDB, including monitoring performance of the WDB Executive Director • Help secure, leverage, and expand resources that help to support workforce and economic development in Contra Costa County and the greater region |
| Boundaries / Guidelines | The Executive Committee will advise and influence the direction and implementation of the WDB’s strategic objectives as outlined the WDB 2017-2020 Strategic Plan, particularly with regards to work related to systems alignment, administration, coordination, and overall accountability. |
| Team Membership | <p>The Executive Committee is comprised of the Chair, Vice Chair(s) and Immediate Past Chair of the WDB; the Co-Chairs of each of its subcommittees, and up to three at-large members to provide appropriate representation of the overall membership. The Executive Committee and the WDB work on behalf of the Contra Costa County Board of Supervisors and the businesses and residents of Contra Costa County.</p> <p>The WDB and the Executive committee often draw upon the knowledge and expertise of other individuals and organizations that are not members of the WDB and occasionally form <i>Ad Hoc</i> committees to do work.</p> |
| Timing | The work of the Executive Committee is aligned with the timeline of the WDB’s 2017-2020 Strategic Plan. |
| Resources | The WDB and the Executive Committee provide and/or support convening and networking functions that draw together a wide spectrum of stakeholders that contribute to the health of the local economy and prepare residents for effective participation in the workforce. These include local and regional businesses, economic development experts and organizations, public agencies, education, labor, and community-based organizations. |
| Review Process | <p>The Executive Committee monitors and reports its progress at regular committee meetings and full WDB member meetings as appropriate.</p> <p>Progress against the WDB 2013-2017 Strategic Plan is reviewed at regular intervals as determined by the WDB and any of its relevant governing authorities at the local, state, and/or federal levels.</p> |

EXECUTIVE COMMITTEE MINUTES

Wednesday, January 9, 2019

The Executive Committee met on Wednesday, January 9, 2019 at 4071 Port Chicago Highway, Conference Room A, Concord, California and 1201 California Avenue, Conference Room Pittsburg, CA 94565 and 2525 San Pablo Dam Rd. Conference Room San Pablo, CA 94806. Co-Chair Yolanda Vega called the meeting to order at 3:09 pm Co-Chair Yolanda Vega reminded everyone of potential conflict of interest.

ATTENDANCE

MEMBERS PRESENT: Bhupen Amin, Jason Cox, Ashley Georgian, Yolanda Vega, Michael McGill

MEMBERS ABSENT –Jose Carrascal (EX), Margaret Hanlon-Gradie (EX), Justin Steele (EX)

OTHERS PRESENT –G. Vittoria Abbate (Board Member), Romina Gonzalez, (Board Member), Jane Fishberg & Monique Brown (Rubicon)

WDB STAFF PRESENT –Donna Van Wert, Gina Del Carlo, Oscar Dominguez, and Rochelle Soriano

PUBLIC COMMENT

Happy Birthday to Mike McGill!

Happy New Year!

CONSENT ITEM

C1 Approve October 10, 2018 Executive Committee meeting minutes.

Motion/Second Mike McGill/Jason Cox

Motion Approved Approved

ACTION ITEM:

A1 Recommend Termination of Board Member

Recommend the termination of **Robert Williams III** from WDB Labor Seat #2 to the Full Board and subsequently the Family & Human Services (FHS) Committee of the Contra Costa County Board of Supervisors.

Motion/Second: Mike McGill/Jason Cox

Motion Approved Approved

AYES: Bhupen Amin, Jason Cox, Ashley Georgian, Yolanda Vega, Michael McGill

NAYES: None

ABSENT: Jose Carrascal, Margaret Hanlon-Gradie, Justin Steele

ABSTAIN: None

DISCUSSION ITEMS:

D1 Update on 501C3 and AJCC Service Delivery Model

Update on 501c3:

This item is intended to explore the options, benefits, and costs associated with creating a new corporation and potentially authorizing WDB staff to pursue the creation of a nonprofit Public Benefit Organization to support the WDB. WDB Staff are working on a timeline and task list to keep this moving forward.

Comments/Feedbacks:

- Full Board Agenda – Feb. 5th, 2019 for consideration
 - Request BOS approval
 - Timeline
- How to diverse and flexible funding?
- Additional funding source
- A simple 501C3

AJCC New Service Delivery Model:

With Rubicon Programs to operate the Comprehensive AJCC located in Concord and to provide Adult & Dislocated Worker career services throughout Contra Costa via a very unique Contra Costa Workforce Collaborative (CCWC) model which will provide access points at existing partner sites from far East Contra Costa to West Contra Costa. The contract start date was August 1st and WDB staff are working closely with Rubicon and the CCWC to ensure that this transition is thorough and thoughtful in its implantation to ensure the highest level of service to those in need of these services throughout the county.

Comments/Feedbacks:

- Good progress and open for business
- PR & Marketing tools are in place
- Shared data – tracking and monitoring

D2 Conference schedule for 2019

Conferences are an opportunity to renew our excitement and commitment to the work we do, they provide an opportunity to network with colleagues face-to-face, and to learn new ideas, trends and implementation strategies.

WDB Staff are presenting a list of conferences that Staff have assembled based on past conferences attended and some new considerations. Staff welcome Board input on the conferences presented, as well as any additional opportunities Board Members would like considered, and seek to come up with a process for determining Board Member attendance at selected conferences.

Comments/Feedbacks:

- CWA 2019 Youth@Work in January 2019 at Long Beach , CA
 - 2 WDB Staff (Donna Van Wert and Gina Del Carlo)
 - 2 Board Members (Mike McGill and William Mahoney)
- CWA 2019 Day at the Capital - March 6, 2019
 - 3 WDB Staff (Donna Van Wert, Maureen Nelson, and Noramah Burch)
 - Board Members (Mike McGill, Romina Gonzalez, & Yolanda Vega)
- NAWB Forum 2019 in March at Washington, DC
 - 2 WDB Staff (Donna Van Wert and Noramah Burch)
 - 2 Board Members (Justin Steele and Jose Carrascal)

D3 Regional and Local Plan Update

The Function of the Regional Plans:

Regional plans and partnerships required by WIOA function under California’s State Plan as the primary mechanism for aligning educational and training provider services with regional industry sector needs in California’s fourteen WIOA Regional Planning Units (RPU). California state law requires coordination between the K-12, Community Colleges, and WIOA systems and requires the use of sector strategies as the operational framework for the state’s workforce system. These two state mandated requirements are met under the State Plan by making federally required WIOA regional plans and partnerships the primary mechanism for aligning

educational and training programs with regional industry sector needs. As such, a focal point of regional plans is the identification, development, and utilization of “regional sector pathway” programs, aligned with regional industry sector needs.

The Function of the Local Plans:

Under the State Plan, the primary purpose of local workforce plans and partnerships is to facilitate access to workforce services at the local level. While WIOA Section 106 regional plans and partnerships are specifically focused on construction of a regional training and education architecture that aligns with regional labor markets, individuals will access and experience this regional workforce architecture primarily through local service delivery efforts, principally those of WIOA partners operating in the America’s Job Cents of California (AJCC) system, formally known as a One-Stop Centers, but potentially through other partners of the workforce system as well. In this regard, it is typically at the local level where services will be integrated, resources braided and supportive services provided to individuals being served by partners.

SCHEDULE

- January 11—Draft of Modified Plan
- January 15—Draft provided for review at regional level
- February 5—Plan provided to WDBCCC Board for approval
- February 6—Plan made public for 30-day comment period
- March 8—Approval of any revisions to plan by WDBCCC
- March 11—Final signed version of plan provided to Region
- March 15—Plan submitted to State Board for review
- June 15—State Board approves/conditionally approves local plans
- July 1—State Board notifies local boards of any deficiencies
- August 1—Final corrected plans due with CLEO signature
- September 1—State Board provides final approval of local plans

Both plans will need to be out for public comment for 30 days prior to that and will need local elected official and Board of Supervisor approval and are due to the State Board on March 15, 2018.

Comments/Feedbacks:

Regional Plan

- Completed and due on March 15, 2019
- Working on the Regional Plan has been intense.

Local Plan

- Glen Price Group and WDB Staff working on synchronizing 20-page plan
- Will be presented and request approval on the next Full Board Meeting on Feb. 5, 2019

COMMITTEE MEMBER REPORTS

Mike McGill (Chair – Youth Committee)

- Youth Committee had a meeting on January 8, 2019 and now meeting monthly
- Learning about Youth Resource Provider
- A lot of interested to join the Youth received submitted application to join the Youth Committee
- Possible to have an Earn & Learn Breakfast
 - Event this Spring
 - Working on “Save a Date”

Ashley Georgian (Co-Chair BED Committee)

- 2 Events – Save the Date
- The Hidden Workforce Forum

- Tuesday, February 19, 2019
- Loma Vista Adult Center
- 8:30 am to 11:30 am
- West Contra Costa 2019 Spring Career Fair
 - Wednesday, March 20 ,2019
 - Contra Costa College

Oscar Dominguez (SBDC Director)

- Expand services to different locations
- About 16 new services providers
- Working on webinar trainings

CHAIR'S REPORT

None

EXECUTIVE DIRECTOR'S REPORT

None

THE MEETING ADJOURNED AT 4:21 P.M.

Respectfully Submitted,

Rochelle Martin-Soriano, Board Secretary

/rms

DATE: March 13, 2019
TO: Executive Committee
FROM: Workforce Development Board Staff
RE: Presentation on new Website by Pat Davis Design Group

The WDB website has not been updated for 8-10 years. In this age of technology, the platform that the WDB is using is no longer current or viable for the functionality required to remain relevant.

