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Yolo County Workforce Innovation Board

A proud partner of America's Job Center of CaliforniaSM network.

American's Job Center of California - One-Stop Career Center Locations
West Sacramento Woodland
500-A Jefferson Blvd., Building A 25 N. Cottonwood St
(916) 375-6300 x4327 (530) 661-2750 x4327

> > > NOTICE OF PUBLIC MEETING < < <

Workforce Innovation Board

May 11, 2016

8:00 – 10:30 AM

America's Job Center of California / Clarksburg Room / 25 North Cottonwood St., Woodland

AGENDA

8:30 a.m. Call to Order – Pledge of Allegiance

1. **Welcome Comments, Introductions and Group Discussion**
2. **Public Comment / Announcements – Non-Agenda Items**
Workforce Innovation Board (WIB) members, staff, or the public may address the WIB on subjects relating to employment and training in Yolo County. A time limit of 3 minutes may be imposed. No action may be taken on non-agenda items.
3. **Guest Speaker** – Matthew Vendryes, Business Owner, Eclastic, LLC. Which delivers online English skills courses for international students and business people. Interactive video-based courses provide useful, real-world English language skills via a web app. The company is privately held and located in Davis.
4. **Establish Quorum**
5. **Consider Agenda Approval**
6. **Consent Agenda – *Approved with one motion unless item withdrawn for discussion***
 - a. Approve WIB minutes – March 9, 2016 (Attachment) **Page 1**
7. **Regular Agenda**
 - a. Partner Memorandum of Understanding Template (Attachment) **Page 5**
8. **Information Items**
 - a. Proposed Change in WIB Workforce Notification Process
 - b. Change of Process in Executive Committee Meeting Notification to WIB Members
 - c. Receive Workforce Services Draft Directive (WSDD) 138/Discontinuation of the DCAF Process used for UI Verification (Attachment) **Page 24**
 - d. Receive WSDD-139/WIOA Youth Program Requirements (Attachment) **Page 28**
 - e. Receive WSDD-140/WIOA Program Income (Attachment) **Page 43**
 - f. Receive Workforce Services Directive (WSD) 15-17/California WIOA Regional Planning Units (Attachment) **Page 50**
 - g. Receive WSD 15-18/Amendment to PY 2015-16 RR Allocations and Guidance on Use of these Funds for WIOA Transition Activities (Attachment) **Page 60**
 - h. Receive WSD 15-19/Revised Amendment to PY 2015-16 RR Allocations and Guidance on Use of these Funds for WIOA Transition Activities (Attachment) **Page 66**
 - i. Receive WSD 15-20/FFATA Compensation Data Reporting Requirements (Attachment) **Page 71**
 - j. Receive WSD 15-21/Biennial Local Area Self-Assessment (Attachment) **Page 78**
 - k. Receive WSD 15-22/Consultant Services and Pay (Attachment) **Page 83**
 - l. Receive WSD 15-23/Transfer of Funds – WIOA Adult-Dislocated Worker Programs (Attachment) **Page 86**
 - m. Receive WSD 15-24/Nondiscrimination and Equal Opportunity Procedures (Attachment) **Page 91**

Board Members

All Phase Security Inc.

Buckhorn Steakhouse/
Putah Creek Café

California Dept. of
Rehabilitation

California Employment
Development
Department

City of Woodland
Economic
Development

Clark Pacific

DMG Mori

La Cooperative
Campesina

Los Rios Community
College District

Olam Tomato
Processors

Optimum Zendejas
Home Loans

PrideStaff

Sacramento Central
Labor Council (4)

Seminis Vegetable
Seeds

The Scoop Frozen
Yogurt Shop

West Sacramento
Chamber of
Commerce

Woodland Aviation

Woodland Adult
Education

Woodland Community
College

Yolo Food Bank

Yolo Employment
Services, Inc

- n. Receive Workforce Services Information Notice (WSIN) 15-29/Using the Adult Basic Career Services Application (Attachment) **Page 108**
- o. Receive WSIN 15-30/Revision of Amendment to WIOA Formula Allocations – PY 2015-16 (Attachment) **Page 109**
- p. Receive WSIN 15-31/California Earned Income Tax Credit (Attachment) **Page 112**
- q. Receive WSIN 15-32/Veterans' Employment-Related Assistance Program – Solicitation for Proposals (Attachment) **Page 114**
- r. Receive WSIN 15-33/Release of the New Voscan Module in CalJOBSSM (Attachment) **Page 115**
- s. Receive WSIN 15-34/Grant Application Opportunity – Summer Jobs and Beyond: Career Pathways for Youth (Attachment) **Page 117**
- t. Receive WSIN 15-35/Supervised Population Workforce Training Grant Program (Attachment) **Page 118**
- u. Receive WSIN 15-36/Awards of proposition 39 Pre-apprenticeship Support, Training, and Placement Grants 2.0 (Attachment) **Page 119**
- v. Receive WSIN 15-37/Disability Employment Accelerator – Solicitation for Proposals (Attachment) **Page 120**
- w. Receive WSIN 15-38/2016 Building Workforce Partnerships Conference (Attachment) **Page 121**
- x. Receive WSIN 15-39/New EDD Regional Advisor Assignments (Attachment) **Page 122**
- y. Receive WSIN 15-40/Workforce Accelerator Fund 3.0 – Request for Applications (Attachment) **Page 123**
- z. Receive WSIN 15-41/Release of the New Generic Module in CalJOBS (Attachment) **Page 125**
- aa. Receive WSIN 15-42/MOU WIOA Required Partner Information (Attachment) **Page 127**
- bb. Receive WSIN 15-43/Wagner-Peyser Funds – Deaf and Hard of Hearing Services 2016-17 (Attachment) **Page 129**
- cc. Receive WSIN 15-44/WIOA Regional Implementation Grants – Solicitation for Proposals (Attachment) **Page 130**
- dd. Receive WSIN 15-45/WIOA Formula Allocations – PY 2016-17 (Attachment) **Page 132**

9. WIOA Update

10. Reports

- a. Gary Pelfrey, WIB Chair
- b. Elaine Lytle, Executive Director
- c. Maggie Campbell, Ad Hoc Committee Chair

11. Other Business That May Come Before the Board

12. Adjourn

Next Meeting:

July 13, 2016 – Yolo County Health and Human Services Agency
 America's Job Center of California
 25 North Cottonwood St., Woodland / Clarksburg Room

Accommodation: In accordance with Section 202 of the Americans with Disabilities Act, if you require special assistance, meeting materials to be in an alternative format, auxiliary aids, or other person to assist you while attending the meeting, we will provide reasonable accommodation to allow participation. Contact Cyndi Sechler at (530) 661-2750 ex. 4327 at least 3 business days prior to the meeting to facilitate arrangement.

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Services, Inc.



Building Better Lives • Building Better Communities

Yolo County Workforce Innovation Board

DRAFT Minutes

March 9, 2016

The Yolo County Workforce Innovation Board convened in the offices of Yolo County Health and Human Services Agency at 25 North Cottonwood Street, Woodland, CA, with the following persons in attendance:

Present: Alfred Konuwa, Alice Tapley, Benny Mitchell, Brett Sanders, Cornelio Gomez, Denice Seals, Don Palm, Gary Pelfrey, Jennifer Pike, John Rodriguez, Ken Garrett, Lynn White, Maggie Campbell, Michele Fadling, Paul Basi, Randy Young, Rob Carrion, Robyn David-Harris, Susan Moylan, and Wendy Ross

Absent: John Pickerel, Kevin Sanchez, and Marco C. Lizarraga

Staff: Elaine Lytle, Lisa Vincent, Judy Needham, Marc Marquez, Steve Roberts, and Cyndi Sechler

Guests: Bobby S. Gosal, EOPS/CARE & CalWORKs Director, Woodland Community College
Cara Welch, Labor Market Information, E.D.D.
Stephen Amezcua, WIOA Regional Advisor, E.D.D.
Gloria Earl, WIOA Regional Advisor, E.D.D.
Christina Blackman, Davis Chamber of Commerce
Tom Hanagan, President, Four Wheel Campers, Inc.
Sonam Chand, Administrative Assistant, Four Wheel Campers, Inc.
Blanca Barba, Regional Coordinator, California Human Development

Call to Order – Pledge of Allegiance

Meeting called to order at 8:32 a.m. by WIB Chair, Gary Pelfrey with quorum present.

1. Swearing-In of WIB Officers

Yolo County Supervisor Don Saylor conducted the Swearing-In Ceremony of new elected WIB officers:

Chair – Gary Pelfrey, Vice President, Woodland Aviation

Vice Chair – Denice Seals, President/CEO, West Sacramento Chamber of Commerce

2nd Vice Chair – Maggie Campbell, Labor Relations Representative, Laborers Local 185 (LiUNA)

2. Welcome Comments and Introductions

3. Public Comment / Announcements – Non-Agenda Items

WIB members, staff, or the public may address the Workforce Innovation Board Executive Committee on subjects relating to employment and training in Yolo County. A time limit may be imposed. No action may be taken on non-agenda items.

Denice Seals announced the West Sacramento Chamber Schmooze fest at Davis Flight Support/Woodland Aviation on Wednesday, March 16th, from 5-7pm.

Gary Pelfrey announced the Winters Job Fair that will take place this afternoon. Congressman Garamendi's office is working with Health and Human Services, and WIB members for the Job Fair today from 1:30-4:30pm, in the Winters High School gym. Gary stated he will be giving a brief presentation on how to interview, and is amazed of the number of employers they will have.

Tom Hanagan of Four Wheel Campers, Inc., shared his problems of finding dependable people to hire.

Denice Seals announced a new program here in Yolo County called the Restored of Justice Program. It is both neighborhood court program and a restored of justice homeless problem. They talk about housing first and then a job.

Denice also announced Art Pimentel and the Dean at West Sacramento Campus of Los Rios is having a Veterans Resource Fair on Friday, April 8th. If you are hiring, they are welcoming employers to come and set up a table.

Supervisor Saylor announced and invited everyone to attend his "Soup's On" event at 6:00pm, on March 10, 2016. This year the proceeds will help the Yolo Interfaith Immigration Network (YIIN).

4. Guest Speaker – Ian Winbrock, Executive Director of Future Ready

Ian Winbrock discussed how Future Ready is a project of the West Sacramento Foundation, dedicated to improving the lives of young people in West Sacramento by building college and career readiness for local high school students.

5. Establish Quorum

Quorum established.

6. Consider Agenda Approval

Randy Young moved to approve the agenda; Benny Mitchell seconded; motion passed.

7. Consent Agenda – *Approved with on motion unless item withdrawn for discussion*

- a. Ratify Executive Committee WIB Recommendation on February 24, 2016 to approve Local Board Recertification Request for Program Years 2016-18

Randy Young moved to approve the Local Board Recertification Request for Program Years 2016-18; Paul S. Basi seconded; motion passed.

8. Regular Agenda

- a. Approve WIB Minutes January 27, 2016

Robyn David-Harris moved to approve the January 27, 2016 minutes; Randy Young seconded; motion passed.

- b. Approve Policy Bulletin No. 16-2/Residency Requirements as recommended by the Executive Committee on February 24, 2016

Don Palm moved to approve Policy Bulletin No. 16-2; Paul Basi seconded; motion passed.

- c. Approve Policy Bulletin No. 16-3/Selective Service Registration Requirements as recommended by the Executive Committee on February 24, 2016

Randy Young moved to approve Policy Bulletin No. 16-3; Don Palm seconded; motion passed.

- d. Approve Policy Bulletin No. 16-4/Adult Program Priority of Service as recommended by the Executive Committee on February 24, 2016

Alice Tapley moved to approve policy Bulletin No. 16-4; Jennifer Pike seconded; motion passed.

- e. Appoint two additional WIB members to the Executive Committee as recommended by the other WIB members to serve on the Executive Committee, provided that the total Executive Committee membership shall be less than a majority of the full WIB membership.

Randy Young moved to approve Ken Garrett and Don Palm to the Executive Committee; Robyn David-Harris seconded; motion passed.

9. Information Items

- a. Receive Executive Committee WIB recommendation to approve Request to Transfer WIOA PY 2015-16 Funds
b. Receive Workforce Services Draft Directive (WSDD) 133/Biennial Local Area Self-Assessment
c. Receive WSDD-134/Consultant Services and Pay

- d. Receive WSDD-135/Non-Discrimination and Equal Opportunity Procedures
- e. Receive WSDD-136/Transfer of Funds – WIOA Adult/Dislocated Worker Programs
- f. Receive WSDD-137/FFATA Compensation Data Reporting Requirements
- g. Receive Workforce Services Directive (WSD) 15-12/WIOA Memorandums of Understanding
- h. Receive WSD 15-13/Local Board Recertification
- i. Receive WSD 15-14/WIOA Adult Program Priority of Service
- j. Receive WSD 15-15/Allowable Costs
- k. Receive WSD 15-16/Final State-Level W-PA and WIA Title 1B Local Area Performance Goals for PY 2015-16
- l. Receive Workforce Services Information Notice (WSIN) 15-21/Implementation of the CalJOBSSM Customer Relationship Management Module
- m. Receive WSIN 15-22/Grant Application Opportunity – Social Innovation Fund pay for Success Cooperative Agreement
- n. Receive WSIN 15-23/WIOA MOU Regional Training Sessions
- o. Receive WSIN 15-24/CalJOBSSM Training Activity Service Codes for the ETPL
- p. Receive WSIN 15-25/Grant Application Opportunity – Linking to Employment Activities Pre-Release (LEAP-2) Through Specialized AJC Locations
- q. Receive WSIN 15-26/Grant Application Opportunity – Tech Hire Partnership Grants
- r. Receive WSIN 15-27/Grant Application Opportunity – Strengthening Working Families Initiative
- s. Receive WSIN 15-28/CalJOBSSM User Group Meeting May 2016

WIB members received items A–S.

10. WIOA Update

Gary Pelfrey reported that we have a tight schedule; and we have been working on the Memorandum of Understandings (MOU)s for the One-Stop Partners, that are due June 30, 2016.

11. Reports

a. Gary Pelfrey, WIB Chair

Gary stated if you know of an employer who needs some help, invite them to the WIB and we will try to help them fill their positions.

Gary also reminded everyone that we are still working on the Conflict of Interest. It is working through the process, if you have any questions, if you're not sure something is a conflict, or you're concerned about something, you can contact me, Elaine Lytle, or anyone on the Executive Committee. Don't go at it on your own, ask somebody the question, we're here to help you.

b. Elaine Lytle, Executive Director

Elaine reminded everyone of the Winters Job Fair today at 1:30pm, in the Winters High School gym. Elaine also welcomed Ken Garrett and Don Palm to the Executive Committee.

c. Maggie Campbell, Ad Hoc Committee Chair

Maggie reported the committee has not been able to have their second meeting yet; but it will be scheduled soon. We are going to start our discussions with the topic of careers and connecting the younger group.

Lori Perez invited me to speak at the Yolo County Equity Summit, regarding the high cost of high school dropouts. I talked to people about our WIB, and the discussions we are having here.

Our other goal is to meet new businesses. We are trying to build up a core business group here in Yolo County, that wants to put in some time to go out and approach these schools and children with us.

We were also able to sit down and be part of the first annual Yolo County Youth Conference, for the Yolo County

Office of Education.

12. Other Business That May Come Before the Board

Denice Seals asked how many WIB members have businesses in West Sacramento, Woodland, and in Davis. When we talk about putting together a group of businesses to network and provide resources, the Woodland Chamber of Commerce and the Davis Chamber of Commerce are doing that work right now. I know they both have groups of engaged businesses that would love to have input. I admit, I feel like it's a business' good karma obligations to join the membership based organization that run business in your community. We hook people up all day long; and allow us to move the conversation forward; because a lot of those resources already exist.

13. Adjourn

Gary Pelfrey moved to adjourn the meeting; Maggie Campbell seconded; meeting adjourned at 9:58 a.m.

Next Meeting

May 11, 2016

Yolo County HHSA/Clarksburg Room

Woodland One-Stop

8:30-10:00 a.m.

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Workforce Innovation and Opportunity Act Memorandum of Understanding for the Yolo County Workforce Development Area

I. Preamble/Purpose of MOU

The Workforce Innovation and Opportunity Act (WIOA) requires that a MOU be developed and executed between the Yolo County Workforce Development Area and the America's Job Center of California (AJCC) partners to establish an agreement concerning the operations of the AJCC delivery system. The purpose of the MOU is to establish a cooperative working relationship between the parties and to define their respective roles and responsibilities in achieving the policy objectives. The MOU also serves to establish the framework for providing services to employers, employees, job seekers and others needing workforce services.

California's one-stop delivery system, the AJCC, is a locally-driven system which develops partnerships and provides programs and services to achieve three main policy objectives established by the California Workforce Development Strategic Plan, which includes the following:

- *Foster demand-driven skills attainment*
- *Enable upward mobility for all Californians*
- *Align, coordinate, and integrate programs and services*

These objectives will be accomplished by ensuring access to high-quality AJCCs that provide the full range of services available in the community for all customers seeking the following:

- *Looking to find a job.*
- *Building basic educational or occupational skills.*
- *Earning a postsecondary certificate or degree.*
- *Obtaining guidance on how to make career choices.*
- *Seeking to identify and hire skilled workers.*

II. Local/Regional Vision Statement, Mission Statement, and Goals

The Yolo County Workforce Development Area Vision and Mission align with the State's plan and policy objectives.

Vision: Yolo County is a place where existing and new businesses have their employment needs met by a trained and motivated workforce and where residents have the opportunity for a fulfilling and sustainable career.

Mission: The Workforce Innovation Board (WIB) is a partnership of business, labor, education, non-profit, government and community leaders working together to anticipate business needs and facilitate training, educational and career path opportunities which fulfill both employer and job seeker needs.

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III. Effective Dates and Term of MOU

The term of this MOU shall commence on the date of execution by all parties and end on June 30, 2019. The MOU will be reviewed not less than once every three years to identify any substantial changes that have occurred.

IV. Funding of Services and Operating Costs

Each partner agrees to negotiate and implement a cost/resource sharing plan by December 31, 2017.

*All parties to this MOU agree to share in the operating costs of the AJCC **system**, either in cash or through in-kind services/resources. The cost of services, operating costs, and infrastructure costs of the **system** will be funded by all AJCC partners through a separately negotiated cost/resource sharing agreement based on an equitable and agreed upon formula or plan.*

AJCC partners will ensure that the shared costs are supported by accurate data, the shared costs are consistently applied over time, and the methodology used in determining the shared costs will be reflected in a separate Cost/Resource Sharing Agreement that will be completed by December 31, 2017.

V. Modifications and Revisions

This MOU constitutes the entire agreement between the parties and no oral understanding not incorporated herein shall be binding on any of the parties hereto. This MOU may be modified, altered, or revised, as necessary, by mutual consent of the parties, by the issuance of a written amendment, signed and dated by the parties.

VI. Termination

The parties understand that implementation of the AJCC system is dependent on the good faith effort of every partner to work together to improve services to the community. The parties also agree that this is a project where different ways of working together and providing services are being tried. In the event that it becomes necessary for one or more parties to cease being a part of this this MOU, said entity may terminate this MOU by providing 30 days' advance written notice of termination to the other parties.

VII. Partners

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Required partners include local representatives of the following programs:

- a. WIOA Title I Adult, Dislocated Worker, and Youth
 - b. WIOA Title II Adult Education and Literacy
 - c. WIOA Title III Wagner-Peyser
 - d. WIOA Title IV Vocational Rehabilitation
 - e. Carl Perkins Career Technical Education
 - f. Title V Older Americans Act
 - g. Job Corps *
 - h. Native American Programs (Section 166)
 - i. Migrant Seasonal Farmworkers (Section 167)
 - j. Veterans
 - k. Youth Build *
 - l. Trade Adjustment Assistance Act
 - m. Community Services Block Grant*
 - n. Housing & Urban Development
 - o. Unemployment Insurance
 - p. Second Chance *
 - q. Temporary Assistance for Needy Families/CalWORKs
- * *Local representatives have not been identified*

Please see Attachment A for each partner entity, name of representative(s) and contact information.