In March of last year, RFI # 651 was released to solicit responses to redesign and improve the functionality of the WDBCCC website in order to continue its work with positioning itself as an important resource for community based organizations, labor, educational organizations, vendors and general public and increase organization efficiencies and visibility. The Pat Davis Design Group was selected to assist the WDBCCC with this endeavor.

The Pat Davis Design Group started working on our website revision February 1, of this year and will be presenting some preliminary ideas and landing pages to the Executive Committee today.

Pat Davis Design Group

Pat Davis Design Group was founded in 1977 in Sacramento, California as a one-woman shop providing graphic design services to a handful of clients. Over the past 40 years, the agency has strategically grown to include three offices (two in California and one in Texas), a robust team of highly qualified individuals with complementary skill sets, an expansive portfolio of client work spread all across the country, and a diverse service offering covering all aspects of marketing communications, strategic planning, and targeted outreach.

All services for this particular engagement will be provided by the Sacramento office, located at 333 University Avenue, Suite 200, Sacramento, CA 95825.

Pat Davis Design Group has more than 40 years of marketing communications experience, of which more than 20 years have been spent working with Workforce Development Boards all across the country.

Some key highlights that make our firm a great fit for this project include:

- We have served as the marketing agency of record for Workforce Solutions for the Heart of Texas since 2007, producing over 800 unique deliverables. Our team has extensive knowledge of all Board functions and has been deeply involved in all facets of every program and initiative of Workforce Solutions since 2007. At the end of last year our contract was renewed for an additional five-year term.

- As a nationally-recognized workforce marketing firm, we have partnered with such notable workforce clients as the Sacramento Employment and Training Agency (CA), SkiiiSource Group (VA), South Central Workforce Investment Board (PA), Silicon Valley Workforce Investment Network (CA), and Foothill Workforce Development Board (CA).
- Our creative team currently serves as the lead marketing agency for numerous public-sector clients, including the Town of Gilbert (AZ), City of Scottsdale (AZ), New Castle County (DE), California Department of Transportation (CA), and the City of Maricopa (AZ).
- In the Southern California marketplace, we have recently been awarded design and marketing contracts with the City of Santee and City of Victorville; and, in previous years, we have provided marketing communications services to Sempra Energy, Southern California Gas Company, Southern California Edison, San Diego Gas & Electric, County of Ventura, University of Southern California, and Irvine Medical Center, among others.

DATE: March 13, 2019
TO: Executive Committee
FROM: Workforce Development Board Staff
RE: **Approve Authorization to Work Policy**

This report presents a recommendation to approve a policy that will outline Authorization to Work Policy as outlined in EDD Directive WSD18-03 dated August 29th, 2018. This policy provides the guidance and establishes the procedures regarding verifying authorization to work and making services accessible to all populations.

A. BACKGROUND

In 1993, the passage of SB 733 created a state-imposed eligibility requirement for employment services. The law required government agencies, community action agencies, and private organizations contracting with the government to verify an individual's legal status or authorization to work prior to providing employment services. Additionally, it required these entities to publicly post that only U.S. citizens and those authorized to work in the U.S. could receive services. In 2016, Governor Brown signed AB 2532, which repealed these requirements.

Therefore, California no longer has a state requirement to verify authorization to work. Additionally, there is no work authorization verification requirement in WIOA. However, the federal *Immigration Reform and Control Act* requires employers to verify a job seeker's authorization to work documents prior to employment. At the same time, federal immigration regulations authorize state employment agencies to verify authorization to work (Title 8 CFR Section 274a.6).

Generally, WIOA participants receive job referrals during their period of participation in a program. Additionally, at times Local Areas are the employer of record or coordinating services concurrently with an employer. In these instances, an individual cannot participate unless they are authorized to work to the U.S.

For these reasons, this Directive provides guidance on verification of authorization to work documents, including which services require verification, when to ask, and where to refer individuals for additional services. This Directive also provides a pathway to services for those individuals who do not possess authorization to work documents. California seeks to prohibit discrimination and make workforce services accessible to all populations.

B. RECOMMENDATION

Staff is recommending the Board approve the attached policy that provides local guidelines in collecting evidence of authorization to work as outlined in EDD Directive WSD18-03.

C. FISCAL IMPACT

There is no impact on the budget of the WDBCCC.

D. SCHEDULE

The new policy will be effective immediately to meet the March 15th, 2019 deadline per the EDD Directive.

E. ATTACHMENTS

A1a EDD Directive WDB18-03 Dated August 29, 2018

A1b Authorization to Work Policy

PATHWAY TO SERVICES, REFERRAL, AND ENROLLMENT

EXECUTIVE SUMMARY

This policy provides the guidance and establishes the procedures regarding verifying authorization to work and making services accessible to all populations. This policy applies to all Local Workforce Development Areas (Local Area), and is effective immediately.

In keeping with the [California Unified Strategic Workforce Plan](#), this Directive seeks to support economic growth by preparing a workforce for California's employers, ensuring that the workforce system in California is inclusive of all populations, and promoting flexibility in how services are delivered across the state. By providing clear guidance, the state seeks to assist Local Areas in collecting evidence of authorization to work and in providing important and valued services to all individuals, including but not limited to, individuals with limited English proficiency, homeless individuals, ex-offenders, transient youth, and those engaged in citizenship attainment.

This policy contains only state-imposed requirements.

This Directive finalizes Workforce Services Draft Directive *Pathway to Services, Referral, and Enrollment* (WSDD-179), issued for comment on April 13, 2018. The Workforce Development Community submitted 23 comments during the draft comment period. A summary of comments, including all changes, is provided as Attachment 2.

This policy supersedes Workforce Services Directive *Authorization to Work Verification Requirements* (WSD13-1), dated July 2, 2013, and Workforce Services Draft Directive *Authorization to Work Verification Procedures* (WSDD-161), dated January 17, 2017. Retain this Directive until further notice.

REFERENCES

- *Workforce Innovation and Opportunity Act* (WIOA) (Public Law 113-128), Section 188(a)(5)
- Title 8 *Code of Federal Regulations* (CFR) Part 274a.6
- Title 20 CFR Sections 677.150, 680.900, and 680.910

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

- Training and Employment Guidance Letter (TEGL) [02-14](#), Subject: *Eligibility of Deferred Action for Childhood Arrivals (DACA) Participants for Workforce Investment Act and Wagner-Peyser Act (W-P) Programs* (July 14, 2014)
- TEGL [10-16 Change 1](#), Subject: *Performance Accountability Guidance for WIOA Title I, Title II, Title III and Title IV Core Programs* (August 23, 2017)
- TEGL [19-16](#), Subject: *Guidance on Services Provided through the Adult and Dislocated Worker Program under the WIOA and W-P, as Amended by WIOA, and for Implementation of the WIOA Final Rules* (March 1, 2017)
- Senate Bill (SB) [733](#) (Russell), Chapter 819, Statutes of 1993
- Assembly Bill (AB) [2532](#) (Chiu), Chapter 759, Statutes of 2016
- The United States Citizenship and Immigration Services (USCIS), Handbook for Employers, *Instructions for completing Form I-9*
- USCIS [Form I-9](#), *Employment Eligibility Verification*
- Workforce Services Information Notice [WSIN17-09](#), Subject: *CalJOBSSM Activity Codes* (October 29, 2017)
- [WSIN17-31](#), Subject: *Eligibility of DACA Recipients for WIOA Services* (April 13, 2018)

BACKGROUND

In 1993, the passage of SB 733 created a state-imposed eligibility requirement for employment services. The law required government agencies, community action agencies, and private organizations contracting with the government to verify an individual's legal status or authorization to work prior to providing employment services. Additionally, it required these entities to publicly post that only U.S. citizens and those authorized to work in the U.S. could receive services. In 2016, Governor Brown signed AB 2532, which repealed these requirements.

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For these reasons, this Directive provides guidance on verification of authorization to work documents, including which services require verification, when to ask, and where to refer individuals for additional services. This Directive also provides a pathway to services for those

individuals who do not possess authorization to work documents. California seeks to prohibit discrimination and make workforce services accessible to all populations.

POLICY AND PROCEDURES

Verification Procedures for WIOA and W-P Services

WIOA Title I and Title III staff may verify an individual's authorization to work in accordance with the requirements of the USCIS Form [I-9, Employment Eligibility Verification](#), during the period of participation. Local Areas have the flexibility to determine when authorization to work documentation is required during this period. However, staff must verify when services necessitate coordination with an employer such as on-the-job training and job referrals.

“Period of Participation” Guidance

The period of participation refers to the period of time beginning when an individual becomes a participant and ending on the participant's date of exit from the program. Exit generally occurs when a participant has not received services for a specified period of time and has no additional services scheduled. Local Areas must have procedures in place to verify an individual's authorization to work documents no earlier than the start of participation. When determining the point of asking an individual for authorization to work documentation, Local Areas may take into account the following:

- Nature of the services to be provided
- Need for services to be provided on an expedited basis
- Length of time during which services will be provided
- Co-enrollment opportunities with WIOA Title II
- The cost of providing the services/training

In order to prepare participants for employment and foster positive relationships with employers, staff should make participants aware of federal law requiring employers to verify employment authorization prior to employment, and must verify a participant's authorization to work documents prior to providing a job referral.