VIII. One-Stop System, Services

The Yolo County Workforce Development Area's One-Stop System is a network of One-Stop Partners and Service Providers that coordinate and connect education, training, workforce development and related services to job seekers and businesses throughout the region.

The specific services provided by each One-Stop Partner are identified on Attachment B which reflects each partner's service location(s), various types of services provided, and contact person and contact method (i.e., co-location, electronic, etc.) to ensure "direct access" to services.

IX. Responsibility of AJCC Partners

The AJCC partners agree to:

- a. *Participate in joint planning, plan development, and modification of activities to accomplish the following:*
 - i. *Continuous partnership building.*
 - ii. *Continuous planning in response to state and federal requirements.*

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- iii. *Responsiveness to local and economic conditions, including employer needs.*
- iv. *Adherence to common data collection and reporting needs.*

- b. *Make the service(s) applicable to the partner program available to customers through the one-stop delivery system.*
- c. *Participate in the operation of the one-stop system, consistent with the terms of the MOU and requirements of authorized laws.*
- d. *Participate in capacity building and staff development activities in order to ensure that all partners and staff are adequately cross-trained.*

X. Methods for Referring Customers

*Each partner agrees to mutually implement processes for the referral/**connection** of customers to services not provided on-site. **Please see Attachment C for this list.***

The referral/**connection** process will:

- a. Ensure that intake and referral/**connection** processes are customer-centered and provided by staff trained in customer service.
- b. Ensure that general information regarding AJCC programs, services, activities and resources shall be made available to all customers as appropriate.
- c. Describe how customer referrals/**connections** are made electronically, through traditional correspondence, verbally or through other means determined in cooperation with partners and operators.
- d. Describe how each AJCC partner will provide access to other AJCC partner staff and career services that can provide meaningful information or service, through the use of co-location, cross training of AJCC staff, or real-time technology (two way communication and interaction with AJCC partners that results in services needed by the customer).

XI. Access for Individuals with Barriers to Employment

The AJCC system will ensure access for individuals with barriers to employment by:

- Offering priority for services to Yolo County residents who are: recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient, when providing individualized career services and training services with WIOA adult funds. **Note:** Veterans and eligible spouses continue to receive priority of service for all Department of Labor (DOL) funded programs among all participants.

Each AJCC partner agrees to ensure its policies, procedures, programs, and services are in compliance with the *Americans with Disabilities Act of 1990* and its amendments, in order to

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provide equal access to all customers with disabilities.

XII. Shared Technology and System Security

To the extent allowed by federal and state laws and regulations, the parties agree to share data and technology as well to ensure that all data and systems are secure.

WIOA emphasizes technology as a critical tool for making all aspects of information exchange possible, including client tracking, common case management, reporting, and data collection. To support the use of technology, and to the extent allowable, each AJCC Partner agrees to:

- a. Comply with the applicable provisions of WIOA, Welfare and Institutions Code, California Education Code, Rehabilitation Act, and any other appropriate statutes or requirements.*
- b. The principles of common reporting and shared information through electronic mechanisms, including shared technology.*
- c. Commit to share information to the greatest extent allowable under their governing legislation and confidentiality requirements.*
- d. Maintain all records of the AJCC customers or partners (e.g. applications, eligibility and referral records, or any other individual records related to services provided under this MOU) in the strictest confidence, and use them solely for purposes directly related to such services.*
- e. Develop technological enhancements that allow interfaces of common information needs, as appropriate.*
- f. Understand that system security provisions shall be agreed upon by all partners.*

XIII. Supervision/Day to Day Operations

- a. The day-to-day supervision of staff assigned to the AJCCs will be the responsibility of the site supervisor(s). The employer of staff assigned to the AJCCs will continue to set the priorities of and provide direction to its staff. Any change in work assignments or any problems at the worksite will be handled by the site supervisor(s) and the management of the employer.*
- b. The office hours for the staff at the AJCCs will be established by the site supervisor(s) and the employer. All staff will comply with the holiday schedule of their employer and will provide a copy of their holiday schedule to the operator and host agency at the beginning of each fiscal year.*
- c. The AJCC site supervisor(s) may request that a party withdraw from the AJCC site any employee who the site supervisor(s) determines is not performing satisfactorily, refuses to follow the AJCC administrative policies, procedures, rules and regulations, or violates*

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any federal or state laws. Such requests must be in writing and must include a statement as to the reason or reasons for the AJCC's request. .

- d. Each party shall be solely liable and responsible for providing to, or on behalf of, its employee(s), all legally-required employee benefits. In addition, each party shall be solely responsive and save all other parties harmless from all matters relating to payment of each party's employee(s), including compliance with social security withholding, workers' compensation, and all other regulations governing such matters.*

XIV. Non-Discrimination and Equal Opportunity

The AJCC partner shall not unlawfully discriminate, harass or allow harassment against any employee, applicant for employment or AJCC applicant due to gender, race, color, ancestry, religion, national origin, veteran status, physical disability, mental disability, medical condition(s), age, sexual orientation or marital status. The AJCC partner agrees to comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12990, et. seq.) and related applicable regulations.

The AJCC partner will ensure that the policies and procedures as well as the programs and services provided at the AJCC are in compliance with the Americans with Disabilities Act of 1990 and its amendments, which prohibit discrimination on the basis of disability, as well as other applicable regulations and guidelines issued pursuant to the Americans with Disabilities Act. Additionally, partners agree to fully comply with the provisions of WIOA, Title VII of the civil Rights act of 1964, the Age Decimation Act of 1975, Title IX of the Education Amendments of 1972, 29 CRF Part 37 and all other regulations implementing the aforementioned laws.

XV. Dispute Resolution

The parties agree to try to resolve policy or practice disputes at the lowest level, starting with the site supervisor(s) and staff. If issues cannot be resolved at this level, they shall be referred to the management staff of the respective staff employer and the operator, for discussion and resolution.

XVI. Grievances and Complaints Procedure

The AJCC partner agrees to establish and maintain a procedure for grievance and complaints as outlined in WIOA. The process for handling grievances and complaints is applicable to customers and partners. These procedures will allow the customer or entity filing the complaint to exhaust every administrative level in receiving a fair and complete hearing and resolution of their grievance. The partner further agrees to communicate openly and directly to resolve any problems or disputes related to the provision of services in a cooperative manner and at the lowest level of intervention possible.

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XVII. Confidentiality

The AJCC Partner agrees to comply with the provisions of WIOA as well as the applicable sections of the Welfare and Institutions Code, the California Education Code, the Rehabilitation Act, and any other appropriate statute or requirement to assure the following:

- a. All applications and individual records related to services provided under this MOU, including eligibility for services and enrollment and referral, shall be confidential and shall not be open to examination for any purpose not directly connected with the delivery of such services.*
- b. No person will publish, disclose use, or permit, cause to be published, disclosed or used, any confidential information pertaining to AJCC applicants, participants, or customers overall unless a specific release is voluntarily signed by the participant or customer.*
- c. The AJCC partner agrees to abide by the current confidentiality provisions of the respective statutes to which AJCC operators and other AJCC partners must adhere, and shall share information necessary for the administration of the program as allowed under law and regulation. The AJCC partner, therefore, agrees to share client information necessary for the provision of services such as assessment, universal intake, program or training referral, job development or placement activities, and other services as needed for employment or program support purposes.*
- d. Client information shall be shared solely for the purpose of enrollment, referral or provision of services. In carrying out their respective responsibilities, each party shall respect and abide by the confidentiality policies of the other parties.*

XVIII. Applicable Laws

In the performance of the services specified by this MOU, each party shall comply with all applicable Federal, State, and County statutes, ordinances, regulations, directives, and laws.

XIX. Conflict of Interest

All parties shall comply with applicable laws and regulations regarding conflicts of interest, including but not limited to California Government Code Sections 1090 et seq., Sections 87100 et seq., and the regulations promulgated by the California Fair Political Practices Commission.

XX. Correspondence

All notices and other correspondence shall be delivered or mailed to the respective parties at their addresses as follows:

**Workforce Innovation and Opportunity Act
Memorandum of Understanding for the
Yolo County Workforce Development Area**

Partner: Name of Agency
Address
Contact:

WIB Workforce Innovation Board
25 N. Cottonwood Street
Woodland, CA 95695
Contact: Elaine Lytle, Executive Director
Alternate: Lisa Vincent, Senior Administrative Services Analyst

In lieu of written notice to the above addresses, any party may provide notices through the use of facsimile machines provided confirmation of delivery is obtained at the time of transmission of the notices and provided the following facsimile telephone numbers are used:

Partner: Fax Number

WIB: Contact: (530) 666-2728
Alternate: (530) 666-8831

Any party may change the address or facsimile number to which such communications are to be given by providing the other parties with written notice of such change at least fifteen (15) calendar days prior to the effective date of the change.

All notices shall be effective upon receipt and shall be deemed received through delivery if personally served or served using facsimile machines, or on the fifth (5th) day following deposit in the mail if sent by first class mail.

XXI. License for Use

During the term of this MOU, all partners to this MOU shall have a license to use space of the AJCCs for the sole purpose of conducting acceptable AJCC services as outlined herein.

XXII. Press Releases and Communications

All parties shall be included when communicating with the press, television, radio or any other form of media regarding its duties or performance under this MOU. Participation of each party in press/media presentations will be determined by each party's public relations policies. Unless otherwise directed by the other parties, in all communications, each party shall make specific reference to all other parties.

**Workforce Innovation and Opportunity Act
Memorandum of Understanding for the
Yolo County Workforce Development Area**

The parties agree to utilize the AJCC logo developed by the State of California and the Local Board on buildings identified for AJCC usage. This may include letterhead, envelopes, business cards, any written correspondence and fax transmittals.

XXIII. Hold Harmless/Indemnification/Liability

Each party hereby agrees to indemnify, defend and hold harmless all other parties identified in this MOU from and against any and all claims, demands, damages and costs arising out of or resulting from any acts or omissions which arise from the performance of the obligations by such indemnifying party pursuant to this MOU. It is understood and agreed that all indemnity provided herein shall survive the termination of this MOU.

XXIV. Reports; Records Retention

Each party shall, at its sole cost and expense, prepare such reports and provide such information as is reasonably required by WIB to determine compliance with the WIOA and other applicable laws and regulations.

All records, documents, and general correspondence in possession of the any party relating to this MOU and/or the services and operations that are the subject of this MOU shall be retained and available for review for a period of not less than four (4) years after receipt of final payment, and shall make such records available for inspection by authorized representatives of any party at any reasonable time. At least thirty (30) calendar days prior to any destruction of these records following the four years, Partner shall notify the Health and Human Services (HHS) Director, and upon such notification the HHS Director shall either agree to the destruction or authorize the records to be forwarded to HHS for further retention.

XXV. No Subcontracting/Assignment

Partner may not subcontract or assign its obligations pursuant to this MOU without the written consent of the WIB.

XXVI. Waiver; Enforcement

The waiver by the WIB, County or any of their officers, agents or employees, or their failure to take action with respect to any right conferred by, or any breach of any obligation or responsibility of this MOU, shall not be deemed to be a waiver of such obligation or responsibility, or subsequent breach of same, or of any terms, covenants or conditions of this MOU.

Except where specifically stated otherwise in this document, the promises in this MOU benefit the parties to this MOU only, they are not intended to, nor shall they be interpreted or applied to, give any enforcement rights to any other person that might be affected by the performance

Workforce Innovation and Opportunity Act
Memorandum of Understanding for the
Yolo County Workforce Development Area

or non-performance of this MOU, and the parties hereto do not intend to convey to any other person a “legitimate claim of entitlement” with the meaning and rights that phrase has been given by case law.

XXVII. Independent Contractor; Partnership Not Created

It is understood and agreed by all the parties hereto that Partner is an independent contractor and that no relationship of employer-employee exists between the WIB, HHSA or the County and Partner or Partner’s employees. All employees located at One-Stop Centers shall remain under the supervision of their employing agency for the purposes of performance evaluation and all other employment related matters. All One-Stop partners will recognize applicable labor agreements, laws and regulations affecting employees located in the Centers.

This MOU also does not create a partnership as defined and governed by the Uniform Partnership Act, Corporations Code Sections 15000 et seq. The term’s “partner” and “partnership” in this MOU are used generically and are not intended to create or describe the legal relationship between the parties to this MOU.

XXVIII. Authorized Representative

Each person executing this MOU on behalf of a Party affirmatively represents that he or she has the requisite legal authority to enter into this MOU on behalf of that Party and to bind that Party to the terms and conditions of this MOU. All signatories understand that all Parties, the WIB and the County are relying on these representations in entering into this MOU.

XXIX. Execution in Counterparts; Public Records Act

- a. This MOU may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.
- b. Upon its execution, this MOU (including all attachments) shall be subject to disclosure pursuant to the California Public Records Act.
- c. This MOU shall be governed by, and interpreted in accordance with, the laws of the federal government and the state of California.

**Workforce Innovation and Opportunity Act
Memorandum of Understanding for the
Yolo County Workforce Development Area**

IN WITNESS WHEREOF, this MOU has been executed by and on behalf of the WIB, and Name of Agency.

XXX. Signatories

ONE-STOP/AJCC PARTNER

YOLO COUNTY HHSA

Name & Title of Authorized Representative

By: _____
Karen Larsen, Director

Date: _____

Date: _____

YOLO COUNTY WORKFORCE INNOVATION BOARD

By: _____
Gary Pelfrey, Chair

Date: _____

APPROVED BY THE COUNTY OF YOLO

Approved as to Form:
Philip J. Pogledich, County Counsel

By: _____
Jim Provenza, Chair

Date: _____

By: _____
Carrie Scarlata, Assistant County Counsel

Attest: Julie Dachtler, Deputy Clerk
Board of Supervisors

By: _____
Deputy (SEAL)



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Workforce Innovation and Opportunity Act Yolo County MOU Partners

Required Partner	Entity	Name of Representative
WIOA Title I Adult, Dislocated Worker, Youth	Yolo County Health and Human Services Agency (HHSA)	Judy Needham judy.needham@yolocounty.org 530-661-2642 Lisa Vincent Lisa.vincent@yolocounty.org 530-406-4458
WIOA Title II Adult Education & Literacy	Woodland Adult Education	Susan Moylan susan.moylan@wjusd.org 530-406-5901
WIOA Title III Wagner-Peyser	Employment Development Department (EDD)	Cornelio Gomez Cornelio.Gomez@edd.ca.gov 916-227-2015
Veterans		Janet Neitzel Janet.Neitzel@edd.ca.gov 916-865-2470
Trade Adjustment Assistance Act		
Unemployment Insurance	EDD	David Rangel David.Rangel@edd.ca.gov 916-490-5700
WIOA Title IV Vocational Rehabilitation	Department of Rehabilitation	Robyn David-Harris Robyn.David-Harris@dor.ca.gov 530-668-6824
Title V Older Americans Act	Experience Works Inc.	Scharlene Reid scharlenereid@experienceworks.org 916-407-8342
Carl Perkins Career Technical Education	Yolo County Office of Education (YCOE)	Lori Perez Lori.Perez@ycoe.org 530-530-668-3776
Job Corps	Sacramento Job Corp	
Native American Programs (Section 166)	California Indian Manpower Consortium, Inc.	Velma WhiteBear velmaw@cimcinc.com 916-920-0285
Migrant Seasonal Farmworkers (Section 167)	California Human Development	Blanca Barba Blanca.Barba@CAHumanDevelopment.org 530-662-9601
Housing & Urban Development	Yolo County Housing	Janis Holt jholt@ych.ca.gov 530-669-2211
Temporary Assistance for Needy Families (CalWORKs)	HHSA	Marc Marquez marc.marquez@yolocounty.org 530-601-1476



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Workforce Innovation and Opportunity Act Yolo County MOU Partner Resource Mapping

<u>Basic Career Services</u>	Core Program Partners						Core Plus One-Stop Partners									
	Adult WIOA Title I	DW WIOA Title I	Youth WIOA Title I	AEL WIOA Title II	WP WIOA Title III	VR WIOA Title IV	TANF	Title V Older Americans	Carl Perkins CTE	Job Corps	Native American	MSW	Vets	TAA	Housing FSS ROSS	UI
	HHSA	HHSA	HHSA	WJUSD	EDD	DOR	HHSA	Exp Works	YCOE		CIMC	CHD	EDD	EDD	YH	EDD
Program Eligibility	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓
Outreach, Intake, Orientation	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓
Initial Assessment	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓	✓		✓	
Labor Exchange, Job Search Assist	✓	✓	✓		✓	✓	✓	✓			✓	✓	✓	✓	✓	
Referrals to One-Stop partners	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	
Labor Market Info	✓	✓	✓		✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	
Performance and Cost Info	✓	✓	✓		✓	✓	✓	✓	✓			✓		✓	✓	
Support Service Info	✓	✓	✓	✓		✓	✓	✓	✓		✓	✓	✓		✓	
UI Claim Filing Assistance & Info	✓	✓	✓		✓		✓	✓				✓	✓		✓	✓
Financial Aid Info	✓	✓	✓			✓	✓		✓		✓				✓	

<u>Individualized Career Services</u>	Adult	DW	Youth	AEL	WP	VR	TANF	Older Americans	Carl Perkins CTE	Job Corps	Native American	MSW	Vets	TAA	Housing	UI
Comprehensive Assessment	✓	✓	✓			✓	✓	✓	✓		✓	✓	✓		✓	
Individual Employment Plan	✓	✓	✓			✓	✓	✓			✓	✓	✓		✓	
Career Plan, Counseling	✓	✓	✓	✓		✓	✓	✓			✓	✓	✓			
Short-Term Prevoc Svc	✓	✓	✓			✓	✓				✓	✓	✓			
Internships, WEX	✓	✓	✓			✓	✓	✓	✓		✓	✓				
Out-of-Area Job Search	✓	✓	✓			✓	✓					✓	✓			
Financial Literacy	✓	✓	✓			✓	✓		✓		✓					
English Language Acquisition	✓	✓	✓	✓		✓	✓	✓								
Workforce Preparation	✓	✓	✓	✓		✓	✓	✓	✓		✓		✓			
<u>Other Services</u>	Adult	DW	Youth	AEL	WP	VR	TANF	Older Americans	Carl Perkins CTE	Job Corps	Native American	MSW	Vets	TAA	Housing	UI
Links to Postsecondary						✓			✓		✓					
Career Readiness Skills						✓			✓		✓	✓				
Business Services	✓	✓			✓						✓					
EDD Fidelity Bonding Program					✓											

<u>Other Services</u> <i>Continued</i>	Adult	DW	Youth	AEL	WP	VR	TANF	Older Americans	Carl Perkins CTE	Job Corps	Native American	MSW	Vets	TAA	Housing	UI
Youth Employment Opportunity Program Ages (15-25 yrs)- Peer Advising, Referral to Supportive Services, Job Referrals, Work Preparation Workshops and referral to Training.					✓	✓					✓	✓			✓	
Migrant Seasonal Farmworker- Referral to Supportive Services, Job Referrals, Assistant with Disability and Unemployment Assistance, Job Development Contact, Coordinate Outreach Efforts, Promote Worker's Rights, Placements, Work Preparation Workshops and referral to Training					✓	✓						✓			✓	