For WIOA Title I and Title III – Participation starts when an individual receives a Staff-Assisted Basic Career service, Individualized Career service, or Training service. Authorization to work verification is not required for Basic Career services that are self-service or information-only activities. For customers who receive self-service or information-only activities, only demographic information is collected and reported. When verifying authorization to work, staff must retain either hard copies or scanned copies of the individual's Form I-9 documents. However, staff are strongly encouraged to scan authorization to work documents into CalJOBS. Scanning documents into CalJOBS facilities a one-time verification process should an individual visit a different America's Job Center of CaliforniaSM (AJCC).

The Title I and III service category definitions are briefly described below. For a comprehensive list of definitions and CalJOBS activity codes, see *CalJOBS Activity Codes*, WSIN17-09.

- **Self-Service Basic Career services** – An individual independently uses services at an AJCC with minimal or no staff assistance (e.g., self-service labor market research, job search, use of AJCC resource room, referral to a partner program, etc.). Self-service also includes staff establishing access to CalJOBS for an individual or looking up a password. Individuals using self-services only do not count toward performance measures.
- **Staff-Assisted Basic Career services** – An individual requires an assessment by a staff member of the individual’s skills, education, or career objectives (e.g. proficiency testing, resume preparation assistance, job referrals, etc.).
- **Individualized Career services** – An individual receives WIOA-funded services that are appropriate for them to obtain or retain employment (e.g., development of an individual employment plan, English as a second language services, work experience, etc.).
- **Training services** – An individual receives services that include WIOA-funded training and/or support and coaching.

The following chart is intended to aid Local Areas in establishing policy on when to ask for authorization to work documents. The flow chart takes into account which services trigger participation as well as which services impact the Local Area’s relationship with employers. Where a service triggers participation and necessitates that the Local Area coordinates the services with an employer, Local Areas must verify the individual’s work authorization documents. Local Areas are not required to verify work authorization documents for services that do not require coordination with an employer.

| Authorization to Work Service Flow Chart | | |
|--|-------------------------------|---|
| Service | Triggers participation | Authorization to Work |
| Basic Career - Self-service and information-only activities, including program referrals, outreach, intake, orientation, eligibility determination | No | Cannot verify |
| Basic Career – Staff-Assisted, including initial assessment, job placement, career counseling | Yes | <u>May</u> verify for activities such as initial assessment and career counseling |
| | | <u>Must</u> verify for job placement assistance |
| Individualized Career | Yes | <u>May</u> verify for activities such as occupational career counseling, aptitude |

| | | |
|----------|-----|--|
| | | testing, mentoring, and group counseling |
| | | <u>Must</u> verify for employment activities such as work experiences, transitional jobs, internships, and pre-apprenticeship training |
| Training | Yes | <u>May</u> verify for classroom training |
| | | <u>Must</u> verify for employment activities |

Single Verification Process

AJCC partners with verification requirements are encouraged to coordinate verification to increase efficiency of the process and prevent participants from having to repeatedly present Form I-9 documents. Once authorization to work is verified by one program, staff in a separate program do not need to re-verify. Further, WIOA Title I and Title III must coordinate a local policy that establishes a point of verification within each program that mirrors each other where possible. For example, WIOA Title I should not require authorization to work verification for Unemployment Insurance claims assistance when Title III does not require authorization to work verification for this activity.

Referrals to Partner Programs

Under WIOA Title II, participation starts when adults who are basic skills deficient, lack a high school diploma or its equivalent, function below the level of a high school graduate, or are unable to speak, read, or write the English language, enroll in and attend WIOA Title II adult education, English language instruction, and/or integrated education from eligible providers (school districts, community colleges, libraries, community based organizations, or other public or private non-profit entities). There is no requirement for a WIOA Title II provider to verify authorization to work or retain documentation. Local Areas are encouraged to refer individuals who are not authorized to work in the United States to WIOA Title II and other programs that do not require authorization to work documentation.

Local Areas are encouraged to work with Title II partners and other partners without authorization to work requirements to co-enroll individuals with the goal of helping the participant obtain citizenship, authorization to work, and meaningful employment. Possible scenarios are included in Attachment 1, Frequently Asked Questions. In the case of co-enrollment between any of the WIOA core partners, both partners may count all performance outcomes achieved. For additional resources to align programs see [Funding Career Pathways and Career Pathway Bridges: A Federal Policy Toolkit for States](#). For a list of services the

California Department of Social Services (CDSS) provides to immigrants, see the [CDSS website](#) *Immigration Services*.

Supportive Services

Possessing authorization to work documents is not only critical for individuals to participate in workforce and training programs, but to fully integrate into society and the local economy. Often vulnerable populations who are legally authorized to work in the United States such as the homeless, ex-offenders, and transient youth lack physical copies of authorization to work documents due to their circumstances. Local Areas are strongly encouraged to enroll such individuals and use supportive services to help the individual obtain authorization to work documents. Supportive services such as legal aid are available to participants enrolled in Basic Career, Individualized Career, or Training services. For participants enrolled in Training services, supportive services may include needs related payments to help cover the cost of obtaining or renewing authorization to work documents. If a Local Area chooses to provide such support, the Local Area must include it in their local policy. (Title 20 CFR Sections 680.900 and 680.910)

Local Policy

Local Areas must coordinate with the Title III partner to establish a local authorization to work policy that identifies the point(s) during the period of participation when AJCC staff must verify a participant's work authorization documentation. In addition, the policy must include procedures for storing/accessing authorization to work documents (i.e., scanned or hard copy). Local Areas must have the authorization to work policy in place by March 15, 2019.

Public Notification

Because individuals may receive employment services and services from other partners in an AJCC without first providing their authorization to work documents, Local Areas should remove public notices that state employment services are available only to individuals who are U.S. citizens or legally authorized to work in the United States. Posting such signs may discourage individuals who are legally entitled to services from entering an AJCC.

ACTION

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

INQUIRIES

If you have any questions, contact your [Regional Advisor](#).

/S/ JAIME L. GUTIERREZ, Chief
Central Office Workforce Services Division

Attachments are available on the internet:

1. [Frequently Asked Questions](#)
2. [Summary of Comments](#)
3. [Errata Chronology](#)

Workforce Policy Bulletin #01-19 - NEW

Effective Date: March 15, 2019

Approved by: Donna P. Van Wert, Executive Director

Re: Authorization to Work Policy

WIOA Adult Priority of Service

(Does not apply to Dislocated Worker program or Youth program)

Local definitions and guidelines in this bulletin appear in *blue italic type*.

PURPOSE

The purpose of this Workforce Policy Bulletin is to:

- Rescind Workforce Policy Bulletin #10-10,
- Align local priority of service policy with EDD Workforce Services Directive #WSD-15-14 re: the Workforce Innovation and Opportunity Act (WIOA) Adult Program Priority of Service and
- Establish locally defined additional priority target populations (Re-entry/Returning Citizens and Individuals with Disabilities), and
- Establish locally defined minimum threshold percentage (51%) of priority individuals to be served

BACKGROUND

The Workforce Innovation and Opportunity Act established priority of service requirements for Title I Adult formula funds. Veterans and eligible spouses continue to receive priority of services for all DOL funded programs in accordance with guidance previously released by DOL and EDD WSD08-10. Additionally, WIOA extends a priority of service to individuals who receive public assistance, are other low-income or are basic skills deficient.

POLICY/ SERVICE REQUIREMENT

- By federal statute, priority of service, at minimum, applies to the use of WIOA Adult funds for:
 1. Individualized Career Services and/or
 2. Training Services

- WIOA Priority of Service does not apply to Adult Basic Career Services (which shall be made available to all) or to Dislocated Worker or Youth formula funds
- Priority must be provided in the following order:
 1. Veterans & eligible spouses who are **also** low-income **or** basic skills deficient
 2. Public Assistance recipients **or** other low-income **or** basic skills deficient
 3. Veterans and eligible spouses who are not included in WIOA's priority groups
 4. *Locally defined target populations*
 - a) *Individuals with Disabilities and/or*
 - b) *Returning Citizens (Re-entry)*
 5. Individuals not included in WIOA's priority groups *or locally defined target group*
- *During any program year, a minimum of 51% of participants who receive individualized Career Services and/or Training services, regardless of the program year in which participation began, shall be in one or more of the Priority Target populations as listed above. See Definitions section of this bulletin for a list of services for which target populations have priority.*
- Priority of service is established at the time of eligibility and remains intact for the entire period of participation even if the individual's circumstances or characteristics later change
- Applicable priority factors shall be entered into CalJOBS and documentation shall be part of the case-file. (See EDD [WSD14-14 pg 8](#) for a list of acceptable documentation)
- Priority percentages will be tracked by the MIS Unit based on data in CalJOBS and reported in mid-year and annual reports or by request.

DEFINITIONS/CRITERIA

Low-income criteria [WIOA Section 3(36)] is as follows:

1. Receives or is a member of a family that receives or has in the past 6 months received:
 - Supplemental Nutrition Assistance Program (SNAP) or
 - Temporary Assistance for Needy Families (TANF) or
 - Supplemental Security Income or
 - State or local income-based public assistance (defined as cash payments for which eligibility is determined by a needs or income test [WIOA Section 3[50]]).
2. In a family with a total family income that does not exceed the higher of the following
 - The poverty line
 - 70 % of the Lower Living Standard Income Level (LLSIL)
3. A Homeless individual
4. An individual with a disability whose own individual income is below the poverty line or 70% of the LLSIL (regardless of their family's income).