Access Points	Location	Contact Person	Contact Method
Adult/DW	25 N. Cottonwood St Woodland, CA 95695 500 Jefferson St. Suite 100 West Sacramento, CA 95605	Judy Needham Lisa Vincent	530-661-2642 Judy.needham@yolocounty.org 530-406-4458 Lisa.vincent@yolocounty.org
Youth	25 N. Cottonwood St Woodland, CA 95695 500 Jefferson St. Suite 100 West Sacramento, CA 95605	Judy Needham Lisa Vincent	530-661-2642 Judy.needham@yolocounty.org 530-406-4458 Lisa.vincent@yolocounty.org
AEL	575 Hays Street Woodland, CA 95695	Susan Moylan	530-406-5901 Susan.moylan@wjuds.org
WP	25 N. Cottonwood St Woodland, CA 95695 2901 50 th Street Sacramento, CA 95817	Janie Ramos Raylene Switzer	In Person 916-227-0301
VR	1100 Main Street Suite #340 Woodland, CA 95695	Robyn David-Harris	530-668-6824 Robyn.david-harris@dor.ca.gov
TANF	25 N. Cottonwood St Woodland, CA 95695 500 Jefferson St. Suite 100 West Sacramento, CA 95605	Marc Marquez	916-375-6202 Marc.marquez@yolocounty.org
Title V Older Americans	25 N. Cottonwood St Woodland, CA 95695 500 Jefferson St. Suite 100 West Sacramento, CA 95605	Scharlene Reid Employment & Training Coordinator (ETC) Carol Vasas, Assistant Rose Cook, Assistant	916-407-8342 Scharlene_reid@experienceworks.org 916-375-6285 Carol.vasas@yolocounty.org Rose.cook@yolocounty.org
Carl Perkins CTE	1280 Santa Anita Court	Lori Perez	530-668-3776

	Woodland, CA 95776		Lori.perez@ycoe.org
Job Corps			
Native American	738 North Market Boulevard Sacramento, CA 95834	Velma WhiteBear	916-920-0285 Velmaw@cimcinc.com
MSFW - EDD	25 N. Cottonwood St Woodland, CA 95695	Janie Ramos	In Person
	2901 50 th Street Sacramento, CA 95817	Jose Elizarraras	By Telephone
MSFW – CHD	117 W. Main Street #1B Woodland, CA 95695	Blanca Barba	530-662-9601 Blanca.barba@cahumandevlopment.org
		Jessica Hernandez	Jessica.hernandez@cahumandevlopment.org
Vets		John Plane	916-227-0301 John.plane@edd.ca.gov
		Jason Conley	916-227-0301 Jason.conley@edd.ca.gov
TAA	2901 50 th Street Sacramento, CA 95817	Janice Brown	916-227-0301
Housing	147 W. Main Street Woodland, CA 95695	Janis Holt	530-662-5429 Jholt@ych.ca.gov
Unemployment Insurance	Unemployment Insurance, Employment Development Department P.O. Box 826880 – UICPD, MIC 40 Sacramento, CA 94280-0001	David Rangel	916-490-5700 David.Rangel@edd.ca.gov



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WORKFORCE INNOVATION AND OPPORTUNITY ACT YOLO COUNTY MOU PARTNER REFERRAL FORM

Customer Name: _____ Date: _____

Reason for referral/connection: _____

Customer Signature: _____ Referring Agency Signature: _____

<p>Referring Agency: Partner: Contact Person: Phone Number: Email:</p>	<p>Agency Referred to: Partner: Contact Person: Phone Number: Email:</p>
---	---

Partner	Entity	Contact Information (name, phone, email)	Alternate Contact Information (name, phone, email)
WIOA Title I Adult, DW, Youth	Health and Human Services Agency (HHS)	WIOA Woodland Phone Line 530-661-2710	WIOA W. Sac Phone Line 916-375-6331
WIOA Title II Adult Education & Literacy	Woodland Adult Education	Joan Herrera 530-406-5907 joan.herrera@wjud.org	Susan Moylan 530-406-5901 susan.moylan@wjud.org
WIOA Title III Wagner-Peyser	Employment Development Department (EDD)	Raylene Switzer 916-227-0301 Raylene.switzer@edd.ca.gov	Sadie Burdine 916-227-0301 Sadie.burdine@edd.ca.gov
WIOA Title IV Vocational Rehabilitation	Department of Rehabilitation	Jose Garcia 530-668-6828 Jose.e.garcia@dor.ca.gov	Kate McDunphy 530-668-6830 Kate.mcdunphy@dor.ca.gov
Title V Older Americans Act	Experience Works Inc.	Scharlene Reid ETC 916-407-8342 Scharlene_reid@experienceworks.org	Carol Vasas (W. Sacramento) 916-375-6285 Carol.vasas@yolocounty.org Rose Cook (Woodland) 530-661-2316



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WORKFORCE INNOVATION AND OPPORTUNITY ACT YOLO COUNTY MOU PARTNER REFERRAL FORM

			Rose.cook@yolocounty.org
Carl Perkins Career Technical Education	Yolo County Office of Education (YCOE)	Ioanna Iatridis 530-668-3733 ioanna.iatridis@ycoe.org	Lori Perez 530-668-3776 lori.perez@ycoe.org
Job Corps	Sacramento Job Corp		
Native American Programs (Section 166)	California Indian Manpower Consortium, Inc.	Velma WhiteBear 916-920-0285 velmaw@cimcinc.com	Vincentia "Tina" Wilson 916-564-2892 tinaw@cimcinc.com
Migrant Seasonal Farmworkers (Section 167)	California Human Development Corporation	Blanca Barba 530-662-9601 Blanca.barba@cahumandevlopment.org	Jessica Hernandez 530-662-9601 Jessica.hernandez@cahumandevlopment.org
Veterans	EDD	John Plane 916-227-0301 John.plane@edd.ca.gov	Jason Conley 916-227-0301 Jason.conley@edd.ca.gov
Trade Adjustment Assistance Act	EDD	Janice Brown 916-227-0301 Janice.brown@edd.ca.gov	Elizabeth Tanner 916-227-0301 Elizabeth.tanner@edd.ca.gov
Housing & Urban Development	Yolo County Housing	Maria Ceja 530-669-2264 mceja@ych.ca.gov	Janis Holt 530-669-2211 jholt@ych.ca.gov
Unemployment Insurance	Referrals are handled via the Public Service Project		
Temporary Assistance for Needy Families (CalWORKs)	HHSA	Woodland Office 25 N Cottonwood St Woodland, CA 95695 530-661-2750 x6254	West Sacramento Office 500-A Jefferson Blvd. West Sacramento, CA 95776 916-375-6200 x6254

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: DISCONTINUATION OF THE DCAF PROCESS USED FOR UI VERIFICATION

SUBJECT MATTER HIGHLIGHTS

PLEASE NOTE

This draft directive will replace Directive WIAD05-10, dated October 21, 2005.

COMMENTS DUE

March 14, 2016

Comments can be submitted through one of the following ways:

Fax	WSD, Attention: Bilal Amin at 916-654-7921
E-Mail	bilal.amin@edd.ca.gov (Include "draft comments" in the subject line)
Mail	WSD / P.O. Box 826880 / MIC 50 / Sacramento, CA 94280-0001

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

If you have any questions, contact Bilal Amin at (916) 653-4803.

WORKFORCE SERVICES DRAFT DIRECTIVE

Number: WSDD-138

Date: March 1, 2016
50:013:ba

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: DISCONTINUATION OF THE DCAF PROCESS USED FOR UI VERIFICATION

EXECUTIVE SUMMARY

Purpose

The Employment Development Department (EDD) is informing the *Workforce Innovation and Opportunity Act* (WIOA) subrecipients of the discontinuation of the *Data Consent Authorization Form* (DCAF) process effective June 30, 2016. The information previously obtained via the DCAF process, the Unemployment Insurance (UI) client data (UI claim history), can be accessed by WIOA applicants and client(s) through UI OnlineSM.

Scope

This directive applies to all WIOA subrecipients.

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- *California Unemployment Insurance Code*, Section 1094, 2111
- *Workforce Innovation and Opportunity Act* of 2014, Public Law 113-128, July 22, 2014
- *Current WIOA Program Year (PY) Contract*, Exhibit BB, Item 20

STATE-IMPOSED REQUIREMENTS

This directive consists entirely of state-imposed requirements.

FILING INSTRUCTIONS

This directive replaces Directive WIAD05-10, dated October 21, 2005. Retain this directive until further notice.

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

BACKGROUND

Currently, the EDD processes DCAFs that provide WIOA subrecipients confidential UI information to determine if the client is eligible for, or has exhausted entitlement to, unemployment insurance compensation. However, the UI claim data can now be accessed online by clients due to the implementation of UI OnlineSM. Therefore, a new process is being implemented for WIOA subrecipients to obtain the confidential UI information directly from the client(s), rather than from the EDD through the current DCAF process.

POLICY AND PROCEDURES

On April 1, 2016, the EDD Branch will begin phasing out the DCAF process and accept the WIOA subrecipient's faxed or mailed DCAF requests for UI client data received by June 30, 2016. Effective July 1, 2016, any WIOA subrecipient wishing to obtain UI client data to determine eligibility for a client or to evaluate service strategy must follow the procedures outlined below.

Effective July 1, 2016, WIOA subrecipients must obtain all required UI claim history information directly from the client. Therefore, WIOA subrecipients must request that client(s) provide their confidential UI information by accessing their UI OnlineSM account, or from the *Notice of Unemployment Insurance Award (DE 429Z)* letter, *Notice of Unemployment Insurance Claim Filed (DE 1101CLMT)* letter, and the [Automated UI Check Stub Message](#).

In the event that the initial UI letter(s) provided by the EDD have been misplaced or lost, the clients may request that the EDD mail another copy of their DE 429Z and DE 1101CLMT letters to them through [Ask EDD](#) by selecting the "Unemployment Insurance Benefits" category. However, the clients are to be advised of the potential delay in receiving a copy of their UI letter(s) due to the mailing process.

The following table identifies specific confidential UI information provided to a client through UI OnlineSM, DE 429Z letter, DE 1101CLMT letter, and the Automated UI Check Stub Message:

Unemployment Insurance Data	Unemployment Insurance Data Source(s)
Quarterly Wages for the Most Recent Completed Three Quarters	<i>Notice of Unemployment Insurance Award (DE 429Z)</i>
Effective and Ending Date of Claim	UI Online SM (Account Homepage)
	<i>Notice of Unemployment Insurance Award (DE 429Z)</i>
	<i>Notice of Unemployment Insurance Claim Filed (DE 1101CLMT) (Only Effective Date of Claim)</i>
Claim Award	UI Online SM (Account Homepage)
	<i>Notice of Unemployment Insurance Award (DE 429Z)</i>
Last Employer Name and Address Last Day Worked Reason for Separation	UI Online SM (Account Homepage)
	<i>Notice of Unemployment Insurance Claim Filed (DE 1101CLMT)</i>
	UI Online SM (Account Homepage)
Claim Balance	UI Online SM (Account Homepage)
Benefits Exhausted	Automated UI Check Stub Message

The WIOA subrecipients are encouraged to assist clients in obtaining their confidential UI information from their UI OnlineSM account. Prior to registering on UI OnlineSM, clients must have their EDD Customer Account Number, which can be found on their *Employment Development Department (EDD) Customer Account Number (DE 5614)* letter. Clients may contact an [EDD UI Representative](#) to retrieve their EDD Customer Account Number, in the event that the DE 5614 letter provided by the EDD has been displaced or lost.

For *UI OnlineSM Fact Sheet*, instructional videos and resources, please visit the EDD UI OnlineSM webpage at www.edd.ca.gov/UI_Online.

The confidential UI information obtained from client(s) by WIOA subrecipients with the process outlined in this directive should not be used for performance calculation.

ACTION

Notify appropriate staff of the new procedure for obtaining confidential UI information and the discontinuation of the DCAF process effective June 30, 2016.

INQUIRIES

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

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

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA YOUTH PROGRAM REQUIREMENTS

SUBJECT MATTER HIGHLIGHTS

This policy updates Workforce Services Directive WSD15-03 to include new guidance released in Department of Labor Employment and Training Guidance Letter 8-15, *Second Title I WIOA Youth Program Transition Guidance*, issued on November 17, 2015.

COMMENTS DUE

April 5, 2016

Comments can be submitted through one of the following ways:

Fax	WSD, Attention: Melissa Williams at 916-654-9753
E-Mail	MelissaM.Williams@edd.ca.gov (Include "draft comments" in the subject line)
Mail	WSD / P.O. Box 826880 / MIC 50 / Sacramento, CA 94280-0001

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

If you have any questions, contact Melissa Williams at 916-654-0205.

WORKFORCE SERVICES DRAFT DIRECTIVE

Number: WSDD-139

Date: March 15, 2016
69:01:mw

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA YOUTH PROGRAM REQUIREMENTS

EXECUTIVE SUMMARY

Purpose

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

Note that, at the time of issuance, the Employment Development Department (EDD) established this guidance using the WIOA Notices of Proposed Rule Making (NPRM). The policies and procedures may be subject to change upon the issuance of the final regulations.

Scope

This directive applies to Local Workforce Development Boards (Local Boards) and Local Workforce Development Areas (Local Areas).

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- WIOA (Public Law 113-128) Sections 3, 107, 116, 123, 128, and 129
- *Workforce Investment Act* (WIA) (Public Law 105-220) Sections 101 and 129
- Title 2 *Code of Federal Regulations* (CFR) Part 200: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Uniform Guidance)
- Title 2 CFR Part 2900: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Department of Labor Exceptions)
- Title 20 CFR: "WIOA; NPRM", Sections 681 and 683

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) [8-15](#), *Second Title I WIOA Youth Program Transition Guidance*, (November 17, 2015)
- TEGL [23-14](#), *WIOA Youth Program Transition* (March 26, 2015)
- TEGL [19-14](#), *Vision for the Workforce System and Initial Implementation of the WIOA* (February 19, 2015)
- TEGL [12-14](#), *Allowable Uses and Funding Limits of WIA Program Year (PY) 2014 funds for WIOA Transitional Activities* (October 28, 2014)
- TEGL [13-09](#), *Contracting Strategies That Facilitate Serving the Youth Most In Need* (February 16, 2010)
- California *Education Code* (EC) Section 58500
- Workforce Services Directive [WSD14-9](#) Subject: *30 Percent Expenditure Requirement—Youth Formula Funds* (February 13, 2015)

STATE-IMPOSED REQUIREMENTS

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

FILING INSTRUCTIONS

This directive updates Workforce Services Directive WSD15-03, issued on September 16, 2015. Retain this directive until further notice.

BACKGROUND

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

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

POLICY AND PROCEDURES

Youth Eligibility Criteria

The WIOA Section 129(a)(1) provides new eligibility criteria for the WIOA youth program. To be eligible to participate in the WIOA youth program, an individual must be an OS youth or an in-school (IS) youth.

Youth enrolled beginning July 1, 2015, must meet the new eligibility criteria. Beginning July 1, 2015, all WIA youth participants still enrolled in the WIA youth program must be grandfathered

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

Definitions

For the purposes of this directive, the following definitions apply:

School – any secondary or post-secondary school (20 CFR NPRM Section 681.230).

Attending School – An individual is considered to be attending school if the individual is enrolled in secondary or post-secondary school. **These include, but are not limited to: traditional K-12 public and private, and alternative (e.g., continuation, magnet, and charter) schools.**

Not Attending School – an individual who is not attending a secondary or post-secondary school* (NPRM Preamble page 20732).

*An individual who is enrolled in adult education, YouthBuild, or Job Corp is not considered to be attending school (20 CFR NPRM Section 681.230).

School dropout – an individual who is not attending school and who has not received a secondary school diploma or its recognized equivalent. Per TEGL 8-15, this term does not include individuals who dropped out of postsecondary school.

Alternative school – An alternative school is a type of school designed to achieve grade-level (K-12) standards and meet student needs (EC Section 58500). **Examples of alternative schools include, but are not limited to: continuation, magnet, and charter schools. If the youth participant is attending an alternative school at the time of enrollment, the participant is considered to be in-school.**

OS Youth Eligibility

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

1. Not attending any secondary or post-secondary school (not including adult education, YouthBuild, or JobCorps)
2. Age 16-24 years old
3. One or more of the following barriers:
 - a. A school dropout.
 - b. A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar

quarter. (Note that, “school year quarter” is defined by the local school district calendar).

- c. A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English language learner.
- d. An individual who is subject to the juvenile or adult justice system.
- e. A homeless individual, a runaway, an individual who is in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the *Social Security Act*, or an individual who is in an out-of-home placement.
- f. An individual who is pregnant or parenting.
- g. An individual with a disability.
- h. A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

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

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

IS Youth Eligibility

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

1. Attending school, including secondary and post-secondary schools
2. Age 14-21 years old
3. Low income individual
4. Meets one or more of the following barriers:
 - a. Basic skills deficient.
 - b. An English language learner.
 - c. An offender.
 - d. A homeless individual, a runaway, an individual who is in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the *Social Security Act*, or an individual who is in an out-of-home placement.
 - e. Pregnant or parenting.
 - f. Individual with disability.
 - i. An individual who requires additional assistance to complete an educational program or secure and hold employment.

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

A youth participant’s eligibility is determined at intake; therefore, the youth remains eligible for youth services until exited. For example, an individual who is an IS youth and between the ages

of 16-21 at the time of enrollment, and is now beyond the age of 21, is still considered an IS youth until exited.

Low-Income

Under WIOA, a youth who receives or is eligible to receive a free or reduced lunch under the Richard B. Russell National School Lunch Act, is considered to be low-income. In addition, a youth living in a high-poverty area is automatically considered to be a low-income individual. According to TEGL 8-15, final regulations for WIOA will further define a “youth living in a high-poverty area.” In the interim, EDD has chosen to define a high-poverty area as: ***an area identified by the American Community Survey 5-Year Data to have a poverty rate of 30 percent and above.*** Local Areas may access American Community Survey 5-Year data on the [US Census Fact Finder](#) website to determine the poverty rate by entering in the youth participant’s zip code.

Low-Income Exception

The WIOA maintains a 5 percent low-income eligibility exception where 5 percent of Local Area youth participants who ordinarily would need to be low-income do not need to meet the low-income provision. However, because not all OS youth are required to be low-income, the 5 percent low-income exception under WIOA is calculated based on the 5 percent of youth enrolled in a given program year who would ordinarily be required to meet the low-income criteria. The 5 percent low-income exception may include OS youth under eligibility categories 3c and 3h (refer to page 4), IS youth, or a combination of both, not to exceed 5 percent of all WIOA youth participants served for a given program year.

Requires Additional Assistance

Under WIOA, no more than 5 percent of IS youth enrolled in a given program year may be found eligible based solely on meeting the criterion, “requires additional assistance.” This limitation applies to IS youth enrolled on or after July 1, 2015. Therefore, participants that were enrolled under WIA and carried into WIOA would not be factored in.

Local Boards are responsible for establishing local definitions and eligibility documentation requirements for “requires additional assistance” as it relates to both OS and IS youth. The local policy should be reasonable, quantifiable, and based on evidence that the specific characteristic of the youth identified in the policy objectively requires additional assistance. Examples could include, but are not limited to, the following:

- Have repeated at least one secondary grade level or are one year over age for grade.
- Have a core grade point average (GPA) of less than 1.5.
- For each year of secondary education, are at least two semester credits behind the rate required to graduate from high school.
- Are emancipated youth.
- Have aged out of foster care.
- Are previous dropouts or have been suspended five or more times or have been expelled.

- Have received court/agency referrals mandating school attendance.
- Are deemed at risk of dropping out of school by a school official.
- Have been referred to or are being treated by an agency for a substance abuse related problem.
- Have experienced recent traumatic events, are victims of abuse, or reside in an abusive environment as documented by a school official or other qualified professional.
- Have serious emotional, medical or psychological problems as documented by a qualified professional.

OS Youth

The WIOA shifts the primary focus of youth formula funds to support the educational and career success of OS youth. As a result of this shift, the cost per participant under the WIOA may increase as many OS youth require more intensive and costly services. Consequently, fewer participants might be served under the WIOA youth program due to the more intensive and costly services for the increased emphasis on the OS youth population.