Basic skills deficient criteria:

- Lacks a high school diploma or equivalency and is not enrolled in post-secondary education or
- Enrolled in a Title II Adult Education/Literacy program or
- English, reading, writing, or computing skills below the 9th grade level or
- Limited English skills – can be determined through staff-documented observations or
- *Other objective criteria determined to be appropriate by the Local Area and documented in required policy*

Returning Citizen/Re-entry population is inclusive of:

- AB109-eligible returning citizens (specified non-violent, non-serious, non-sex offenders), individuals on formal felony probation, released in the past 3 years, pre-trial, informal felony probation, specialty courts, parolees, the formerly incarcerated, and other justice-involved individuals

Individual with a Disability (ADA definition)

- A person who has a physical or mental impairment that substantially limits one or more major life activities. This includes people who have a record of such impairment, even if they do not currently have a disability. It also includes individuals who do not have a disability but are regarded as having a disability.

Individualized Career Services are subject to priority of service and include:

1. Comprehensive and specialized assessments of skill levels and service needs such as use of assessment tools or in-depth interviewing to identify employment barriers and appropriate employment goals
2. Development of individual employment plans with achievement objectives and services for the achievement of goals
3. Counseling and/or mentoring
4. Career planning (case management)
5. Short-term pre-vocational skills including communication skills, interviewing skills, punctuality, professional conduct, etc.
6. Internships/Work Experience that are linked to careers
7. Workforce Preparation activities that include a combination of basic academic skills and skills necessary for successful completion of post-secondary education, training, or employment.
8. Financial literacy
9. Out-of-area job search assistance
10. English language acquisition and integrated education and training programs

Training Services are subject to priority of service and include:

1. Occupational skills training including training for non-traditional employment
2. On-the-Job Training

3. Incumbent Worker Training
4. Programs that combine workplace training with related instruction
5. Training program operated by the private sector
6. Skill upgrading and retraining
7. Entrepreneurial training
8. Transitional jobs
9. Job readiness combined with another training service
10. Adult Education and literacy activities provided in combination with another training service
11. Customized training conducted with a commitment by employer/s to employ individual/s upon successful completion

Adult Basic Career Services are not subject to priority of service and must be made available to all individuals seeking services offered by the one-stop delivery system and include the following:

- a) Eligibility determination for the Adult, Dislocated Worker, or Youth programs
- b) Outreach, intake, orientation to one-stop delivery system
- c) Initial Assessment of skill levels as well as aptitudes and supportive service needs
- d) Labor exchange services
- e) Referrals and coordination of activities with other programs and services
- f) Provision of labor market information
- g) Provision of information (performance & cost) of eligible training providers
- h) Local Area performance and one-stop delivery system performance
- i) Availability of supportive services and referrals
- j) Assistance establishing financial aid eligibility for training and education not provided under WIOA
- k) Provision of information and meaningful assistance with filing UI claims

REFERENCES/CITATIONS

- EDD Workforce Services Directive WSD15-14
- Title 20 Code of Federal Regulations (CFR) “WIOA Notice of Proposed Rule Making” (NPRM)
- WIOA (Public Law 113-128) Sections 3 and 134
- <http://www.contracosta.ca.gov/3091/Public-Safety-Realignment>
- American’s with Disabilities Act

INQUIRIES

If you have questions regarding this this bulletin, please contact Noramah Burch at nburch@ehsd.cccounty.us or 925-671-4532.

DATE: March 13, 2019
TO: Executive Committee
FROM: Workforce Development Board Staff
RE: **WIOA WDBCCC Local Plan Modification Update as Necessary**

This Action Item is to approve any changes deemed necessary to the WDBCCC local plan based on input received from the public comment period ending March 8, 2019.

A. BACKGROUND AND DISCUSSION

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 also 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. Pursuant to the State Plan modifications submitted to the U.S. Department of Labor in the spring of 2018 and approved on June 11, 2018, the State Board is providing guidance to Local Boards on the requirements associated with local and regional planning modifications. This Directive provides specific guidance and instructions on both required and elective modifications to local and regional plans.

B. CURRENT SITUATION

The WDBCCC local plan modification was approved by the board at the February 5th Full Board meeting and then released for public comment. The Full Board approved the following recommendation at the February 5th Full Board:

RECOMMENDATIONS

1. Approve the Draft Local Plan as presented and authorize the WDB Executive Committee to approve any changes to the Plan that may arise from the 30-day public comment period at the March 13th 2019 meeting

As of March 5th there have been no public comments submitted. In an effort to meet the Brown Act requirement for posting public meetings the Executive Committee Packet will be published prior to the end of the comment period. Any changes deemed relevant and necessary as a result of the public comment period ending March 8th will be presented to the Executive Committee at the March 13th meeting for approval.

C. RECOMMENDATIONS

1. Per the authorization of the Full Board at the February 5th Board Meeting, WDB staff are recommending the Executive Committee approve the Local Plan with specific changes as determined relevant and necessary from the public comment period.

D. SCHEDULE

- February 7—Local Modification Plan released for public comment period
- February 11 – Regional Modification Plan provided to Local WDBs and posted for comment
- March 8 – Review of public comments
- March 13—Approval of any revisions to Local plan by WDBCCC
- March 14—Final version of both plans provided to Regional Coordinator
- March 15—Plans submitted to State Board for review
- June 15—State Board approves/conditionally approves plans
- July 1—State Board notifies local boards/regions of any deficiencies
- August 1—Final corrected plans due with CLEO signature
- September 1—State Board provides final approval of plans

Both Regional and Local plans are due to the State Board no later than 5:00 pm on March 15, 2018. Both plans will need to be out for public comment for 30 days prior to that and will need local elected official and Board of Supervisor approval.

D. FISCAL IMPACT

These modifications to the WDB 2017-2021 Strategic Workforce Development Plan will help to prioritize and align the WDB's investments in different programs, initiatives, and activities supporting the workforce system in Contra Costa County and the region.

E. CUSTOMER IMPACT

As the guiding document for an organization's mission, vision, goals, objectives, and priorities the strategic plan should help the WDB be more responsive to the needs of the local economy and to customers that utilize programs and services under its purview. Additionally, the refinement of specific metrics related to the plan should help to ensure a greater level of accountability and transparency to all stakeholders.

F. ATTACHMENTS

A2a – [EDD Directive WSD18-01 Regional and Local Plans PY 17-21 Two Year Modifications Guidance dated July 27th, 2018](#)

A2b – Local Plan Modifications – Narrative

A2c – Local Plan Modifications with any necessary changes for approval – HAND OUT

A. Regional Alignment, Coordination, and Integration of Services for CalFresh Recipients

Braiding Resources and Coordinating Service Delivery Among Local Partners

Describe how local/regional partners will braid resources and coordinate service delivery to people receiving CalFresh, including by leveraging 50% federal reimbursement from CalFresh E&T for workforce services, sector pathway programs, supportive services and retention efforts described below.

By partnering with the Contra Costa Workforce Collaborative (CWCC), a partnership of 10 local organizations who provide workforce development services, many of whom provide direct CalFresh services, the WDBCCC is able to network and disseminate information to diverse constituents across the county.¹ The WDBCCC will continue to provide labor market data, information on priority industry sectors, and in-demand occupations to help connect CalFresh recipients to employment opportunities in strategically identified industry sectors that pay a livable wage (advanced manufacturing, healthcare, transportation/logistics). The WDBCCC will utilize existing supportive/retention resources, and incorporate additional supportive/retention services available through additional partners such as CalWORKs (Childcare, Transportation). The WDBCCC will also work to strengthen and leverage existing relationships, while looking to expand networks with various resource providers in the coming year.

The WDBCCC has also contributed administrative and other support in the development of Workforce Integration Networks (WINs) in West, Central and East Contra Costa County. The WINs provide an opportunity for community based and local government service providers to come together to give updates on their work, and to collaborate on shared services for individuals in need. The WINs will serve as an important vehicle for coordination of services for people receiving CalFresh.

The Workforce Development Board of Contra Costa County (WDBCCC) has served in an advisory capacity to the partnership of organizations coordinating and delivering services to people receiving CalFresh E&T services in the county. This partnership includes Opportunity Junction, Rubicon, the Food Bank of Contra Costa, and EHSD CalFresh E&T. Rubicon and Opportunity Junction are the entities that currently operate under the “third party match” model, delivering E&T services to CalFresh participants and receiving 50% reimbursement of federal funds.

Over the past nine months, the WDBCCC has played an active role in a CalFresh planning process in the county to prepare for the end of the waiver of the work requirement (in September 2019) for those classified as Able Bodied Adults Without Dependents (ABAWDs). The process resulted in the development of three *Shared Impact Strategy* workgroups. The WDBCCC is continuing its participation in two of these workgroups, one related to the expansion of CalFresh E&T opportunities in the county, and another focused on outreach and recruitment of individuals that will soon be required to meet the work requirement. Participation in these workgroups will offer multiple opportunities for braiding resources and coordinating service delivery among partners for CalFresh recipients

Partnering with Organizations that Serve Specific Types of CalFresh Populations

¹ The CWCC includes: Rubicon, Adult Education (Mt. Diablo, Liberty, Martinez, Pittsburg), Contra Costa Community College District, Lao Family Community Development, New Horizons, Opportunity Junction, and San Pablo Economic Development Corporation (EDC).

Explain how local/regional partners will identify and partner with local/regional organizations that serve specific types of CalFresh populations (i.e. formerly incarcerated individuals, non-custodial parents, etc.) and strategies for leveraging existing resources in the community.