OS Youth Expenditure Requirement

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

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

Youth Formula Allocation	Administration Costs	Youth Program Expenditure	75 Percent Requirement
\$2,000,000	\$180,000	\$1,820,000	\$1,365,000

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

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

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

PY 2014-15 OS youth expenditure rate	First year PY 2015-16 expenditure requirement
> 40%	Must increase by 10 percentage points
< 40%	Must increase to at least 50%

Example: Required 10 Percentage Point Increase

Funding Year	Youth Formula Allocation	Administration Costs	Youth Program Expenditure	OS Youth Percentage	OS Youth Expenditure
PY 2014-15	\$1,000,000	\$90,000	\$910,000	50%	\$455,000
PY 2015-16	\$1,200,000	\$108,000	\$1,092,000	60%	\$655,200

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

Example: Required 50 Percent Minimum Expenditure

Funding Year	Youth Formula Allocation	Administration Costs	Youth Program Expenditure	OS Youth Percentage	OS Youth Expenditure
PY 2014-15	\$1,000,000	\$90,000	\$910,000	30%	\$273,000
PY 2015-16	\$1,200,000	\$108,000	\$1,092,000	50%	\$546,000

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

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

Work Experience

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

Work Experience Criteria

Work experience provides IS and OS youth an invaluable opportunity to develop work place skills. Paid and unpaid work experiences must include academic and occupational education and may include the following:

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

(Reference: Title 20 CFR NPRM Section 681.600)

The required academic and occupational education (e.g., workforce preparation activities, basic academic skills, and hands-on occupational skills training) must be taught within the same timeframe and connected to training in a specific occupation, occupational cluster, or career pathway [WIOA Section 129 (c)(2)(E) and Title 20 CFR NPRM Section 681.640].

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

Additionally, youth formula funds may be used to pay wages and staffing costs for the development and management of work experience. Allowable expenditures beyond wages may include the following:

- Staff time spent identifying potential work experience opportunities.
- Staff time working with employers to develop the work experience.
- Staff time spent working with employers to ensure a successful work experience.
- Staff time spent evaluating the work experience.
- Classroom training or the required academic education component directly related to the work experience.
- Orientation sessions for participants and employers.

Local Policy

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

- The duration of the work experience assignment.

- Limitations on the number of hours.
- Appropriate incentives and stipends, including limitations on the types and dollar amount.

The WIOA youth provisions go into effect July 1, 2015. Local Boards must begin to implement the work experience requirements beginning July 1, 2015, **and establish local policy and procedures for work experience no later than January 1, 2016.**

Work Experience Expenditure Requirement

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

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

Youth Formula Allocation	Administration Costs	Youth Program Expenditure	20 Percent Work Experience Requirement
\$2,000,000	\$180,000	\$1,820,000	\$364,000

In this example, the Local Area’s work experience expenditure requirement is \$364,000. The Local Area received \$2 million and spent \$180,000 or nine percent ($\$2,000,000 \times .09$) on administration costs. The remaining \$1,820,000 ($\$2,000,000 - \$180,000$) is subject to the 20 percent work experience expenditure requirement. Therefore, the Local Area would be required to spend at least \$364,000 ($\$1,820,000 \times .20$) on work experience for IS youth and OS youth.

State Technical Assistance

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

Calculating OS Youth and Work Experience Expenditures

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

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

IS Youth

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

Transitioning WIA IS Youth Participants

Local Areas may still be serving large numbers of IS youth as they transition into WIOA on July 1, 2015. Although there is a shift in emphasis under WIOA to OS youth, Local Areas should not prematurely exit WIA IS youth from the program.

Local Areas may opt to use a portion of their remaining PY 2014-15 funds for services to IS youth in order to assist them in successfully completing the program, while focusing PY 2015-16 funds on OS youth, consistent with the minimum 75 percent OS youth expenditure requirement on OS youth.

Youth Standing Committees

Youth councils are not required under WIOA. However, Local Boards may continue to operate a youth council as a standing committee. The Youth Standing Committee can assist to identify gaps in services and develop a strategy to use competitive selections or community partnerships to address the unmet needs of youth. Youth Standing Committees should coordinate youth policy, ensure quality services, leverage financial and programmatic resources, and recommend eligible youth service providers.

An existing youth council may be designated as the Youth Standing Committee or a Local Board may design a youth standing committee to meet the needs of the Local Area's youth program. If a Local Board does not establish a Youth Standing Committee, the Local Board is still responsible for conducting the oversight of youth activities under WIOA Section 129(c) and identifying

eligible providers of youth workforce investment activities in the Local Area by awarding grants or contracts on a competitive basis.

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

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

Procurement of WIOA Youth Service Providers

As required in WIOA Section 123, Local Boards must award youth service provider contracts through a competitive process. This competitive process must meet the procurement standards specified in Title 20 CFR parts 200 and 2900.

As Local Boards transition from WIA to WIOA, they must ensure Request for Proposals (RFPs) and youth service provider contracts incorporate the new WIOA youth provisions, (e.g., new eligibility requirements for IS and OS youth, increased expenditure requirements for OS youth and work experience, and the five new program elements). In order to implement these provisions, Local Areas may either undergo a contract modification with their existing providers, if permissible, or procure new service providers. Since youth enrolled beginning July 1, 2015, must meet the new WIOA eligibility criteria, Local Boards must ensure they have modified existing contracts and/or procured new youth service providers by July 1, 2015, to accommodate the new eligible WIOA youth participants. If a Local Area procures new youth service providers, the state encourages the use of one-year contracts, which may contain additional option years, rather than multi-year contracts, to ensure maximum flexibility during WIOA Implementation.

Local Boards may opt to retain current WIA youth service contracts temporarily for various reasons (e.g., the contract does not include a clause that allows for modifications to conform to new legislation, regulations, or requirements, etc.). The State Board and EDD would like to provide Local Boards adequate time to transition to the new WIOA requirements, and, therefore, will allow Local Boards to retain current WIA youth service contracts through PY 2016-17. However, ***Local Boards must ensure that all RFPs and youth service provider contracts incorporate the new WIOA provisions by July 1, 2017.***

Program Elements

The WIOA Section 129(c)(2) includes 14 program elements, which include the original ten program elements under WIA (which have been consolidated to nine as the summer employment opportunities program element is now a sub-element under paid and unpaid work experiences) and five new program elements. The five new program elements are: (1) financial literacy, (2) entrepreneurial skills training, (3) services that provide labor market and employment information about in-demand industry sectors or occupations available in the Local

Areas, (4) activities that help youth prepare for and transition to post-secondary education and training, and (5) education offered concurrently with and in the same context as workforce preparation activities and training for specific occupation or occupational clusters. The following is a complete list of the 14 required program elements:

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

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

Program Design

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

ACTION

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

INQUIRIES

If you have any questions concerning this directive, please contact your assigned [Regional Advisor](#) at 915-654-7799.

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

Attachments are available on the internet:

1. [OS Youth Expenditure Requirement Corrective Action Plan](#)
2. [Outreach and Recruitment of OS Youth](#)

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA PROGRAM INCOME

SUBJECT MATTER HIGHLIGHTS

This policy provides guidance on *Workforce Innovation and Opportunity Act* program income.

COMMENTS DUE

April 12, 2016

Comments can be submitted through one of the following ways:

Fax	WSD, Attention: <u>Scott Osborne</u> at 916-654-9753
E-Mail	<u>Scott.Osborne@edd.ca.gov</u> (Include "draft comments" in the subject line)
Mail	WSD / P.O. Box 826880 / MIC 50 / Sacramento, CA 94280-0001

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

If you have any questions, contact Scott Osborne at 916-654-9762

WORKFORCE SERVICES DRAFT DIRECTIVE

Number: WSDD-140

Date: March 22, 2016
69:97:so:17907

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA PROGRAM INCOME

EXECUTIVE SUMMARY

Purpose

This policy provides guidance on *Workforce Innovation and Opportunity Act* (WIOA) program income.

Scope

This directive applies to all subrecipients of WIOA Title I funds.

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- WIOA (Public Law 113-128) Sections 184(a)(3), 184(a)(5), 194(7)(B) and 194(13)(A-C)
- Title 2 *Code of Federal Regulations* (CFR) Part 200: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Uniform Guidance), Sections 200.80, 200.307, and 200.327
- Title 2 CFR Part 2900: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Department of Labor [DOL] Exceptions)
- Title 20 CFR: "WIOA; Notice of Proposed Rulemaking" (NPRM), Section 683.200
- Training and Employment Guidance Letter (TEGL) 15-14, Subject: *Implementation of the New Uniform Guidance Regulations* (December 19, 2014)
- Workforce Services Directive WSD12-3, Subject: *Quarterly and Monthly Financial Reporting Requirements* (July 18, 2012)
- Workforce Services Directive WSD10-7, Subject: *Program Income* (September 28, 2010)

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

STATE-IMPOSED REQUIREMENTS

This directive contains one state-imposed requirement. This requirement is indicated by ***bold, italic*** type.

FILING INSTRUCTIONS

Retain this directive until further notice. For information on program income under the former Office of Management and Budget (OMB) guidance, refer to [WSD10-7](#).

BACKGROUND

On December 26, 2013, the OMB issued the [Uniform Guidance](#) under Title 2 CFR Part 200, in order to streamline the guidance on administrative requirements, cost principles, and audit requirements for federal awards. The Uniform Guidance consolidated multiple, previously separate, sets of OMB guidance into one combined set of rules. On December 19, 2014, the DOL adopted the Uniform Guidance and issued [DOL Exceptions](#) under Title 2 CFR Part 2900.

The Uniform Guidance applies to all federal awards made on or after December 26, 2014. Therefore, beginning with WIOA PY 2015-16 funds, all subrecipients of this funding must adhere to the Uniform Guidance, DOL Exceptions, and corresponding WIOA administrative requirements, cost principles, and audit requirements. For more information on Uniform Guidance implementation, please see [TEGL 15-14](#).

POLICY AND PROCEDURES

What is Program Income?

Program income is defined as gross income earned by a subrecipient that is directly generated by a supported activity or earned as a result of the WIOA award during the period of performance (Uniform Guidance Section 200.80).

Program income does not increase the amount of funds that were authorized for the subaward. It is considered additional revenue available for use in support of allowable subaward activity.

Program income includes, but is not limited to, income from the following:

- The use or rental of property acquired with WIOA funds.
- The sale of commodities or items fabricated under a WIOA award.
- License fees and royalties on patents or copyrights.
- Goods or services (including conferences) provided as a result of WIOA funded activities.
- Any excess of revenue over costs incurred for services provided.
- Interest earned on funds received under WIOA.
- Fees from employers to use services, facilities, or equipment.

On a fee-for service basis, employers may use the Local Workforce Development Area's WIOA funded services, facilities, or equipment to provide employment and training activities to incumbent workers if the following criteria is met:

- The services, facilities, or equipment are not being used by eligible participants.
- Their use does not affect the ability of eligible participants to use the services, facilities, or equipment.
- The income generated from such fees is used to carry out programs authorized under WIOA.

Unless otherwise provided in WIOA, its regulations, or the terms and conditions of a WIOA award, program income does not include the following:

- Interest earned on advances of WIOA funds.
- Rebates, credits, discounts, and any interest earned on them.
- Proceeds from the sale of real property, equipment, or supplies.
- Taxes, special assessments, levies, fines, and other such revenues raised by a subrecipient.
- Donations and contributions that are voluntarily given to a WIOA-funded program.
- Profits earned by commercial for-profit organizations.
- Funds provided to satisfy the matching requirement of a WIOA-funded program.
- Income earned after the period of subaward performance.

(Uniform Guidance Sections 200.80 and 200.307, and WIOA Section 194[7] and[13])

Accounting for Program Income

Subrecipients must account for program income using the "Addition Method." The Addition Method means that program income is added to the WIOA award and is used to provide the same services as provided under the original subaward agreement. The program income available to the subrecipient for program activities is not formally modified into the subaward amount (NPRM Section 683.200 [c][6]).

Furthermore, subrecipients can calculate earned program income using either the net income or gross income method. Under the net income method, the cost of generating the program income is deducted from gross program income receipts. The revenues and expenditures are tracked separately in accounting records, netted, and then recorded in the appropriate program income account. Under the gross income method, all gross revenues derived from program income activities are accounted for as program income, and the costs associated with generating the revenue are charged to the subaward. In the accounting records, the entire amount of gross revenues and corresponding expenditures are recorded in the program income account for the funding period.

The following example illustrates how a subrecipient would calculate program income using either the net income or gross income method:

A subrecipient plans a conference and receives \$10,000 in registration fees in advance of the conference, and incurs an expense of \$6,000 to cover the costs of the conference.

- Using the net income method, the subrecipient would report \$4,000 (the amount of revenue that remained after subtracting the conference costs) as program income. The subaward is not charged.
- Using the gross income method, the subrecipient would report \$10,000 (the entire amount of revenues earned from registration fees) as program income and charge the subaward \$6,000 for costs associated with the conference.

Once the amount of program income has been determined, subrecipients may account for the expenditure of program income using either the separate accounting or transfer of expenditures method. Under the separate accounting method, program income is treated as additional funds committed to the subaward for which separately identifiable services are performed and the expenditure program income is accounted for separately from the original subaward agreement. For accounting purposes, the program income is treated as if it were a separate subaward. Under the transfer of expenditures method, subrecipients initially record the expenditures in the accounts of the original subaward agreement and subsequently transfer the expenditures to the program income account in order to offset the amount of program income earned. The result is the program income is accounted for as fully expended while expenditures charged under the subaward are reduced by the amount of expenditures that have now been applied to program income.

The following example illustrates how a subrecipient would calculate program income expenditures using either the separate accounting or transfer of expenditures method:

A subrecipient earns \$5,000 in program income, the amount that revenues exceeded costs under a fixed unit price agreement funded with WIOA funds.

- Using the separate accounting method, the subrecipient used the program income to provide additional training and placement services and established a separate WIOA funded account by cost category to record the expenditures incurred in providing the additional services.
- Using the transfer of expenditures method, the subrecipient transfers \$5,000 in expenditures already incurred under the subaward from the appropriate cost categories to the program income account and reduces subaward expenditures in the corresponding cost categories by the same amount. This has the effect of freeing up \$5,000 to be used for additional services under the subaward. When submitting its expenditure report, the subrecipient reports the amount of program income earned, the amount expended by cost category, and final net expenditures charged to the subaward.

Program Income Expenditure Requirements

Program income must be expended on allowable subaward activities. It is subject to all WIOA requirements, with the exception of the administrative cost limitation. These requirements include the following:

- Allowable cost guidelines.
- Cost classification guidelines.
- Inclusion of program income earnings and expenditures in the audit.
- Rules on procurement and selection of service providers.
- Participant records and other record-keeping requirements.
- Sanctions for misuse.

Although program income can be accounted for as available until the income is actually used, any cash-on-hand from program income must be liquidated before the subrecipient may request additional WIOA cash for any purpose.

To simplify the implementation of this policy, the state requires that program income generated during the life of a specific allocation must be expended before the end of the availability or termination of that specific funding, or before the closeout is completed, whichever is last. Therefore, at the time of filing a closeout, any unexpended program income must be treated as a reduction in federal expenditures and the excess federal funds will be de-obligated.

Reporting and Documentation Requirements

Subrecipients are required to include program income in their quarterly and monthly financial reports. Program income earnings and expenditures must be reported separately in Section VI. Other Reportable Items (Program), lines 3 and 4. These lines specify how much program income was earned, and how much was expended. See Workforce Services Directive [WSD12-3](#) for quarterly and monthly financial reporting requirements.

Additionally, subrecipients must record and classify program income revenues and expenditures so they can be traced from the quarterly and monthly financial reports to the source documentation supporting the revenue and expenditures. They must maintain proper documentation to show the amount of program income received and the purposes for which it was expended (WIOA Section 194[7]).

ACTION

Bring this directive to the attention of all affected staff and subrecipients.

INQUIRIES

Please direct inquiries to your assigned [Regional Advisor](#) at 916-654-7799.

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

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TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: CALIFORNIA WIOA REGIONAL PLANNING UNITS

EXECUTIVE SUMMARY

Purpose

This policy officially identifies California's regional planning units.

Scope

This directive applies to all Local Workforce Development Boards (Local Boards) and their chief elected officials (CEOs).

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- *Workforce Innovation and Opportunity Act (WIOA)* (Public Law 113-128) Sections 106(a) and (c)

STATE-IMPOSED REQUIREMENTS

This directive contains only state-imposed requirements.

FILING INSTRUCTIONS

This directive finalizes Workforce Services Draft Directive WSDD-116, issued for comment on April 30, 2015. The California Workforce Development Board received 28 comments during the draft comment period. These comments resulted in changes to the directive. A summary of comments is provided as Attachment 5. Retain this directive until further notice.

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

BACKGROUND

The WIOA Section 106 includes a requirement that the Governor identify planning regions in the state and enumerates specific elements that must be considered as part of this process. The purpose of identifying regions is to align workforce development activities and resources with larger regional economic development areas and available resources to provide coordinated and efficient services to job seekers and employers. The WIOA also requires the Governor to consult with the Local Boards and CEOs in the Local Workforce Development Areas (Local Areas).

POLICY AND PROCEDURES

Local Board placement in regional planning units is based primarily on the location of WIOA client populations and the way these populations fit into regional economies as defined by economic data including commute patterns, industry composition, labor markets, geographic location, and transportation infrastructure.

Boundaries of the proposed regional planning units were largely set by giving weight to the foregoing economic data and by starting with regional economic market boundaries drawn by the Employment Development Department's Labor Market Information Division (LMID). These regional economic market boundaries were then modified to take into account the number of Local Areas in a region, the size of the area covered, and the boundaries and planning regions of existing regional workforce consortia.

In addition, the following principles and other considerations were also applied to initially develop the boundaries of regional planning units:

Principles

- Local Boards will only be required to plan in one regional planning unit.
- Local Boards will always plan in the macro-regional economic markets where the majority of their populations are located.
- Regional planning units respect the existing administrative boundaries of counties and Local Boards.
- Regional planning boundaries provide some deference to existing planning relationships provided that Local Boards plan inside the macro-regional economic market where the majority of their populations reside.
- Regional planning units carved out of larger regional economic markets correspond, as much as possible, with the boundaries of sub-regional economic markets.

Other Considerations

- Regional planning unit boundaries are typically consistent with or nested inside the historical economic development area boundaries determined by California's nonoperational Economic Strategy Panel.

- An examination of the location and number of Adult Education providers in the Adult Education consortia was undertaken to ensure that there were a sufficient number of providers in each regional planning unit.

ACTION

Bring this guidance to the attention of all concerned parties.

INQUIRIES

If you have any questions regarding this directive, contact Daniel X. Patterson at Daniel.Patterson@cwdb.ca.gov or 916-657-1446.

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

Attachments are available on the internet:

1. [Regional Planning Units](#)
2. [Map of WIOA Regional Planning Units](#)
3. [Regional Planning Unit Methodology](#)
4. [Map of LMID Economic Regions and Subregions for Regional Economic Analysis Profiles](#)
5. [Summary of Comments](#)

WIOA Regional Planning Units



Cartography By:
Labor Market Information Division
California Employment Development Department
July 2015

How the Regions Were Determined

Local Workforce Development Board (Local Board) placement in regional planning units is based primarily on the location of *Workforce Innovation and Opportunity Act* (WIOA) client populations and the way these populations fit into regional economies as defined by economic data including commute patterns, industry composition, labor markets, geographic location, and transportation infrastructure.