The WDBCCC has identified and collaborates with local/regional partners serving CalFresh populations to ensure awareness of resources available through WIOA (Contra Costa Workforce Collaborative, SparkPoint, Rubicon, Opportunity Junction, EHSD CalFresh Employment & Training). All of these organizations provide direct services to CalFresh recipients. The WDBCCC also convenes business information forums which provide information, resources, and hiring incentives to employers. These include the Work Opportunity Tax Credit (WOTC), Employment Training Panel (ETP), and additional resources. The forums also provide an opportunity for partnering organizations to highlight their particular programs/resources available to targeted CalFresh populations.

The WDBCCC will conduct direct outreach to specific groups of jobseekers to highlight opportunities, including the reentry population and people with disabilities. In February 2019, the WDBCCC will sponsor an event for people with disabilities through its Disability Accelerator grant, many of whom are CalFresh participants. The WDBCCC hosts monthly PACT (Parole And Community Team) meetings of organizations promoting services available to the reentry population. These meetings are facilitated by the California Department of Corrections and Rehabilitation, and offer support for employment, CalFresh support, and disability services.

Types of Workforce Services Available to CalFresh Recipients Funded by Local/Regional Partners

Describe the types of workforce services available to people receiving CalFresh that are and can be funded by local/regional partners, the baseline level of service (e.g. number of individuals and types of services), and how the local/regional plan will modify the types and quantity of workforce services provided to this population.

Workforce services available to people receiving CalFresh that are and can be funded by local/regional partners include: services provided through the AJCC/One Stop system; computer technology skills through Opportunity Junction, and releasing of a driver's license by the Child Support Program. WIOA Title I places priority of service on low-income individuals, including those who are receiving CalFresh. In some instances, the income guidelines for CalFresh are higher than the LLSIL used for Title I priority eligibility. Because individuals receiving services from partners are not currently tracked by their CalFresh status, baseline data on the number of individuals and types of services that they are receiving is not available.

A total of 88 people on CalFresh in Contra Costa County in 2017 received CalFresh E&T services, including: case management; assessments; pre-employment job readiness training; career skills training, including job search, communication skills, career advancement; resume and job application preparation support; interview preparation; placement assistance including referrals to sector based employment; college orientation and success planning; financial education and financial coaching; and vocational training for administrative careers. The WDBCCC is part of the planning team that is working to increase access to CalFresh E&T services through expanding the pool of providers.

The Workforce Development Board of Contra Costa County (WDBCCC) operates a One-Stop, branded as America's Job Center of California/EASTBAY Works, in Concord, CA, serving East, Central and West County. Services are also provided at numerous access points throughout the county. They include but are not limited to: Access to computers, faxes and phones for job search; Career, educational and work readiness assessments; A variety of

career and job readiness workshops; Resource referrals for support services from public, private and non-profit agencies in Contra Costa County.

Providing training opportunities to eligible participants is a key service provided by the Workforce Development Board through the AJCC. The WDBCCC trains toward priority sectors that have been identified as opportunities for career advancement and income mobility for our job seekers. The priority sectors for this period include: (1) advanced manufacturing; (2) health and life sciences; (3) energy; (4) information communications technology (ICT) and digital media; and (5) construction.

Contra Costa County Eastbay Works AJCC is integrated with the county CalWORKs program. In addition, the One-Stop Administrator manages the CCWORKS subsidized employment program for CalWORKs. The CCWORKS Employment Placement Counselors attend meetings across both bureaus (WFS & WDB/AJCC), conducting outreach and marketing for both bureaus.

A number of participants are co-enrolled across CalWORKs & Workforce Innovation & Opportunity Act (WIOA) programs and therefore able to take advantage of additional leveraged resources that may include individualized occupational job training, cohort trainings, support services, and subsidized work opportunities. CalWORKs and the WDB/AJCC works collaboratively on outreach and recruitment for all cohort training opportunities.

Integration of People Receiving CalFresh into Sector Pathway Programs

Describe the role of local/regional partners in helping provide services to and integrating people receiving CalFresh into sector pathway programs, including participation in program development, outreach, and the provision of specialized supportive services.

A number of WDBCCC partners offer sector pathway programs into which CalFresh recipients are integrated. FutureBuild offers extensive wrap-around services for participants in their pre-apprenticeship construction program, leading to employment opportunities in multiple building trades. Opportunity Junction provides computer training and a broad range of supportive service to help individuals prepare for administrative careers. Rubicon Programs provides wrap-around and specialized supportive services specifically targeted to the re-entry population. The Association of Manufacturers Bay Area (AMBAYArea) is interested in providing work-based learning/training opportunities to underserved populations in the county. All programs include active outreach to CalFresh participants.

Partnering to Provide Supportive Services and Facilitate Program Completion

Describe the ways in which local/regional partners will work together to provide supportive services to this population and facilitate program completion.

As mentioned elsewhere in this report, the CalFresh population faces significant challenges that impact employment and successful completion of workforce development training. These include health and mental health issues, lack of housing, responsibility of caring for dependents, and lack of access to transportation. The WDBCCC will collaborate with multiple partners on the delivery of services to address these challenges for people receiving CalFresh. Key partners in the provision of services include: Rubicon, the Contra Costa Workforce Collaborative (description on page 1), CalWorks (if co-enrolled), WIOA Title I Adult/DW programs, Pell grants, housing providers, county-based services that address issues such as transportation and childcare, and a range of community based organizations across the county.

Retaining Participants in Regional Sector Pathway Programs

Describe the process Local Boards and their partners will use to retain this population in regional sector pathway programs as they progress into livable wage jobs and careers.

It can be a challenge to support retention in sector pathway programs for individuals with the level of barriers experienced by many people on CalFresh. The local board and its partners will engage in frequent communication and updates regarding the status of individual participants, in order to identify and serve participant needs. Tailoring the program to meet the specific needs of the individual is another way to facilitate retention and increase motivation. Delivering program services in a culturally sensitive way can also be an effective strategy for supporting retention.

B. Existing Workforce and Education Program Partnerships to Serve Non-Custodial Parents

Partner Collaboration to Provide Supportive Services

Describe the ways in which the program partners work together to provide supportive services to non-custodial parents to support job retention.

The Workforce Development Board of Contra Costa County (WDBCCC) helps participants in its workforce services programs to access a variety of supportive services that assist them in successfully securing livable wage employment. The WDBCCC provides assistance with transportation, subsidies for materials for education and training programs, and/or work tools or clothes. The WDBCCC also provides referrals to other organizations and services in the community that provide supportive services, including child care assistance, housing support, mental and physical health services, and substance abuse support.

In addition, the WDBCCC and the Child Support Program (CSP) currently participate in the Parole and Community Team (PACT), a collaborative effort organized around parolees. In the past, CSP participated in the Workforce Integration Networks (WIN) of the WDB, where CBOs, adult education and training providers, and workforce development partners convened regularly to improve services and outcomes across the County.

Ensuring a Comprehensive Provision of Services

Discuss the steps to be taken to ensure that a comprehensive provision of services is provided to noncustodial parents to facilitate successful labor market outcomes and progression into livable wage jobs and careers.

To ensure that non-custodial parents receive the comprehensive services they need to achieve successful employment outcomes, the WDBCCC will explore the possibility of creating a Memorandum of Understanding with the CSP to facilitate greater communication, coordination of services, and tracking of non-custodial parents. This will help to ensure that individuals seeking higher wage employment can get access to GED support, ESL classes, or adult basic education classes, as well as the skills and credentials to obtain higher wages. Greater coordination with the CSP will allow the WDBCCC to provide the full range of support to these individuals.

Impact of Eligibility Criteria on Ability to Provide Workforce Services

Discuss how eligibility criteria for workforce services impacts the Local Board's ability to provide workforce services to the Child Support Program population.

As part of the process of determining priority for services, WDBCCC has to document six months to a year of income for potential recipients of services. Sporadic employment or non-reporting of income, which are common for the NP population, can create difficulty in documenting this history. The desire on the part of some NPs to show as little income as possible to avoid garnishment of their wages can thus impact their eligibility for workforce services.

Obstacles to Providing Services to the Child Support Program Population

Explain obstacles to providing services to the Child Support Program population

There are currently several obstacles to providing services and establishing meaningful partnerships for service delivery. First, the CSP cannot spend money on direct services to NPs, limiting their ability to support them directly. In addition, many of the CSP tools are punitive and can increase the individuals' barriers to employment, for example, through suspending their driver's license for delinquent child support payments. Furthermore, current child support laws are written with the assumption of a traditional family structure of a husband and wife who divorce. These laws do not reflect the reality of many non-custodial parent situations.

An additional challenge is that NPs may not want the CSP to know they are working, due to a fear of wage garnishment. Furthermore, the CSP, the WDB, and other service providers are also not always aware of all of the programs in which an NP may participate. This could be addressed through a formal partnership where CSP includes a referral to WDBCCC services and a waiver on increased payments while the client is meeting specified workforce development goals. This will increase the likelihood of good communication between CSP, the WDBCCC and the client.

Additional Tools to Motivate and Support Participation

Explain additional tools that can be explored to motivate and support participation and any legal or regulatory barriers to utilizing these tools.

The CSP could incentivize their clients to participate in workforce programs by reinstating suspended driver's licenses upon enrollment in a training or education program, or upon meeting another defined employment goal. In addition, the CSP could also work with non-custodial parents to reduce their child support payments in exchange for participation in a workforce training program, until new employment is secured.

Obstacles to Meaningful Engagement in Local Partnerships

Explain obstacles to meaningfully engaging in local partnerships.

There are several potential obstacles to expansion of the partnership between the WDBCCC and the CSP. First, the CSP operates on a "One-strike, you're out" approach, which can make it challenging to establish relationships with individuals who may be facing multiple barriers to employment and may need greater support to achieve their goals. A second potential barrier is that NPs may not want the CSP to know they have started working, since that could impact their required child support payment amount. This could be mitigated, however, by reducing child support payment during the duration of a work training program to increase participant buy-in. Finally, the CSP, the WDBCCC, and other service providers may not always be aware of all the programs in which the client participates, which makes it more difficult to coordinate efforts to help an individual.

Retaining Individuals in Relevant Workforce and Education Training Programs

Describe the process Local Boards and LCSAs will use to retain individuals in relevant workforce and education training programs to support progression into livable wage jobs and careers.

The WDBCCC will work closely with program participants to ensure that they have access to the full range of services they need to successfully complete their training. The WDBCCC will identify the unique mix of supports and training services that each individual needs and will coordinate with relevant partners, including the CSP, to ensure they get everything they need and to address any challenges that arise.

Existing, New and Prospective Partnerships for Workforce Training and Education

Describe existing, new, and prospective partnerships with stakeholders to coordinate workforce and related training and education service delivery to Child Support Program participants.

The WDBCCC will build upon its current partnerships with employers, educational systems, unions, and community-based organizations to continue improving the coordination and leveraging of resources. In addition, the WDBCCC will further strengthen and codify its partnership with the CSP, including through the potential signing of a Memorandum of Understanding.

Braiding Resources and Coordinating Service Delivery

Describe how local partners, including LCSAs, County Human Service Agencies, Local Boards, community colleges, adult education providers, CBOs, social enterprise, and other stakeholders will braid resources and coordinate service delivery.

The WDBCCC will continue to work with partners to braid resources and coordinate service delivery in the county, with a strengthened focus on providing support to non-custodial parents. Coordination with partners will primarily take place through the Contra Costa Workforce Collaborative (CCWC), Parole and Community Team (PACT), and the Workforce Integration Network (WIN). The CCWC is an innovative public/non-profit partnership of Contra Costa County workforce development organizations that currently operate within the County. It was created specifically in response to the request for proposals to provide Adult and Dislocated Worker career services under WIOA. The PACT is a mandatory orientation meeting that gives people just released from prison a chance to see what services are available in their communities to help them succeed at home. The WIN is a network of public, private, and government agencies committed to working together to create a broader, more integrated system of workforce services designed to leverage public and private resources, enhance access to WIN member services and improve long-term outcomes for individuals using these services, reducing duplication and increasing efficiency.

Engaging CBOs with a History of Serving the Targeted Populations

Describe how local workforce development boards will engage CBOs with a history of serving and working with the targeted populations, such as vocational training providers, in order to offer basic skills and occupational training, job and career search assistance, and supportive services within the local workforce development system.

As evidenced by the networks listed above (CCWC, PACT, WIN) the WDBCCC has a history of working collaboratively with CBOs, education partners, and private and public agencies, in effort to not only leverage resources but to better connect target populations to the services best suited to their needs. The WDBCCC and its partners continue to research and reach out to organizations that can add value to the network. The CSP will be invited to participate in the PACT and WIN meetings.

Referral Process and Forms for Tracking this Population

Describe the referral process and forms utilized to track this population as they are referred from LCSA office and Family Court.

The WDBCCC does not currently have a referral process with the CSP or the family court, but is in discussions with the CSP about establishing a Memorandum of Understanding that would lay out the referral process between the organizations and that would establish data sharing so the CSP can track the non-custodial parents with whom they work.

Tools and Incentives that LCSAs can use to Promote Workforce Development Participation

Discuss the tools and incentives that LCSAs can provide to noncustodial parents to promote

their participation in workforce development and education training programs.

- *Incentives and tools used to facilitate a successful referral.*
- *Incentives and tools used to foster a sustained program participation.*

As indicated elsewhere in this document, there are a number of tools and incentives that can be employed by LCSAs to provide motivation to NPs to participate in workforce development and training. One key approach is to negotiate a reduction in the amount of child support payments during participation in workforce training, as a way to support enrollment and retention. Another is for the LCSA to develop a more collaborative relationship with NPs, so that they understand that participation in workforce development and education can be beneficial to them as well as their families. Increasing non-custodial parents' awareness of available hiring incentives, such as the Work Opportunity Tax Credit, is another useful incentive for motivating individuals to participate in these employment training opportunities.

C. Serving Individuals with Intellectual and Developmental Disabilities

Ways in Which AJCC Staff have Gained Knowledge About Serving Individuals with ID/DD

Describe in your plan the ways in which AJCC staff have gained knowledge or training about serving individuals with ID/DD and the additional programs and resources available in the area.

In addition to focusing on college graduates with disabilities, a central focus of the Workforce Board's Disability Employment Accelerator (DEA) project is improving employment outcomes specifically for individuals with Intellectual/Developmental Disabilities (ID/DD). This has been achieved by partnering with two Community Based Organizations (CBOs) (East Bay Innovations and Futures Explored) that are experts in this field and that also receive funding from Regional Centers. As the DEA Project Lead, the One-Stop Administrator has participated in DEA quarterly convenings and learning community meetings and provided information to the AJCC staff on best practices to improve services to this population.

Representatives from the Department of Rehabilitation (DOR) and Futures Explored (staff and consumers) have served as experts and facilitators of the Strategic Planning break-out sessions which focused on ID/DD needs and identified a wealth of resources to help AJCC staff expand their knowledge and strengthen their capacity for working with this population.

In an effort to ensure AJCC staff are fully trained, AJCC MOU partners recently completed a matrix that identified which trainings each MOU partner agency can provide as well as areas in which training is needed. The DOR will provide training on serving individuals with ID/DD through this mechanism.

Additional programs and resources about serving individuals with ID/DD that the WDBCCC can access include the following:

- Partnership with CBOs East Bay Innovations and Futures Explored (both funded by Regional Centers)
- Disability Employment Accelerator Employment Development Department Project Managers to provide technical assistance regarding effective work with the ID/DD population
- Department of Rehabilitation - including Work Incentive Planners (WIPS) and Windmills Training²
- Contra Costa BRIDGES to Success program, which provides a alternate route to specific County jobs for people with developmental disabilities

² The Windmills curriculum, used by more than half of Fortune 500 companies, is aimed at raising awareness of the limitations often imposed upon people with disabilities due to lack of knowledge or low expectations.

- EHSD Navigators who connect individuals with needed services within Contra Costa's Employment and Human Services Department and beyond
- CCCOE Workability programs provide pre-employment training, job placement, and follow-up for high school students in special education including those with ID/DD

Connecting with DOR Point of Contact on Supportive Services

Please explain how your area has or will connect with your DOR point of contact who can provide linkages to service providers and/or supportive services (i.e., job coaching) to individuals with ID/DD who are VR consumers.

The DOR point of contact offers direct services at the Concord Comprehensive AJCC and serves as a "resident expert" and link to additional supports for individuals with ID/DD. Additional partnerships with CBOs receiving Regional Center funds also maximize WIOA Title I training dollars while providing the additional supports (specialized assessments, job coaching, life skills, social skills, etc.) individuals with ID/DD may need.

Outreach to Employers to Support CIE

Please describe how your DOR district partner is connecting with your area in their work to outreach to employers and partners to support opportunities for individuals with ID/DD to achieve CIE. If your area is developing its own recruitment, referral, and employer engagement strategies, please describe.

The WDBCCC will be participating in local discussions with its DOR District partner to align strategies with the CIE BLUEPRINT which seeks to:

1. Improve collaboration and coordination between local educational agencies, DOR districts, and regional centers to prepare and support all individuals with ID/DD who choose CIE;
2. Increase opportunities for individuals with ID/DD who choose CIE to prepare for and participate in the California workforce development system and achieve CIE within existing resources; and
3. Support the ability of individuals with ID/DD to make informed choices, adequately prepare for, transition to, and engage in CIE.

The WDBCCC has been invited to join the Local Partnership Agreement (LPA) as a community partner whose participation supports the intention of the LPA to foster collaboration in order to streamline service delivery, engage communities, and increase CIE opportunities for individuals with ID/DD.

In addition to supporting employer engagement strategies identified in the LPA, a component of the DEA grant is the creation and hosting of Employer Forums (next forum to occur in February 2019,) which aim to reduce stigma and to educate employers on the benefits of hiring people with disabilities including ID/DD. Because the DEA partners have specific expertise with ID/DD, a host of strategies have been identified to improve employment outcomes for this specific population, including:

1. Windmills Disability Etiquette training for an employer audience
2. Expansion of the type and duration of employment retention services after placements with ongoing support for both employee and employer
3. Job Task Analysis to address the disconnect between the qualifications advertised in job postings and what is really required for the job

4. Customized employment in which jobs are reconfigured to address the specific capacities/talents of the individual (example: Google created a low-light, distraction-free environment to maximize productivity of their employees with autism)
5. Assessments of AJCC facilities, services, and program delivery done by ID/DD consumers/customers
6. Identification of Employer Champions willing to share their experiences with other employers

D. Serving English Language Learners, Foreign Born, and Refugees

Braiding Resources and Coordinating Service Delivery

Describe how local/regional partners will braid resources and coordinate service delivery to English learners, the foreign born and refugees, including increasing access to sector pathway programs, supportive services and retention efforts.