Boundaries of the proposed regional planning units were largely set by giving weight to the foregoing economic data and by starting with regional economic market boundaries drawn by the Employment Development Department (EDD) Labor Market Information Division (LMID). These regional economic market boundaries were then modified to take into account the number of Local Areas in a region, the size of the area covered, and the boundaries and planning regions of existing regional workforce consortia. The California Workforce Development Board (State Board) also took into account the location of regional consortia providing Adult Education services and economic development areas.

LMID Method to Draw Regional Economic Market Boundaries

1. The LMID started by dividing California into regions based on geography and transportation infrastructure.
2. The LMID used commute pattern data (U.S. Census Bureau) and industry employment data (LMID) to identify the largest employment center in each region (as measured by the number of jobs in a county and the number of people entering the county from elsewhere for employment).
3. The LMID used commute pattern data (U.S. Census Bureau) to identify whether surrounding counties within a region were attached to the "largest employment center" county as measured by commute patterns.
4. For counties without a clear region designation as based on the steps above, LMID used labor market and industry employment data (LMID) to evaluate the labor market size and industry composition of a county. The LMID then used this analysis to place counties in regional markets based on whether or not the county's labor market was similar in size to the regional market and/or whether it had a similar industry footprint.
5. Using the foregoing methodology, the LMID arrived at 8 macro-regional markets and 19 sub-regional economic markets.

Principles Used by the State Board to Modify Market Boundaries and Draw Planning Unit Boundaries

- Local Boards will only be required to plan in one regional planning unit.
- Local Boards will always plan in the macro-regional economic markets where the majority of their populations are located.
- Regional planning units respect the existing administrative boundaries of counties and Local Boards.

- Regional planning boundaries provide some deference to existing planning relationships provided that Local Boards plan inside the macro-regional economic market where the majority of their populations reside.
- Regional planning units carved out of larger regional economic markets correspond, as much as possible, with the boundaries of sub-regional economic markets.

Other Considerations

- Regional planning unit boundaries are typically consistent with or nested inside the historical economic development area boundaries determined by California's defunct Economic Strategy Panel.
- An examination of the location and number of Adult Education providers in the Adult Education consortia was undertaken to ensure that there were a sufficient number of providers in each regional planning unit.

How the Regions Were Modified

Simplicity

Some Local Boards straddle the eight macro-regional economic markets identified by the LMID. To keep things simple, Local Boards are only placed in one regional economic market and only required to plan in a single regional planning unit.

- Local Boards will only be required to plan in one regional planning unit.

Client Needs

Keeping in mind the needs of the jobseeker, Local Boards are required to plan in regional planning units tied to the macro-regional economic markets where the majority of the populations they serve are located.

- Local Boards will always plan in the macro-regional economic markets where the majority of their populations are located.

Practicality

Some macro-regional economic markets are too big, or contain too many Local Boards to function practically as regional planning units. In these instances regional planning units were carved out of economic markets using the following three principles:

- Regional planning units respect the existing administrative boundaries of counties and Local Boards.
- Regional planning boundaries provide some deference to existing planning relationships provided that Local Boards plan inside the macro-regional economic market where the majority of their populations reside.

- Regional planning units carved out of larger regional economic markets correspond, as much as possible, with the boundaries of sub-regional economic markets.

Regional planning units' primary purpose is to provide coordinated service delivery to both industry and job seekers who enter employment relations within a given labor market. Accordingly, Local Boards should plan and coordinate service delivery regionally on the basis of shared labor market dynamics. Doing so requires that the state keep regional planning units' boundaries in alignment, as much as is practically possible, with the location of the regional economic markets where their populations reside.

Other Considerations

- Regional planning unit boundaries are typically consistent with or nested inside the historical economic development area boundaries determined by California's defunct Economic Strategy Panel.
- An examination of the location and number of Adult Education providers in the Adult Education consortia was undertaken to ensure that there were a sufficient number of providers in each regional planning unit.

LMID Economic Regions and Subregions for Regional Economic Analysis Profiles



Counties in Numbered Subregions:

Northern Region

1. Butte, Colusa, and Glenn
2. Lassen, Modoc, Plumas, Shasta, Sierra, Siskiyou, Tehama, and Trinity
3. Del Norte, Humboldt, and Mendocino

Sacramento Region

4. Alpine, El Dorado, Nevada, Placer, Sacramento, and Yolo
5. Sutter and Yuba

San Francisco Bay Area Region

6. Alameda, Contra Costa, and Solano
7. Lake, Napa, and Sonoma
8. Marin, San Francisco, San Mateo, and Santa Clara

San Joaquin Valley Region

9. San Joaquin, Stanislaus, and Merced
10. Fresno, Kern, Kings, Madera, and Tulare

Eastern Sierra Region

11. Amador, Calaveras, Inyo, Mono, Mariposa, and Tuolumne

Coastal Region

12. Monterey, Santa Cruz, and San Benito
13. Santa Barbara and San Luis Obispo

Southern Region

14. Los Angeles
15. Orange
16. San Bernardino and Riverside
17. Ventura

Southern Border Region

18. San Diego
19. Imperial

Summary of Comments
Draft Directive *Identification of WIOA Regional Planning Units*

Many of the comments expressed similar concerns or questions, and where practicable were consolidated for the purposes of this summary. In addition, numerous comments received supported the regional maps and boundaries as they were drawn. Where the comments resulted in a change to the initial boundaries, the maps and supporting documents were amended to effect those changes.

Commenter #1 stated that the public comment period did not allow sufficient time for Local Workforce Development Boards (Local Boards) to consult with their chief elected officials (CEO) and/or Board of Supervisors or City Councils. There were also similar concerns raised that draft directives requiring coordination with CEOs should allow up to 60 days of public comment as a standard practice versus the 30 day period currently being used.

Response – In advance of the publication of the draft directive and in addition to the public noticed meetings of the California Workforce Development Board (State Board) and its committees, extensive outreach was conducted and valuable input was received from the California Workforce Association, the League of Cities, the California State Association of Counties and state workforce partner agencies. The majority of state policy guidance is developed in collaboration with a wide breadth of state and local partners and completed well in advance of these new policies being available for public comment. In addition to the 30-day public comment period for draft policies, there is an additional comment period once the policy is published as a final product. It is our opinion that sufficient time is provided. However, in the future additional time may be considered to allow Local Boards additional opportunity to consult with the CEOs and the other entities of local government as necessary.

Commenter #2 asked why the granular data used by the state to draw boundaries and economic regions and sub-regions was not provided for public review.

Response – The public comment period was to encourage Local Workforce Development Areas (Local Areas) to provide feedback on the methodology and the conclusions reached by the State Board. The State Board was also interested in receiving input on alternative methodologies and/or conclusions using other data sets that might indicate the need to adjust the proposed regional planning unit boundaries. Some Local Areas were able to provide additional data that had not been previously considered by the State Board and did result in a change of the initial proposed boundaries.

Commenter #3 requested to remove Mendocino County from the North Coast Planning Unit and assign it to the North Bay Planning Unit.

Response: Documentation supporting this amendment was received as well as support for the request from several of the local boards identified as part of the North Bay Planning Unit. After review of the data and consultation with the requestor, changes have been made to the

Regional Planning Map. As a result of this change, the North Coast Planning Unit is now identified as Humboldt.

Commenter #4 requested to remove San Benito from the Coastal Planning Unit and reassign them to the Bay Peninsula Planning Unit.

Response – Documentation supporting this amendment was received from the commenter. After review of the data and consultation with the commenter, changes have been made to the Regional Planning Map.

Commenter #5 recommended the consolidation of the North Bay and North Coast regions into one region.

Response – The draft directive included both a methodology and the principles used to draw the proposed regional boundaries. The commenter did provide data and rationale for this request, however, Mendocino County has participated in regional planning with the Local Boards in the North Bay region and is also a partner in a state grant to further develop and implement regional planning strategies. Also, see the response to Comment #3 above.

Commenter #6 recommended the boundaries for the Coastal Region be redrawn to include only Santa Barbara County, Ventura County and San Luis Obispo County. The comments supporting this included the large travel distances within the region, lack of public transportation systems connecting these counties, and how existing workforce partners define the Tri-Counties area as a region.

Response – The State Board was very deliberate in applying the methodology and principles to the drawing of the proposed regional planning units. We received comments supporting the Ventura County planning area as it is currently drawn and support for Monterey in the Coastal Region as it is drawn. Additionally, in alignment with this comment, San Benito County has requested and will be relocated from the Coastal Region to the Bay Area Planning Region. See Comment #4 above. No additional changes will be made to the Coastal Region Planning Unit geographical boundaries.

Commenter #7 suggested that regional planning not be constricted to the boundaries as they are drawn. Rather, where there are opportunities, Local Boards should be allowed to engage in a wider more robust effort and take greater advantage of economies of scale if it spans multiple regional planning unit boundaries.

Response – The State Board agrees and supports larger planning efforts in instances where a particular sector may cross regional planning unit boundaries that Local Boards share so that planning can have larger regional impact and coordination.

WORKFORCE SERVICES DIRECTIVE

Number: WSD15-18

Date: February 26, 2016

69:187:kc:17927

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: AMENDMENT TO PY 2015-16 RR ALLOCATIONS AND GUIDANCE ON USE OF THESE FUNDS FOR WIOA TRANSITION ACTIVITIES

EXECUTIVE SUMMARY

Purpose

This policy updates the Rapid Response (RR) and Layoff Aversion funding provided to Local Workforce Development Areas (Local Areas) for the period of July 1, 2015, through June 30, 2016. This directive also provides state guidance on whether Local Areas can retain any of their Program Year (PY) 2014-15 RR funding for use in PY 2015-16, and the potential use of these RR funds for the *Workforce Innovation and Opportunity Act* (WIOA) transition activities.

Scope

This directive applies to all Local Areas.

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- WIOA, Sections 3(51) and 134(a)(2)(A)
- Training and Employment Guidance Letters (TEGL) 26-14, *Workforce Innovation and Opportunity Act Transition Authority for Flexible Use of State Rapid Response Funds*
- TEGL 38-14, *Operational Guidance to Support the Orderly Transition of Workforce Investment Act Participants, Funds, and Subrecipient Contracts to the Workforce Innovation and Opportunity Act*
- Workforce Services Directive WSD14-03 Subject: *Rapid Response and Layoff Aversion Activities*
- Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements

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

STATE-IMPOSED REQUIREMENTS

This directive only contains state-imposed requirements.

FILING INSTRUCTIONS

This directive finalizes Draft Directive WSD-128 and replaces Directive WSD14-16, dated June 26, 2015. Retain this directive until further notice.

BACKGROUND

The Department of Labor (DOL) released Grant Modification No. 2, AA-26768-15-A-6 on October 1, 2015, reflecting a .02108 percent rescission contained in the Continuing Appropriations Resolution, 2016, which was applied to round two allotments. Due to the DOL's rescission, the funding California received is amended to \$40,942,359 of PY 2015-16 Dislocated Worker RR funding. State policy sets the formula allocation methodology at 50 percent of the RR funds being allocated to the Local Areas and the other 50 percent of the RR funds being set aside for the Governor's Discretionary Additional Assistance account to respond to large dislocations, plant closures, natural disasters, emergencies, and special projects.

Normally, Local Areas can only use these funds to defray the cost of required and allowable RR activities in response to layoffs, business closures, and natural disasters as described in Sections 3(51) and 134(a)(2)(A) of the WIOA. However, per TEG 26-14, the DOL has provided additional flexibility to states by authorizing them to use up to 100 percent of previous years' RR unexpended funds and up to 50 percent of their PY 2015-16 RR funds to carry out the WIOA implementation activities, as long as they meet their statutory responsibility to operate a statewide RR program. States are allowed to provide this one-time, "flexible" RR funding to their Local Areas and must coordinate with them on its use.

In providing this flexibility, the DOL has also identified and prioritized the WIOA implementation activities for which these funds can be used; these include Category 1 activities which focus on "system infrastructure for performance data and reporting," and Category 2 activities which "support short and long-term planning."

POLICY AND PROCEDURES

The state recognizes that there will be significant local costs associated with the successful implementation of the WIOA. In consideration of this fact, the state is providing Local Areas with flexibility in the use of their RR and Layoff Aversion funds to fund the WIOA implementation activities. The use of these funds represents one-time flexibility to support the transition to the new law. However, Local Areas must ensure that mandated RR and Layoff Aversion activities are not compromised due to the alternate use of these funds for the WIOA implementation activities.

Consistent with the DOL provided flexibility for these funds, the PY 2014-15 RR and Layoff Aversion funds that were unexpended as of June 30, 2015, will be extended to June 30, 2016. Local Areas were allowed to carry these funds into PY 2015-16 and use up to 100 percent of the PY 2014-2015 RR funds to finance WIOA implementation transition activities. The PY 2015-16 RR and Layoff Aversion allocations were reduced by any “old” RR funding carried into PY 2015-16. Please note that PY 2014-15 RR and Layoff Aversion funds carried into PY 2015-16 became WIOA funds and are thus subject to WIOA requirements.

Please refer to [TEGL 38-14](#) for more detailed information regarding the operational guidance of transitioning funds from the *Workforce Investment Act (WIA)* to the WIOA.

Up to 50 percent of Local Areas’ PY 2015-16 RR allocations (see Attachment 1) can be used for the following WIOA implementation transition activities:

- Category 1 (Top Priority) Allowable Uses
 - Establishing memoranda of understanding among core programs for sharing of data within the state for performance accountability and evaluation purposes.
 - Planning with regard to co-location with *Wagner-Peyser* (which may include costs for terminating leases or modifying space).

- Category 2 (Secondary Priority) Allowable Uses
 - Training staff for the new WIOA requirements and activities.
 - Conducting new procurements or revising existing contracts.
 - Hiring of additional staff to support program implementation.
 - Conducting strategic planning efforts, including convening relevant program and stakeholder discussions and meetings.
 - Addressing costs associated with the identification of economic regions, which may include statewide economic and labor market information analyses.
 - Addressing costs associated with the renegotiating all One-Stop MOUs and resource sharing agreements.

As referenced in WSD14-3, RR funds will continue to be issued to each Local Area in their master subgrant, as grant codes 540 and 541. These formula funds may be spent on the wide range of required and/or allowable activities. Local Areas shall continue to report Incumbent Worker Training (IWT) participant enrollments funded with PY 2013-14 and 2014-15 RR formula funds, under grant code 274. Layoff Aversion based RR funding will be issued under grant codes 292 and 293 in each Local Areas’ master subgrant. The layoff aversion funds may not be spent on IWT.

Financial Reporting

The RR and Layoff Aversion funds used for allowable transition activities must be reported under “Section VII, Miscellaneous Items, line 2 - State Mandated Match” in the “WIA/WIOA

Summary of Expenditures” entry screen in CalJOBSSM. The “State Mandated Match” section will be used as a temporary method for the Employment Development Department to track costs related to RR and Layoff Aversion allowable transition activities. Nothing else should be accounted for in the “State Mandated Match” section except those expenditures spent on the WIOA RR and Layoff Aversion allowable transition activities. These costs should be traceable through the Local Areas accounting system. We suggest that Local Areas use a unique identifier for these expenses for tracking and reporting purposes and input the actual expenditures under section “V. Cumulative Expenditures (Program)” in the “WIA/WIOA Summary of Expenditures” entry screen in CalJOBSSM to allow drawdown of cash.

Any costs incurred for transitional activities must be reasonable, allowable, and allocable to the WIOA and adhere to “[OMBs Uniform Administrative Requirements, Cost Principals and Audit Requirements](#)” that were in effect at the time the monies were awarded. All costs must be supported through sufficient documentation for monitoring and auditing purposes. Funds may not be spent on activities prohibited under WIOA such as purchase of real property.

ACTION

Please share with the appropriate Local Area staff.

INQUIRIES

Contact Viviana Neet at 916-653-9150 if you have any questions regarding this information.

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

Attachments are available on the internet:

1. [Formula-Based Rapid Response Funding for Program Year 2015-16 w/ Rescission](#)
2. [Summary of Comments](#)

Formula-Based Rapid Response Funding for Program Year 2015-16 w/ Rescission

	Baseline Funding	Dislocation-Based Funding	Total PY 15-16 Formula RR Funding w/o Hold Harmless	Total PY 15-16 Formula RR Funding with Hold Harmless GC 540/541	PY 15-16 Reserve Dist. Layoff Aversion GC 292/293	PY 15-16 Grand Total	Allowable WIOA Transitional Costs (50%)
Alameda County	\$ 104,130	\$ 86,282	\$ 190,412	\$ 310,679	\$ 85,857	\$ 396,536	\$ 198,268
Anaheim	\$ 104,130	\$ 33,903	\$ 138,033	\$ 233,157	\$ 65,608	\$ 298,765	\$ 149,383
Contra Costa	\$ 104,130	\$ 158,469	\$ 262,599	\$ 262,129	\$ 72,440	\$ 334,569	\$ 167,285
Foothill	\$ 104,130	\$ 74,473	\$ 178,603	\$ 145,144	\$ 9,517	\$ 154,661	\$ 77,331
Fresno City/County	\$ 104,130	\$ 169,516	\$ 273,646	\$ 172,939	\$ 50,074	\$ 223,013	\$ 111,507
Golden Sierra	\$ 204,130	\$ 32,951	\$ 237,081	\$ 236,657	\$ 65,401	\$ 302,058	\$ 151,029
Humboldt	\$ 104,130	\$ 60,378	\$ 164,508	\$ 164,171	\$ 21,647	\$ 185,818	\$ 92,909
Imperial	\$ 104,130	\$ 365,317	\$ 469,447	\$ 242,277	\$ 81,179	\$ 323,456	\$ 161,728
Kern/Inyo/Mono	\$ 204,130	\$ 87,044	\$ 291,174	\$ 264,446	\$ 18,726	\$ 283,172	\$ 141,586
Kings	\$ 104,130	\$ -	\$ 104,130	\$ 103,944	\$ 28,725	\$ 132,669	\$ 66,335
Long Beach	\$ 104,130	\$ 405,697	\$ 509,827	\$ 506,625	\$ 128,716	\$ 635,341	\$ 317,671
Los Angeles City	\$ 104,130	\$ 661,685	\$ 765,815	\$ 889,595	\$ 44,916	\$ 934,511	\$ 467,256
Los Angeles County	\$ 104,130	\$ 796,727	\$ 900,857	\$ 321,806	\$ 354,735	\$ 676,541	\$ 338,271
Madera	\$ 104,130	\$ 200,753	\$ 304,883	\$ 207,219	\$ 41,370	\$ 248,589	\$ 124,295
Marin	\$ 104,130	\$ 2,286	\$ 106,416	\$ 49,706	\$ 4,516	\$ 54,222	\$ 27,111
Mendocino	\$ 104,130	\$ 19,999	\$ 124,129	\$ 56,696	\$ 34,243	\$ 90,939	\$ 45,470
Merced	\$ 104,130	\$ 101,710	\$ 205,840	\$ 205,472	\$ 56,783	\$ 262,255	\$ 131,128
Monterey	\$ 104,130	\$ 59,045	\$ 163,175	\$ 162,883	\$ 33,145	\$ 196,028	\$ 98,014
Mother Lode	\$ 254,130	\$ -	\$ 254,130	\$ 253,675	\$ 70,104	\$ 323,779	\$ 161,890
Napa-Lake	\$ 154,130	\$ 20,571	\$ 174,700	\$ 52,744	\$ 8,184	\$ 60,928	\$ 30,464
NoRTEC	\$ 604,130	\$ 92,758	\$ 696,888	\$ 695,641	\$ 192,242	\$ 887,883	\$ 443,942
North Central Counties	\$ 254,130	\$ 28,189	\$ 282,319	\$ 284,266	\$ 78,558	\$ 362,824	\$ 181,412
NOVA	\$ 208,260	\$ 1,407,177	\$ 1,615,437	\$ 1,197,684	\$ 341,684	\$ 1,539,368	\$ 769,684
Oakland	\$ 104,130	\$ 87,996	\$ 192,126	\$ 191,782	\$ 53,000	\$ 244,782	\$ 122,391
Orange County	\$ 104,130	\$ 512,740	\$ 616,870	\$ 615,766	\$ 43,428	\$ 659,194	\$ 329,597
Richmond	\$ 104,130	\$ -	\$ 104,130	\$ 103,944	\$ 28,725	\$ 132,669	\$ 66,335
Riverside County	\$ 104,130	\$ 235,228	\$ 339,358	\$ 338,751	\$ 93,615	\$ 432,366	\$ 216,183
Sacramento	\$ 104,130	\$ 72,378	\$ 176,508	\$ 407,444	\$ 112,599	\$ 520,043	\$ 260,022
San Benito	\$ 104,130	\$ -	\$ 104,130	\$ 98,533	\$ 4,419	\$ 102,952	\$ 51,476
San Bernardino City	\$ 104,130	\$ 27,427	\$ 131,557	\$ 131,322	\$ 36,291	\$ 167,613	\$ 83,807
San Bernardino County	\$ 104,130	\$ 217,133	\$ 321,263	\$ 320,688	\$ 88,623	\$ 409,311	\$ 204,656
San Diego	\$ 104,130	\$ 550,833	\$ 654,963	\$ 647,160	\$ 179,527	\$ 826,687	\$ 413,344
San Francisco	\$ 104,130	\$ 71,235	\$ 175,365	\$ 175,051	\$ 48,376	\$ 223,427	\$ 111,714
San Joaquin	\$ 104,130	\$ 264,179	\$ 368,309	\$ 321,631	\$ 101,601	\$ 423,232	\$ 211,616
San Jose/Silicon Valley	\$ 104,130	\$ 827,202	\$ 931,332	\$ 885,263	\$ 138,848	\$ 1,024,111	\$ 512,056
San Luis Obispo	\$ 104,130	\$ 6,095	\$ 110,225	\$ 16,928	\$ 4,678	\$ 21,606	\$ 10,803
Santa Ana	\$ 104,130	\$ 156,565	\$ 260,695	\$ 185,648	\$ 71,915	\$ 257,563	\$ 128,782
Santa Barbara	\$ 104,130	\$ 45,331	\$ 149,461	\$ 149,193	\$ 41,230	\$ 190,423	\$ 95,212
Santa Cruz	\$ 104,130	\$ 19,809	\$ 123,939	\$ 123,717	\$ 34,190	\$ 157,907	\$ 78,954
SELACO	\$ 104,130	\$ -	\$ 104,130	\$ 107,211	\$ 29,628	\$ 136,839	\$ 68,420
Solano County	\$ 104,130	\$ 18,285	\$ 122,415	\$ 122,196	\$ 33,769	\$ 155,965	\$ 77,983
Sonoma County	\$ 104,130	\$ 97,139	\$ 201,269	\$ 200,416	\$ 55,521	\$ 255,937	\$ 127,969
South Bay	\$ 104,130	\$ 334,843	\$ 438,973	\$ 510,950	\$ 120,093	\$ 631,043	\$ 315,522
Stanislaus County	\$ 104,130	\$ 104,757	\$ 208,887	\$ 175,111	\$ 57,624	\$ 232,735	\$ 116,368
Tulare County	\$ 104,130	\$ 42,855	\$ 146,985	\$ 146,722	\$ 31,144	\$ 177,866	\$ 88,933
Ventura County	\$ 104,130	\$ 258,655	\$ 362,785	\$ 355,553	\$ 100,078	\$ 455,631	\$ 227,816
Verdugo	\$ 104,130	\$ 387,793	\$ 491,923	\$ 491,042	\$ 69,413	\$ 560,455	\$ 280,228
Yolo County	\$ 104,130	\$ 25,142	\$ 129,272	\$ 48,184	\$ 5,662	\$ 53,846	\$ 26,923
Statewide Total	\$ 6,152,367	\$ 9,228,551	\$ 15,380,918	\$ 13,889,761	\$ 3,472,367	\$ 17,362,128	\$ 8,681,064