Refugee program benefits and services in California are provided at the local level by county social services/welfare departments. Refugee programs and services are administered by a County Refugee Coordinator. Refugee forum meetings are held to discuss the issues and concerns of the refugee population in an effort to develop solutions for implementing services for successful refugee resettlement.

The WDBCCC will partner with the County Refugee Coordinator to collaborate and the CBOs that have specific expertise in serving this population to collaborate and coordinate service delivery. One major convener of refugee service providers is the East Bay Refugee Forum. Some members of the Forum include:

- **Afghan Coalition** provides safety net wrap around services including advocacy for access to services, translation, health education, mental health referrals, English as a second language (ESL), computer literacy, microenterprise, cultural counseling, and cultural events.
- **African Advocacy Network** provides safety net service assistance, immigration legal services, education, interpretation, community navigator services for new arrivals who herald from countries across the African continent.
- **Catholic Charities of the East Bay** assists with refugee resettlement and refugee employment services, social adjustment services for new arrivals, housing assistance, general legal services, social support and mental health services, financial assistance and emergency shelter services.
- **Jewish Family and Community Services of the East Bay** is a provider of refugee resettlement services in Contra Costa County.
- **Lao Family Community Development** provides employment and job training, ESL, youth programs & services, microloans, financial literacy, and crime victim support assistance.

The WDBCCC will engage in numerous activities to encourage coordination and the braiding of resources. First, WDBCCC will facilitate the co-enrollment of clients in workforce programs and supportive services to leverage support for potential barriers to progress, such as housing, transportation, job training, and child care. The WDBCCC will work with partners to facilitate warm hand offs and referrals. It will also encourage collaboration rather than competition among organizations through its grantmaking processes, by awarding points for collaboration in RFPs.

The WDBCCC will convene CBOs to seek additional resources to support this population in Contra Costa County in a coordinated way. Potential funding opportunities include the

Reception and Placement program funding through the U.S Department of State Diplomacy in Action and the California Workforce Accelerator fund.

Process for Retaining this Population in Regional Sector Pathway Programs

Describe the process Local Boards and their partners will use to retain this population in regional sector pathway programs as they progress into livable wage jobs and careers.

The WDBCCC will seek to retain this population in regional sector pathway programs by effectively matching the skills of immigrant workers to the local economy and capitalizing on any training and education the individual has received prior to coming to Contra Costa County. This will help increase participant success in programs.

In addition, by collaborating with partners, the WDBCCC will also be able to offer participants access to an array of programs so that they have more support (such as child care or transportation) and more options for securing livable wage jobs. The WDBCCC will work with partners to ensure participants have access to program navigators and case managers to help them understand their current skills and future career path, and can navigate the available resources. The WDBCCC will also work to structure programs in a way that supports long-term participation by avoiding duplicative assessments and undue paperwork, and offering employment services and work experience programs that allow flexibility to work and study part-time (i.e., earn and learn opportunities such as On the Job Training (OJT) and apprenticeship programs).

The WDBCCC will also ensure that training is focused on critical skills, including foundational soft and work-readiness skills needed for retention and advancement and stackable certificates in high-demand sectors so individuals can follow a clear path to build on current skills.

Incorporation of Workforce or Employment Services Plans Developed by Stakeholders

Local Boards are required to review and incorporate any workforce or employment service plans developed by stakeholders (e.g. Employment Services Plans developed by County Welfare Departments etc.). Refugee Employment Service plans for counties with significant Refugee populations are available at the California County Plans page.

The Contra Costa County Employment and Human Services Department has a Refugee Services Plan for 2016-2019 that describes the support available to refugees in the county to help them attain self-sufficiency. The goal of Refugee Social Services (RSS) is to engage all eligible refugees in social services and work activities to prepare them for employment and the move into self-sufficiency. The following services are available to assist refugees in becoming self-sufficient, by helping them address the language, cultural, and other barriers they face: employment and training services (including American workplace culture; resume writing; and interviewing, networking, and computer skills), ESL classes, retention services, referrals to other services, and more). The WDBCCC will coordinate with these providers to determine how to integrate and coordinate the existing services for refugees into other efforts by the WDBCCC.

Implementing Best Practices Regarding Co-enrollment, Leveraging and Partnership

Implementation of best practices around co-enrollments, leveraged funds and partnership and delivery of services with community based organizations is encouraged. Refer to the State Board Policy Brief on Serving English Language Learners for examples.

The WDBCCC Local Plan Modification public input meetings included stakeholders and community-based organizations in the region who represent English Language Learners (ELLs), and asked for their input on how the WDBCCC might better serve this population. Suggestions included the provision of services at night and on weekends, navigators to help

people understand available options, programs offered in different languages, sensitivity training for employers, work authorization document training, translators, outreach to faith-based organizations, career and technical training while learning English, and warm hand offs to other service providers as needed. These suggestions align with best practices outlined in the California Workforce Development Board Policy Brief on Serving ELLs.

Building on these two sources of recommendations, the WDBCCC will implement the following practices to most effectively serve ELLs:

- convene an ad hoc committee to focus on immigrant and ELL workforce issues, braid resources, and increase coordination with the existing county refugee services, adult education partners, and community-based organizations;³
- collaborate among diverse partners and draw on the unique expertise of each to provide more robust services;⁴
- use trusted agents (such as public libraries and adult education providers) to recruit and serve ELL job seekers; and
- work closely with adult education organizations to integrate services and supports, such as transition counseling and math and reading classes.

³ As recommended by the State Board, this effort will build on existing local organizational structures.

⁴ This could include adult schools, community colleges, libraries, municipal government, immigrant advocates, and other community groups.

DATE: March 13, 2019
TO: Executive Committee
FROM: Workforce Development Board Staff
RE: **Local Area Designation and Local Board Recertification**

This item is to inform the Board of upcoming compliance requirements regarding local area designation and local board recertification that will need to be completed by June 30, 2019. At this point the directive is in draft form and therefore the forms necessary to comply have not been released yet. Comments on the Draft Directive are due by March 8th, 2019.

A. BACKGROUND AND DISCUSSION

The WIOA Sections 106 and 107 provide the criteria for the subsequent designation of Local Areas and recertification of Local Boards. Specifically, the WIOA Section 106 requires the Governor to designate Local Areas within the state, while Section 107 requires the Governor to certify one Local Board for each Local Area in the state that has received initial designation status. The California Workforce Development Board (State Board) and the Employment Development Department (EDD), acting under the authority of the Governor, established policies and procedures and completed the initial designation of Local Areas in June 2015, which were effective for Program Years (PY) 2016-2018 and completed Local Board recertification in June, 2016.

WIOA Section 106 required Local Areas to apply for initial designation and required the Governor to approve requests for Local Areas that were designated as a Local Area under WIA, performed successfully, and had sustained fiscal integrity. After the period for which a Local Area was initially designated, WIOA Section 106 calls for a subsequent designation process and requires the Governor to approve a request for subsequent designation from a Local Area if the area performed successfully, sustained fiscal integrity, and engaged in the regional planning process.

WIOA Section 107 provides criteria for the recertification of Local Boards. Specifically, it requires the Governor to certify one Local Board for each Local Area in the state once every two years. In order to be recertified, the Local Board must meet the WIOA membership requirements, met or exceeded performance accountability measures and achieved sustained fiscal integrity.

Subsequent Designation and Recertification of Local Workforce Development Boards will be effective July 1, 2019 for a two-year period, ending June 30, 2021.

The draft directive is attached (see **Attachment D1a**).

B. CURRENT SITUATION

To meet the established deadline, upon release of the final directive, staff will complete the necessary Application for Initial Local Area Designation Program Years 2019-21, and Initial Local Board Certification Program Year 2019-21; WDB staff will present to the Executive and Full Board for

approval and signature by Board Chair and then submit these documents to the Contra Costa County Board of Supervisors for approval and signature.

C. SCHEDULE

For the WDB to be designated as a local area under WIOA, signed documents must be submitted to the California Workforce Investment Board and California Employment Development Department no later than June 30, 2019. It is anticipated that the Final Directive will be issued shortly after the Draft comment period end date of March 28, 2019. The completed application should be ready for Board approval at the May 7th Full Board meeting and subsequently submitted to the County Board of Supervisor for approval at the June 4th meeting in plenty of time to meet the June 30, 2019 deadline.

D. FISCAL AND CUSTOMER IMPACT

Local Area Designation and Local Board Recertification are required for the WDB to continue to operate as a local workforce area in the State of California. The vast majority of the WDB's operating funds are contingent on this action. Submittal of this item will continue to ensure that the WDB can be responsive to the needs of business and job seeker customers that utilize programs and services under its purview.

E. ATTACHMENTS

D1a EDD Draft Directive WSDD -196 Subsequent Designation and Local Board Recertification – February 26, 2019

SUBSEQUENT DESIGNATION AND LOCAL BOARD RECERTIFICATION

GENERAL INSTRUCTIONS

The attached Directive is being issued in draft to give the Workforce Development Community the opportunity to review and comment prior to final issuance.

Submit any comments by email or mail no later than **March 28, 2019**.

All comments received within the comment period will be considered before issuing the final Directive. Commenters will not be responded to individually. Rather, a summary of comments will be released with the final Directive.

Comments received after the specified due date will not be considered.

Email Laura.Caputo@cwdb.ca.gov
Include "Draft Directive Comments" in the email subject line.

Mail California Workforce Development Board
Attn.: Laura Caputo
800 Capitol Mall, Suite 1022
Sacramento, CA 95814

If you have any questions, contact Laura Caputo at 916-653-3698.

SUBSEQUENT DESIGNATION AND LOCAL BOARD RECERTIFICATION

EXECUTIVE SUMMARY

This policy provides the guidance and establishes the procedures regarding subsequent designation of Local Workforce Development Areas (Local Area) and recertification of Local Workforce Development Boards (Local Board) under the *Workforce Innovation and Opportunity Act (WIOA)*, and is effective on the date of issuance. This policy applies to all current Local Areas interested in receiving subsequent designation as a Local Area and Local Board recertification under WIOA, and is effective immediately.

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

This policy supersedes Workforce Services Directive *Local Board Recertification* (WSD15-13), dated January 22, 2016, and Workforce Services Directive *Initial Local Area Designation and Local Board Certification Under WIOA* (WSD14-10), dated February 20, 2015. Retain this Directive until further notice.

REFERENCES

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- *WIOA* (Public Law 113-128) Sections 106 and 107
 - Title 2 *Code of Federal Regulations* (CFR) Chapter I, Chapter II, Part 200, et al., “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;” Final Rule (Uniform Guidance)
 - Title 2 CFR Part 2900 et al., “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (Uniform Guidance)
 - Title 29 CFR Part 95: “Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations”
 - Title 29 CFR Part 97: “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments”
 - *California Unemployment Insurance Code* Section 14202

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

- Workforce Services Directive WSD16-07, Subject: *Regional and Local Planning Guidance for 2017-2020* (September 16, 2016)
- WSD15-13, Subject: *Local Board Recertification* (January 22, 2016)
- WSD14-10, Subject: *Initial Local Area Designation and Local Board Certification under WIOA* (February 20, 2015)
- Workforce Services Information Notice WSIN12-62, Subject: *Late Monthly, Quarterly, Closeout, Audit and Participant Reports* (May 23, 2013)

BACKGROUND

The WIOA Sections 106 and 107 provide the criteria for the subsequent designation of Local Areas and recertification of Local Boards. Specifically, the WIOA Section 106 requires the Governor to designate Local Areas within the state, while Section 107 requires the Governor to certify one Local Board for each Local Area in the state that has received initial designation status. The California Workforce Development Board (State Board) and the Employment Development Department (EDD), acting under the authority of the Governor, established policies and procedures and completed the initial designation of Local Areas in June 2015, which were effective for Program Years (PY) 2016-2018 and completed Local Board recertification in June, 2016.

WIOA Section 106 required Local Areas to apply for initial designation and required the Governor to approve requests for Local Areas that were designated as a Local Area under WIA, performed successfully, and had sustained fiscal integrity. After the period for which a Local Area was initially designated, WIOA Section 106 calls for a subsequent designation process and requires the Governor to approve a request for subsequent designation from a Local Area if the area performed successfully, sustained fiscal integrity, and engaged in the regional planning process.

WIOA Section 107 provides criteria for the recertification of Local Boards. Specifically, it requires the Governor to certify one Local Board for each Local Area in the state once every two years. In order to be recertified, the Local Board must meet the WIOA membership requirements, met or exceeded performance accountability measures and achieved sustained fiscal integrity.

Subsequent Designation and Recertification of Local Workforce Development Boards will be effective July 1, 2019 for a two-year period, ending June 30, 2021.

POLICY AND PROCEDURES

Definitions

Performed Successfully – ***For the purposes of subsequent designation in PY 19-20, the definition of performed successfully is defined as a Local Area that has successfully negotiated PY 18-19 and PY 19-20 performance goals within their designated RPU.*** For any subsequent designation request received from a Local Area after PY 19-20, all six WIOA Title I Adult and Dislocated Worker performance indicators must be meet or exceed performance for the previous two program years.

Sustained fiscal integrity – the Local Area has not been found in violation of one or more of the following during PYs 16-17 or 17-18:

- Final determination of significant finding(s) from audits, evaluations, or other reviews conducted by state or local governmental agencies or the Department of Labor identifying issues of fiscal integrity or misexpended funds due to the willful disregard or failure to comply with any WIA requirement, such as failure to grant priority of service or verify participant eligibility.
- Gross Negligence - defined as a conscious and voluntary disregard for the need to use reasonable care, which is likely to cause foreseeable grave injury or harm to persons, property, or both.
- Failure to observe accepted standards of administration. Local Areas must have adhered to the applicable uniform administrative requirements set forth in Title 29 CFR Parts 95 and 97, appropriate Office of Management and Budget circulars or rules, WIOA regulations, and state guidance. Highlights of these responsibilities include the following:
 - Timely reporting of WIOA participant and expenditure data
 - Timely completion and submission of the required annual single audit
 - Have not been placed on cash hold for longer than 30 days (In alignment with WIOA Section 106[e][2])

Existing Local Area – A Local Area that received initial designation from the Governor.

Modified Local Area – A Local Area that has completed or is considering Local Area modification as part of its subsequent designation application. Examples include the following: two areas that have been/are proposing to merge into a new combined single Local Area, various Local Areas that have been/will be combined in a new single Local Area, or a Local Area that has been/will be expanded to include part or parts of another current Local Area.

Engaged in Regional Planning – WIOA Section 106 (c)(1) requires local workforce areas to engage in regional planning in order to be subsequently designated. ***“Engaged in regional planning” is defined as participating in, and having contributed to, regional planning and regional plan implementation including, but not limited to, participating in regional planning***

meetings, leading regional plan implementation efforts, and review and approval of regional plan and modifications by local workforce boards and local Chief Elected Officials (CEO), and participating in regional performance negotiations. Failure to demonstrate this may result in denial or conditional approval of subsequent designation.

Subsequent Local Area Designation & Local Board Recertification Application Process

WIOA Section 106 calls for a subsequent designation process and requires the Governor to approve a request from local CEO for subsequent designation for a Local Area if the area performed successfully, sustained fiscal integrity, and engaged in the regional planning process as described in Section 106 (c)(1). To request subsequent designation, the local CEO must follow the applicable process included below.

In accordance with WIOA Section 107(c)(2), the State Board will recommend a recertification of a Local Board if they met the WIOA membership requirements, met or exceeded performance accountability measures, and achieved sustained fiscal integrity.

To request subsequent Local Area designation and Local Board recertification, Local Boards must follow the application process included below:

- Existing Local Areas
Complete the Existing Local Area – Application for Subsequent Designation and Local Board Recertification Program Year 2019-21 (Attachment 1)
- Modified Local Areas – Local Areas that are requesting Local Area modification as part of their subsequent designation, complete the Modified Local Area – Application for Subsequent Local Area Designation and Local Board Certification Program Year 2019-21 (Attachment 2).

The completed application must be submitted to the State Board no later than 5:00 p.m. by May 31, 2019, one of the following methods:

| | |
|---------------------|--|
| Mail | California Workforce Development Board P.O. Box 826880 Sacramento, CA 94280-0001 |
| Courier | California Workforce Development Board 800 Capitol Mall, Suite 1022 Sacramento, CA 95814 |
| Hand Deliver | California Workforce Development Board 800 Capitol Mall, Suite 1022 Sacramento, CA 95814 |

Note the following: Some Local Areas may be unable to obtain local approval by the submission deadline (e.g., due to the scheduling of their respective board meetings). If so, the Local Area may submit an unsigned copy of the application with an explanation for the absent signature(s) and the date by which the signed original will be sent. The signed application must be submitted to the State Board by June 30, 2019. Failure to meet this deadline will result in the Local Area not receiving full subsequent designation status until a signed application is received.

Assessment of the Application

The State Board, in coordination with EDD, will verify the information provided in the application once a completed application is received. The State Board will consider all information provided and determine whether to recommend approval, conditional approval, or denial of the application. The local CEO will be notified in writing regarding the approval or denial of its subsequent designation application. If subsequent designation is conditionally approved or denied, the local CEO must submit a corrective action plan indicating how they will meet the requirements and/or may contest the decision using the appeal process below.

Appeal Process for Initial and Subsequent Designation

A unit of local government (or combination of units) which has requested and been denied subsequent designation as a Local Area under WIOA may appeal the denial to the State Board, in accordance with WIOA Section 106. An entity which has been denied subsequent designation may appeal the decision and request a hearing. An appeal and request for hearing must be mailed to the State Board within 20 calendar days from the mailing date of the notice of denial of subsequent designation. The appeal must (1) be in writing and state the grounds for the appeal, and (2) state the reasons why the appellant should be designated. The State Board will contact the appellant to schedule a hearing date within five calendar days of the receipt of the appeal. The State Board will conduct the appeal hearing process and provide a written decision to the appellant no later than five calendar days after the hearing.

Appeal of State Board Decision

A unit or combination of units of general government whose appeal has not resulted in designation as a Local Area may also appeal the denial to the US Department of Labor [WIOA Section 106(b)(5)].

ACTION

Bring this directive to the attention of the local CEO, Local Board, and appropriate staff.

INQUIRIES

If you have any questions, contact [Regional Advisor](#) at 916-654-7799.

/S/ JAIME L. GUTIERREZ, Chief
Central Office Workforce Services Division

Attachments are available on the internet:

1. [Existing Local Area – Application for Subsequent Local Area Designation and Local Board Recertification Program Year 2019-21](#)
2. [Modified Local Area – Application for Subsequent Local Area Designation and Local Board Recertification Program Year 2019-21](#)