Summary of Comments

AMENDMENT TO PY 2015-16 RAPID RESPONSE ALLOCATIONS AND GUIDANCE ON USE OF THESE FUNDS FOR WIOA TRANSITION ACTIVITIES (Draft Directive WSDD-128)

1. **Comment** – “Why has my Local Area seen a big reduction in our PY 15-16 Rapid Response allocation?”

Response – The revised total for Rapid Response and Layoff Aversion funds takes into account the rescission by DOL as well as the carry forward amount from PY 2014-15, as described in WSD14-16 (*PY 2015-16 Rapid Response Allocations and Guidance on Use of These Funds for WIOA Transitional Activities*).

2. **Comment** – “I would like clarification regarding the recently issued draft directive WSDD-128. It states the financial reporting method is to use the ‘Comments’ section to report transitional activities. This was changed in WSIN14-15 to report transitional activities in the “State Mandated Match” section. Please clarify.”

Response – Rapid Response and Layoff Aversion funding used for transitional activities must be reported under “State Mandated Match.” Changes have been made to reflect this error.

WORKFORCE SERVICES DIRECTIVE

Number: WSD15-19

Date: March 14, 2016
69:187:kc

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: REVISED AMENDMENT TO PY 2015-16 RR ALLOCATIONS AND GUIDANCE ON USE OF THESE FUNDS FOR WIOA TRANSITION ACTIVITIES

EXECUTIVE SUMMARY

Purpose

This updates the Rapid Response (RR) and Layoff Aversion funding provided to Local Workforce Development Areas (Local Areas) for the period of July 1, 2015, through June 30, 2016.

Scope

This directive applies to all Local Areas.

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- *Workforce Innovation and Opportunity Act (WIOA) (Public Law 113-128) Sections 3(51) and 134(a)(2)(A)*
- *Title 2 Code of Federal Regulations (CFR) Part 200: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Uniform Guidance)*
- *Training and Employment Guidance Letters (TEGL) 26-14, Workforce Innovation and Opportunity Act Transition Authority for Flexible Use of State Rapid Response Funds*
- *TEGL 38-14, Operational Guidance to Support the Orderly Transition of Workforce Investment Act Participants, Funds, and Subrecipient Contracts to the Workforce Innovation and Opportunity Act*
- *Workforce Services Directive WSD14-03 Subject: Rapid Response and Layoff Aversion Activities*

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

STATE-IMPOSED REQUIREMENTS

This directive only contains state-imposed requirements.

FILING INSTRUCTIONS

This directive supersedes Directive WSD15-18, dated February 26, 2016. Retain this directive until further notice.

BACKGROUND

The Department of Labor (DOL) released Grant Modification No. 4, AA-26768-15-55-A-6 on February 12, 2016, overturning the .2108 percent rescission contained in the *Continuing Appropriations Resolution, 2016*, which was applied to round two allotments. The funding California received is amended to \$41,015,782 of PY 2015-16 Dislocated Worker RR funding. State policy sets the formula allocation methodology at 50 percent of the RR funds being allocated to the Local Areas and the other 50 percent of the RR funds being set aside for the Governor's Discretionary Additional Assistance account to respond to large dislocations, plant closures, natural disasters, emergencies, and special projects.

Normally, Local Areas can only use these funds to defray the cost of required and allowable RR activities in response to layoffs, business closures, and natural disasters as described in Sections 3(51) and 134(a)(2)(A) of the WIOA. However, per TEG 26-14, the DOL has provided additional flexibility to states by authorizing them to use up to 100 percent of previous years' RR unexpended funds and up to 50 percent of their PY 2015-16 RR funds to carry out the WIOA implementation activities, as long as they meet their statutory responsibility to operate a statewide RR program. States are allowed to provide this one-time, "flexible" RR funding to their Local Areas and must coordinate with them on its use.

In providing this flexibility, the DOL has also identified and prioritized the WIOA implementation activities for which these funds can be used. These include Category 1 activities, which focus on "system infrastructure for performance data and reporting," and Category 2 activities, which "support short and long-term planning."

POLICY AND PROCEDURES

The state recognizes that there will be significant local costs associated with the successful implementation of the WIOA. In consideration of this fact, the state is providing Local Areas with flexibility in the use of their RR and Layoff Aversion funds to fund the WIOA implementation activities. The use of these funds represents one-time flexibility to support the transition to the new law. However, Local Areas must ensure that mandated RR and Layoff Aversion activities are not compromised due to the alternate use of these funds for the WIOA implementation activities.

Consistent with the DOL provided flexibility for these funds, the PY 2014-15 RR and Layoff Aversion funds that were unexpended as of June 30, 2015, will be extended to June 30, 2016. Local Areas were allowed to carry these funds into PY 2015-16 and use up to 100 percent of the PY 2014-2015 RR funds to finance WIOA implementation transition activities. The PY 2015-16 RR and Layoff Aversion allocations were reduced by any “old” RR funding carried into PY 2015-16. Please note that PY 2014-15 RR and Layoff Aversion funds carried into PY 2015-16 became WIOA funds and are thus subject to WIOA requirements.

Please refer to TEGL 38-14 for more detailed information regarding the operational guidance of transitioning funds from the *Workforce Investment Act (WIA)* to the WIOA.

Up to 50 percent of Local Areas’ PY 2015-16 RR allocations (see Attachment 1) can be used for the following WIOA implementation transition activities:

- Category 1 (Top Priority) Allowable Uses
 - Establishing memoranda of understanding among core programs for sharing of data within the state for performance accountability and evaluation purposes.
 - Planning with regard to co-location with *Wagner-Peyser* (which may include costs for terminating leases or modifying space).

- Category 2 (Secondary Priority) Allowable Uses
 - Training staff for the new WIOA requirements and activities.
 - Conducting new procurements or revising existing contracts.
 - Hiring of additional staff to support program implementation.
 - Conducting strategic planning efforts, including convening relevant program and stakeholder discussions and meetings.
 - Addressing costs associated with the identification of economic regions, which may include statewide economic and labor market information analyses.
 - Addressing costs associated with the renegotiating all One-Stop MOUs and resource sharing agreements.

As referenced in WSD14-3, RR funds will continue to be issued to each Local Area in their master subgrant, as grant codes 540 and 541. These formula funds may be spent on the wide range of required and/or allowable activities. Local Areas shall continue to report Incumbent Worker Training (IWT) participant enrollments funded with PY 2013-14 and 2014-15 RR formula funds, under the new WIOA grant code 2274, which replaces grant code 274. Layoff Aversion based RR funding will be issued under grant codes 292 and 293 in each Local Areas’ master subgrant.

Financial Reporting

The RR and Layoff Aversion funds used for allowable transition activities must be reported under “Section VII, Miscellaneous Items, line 2 - State Mandated Match” in the “WIA/WIOA Summary of Expenditures” entry screen in CalJOBSSM. The “State Mandated Match” section will be used as

a temporary method for the Employment Development Department to track costs related to RR and Layoff Aversion allowable transition activities. Nothing else should be accounted for in the “State Mandated Match” section except those expenditures spent on the WIOA RR and Layoff Aversion allowable transition activities. These costs should be traceable through the Local Areas accounting system. We suggest that Local Areas use a unique identifier for these expenses for tracking and reporting purposes and input the actual expenditures under section “V. Cumulative Expenditures (Program)” in the “WIA/WIOA Summary of Expenditures” entry screen in CalJOBSSM to allow drawdown of cash.

Any costs incurred for transitional activities must be reasonable, allowable, and allocable to the WIOA and adhere to the [Uniform Guidance](#) that was in effect at the time the monies were awarded. All costs must be supported through sufficient documentation for monitoring and auditing purposes. Funds may not be spent on activities prohibited under WIOA such as purchase of real property.

ACTION

Please share with the appropriate Local Area staff.

INQUIRIES

Contact Viviana Neet at 916-653-9150 if you have any questions regarding this information.

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

Attachment is available on the internet:

1. [Formula Based Rapid Response Funding for PY 2015-16](#)

Formula-Based Rapid Response Funding for Program Year 2015-16

	Baseline Funding	Dislocation-Based Funding	Total PY 15-16 Formula RR Funding w/o Hold Harmless	Total PY 15-16 Formula RR Funding with Hold Harmless GC 540/541	PY 15-16 Reserve Dist. Layoff Aversion GC 292/293	PY 15-16 Grand Total	Allowable WIOA Transitional Costs (50%)
Alameda County	\$ 104,130	\$ 86,282	\$ 190,412	\$ 311,236	\$ 86,011	\$ 397,247	\$ 198,624
Anaheim	\$ 104,130	\$ 33,903	\$ 138,033	\$ 233,599	\$ 65,730	\$ 299,329	\$ 149,665
Contra Costa	\$ 104,130	\$ 158,469	\$ 262,599	\$ 262,599	\$ 72,570	\$ 335,169	\$ 167,585
Foothill	\$ 104,130	\$ 74,473	\$ 178,603	\$ 145,656	\$ 9,517	\$ 155,173	\$ 77,587
Fresno City/County	\$ 104,130	\$ 169,516	\$ 273,646	\$ 173,429	\$ 50,209	\$ 223,638	\$ 111,819
Golden Sierra	\$ 204,130	\$ 32,951	\$ 237,081	\$ 237,081	\$ 65,518	\$ 302,599	\$ 151,300
Humboldt	\$ 104,130	\$ 60,378	\$ 164,508	\$ 164,465	\$ 21,728	\$ 186,193	\$ 93,097
Imperial	\$ 104,130	\$ 365,317	\$ 469,447	\$ 242,804	\$ 81,325	\$ 324,129	\$ 162,065
Kern/Inyo/Mono	\$ 204,130	\$ 87,044	\$ 291,174	\$ 264,967	\$ 18,870	\$ 283,837	\$ 141,919
Kings	\$ 104,130	\$ -	\$ 104,130	\$ 104,130	\$ 28,777	\$ 132,907	\$ 66,454
Long Beach	\$ 104,130	\$ 405,697	\$ 509,827	\$ 507,538	\$ 128,968	\$ 636,506	\$ 318,253
Los Angeles City	\$ 104,130	\$ 661,685	\$ 765,815	\$ 892,018	\$ 44,916	\$ 936,934	\$ 468,467
Los Angeles County	\$ 104,130	\$ 796,727	\$ 900,857	\$ 324,108	\$ 355,371	\$ 679,479	\$ 339,740
Madera	\$ 104,130	\$ 200,753	\$ 304,883	\$ 207,632	\$ 41,484	\$ 249,116	\$ 124,558
Marin	\$ 104,130	\$ 2,286	\$ 106,416	\$ 49,949	\$ 4,516	\$ 54,465	\$ 27,233
Mendocino	\$ 104,130	\$ 19,999	\$ 124,129	\$ 56,918	\$ 34,304	\$ 91,222	\$ 45,611
Merced	\$ 104,130	\$ 101,710	\$ 205,840	\$ 205,840	\$ 56,885	\$ 262,725	\$ 131,363
Monterey	\$ 104,130	\$ 59,045	\$ 163,175	\$ 163,175	\$ 33,226	\$ 196,401	\$ 98,201
Mother Lode	\$ 254,130	\$ -	\$ 254,130	\$ 254,130	\$ 70,230	\$ 324,360	\$ 162,180
Napa-Lake	\$ 154,130	\$ 20,571	\$ 174,700	\$ 53,184	\$ 8,184	\$ 61,368	\$ 30,684
NoRTEC	\$ 604,130	\$ 92,758	\$ 696,888	\$ 696,888	\$ 192,587	\$ 889,475	\$ 444,738
North Central Counties	\$ 254,130	\$ 28,189	\$ 282,319	\$ 284,776	\$ 78,699	\$ 363,475	\$ 181,738
NOVA	\$ 208,260	\$ 1,407,177	\$ 1,615,437	\$ 1,199,950	\$ 342,310	\$ 1,542,260	\$ 771,130
Oakland	\$ 104,130	\$ 87,996	\$ 192,126	\$ 192,126	\$ 53,095	\$ 245,221	\$ 122,611
Orange County	\$ 104,130	\$ 512,740	\$ 616,870	\$ 616,870	\$ 43,733	\$ 660,603	\$ 330,302
Richmond	\$ 104,130	\$ -	\$ 104,130	\$ 104,130	\$ 28,777	\$ 132,907	\$ 66,454
Riverside County	\$ 104,130	\$ 235,228	\$ 339,358	\$ 339,358	\$ 93,783	\$ 433,141	\$ 216,571
Sacramento	\$ 104,130	\$ 72,378	\$ 176,508	\$ 408,175	\$ 112,801	\$ 520,976	\$ 260,488
San Benito	\$ 104,130	\$ -	\$ 104,130	\$ 98,771	\$ 4,419	\$ 103,190	\$ 51,595
San Bernardino City	\$ 104,130	\$ 27,427	\$ 131,557	\$ 131,557	\$ 36,356	\$ 167,913	\$ 83,957
San Bernardino County	\$ 104,130	\$ 217,133	\$ 321,263	\$ 321,263	\$ 88,782	\$ 410,045	\$ 205,023
San Diego	\$ 104,130	\$ 550,833	\$ 654,963	\$ 648,332	\$ 179,851	\$ 828,183	\$ 414,092
San Francisco	\$ 104,130	\$ 71,235	\$ 175,365	\$ 175,365	\$ 48,463	\$ 223,828	\$ 111,914
San Joaquin	\$ 104,130	\$ 264,179	\$ 368,309	\$ 322,290	\$ 101,783	\$ 424,073	\$ 212,037
San Jose/Silicon Valley	\$ 104,130	\$ 827,202	\$ 931,332	\$ 886,930	\$ 139,309	\$ 1,026,239	\$ 513,120
San Luis Obispo	\$ 104,130	\$ 6,095	\$ 110,225	\$ 16,928	\$ 4,678	\$ 21,606	\$ 10,803
Santa Ana	\$ 104,130	\$ 156,565	\$ 260,695	\$ 186,115	\$ 72,044	\$ 258,159	\$ 129,080
Santa Barbara	\$ 104,130	\$ 45,331	\$ 149,461	\$ 149,461	\$ 41,304	\$ 190,765	\$ 95,383
Santa Cruz	\$ 104,130	\$ 19,809	\$ 123,939	\$ 123,939	\$ 34,251	\$ 158,190	\$ 79,095
SELACO	\$ 104,130	\$ -	\$ 104,130	\$ 107,403	\$ 29,681	\$ 137,084	\$ 68,542
Solano County	\$ 104,130	\$ 18,285	\$ 122,415	\$ 122,415	\$ 33,830	\$ 156,245	\$ 78,123
Sonoma County	\$ 104,130	\$ 97,139	\$ 201,269	\$ 200,776	\$ 55,621	\$ 256,397	\$ 128,199
South Bay	\$ 104,130	\$ 334,843	\$ 438,973	\$ 511,866	\$ 120,346	\$ 632,212	\$ 316,106
Stanislaus County	\$ 104,130	\$ 104,757	\$ 208,887	\$ 175,485	\$ 57,727	\$ 233,212	\$ 116,606
Tulare County	\$ 104,130	\$ 42,855	\$ 146,985	\$ 146,985	\$ 31,217	\$ 178,202	\$ 89,101
Ventura County	\$ 104,130	\$ 258,655	\$ 362,785	\$ 356,202	\$ 100,257	\$ 456,459	\$ 228,230
Verdugo	\$ 104,130	\$ 387,793	\$ 491,923	\$ 491,923	\$ 69,656	\$ 561,579	\$ 280,790
Yolo County	\$ 104,130	\$ 25,142	\$ 129,272	\$ 48,489	\$ 5,662	\$ 54,151	\$ 27,076
Statewide Total	\$ 6,152,367	\$ 9,228,551	\$ 15,380,918	\$ 13,919,226	\$ 3,479,361	\$ 17,398,587	\$ 8,699,294

WORKFORCE SERVICES DIRECTIVE

Number: WSD15-20

Date: March 22, 2016
69:125:mg

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: FFATA COMPENSATION DATA REPORTING REQUIREMENTS

EXECUTIVE SUMMARY

Purpose

This policy provides guidance and establishes the procedures for the Federal Funding Accountability and Transparency Act (FFATA) reporting requirements for federally funded subawards to subrecipients.

Scope

This directive applies to all subrecipients that receive at least \$25,000 in federal funding from the Employment Development Department (EDD).

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- The FFATA of 2006, Public Law 109-282, 120 Stat. 1186, S. 2590 (enacted September 26, 2006) and subsequent 2008 amendments 31 USC 6101
- Title 2 *Code of Federal Regulations* (CFR) Part 170
- *Federal Register* Volume 80, Number 222, Page 72035
- Training and Employment Guidance Letter (TEGL) 11-10, *Sub-award and Executive Compensation Data Reporting Requirements Under the FFATA* (November 15, 2010)

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

- TEGL 29-08, *Dun & Bradstreet Data Universal Numbering System (DUNS) Number/Central Contractor Registration (CCR) Mandatory Requirement for Federal Grant Sub-recipients under the American Recovery and Reinvestment Act of 2009* (June 10, 2009)
- Memorandum for Senior Accountable Officials Over the Quality of Federal Spending Information, *Open Government Directive – Federal Spending Transparency* (April 6, 2010): www.whitehouse.gov/sites/default/files/omb/assets/open_gov/OpenGovernmentDirective_04062010.pdf
- Memorandum for Senior Accountable Officials, *Open Government Directive – Federal Spending and Transparency and Compensation Data Reporting* (August 27, 2010): www.whitehouse.gov/sites/default/files/omb/open/Executive_Compensation_Reportin_g_08272010.pdf

STATE-IMPOSED REQUIREMENTS

This directive does not contain any state-imposed requirements.

FILING INSTRUCTIONS

This directive replaces WSD12-11, dated January 18, 2013, and provides final guidance regarding FFATA reporting requirements imposed by the federal government. Retain this directive until further notice.

BACKGROUND

On November 15, 2010, the Department of Labor (DOL) issued TEGL 11-10 to notify all Employment and Training Administration (ETA) workforce system agencies of additional Office of Management and Budget (OMB) reporting requirements under the FFATA.

The FFATA requires full disclosure to the public of federal spending information by all entities and organizations receiving federal funding under federal grant awards. The intent of the Act is to (1) have federal spending information available to the public, (2) make the information easily accessible, and (3) reduce wasteful spending by the federal government.

As required by the FFATA and subsequent OMB guidance, recipients of federal awards are required to report subaward and executive compensation information for certain entities and organizations. The legislation also requires information about federal awards to be made available to the public via a single searchable website. USASpending.gov has been designated as the website to be used to display data about grants, loans, cooperative agreements and other forms of federal financial assistance.

POLICY AND PROCEDURES

Federal Grant Awardees Subject to the Subaward and Executive Compensation Reporting Requirements

Under the April, 6, 2010, OMB Memorandum, entitled *Open Government Directive – Federal Spending Transparency*, prime recipients of federal grants and cooperative agreements are required to report subaward information and executive compensation information, including the total compensation and names of the top five executives of the prime recipient and of the first tier subrecipients in the FFATA Subaward Reporting System (FSRS) database. The EDD is the prime grant awardee and must report all information associated with a federal grant, either regarding executive compensation data for prime awardees or subrecipients. The subrecipient, however, has an obligation to provide the EDD all information required for such reporting through completion of the attached *FFATA Report Data* sheet.

ACTION

The OMB and DOL require reporting to be done in accordance with the instructions and the timelines contained in this directive, and in accordance with the references provided. The *FFATA Report Data Sheet*, with descriptions of the data required, is attached to this directive. Use the data sheet to identify each funding stream your organization receives from the EDD. If the answer is “yes” to the three questions in Section 2 of the *FFATA Report Data Sheet*, complete Section 3. If the response is “no” to any of the questions in Section 2 of the *FFATA Report Data Sheet*, do not complete Section 3. Submit the completed data sheet to EDDWSBFFATAREporting@edd.ca.gov.

Required FFATA Report Data Sheet (Attached)

The following data elements must be reported to the EDD by all subrecipients of federal funds by April 1 of each program year. Requirements under this directive only relate to federal funding received from the EDD by a subrecipient.

Subrecipient/Organization’s Legal Name

Subrecipients must provide the legal name of their organization as listed in the federal Central Contract Registration (CCR) database and the Data Universal Numbering System (DUNS), also known as the Unique Entity Identifier. If the parent organization, and not the EDD funded subrecipient, is listed in the CCR, provide the name and unique Entity Identifier of the parent organization on the data sheet.

The CCR is the primary registrant database for the U.S. Federal Government. The CCR collects, validates, stores, and disseminates data in support of agency acquisition missions. Additional information about the CCR is available at the following Web site: www.osdbu.dot.gov/related/ccr.cfm.

The DUNS is a system developed and is registered by the Dun & Bradstreet (D&B). D&B assigns a unique nine-digit numeric identifier for each physical location of a business entity. The DUNS number will be recognized as the “Unique Entity Identifier” until further notice. DUNS number assignment is free for all businesses required to register with the federal government for contracts or grants. Additional information about D&B, including information on how to look-up or request a DUNS number, is available at the following Web site: www.dnb.com.

Subrecipient /Organization Address

Subrecipients must provide the place of performance for their organization. A street address must be provided for the first address line. A Post Office (P.O.) Box can be provided in the second address line, if applicable.

Subrecipients must include a nine-digit ZIP Code (ZIP Code plus four) for the place of performance address provided. Subrecipients can look-up the nine-digit ZIP Code of their place of performance at the following Web site: www.usps.com.

Section 1 – Subrecipients DUNS Number

Subrecipients need to provide their organization’s nine-digit DUNS number, as described above.

A legal entity such as a city or county may have multiple DUNS numbers. Subrecipients should provide the DUNS number associated with their authority to receive federal funds.

Section 2 – Subrecipient Executive Compensation Questions

Subrecipients should provide a “yes” response if in the preceding fiscal year, the subrecipient received the following:

- 80 percent or more of its annual gross revenues in U.S federal contracts, loans, grants, subawards, and/or cooperative agreements.
- \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subawards, and/or cooperative agreements.
- The public has not had access to information about the compensation of the executives in the subrecipients business or organization through periodic reports filed to the Security Exchange Commission or Internal Revenue Service (if the public has had access to this information, the answer is “no”).

Section 3 – Subrecipient Most Highly Compensated Names and Compensation

Subrecipients must only complete Section 3 if a “yes” response was provided to all three questions.

Subrecipients should provide the names and total compensation of the five most highly compensated executives of the subrecipient for the calendar year in which the funding was awarded.

At the bottom of the data sheet, please provide a contact name, phone number and title in the event follow up is needed.

Completed FFATA Data Sheets are due to the EDD no later than April 1 of each program year, and should be submitted to the following e-mail address: EDDWSBFFATAREporting@edd.ca.gov.

This directive should be brought to the attention of those who will be required to provide the data/information.

INQUIRIES

If you have any questions, please contact Viviana Neet at 916-653-9150.

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

Attachment is available on the internet:

1. [FFATA Report Data Sheet](#)

BACKGROUND – As required by the Federal Accountability and Transparency Act of 2006 (FFATA), beginning in March of 2011, state agencies, including the Employment Development Department’s (EDD) Workforce Services Branch (WSB), were required to begin reporting to the federal government specific information associated with subrecipients of subawards (i.e., grants) over \$25,000. Much of this information we already have. However, we still must collect information regarding your Unique Entity Identifier - Dun and Bradstreet Data Universal Numbering System (DUNS) number as well as executive compensation amounts for the five most highly compensated executives of your organization should you meet certain threshold reporting requirements as listed below. **Note – The vast majority of the EDD WSBs subrecipients will not meet the threshold reporting requirements and will not be required to report executive compensation.** However, you are still required to complete Section 1 and respond to the Executive Compensation Questions in Section 2. An updated FFATA Report Data Sheet must be submitted to the following email address by April 1st of each program year: EDDWSBFFATAREporting@edd.ca.gov

Organization Legal Name	
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Organization Address	
Address 1	
Address 2	
City, State, ZIP Code +4	

Funding source(s) from which your organization receives funding (**list all that apply**):

SECTION 1

UNIQUE ENTITY IDENTIFIER Organization’s 9 digit DUNS number									
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SECTION 2

Executive Compensation Questions (see definitions on next page)	Place an X under Yes or No	
Our organization received 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the <i>Transparency Act</i> , as defined at 2 CFR 170.320 (and subawards).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Our organization received \$25,000,000 or more in annual gross revenues from federal procurement contracts (and subcontracts), and Federal financial assistance subject to the <i>Transparency Act</i> (and subawards).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
The public does NOT have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at http://www.sec.gov/answers/execomp.htm .)	Yes <input type="checkbox"/>	No <input type="checkbox"/>

SECTION 3

If you answered yes to ALL three executive compensation questions above, complete the table below:

Names of 5 Mostly Highly Compensated Executives	Compensation for Preceding Completed Fiscal Year
1)	
2)	
3)	
4)	
5)	

Contact Name: _____ Phone Number: _____

Title: _____

Executive – Officers, managing partners, or any other employees in management positions.

Total Compensation – The cash and noncash dollar value earned by the executive during the recipient’s or subrecipient’s preceding fiscal year and includes the following (for more information see 17 CRF 229.402(c)(2)):

1. Salary and bonus.
2. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS123R), Shared Based Payments.
3. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executive, and are available generally to all salaried employees.
4. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
5. Above-market earnings on deferred compensation which is not tax-qualified.
6. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.
7. **Unique Entity Identifier** – (DUNS Number) The federal government has identified the Dun and Bradstreet Data Universal Numbering System (DUNS) as the unique entity identifier used to standardize identification of Federal contractors. Since 1994 the federal government has required that any organization, including non-profits, and state and local governments, must obtain a DUNS number if they are a recipient of federal funds. A DUNS number can be obtained by visiting the following website: <http://www.dnb.com>

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: BIENNIAL LOCAL AREA SELF-ASSESSMENT

EXECUTIVE SUMMARY

Purpose

This policy provides guidance on the biennial compliance monitoring review of the Local Workforce Development Areas (Local Areas).

Scope

This directive applies to all Local Areas.

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- *Workforce Innovation and Opportunity Act (WIOA) (Public Law 113-128) Section 188*
- *Americans with Disabilities Act of 1990 (ADA) (Public Law 110-325)*
- *Rehabilitation Act of 1973 (Rehab Act) (Public Law 93-112) Section 504 and Section 508*
- *Title 29 Code of Federal Regulations (CFR) Part 38: "Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act"*
- *California Government Code Section 11135*
- *Title 24 California Code of Regulations (CCR): "California Building Standards Code"*
- *Workforce Services Directive WSD15-10, Subject: Nondiscrimination and Equal Opportunity Procedures*
- *Workforce Investment Act Directive WIAD00-7, Subject: Standards for Oversight and Instructions for Substate Monitoring (April 10, 2001)*

STATE-IMPOSED REQUIREMENTS

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

FILING INSTRUCTIONS

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

This directive replaces Workforce Services Directive WSD10-2, dated July 21, 2010, and finalizes Workforce Services Draft Directive WSDD-133, dated January 21, 2016. Retain this directive until further notice.

BACKGROUND

Section 188 of WIOA and Title 29 CFR Part 38 set forth the authority of the Civil Rights Center of Department of Labor to monitor all recipients of WIOA assistance to determine whether they are in compliance with these provisions and with Sections 504 and 508 of the *Rehab Act*, as amended. Title II of the ADA prohibits state and local government agencies from discriminating against persons with disabilities and from excluding participation in, or denying benefits of programs, services, or activities to persons with disabilities. California Government Code Section 11135 also prohibits discrimination by any program or activity funded by or receiving financial assistance from the state. Local Areas in California must also meet the physical and program access standards in law, including ADA Title II Accessibility Guidelines and Title 24 CCR.

Guidance released in WIAD00-7, Standards for Oversight and Instructions for Substate Monitoring, states Local Area monitoring must include compliance with the federal and state requirements regarding nondiscrimination and equal opportunity. The Nondiscrimination and Equal Opportunity Procedures, outlined in WSD15-10, provide general requirements for universal access to programs and activities, including access for individuals with disabilities. In accordance with WIOA Section 183, the Employment Development Department's (EDD) Equal Employment Opportunity (EEO) Office is responsible for monitoring recipients of WIOA funds in California for compliance with WIOA and related regulations.

POLICY AND PROCEDURES

Equal Opportunity (EO) Officers in the Local Areas are required to monitor the compliance of all local grant recipients and subrecipients of WIOA or W-P funds, including America's Job Center of CaliforniaSM (AJCC) locations. In order to assist the Local Areas in identifying the compliance status of their programs and those elements of compliance that may require technical assistance, the EDD created the *Electronic Compliance Monitoring Checklist (ECMC)*, which is divided into two checklists, the *Compliance Monitoring Checklist (CMC)* and the *Physical and Program Accessibility (PPA) checklist*, as required by the WIOA. Both the CMC and the PPA are completed on-line and submitted to the EDD EEO Office electronically.

The EDD's compliance monitoring review of the Local Areas regarding WIOA Section 188 and Title 29 CFR Part 38 is conducted biennially (every two years). EDD's EEO Office requires that all Local Area EO Officers coordinate the completion and submission of CMC and PPA self-assessment checklists.

The CMC is designed to collect information to ensure policies, procedures, and systems provide a reasonable guarantee of compliance with the nondiscrimination and equal opportunity requirements. The informational data gathered from the Local Areas helps to validate their efforts in meeting these regulatory requirements.

The PPA checklist combines physical and program access elements that Local Area offices and AJCCs must assess. This may only be the first action in an effort to make the facilities and programs universally accessible for all customers with disabilities. Where deficiencies are found, further review and exploration with other experts or architects may be required to fully understand and respond to specific, detailed requirements.

The Local Area EO Officers are responsible for assuring that a CMC is completed at the Local Area administrative level, and that each individual AJCC receiving WIOA funding within the Local Area also completes the PPA self-assessment portion for each facility.

The EDD EEO Office will send each EO Officer an email containing (1) an electronic link to the CMC and PPA self-assessment checklists, and (2) their distinct Authentication Identification Code to access and complete the checklists. The CMC and PPA checklists shall be submitted electronically while a hard copy of the *Required Attachments Checklist* (Attachment 1) shall be mailed to the EEO Office. A PDF copy of the CMC and PPA checklists will be provided to each EO Officer.

The Local Areas must complete the CMC and PPA assessments as described above. When completed, the Local Area EO Officer shall organize the information into one package for electronic submission to the EDD EEO Office. Electronic submittal instructions are included on the last page of the CMC and PPA Checklists. Additionally, a hard copy of all items listed on the *Required Attachments Checklist* is to be submitted via one of the following methods:

Regular Mail Employment Development Department
 Equal Employment Opportunity Office, MIC 49
 P.O. Box 826880
 Sacramento, CA 94280-0001

Overnight Mail Employment Development Department
 Equal Employment Opportunity Office
 800 Capitol Mall, Room 2130, MIC 49
 Sacramento, CA 95814

The EDD requires that copies of the completed CMC and PPA checklists be kept on file locally. The checklists should be used as an assessment reference when developing corrective actions plans, and for a scheduled on-site review that may be required by authorized federal and state reviewers.

The EEO Office monitoring staff will coordinate with the Local Area EO Officers to address any technical issues and concerns regarding compliance reviews. Any additional information, including the *Required Attachments Checklist*, will be requested by the EEO Office monitoring staff prior to beginning the Local Area reviews.

It should be noted that the assessment checklists do not meet all state architectural accessibility standards. The state standards are more stringent and must be met before a lease can be executed to house state employees in an AJCC or Local Area office. If a partner is going to enter into a lease with the EDD or another state agency, the partner may be required to correct accessibility barriers within a shorter period of time than shown in their individual transition plans. The EDD may require the removal of certain architectural barriers prior to occupancy. Transition plans developed as part

of this process are not approved or denied by the EDD's EEO Office. They are the first step in developing awareness at the local level of the various state and federal requirements.

ACTION

Bring this directive to the attention of all relevant parties.

INQUIRIES

If you have any questions, please contact your [Regional Advisor](#) or call 916-654-7799.

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

Attachment is available on the internet:

1. [Required Attachments Checklist](#)

Required Attachments Checklist

Please provide the following documents and identify each of your attachments by adding the proper coinciding number to that attachment. If a document is used for more than one criterion, list each coinciding number. Unidentified documents will be returned to the Equal Opportunity Officer (EEO) for proper identification.

1. Provide the names and contact information for the following positions in an organizational chart showing the following:
 - The EEO
 - Americans with Disabilities Act Coordinator
 - Section 504 Coordinator
 - Limited English Proficiency (LEP) Coordinator
 - Other individuals assisting in support of the *Workforce Innovation and Opportunity Act* (WIOA) Section 188 Compliance (including clerical, data analysis, and monitoring)
2. Sample of recruitment materials that indicate “Equal opportunity employer/program,” and “Auxiliary aids and services are available to individuals with disabilities.”
3. Copy of LEP plan, related policies and procedures.
4. Copy of non-discrimination notices posted in America’s Job Center of CaliforniaSM (AJCC) locations.
5. Copy of non-discrimination notice in alternate format for LEP and visually impaired.
6. Copy of applicable template, policies, and procedures requiring assurances included in grant agreements, sub-grant agreements, and/or training provider agreements.
7. Documents reflecting reasonable efforts to include participation of persons with disabilities and non-English speaking in the recipient’s programs and activities, such as the following:
 - Copy of policy memoranda, guidance papers and/or communiqués
 - Copy of any Memorandums of Understanding with community/partner organization(s) that provide services to/on behalf of persons with disabilities and non-English speaking recipients
 - Copy of relevant portions of the written plan(s) developed to describe how the needs of persons with disabilities will be met
 - Copy of current outreach and recruitment plans for expanding the pool of persons with disabilities considered for participation or employment in its programs and/or activities
8. Copy of *Reasonable Accommodation Policy*.
9. Copy of policy and procedures that ensure program enrollment and selection processes do not discriminate on any protected basis.
10. Copy of EEO demographic data collected and maintained for enrolled WIOA/Wagner-Peyser Act customers served.
11. Copy of recipient and/or subrecipient monitoring reports.
12. Copy of compliance memoranda, guidance, report, or policy used by the Local Workforce Development Areas/AJCCs explaining the procedures to be followed, the corrective actions, and possible sanctions that will be imposed when violations of the Equal Opportunity and nondiscrimination provisions are found.

WORKFORCE SERVICES DIRECTIVE

Number: WSD15-22

Date: March 25, 2016
69:97:so

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: CONSULTANT SERVICES AND PAY

EXECUTIVE SUMMARY

Purpose

This policy provides guidance on the use of professional and consultant services.

Scope

This applies to all subrecipients of *Workforce Innovation and Opportunity Act (WIOA)* funds.

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- Title 2 *Code of Federal Regulations (CFR)* Part 200: "Uniform Administrative Requirements, Cost Principals, and Audit Requirements for Federal Awards" (Uniform Guidance), Sections 200.318, 200.319, and 200.459
- Title 5 CFR Part 304: *Expert and Consultant Appointments*, Section 304.104
- Title 20 CFR Part 683: "WIOA Notice of Proposed Rulemaking" (NPRM), Section 683.200

STATE-IMPOSED REQUIREMENTS

This directive contains no state-imposed requirements.

FILING INSTRUCTIONS

This directive finalizes Workforce Services Draft Directive WSD15-22, issued for comment on February 4, 2016. The Central Office Workforce Services Division did not receive any comments during the draft comment period. Retain this directive until further notice.

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

BACKGROUND

As WIOA and Uniform Guidance implementation continues, consultants, when used appropriately, can be very a helpful resource. This provides subrecipients with guidance that must be considered when deciding whether to hire a consultant, as well as stipulations related to procurement standards and establishing a rate of pay.

POLICY AND PROCEDURES

According to the Uniform Guidance, the cost of consultant services provided by persons who are members of a particular profession or possess a special skill, and who are not officers or employees of the governmental unit, are allowable so long as they are reasonable and not contingent upon recovery of the costs from the federal government.

As stated in Uniform Guidance Section [200.459](#), when determining whether utilizing a consultant in a specific situation would be an allowable cost, no single factor or any special combination of factors is necessarily determinative. However, the following factors are highly relevant and should be carefully considered by subrecipients:

- The nature and scope of the service rendered in relation to the service required.
- The necessity of contracting for the service, considering the subrecipient's capability in the particular area.
- The past pattern of such costs, particularly in the years prior to federal awards.
- The impact of federal awards on the subrecipient's business (i.e., what new problems have arisen).
- Whether the proportion of federal work to the subrecipient's total business is such as to influence the subrecipient in favor of incurring the cost, particularly where the services rendered are not of a continuing nature and have little relationship to work under federal awards.
- Whether the service can be performed more economically by direct employment rather than contracting.
- The qualifications of the individual or concern rendering the service and the customary fees charged, especially on non-federally funded activities.
- Adequacy of the contractual agreement for the service (e.g., description of the service, estimate of time required, rate of compensation, and termination provisions).

In addition, any retainer fees must be supported by evidence of bona fide services available or rendered.

Procurement

When obtaining consultant services, subrecipients must comply with all federal procurement standards listed in Uniform Guidance Sections [200.318](#) and [200.319](#). Subrecipients must also comply with their own documented procurement procedures that reflect applicable state and local laws and regulations, provided that they also conform to applicable federal law.

Supporting documentation detailing the history of the procurement and how the subrecipient complied with the non-restrictive, free and open competition requirement in its procurement of consultant(s) must be maintained. Examples of these records would include, but are not limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

Rate of Pay

As referenced in Title 5 CFR Section [304.104](#), compensation for consultant services must be reasonable and consistent with that paid for similar services in the marketplace. Reasonableness is based not only on the per hour charge, but on the overall charge for the work to be done. For example, if the base rate of pay was the same, but one consultant has to fly in and bills for travel time, then this consultant might not be the most reasonable.

When determining the basic rate of pay, subrecipients must consider and maintain supporting documentation of the following:

- The level and difficulty of the work to be performed.
- The qualifications of the expert or consultant.
- The pay rates of comparable individuals performing similar work in federal or non-federal sectors.
- The availability of qualified candidates.

ACTION

Please bring this directive to the attention of all appropriate staff.

INQUIRIES

For further information regarding this directive, please contact your [Regional Advisor](#) or Project Manager.

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

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: TRANSFER OF FUNDS – WIOA ADULT/DISLOCATED WORKER PROGRAMS

EXECUTIVE SUMMARY

Purpose

This policy provides guidance and establishes the procedures for the transfer of *Workforce Innovation and Opportunity Act* (WIOA) adult and dislocated worker funds.

Scope

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

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- WIOA (Public Law 113-128) Sections 133(b)(4) and 134(c)(3)(E)
- [Training and Employment Guidance Letter \(TEGL\) 3-15](#), Subject: *Guidance on Services Provided through the Adult and Dislocated Worker Program under WIOA and Wagner Peyser, as Amended by WIOA, and Guidance for the Transition to WIOA Services (July 1, 2015)*
- [TEGL 29-14](#), Subject: *WIOA Adult, Dislocated Worker and Youth Activities Program Allotments for Program Year (PY) 2015; Final PY 2015 Allotments for the Wagner-Peyser Act Employment Service (ES) Program Allotments; and Workforce Information Grants to States Allotments for PY 2015 (April 27, 2015)*
- [TEGL 18-13](#), Subject: *Workforce Investment Act (WIA) Adult, Dislocated Worker and Youth Activities Program Allotments for PY 2014; Final PY 2014 Allotments for the Wagner-Peyser Act ES Program Allotments; and Workforce Information Grants to States Allotments for PY 2014 (April 3, 2014)*
- Workforce Service Directive (WSD) 13-02, Subject: *Dislocated Worker Additional Assistance Projects (August 14, 2013)*

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

STATE-IMPOSED REQUIREMENTS

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

FILING INSTRUCTIONS

This directive supersedes Workforce Services Directive WSD13-5, dated August 21, 2013, and finalizes Workforce Services Draft Directive WSDD-136 issued for comment on February 12, 2016. The Central Office Workforce Services Division did not receive any public comments during the draft comment period. Retain this directive until further notice.

BACKGROUND

The WIOA allows the transfer of funds between the adult and dislocated worker funding streams in order to maximize customer service and provide Local Workforce Development Boards (Local Boards) with greater flexibility to provide services in the areas of greatest need. The WIOA Section 133(b)(4) states that up to and including 100 percent of funds allocated to Title I adult and dislocated worker programs may be transferred between these two funding streams.

POLICY AND PROCEDURES

In accordance with WIOA Section 133(b)(4), the EDD has been given the authority to approve transfer requests on behalf of the Governor.

Each program year the Department of Labor (DOL) provides funds to the state in two separate allotments. The first allotment begins July 1 and the second allotment begins October 1. The state uses the following grant codes when it allocates the funds to Local Areas:

	<u>Adult</u>	<u>Dislocated Worker</u>
First Allocation (July 1)	201	501
Second Allocation (October 1)	202	502

Transfer requests can be submitted anytime during the two-year life of the funds. Funds transferred must stay within the original year of allocation. They must also stay within their respective allocation time period (i.e., July 1, first allocation funds, or October 1, second allocation funds). Accordingly, Local Areas cannot transfer funds between program years or between first and second allocations. In addition, Local Areas must ensure that its funds are not overdrawn during the time a transfer takes place. If this condition occurs, the transfer will not be approved. In order to accommodate DOL reporting requirements, formula funds may not be transferred directly from the dislocated worker grant codes to the adult grant codes (501 to 201 and 502 to 202) or vice versa (201 to 501 and 202 to 502). Instead, the funds are transferred to distinct grant codes that remain attached to their original funding stream. These grant codes are designated as follows:

	<u>Adult</u>	<u>Dislocated Worker</u>
First Allocation (July 1)	299	499
Second Allocation (October 1)	200	500

Grant Code 299 = First allocation, adult funds that are now to be used as first allocation, dislocated worker funds.

Grant Code 499 = First allocation, dislocated worker funds that are now to be used as first allocation, adult funds.

Grant Code 200 = Second allocation, adult funds that are now to be used as second allocation, dislocated worker funds.

Grant Code 500 = Second allocation, dislocated worker funds that are now to be used as second allocation, adult funds.

Adult participants served with funds in grant codes 499 or 500 (transferred dislocated worker funds) are to be entered into the CalJOBSSM system under grant code 201. Dislocated worker participants served with funds in grant codes 299 or 200 (transferred adult funds) are to be entered into the CalJOBSSM system under grant code 501.

Transfers Allowed

Local Boards may transfer up to and including 100 percent of their adult and dislocated worker funds between the two funding streams. Local Boards may **not** transfer funds to or from the youth program.

Implications of transferring 100 percent of funds

To the extent that a Local Area requests to transfer its entire allocation of dislocated worker funds to the adult program, it should be cognizant of the following implications pertaining to that transfer:

- The state will not consider Local Area requests for funding from the WIOA Dislocated Worker 25 Percent Additional Assistance account to mitigate the loss of dislocated worker formula funds resulting from the transfer. WSD13-02, describes the policy guidelines for Additional Assistance funds. Pursuant to these guidelines, a Local Area may not apply for Additional Assistance funds based on the contention of dislocated worker allocation “formula insufficiency” resulting from the transfer. However, if a Local Area transfers 100 percent of its dislocated worker formula funds and a dislocation event occurs in the Local Area, (e.g., specific employer layoff or disaster that changes the local economic conditions), the state will consider a Local Area request for Additional Assistance funds on a case by case basis.
- All transfers of funds are subject to the priority of service requirement. Section 134(c)(3)(E) requires that priority of service be given to recipients of public assistance, other low income individuals, and individuals who are basic skill deficient. Additionally,

TEGL 3-15 further emphasizes that Local Areas must give priority of services regardless of the levels of funds.

Additional Participant Considerations

Participants served with transferred funds will be subject to the performance outcomes of the new funding source. For example, funds transferred from the dislocated worker to the adult program will be attributed to the adult program and subject to adult accountability and performance outcomes. Under this scenario, the Local Area will not have any dislocated worker participants or performance outcomes, even though some clients may have otherwise qualified as dislocated workers.

Transfer of Funds Procedures

The Local Area must submit transfer requests in writing to their Regional Advisor (see address options below). All requests must contain the reason(s)/rationale for the transfer. The EDD will consider the following factors in its review of transfer requests:

- Changes in planned services to eligible participants.
- Unexpected layoffs requiring additional funds.
- Changes in the goals for serving eligible participants.
- Changes in labor market conditions.
- Effect of transfer on jointly funded employment and training programs in America's Job Center of CaliforniaSM (formerly known as One-Stop Career Center).
- Effect on existing agreements for the delivery and/or coordination of employment and training services.
- Effect on current state and Local Area employment and training systems.
- Effect on the employment and training needs of eligible participants in the Local Area.

All transfer requests must be approved and signed off by the Local Board. Additionally, Local Boards must ensure that they are fulfilling the intent of the "Sunshine Provision" in WIOA Section 107(e), which requires Local Boards to make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the Local Board.

The following three documents must be submitted in order to request a transfer of funds. All three documents are needed for each transfer:

1. **Transfer of Funds Request Form** – This form describes who is making the request, the transfer amount, and why the transfer is being requested. This document requires signature approval of the Local Area administrator/designee.
2. **Participant Plan Form** – This form describes how the transfer of funds impacts the Local Area's participants.
3. **Budget Plan Form** – This form describes how the transfer of funds impacts the Local Area's budget using the plus and minus format.

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: NONDISCRIMINATION AND EQUAL OPPORTUNITY PROCEDURES

EXECUTIVE SUMMARY

Purpose

This policy provides guidance on the nondiscrimination and equal opportunity procedures.

Scope

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

Effective Date

This is effective on the date of issuance.

REFERENCES

- *Civil Rights Act of 1964* (Public Law 88-352) Titles VI and VII
- *Education Amendments of 1972* (Public Law 92-318) Title IX
- *Rehabilitation Act of 1973* (Public Law 93-112) Title V, Section 504
- *Age Discrimination Act of 1975* (Public Law 94-135)
- *Workforce Innovation and Opportunity Act (WIOA)* (Public Law 113-128) Sections 121(b), 188, and 183(c)
- Title 20 *Code of Federal Regulations* (CFR) Sections 667.275 and 658.400
- Title 28 CFR Part 35, Subpart A
- Title 29 CFR Parts 31, 32, 34, 38, and 1690-1691
- Title 41 CFR Part 101-19, Subpart 101-19.6
- Title 45 CFR Part 90, Subpart D, Section 90.43(c)(3)
- Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency (LEP)*
- *Fair Employment and Housing Act* Government Code Section 12900 - 12996
- *Dymally-Alatorre Bilingual Services Act (DABSA)*, Government Code Section 7290-7299.8

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

- Workforce Investment Act Directive WIAD04-20, Subject: LEP (May 12, 2005)

STATE-IMPOSED REQUIREMENTS

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

FILING INSTRUCTIONS

This directive supersedes Workforce Services Directive WSD10-1, dated July 21, 2010, and finalizes Workforce Services Draft Directive WSDD-135, issued for comment on February 4, 2016. The Central Office Workforce Services Division received no comments during the draft comment period. Retain this directive until further notice.

BACKGROUND

The nondiscrimination and equal opportunity provisions found in Section 188 of WIOA and Title 29 CFR Part 38 prohibit discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries' only, citizenship or participation in a WIOA Title I financially assisted program or activity.

POLICY AND PROCEDURES

Definitions

Complaint, for this directive only, means an allegation of a violation of the nondiscrimination and equal opportunity provisions.

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

Small recipient means a recipient who (1) serves a total of fewer than 15 beneficiaries during the entire grant year and (2) employs fewer than 15 employees on any given day during the grant year.

General Provisions

Title 29 CFR Section 38.54(a) requires that each Governor must establish and adhere to a Methods of Administration (MOA) for state programs. The MOA is a state-level document that

reflects the Governor's commitment to nondiscrimination and equal opportunity provisions of WIOA.

The MOA contains nine distinct elements, which are outlined below. Compliance requirements, which are significant to programs and activities that are part of the America's Job Center of CaliforniaSM (AJCC) delivery system operated by AJCC partners, are also highlighted in this directive.

1. Designation of an Equal Opportunity (EO) Officer

Each Local Area must designate an EO Officer who is responsible for coordinating its obligation under these regulations. ***The state requires that the Local Areas notify the Equal Employment Opportunity (EEO) Office whenever the designation of the Local Area EO Officer changes.***

The EO Officer's responsibilities include the following:

- Serving as liaison with the Civil Rights Center (CRC).
- Investigating and monitoring the organizations and its subrecipients' WIOA Title I funded activities and programs.
- Reviewing the organizations and its subrecipients' written policies.
- Developing, publishing, and enforcing the organization's discrimination complaint procedures.
- Reporting to the appropriate authority regarding discrimination matters.
- Participating in continuing training and education, and ensuring that assigned staff receives the necessary training and support to maintain competency.
- Informing participants, employees and program beneficiaries of their equal opportunity rights and responsibilities, and how the discrimination complaint process works.

The Local Areas must submit a copy of the local level EO Officer's position description and organizational chart showing the relationship of each local level EO Officer to their Local Area Executive Director. The Local Areas will assign sufficient staff and resources to the EO Officer to ensure compliance with the nondiscrimination and equal opportunity provisions of the WIOA and Title 29 CFR Section 38.23.

Please mail required documents to the following address:

Equal Employment Opportunity Office
Employment Development Department
800 Capitol Mall, MIC 49
P.O. Box 826880

The EO Officer's contact information such as name, position title, business address, including e-mail address, and telephone number (voice and Telecommunications Device for the Deaf [TDD], which is also known as teletypewriter [TTY]), must be publicized at the local level through a variety of means, including posters, handouts, and listings in local directories. Ensure that the EO Officer's identity and contact information appears on all internal and external communications about the recipient's nondiscrimination and equal opportunity programs.

Attending periodic training is recommended for the EO Officer and assigned staff to keep abreast of equal opportunity issues. Training on nondiscrimination and equal opportunity is available through the State EO Officer and the Capacity Building Unit of the Workforce Services Division.

Small recipients and service providers, as defined in Title 29 CFR Section, Part 38.4, do not need to designate an EO Officer with the full responsibilities as described above, but must designate an individual who will be responsible for the developing and publishing of complaint procedures and the processing of complaints as required by Section 38.76 through 38.79.

Additionally, the WIOA Title I Governor's 15 and 25 percent subrecipients (except Local Areas) are not required to designate an EO Officer, but must designate an individual who will be responsible for adopting and publishing the Employment Development Department's (EDD) complaint procedures. Therefore, in lieu of a local complaint procedure, the WIOA Title I Governor's 15 and 25 percent subrecipients must adopt the EDD's nondiscrimination and equal opportunity complaint procedures. The complaint procedures must include the option to file a charge of discrimination directly with the CRC.

For more information, contact the State EO Officer at the following address:

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

2. Notice and Communication

Initial and continuing notice of nondiscriminatory practices poster and the right to file a complaint poster must meet the following criteria:

- Posted in prominent locations, such as the front customer entry and reception area.
- Disseminated in internal memoranda and other written or electronic communications.

- Included in handbooks and manuals, brochures, broadcasts, and other communications.
- Made available to each participant.
- Included in each participant's case file. Where a hard copy case file is maintained, a copy of an acknowledgement of receipt shall be signed by the participant and included in each participant's case file. Where an electronic case file is maintained, staff must make a note indicating that this notification did occur, the date of the notification, and the name of the staff person who provided it.

The notice shall be provided in appropriate formats to individuals with visual impairments. When a notice has been given in an alternate format, a record of such notice shall be documented within the participant's case file.

For information and services accessed electronically, each recipient shall establish a procedure, which assures that the notice requirements of Title 29 CFR Part 38 are met.

Distributed publications, broadcasts, electronic media and other communications including the homepage of the Local Areas website, which promote WIOA programs or activities, shall include the following taglines: "This WIOA Title I financially assisted program or activity is an equal opportunity employer/program," and "Auxiliary aids and services are available upon request to individuals with disabilities."

Where hard copy or electronic materials indicate that the recipients may be reached by telephone, the telephone number of any TDD/TTY or relay service used by the recipient must be indicated. If the recipient does not have a TDD/TTY, the California Relay Service (CRS), which can be reached at 1-800-735-2922, is an alternative. The CRS relays messages to deaf persons via the telephone. A caller can contact the relay service by voice or TDD, and an operator will contact the party to be called using voice or TDD/TTY. A TDD/TTY or relay service should be available where services provided by telephone are a major function of the program or activity.

This applies similarly to those recipients required by law or regulation to publish or broadcast program information in public media. Where appropriate, information and services should be provided in additional languages other than English.

On August 11, 2000, President Clinton issued Executive Order 13166, titled "*Improving Access to Services for Persons with Limited English Proficiency*." This Executive Order mandates that LEP individuals have equal access to federally funded programs and activities. As required by Executive Order 13166, DOL/CRC published revised policy guidance in the Federal Register (May 29, 2003) regarding the prohibition against national origin discrimination as it affects LEP individuals. This revised policy offers guidance from DOL with respect to the responsibilities of recipients of federal financial assistance in serving LEP individuals, pursuant to the requirements of Title VI of the *Civil Rights Act* and Section 188 of WIOA. Recipients of federal financial assistance must take reasonable steps to ensure that

individuals having LEP receive the language assistance necessary to afford them meaningful access to programs, services, and information provided by the recipients.

The DABSA requires that when state and local agencies serve a "substantial number of non-English-speaking people," they must employ a "sufficient number of qualified bilingual staff in public contact positions" and translate documents explaining available services in their clients' language. The DABSA establishes specific legal mandates for state agencies, but allows local agencies discretion in establishing the level and extent of bilingual services they provide.

3. Assurances, Job Training Plans, Contracts, Policies and Procedures

A system must be implemented to ensure that all contracts, cooperative agreements, job training plans, and policies and procedures contain the nondiscrimination assurance as specified. The nondiscrimination assurance must state that the grant applicant will "comply fully with the nondiscrimination and equal opportunity provisions of WIOA" and acknowledge the government's right to seek judicial enforcement of the nondiscrimination assurance.

Title 29 CFR Section 38.20 requires that each application for federal financial assistance under Title I of WIOA must include the nondiscrimination assurance. Application for assistance is defined as the process by which required documentation is provided to the Governor, recipient, or DOL prior to, and as a condition of, receiving federal financial assistance under Title I of WIOA (including both new and continuing assistance).

4. Universal Access

As required in Title 29 CFR Section 38.42, recipients must take appropriate steps to ensure universal access to WIOA Title I financially assisted programs and activities by doing the following:

- Implementing an outreach and recruitment plan to solicit participation of all potentially WIOA Title I eligible reportable individuals in the entire locale.
- Creating an outreach and recruitment plan that will reach specific target populations through media, schools, and community services groups.
- Considering a pool of individuals for participation that includes members of both sexes, various racial and ethnic age groups, and individuals with disabilities.
- Establishing a hiring and eligibility process that is accessible to qualified individuals with disabilities.
- Utilizing facilities designed to provide reasonable access to individuals with disabilities in the following areas: training, job structure, work schedule, work procedure, and work equipment and auxiliary aids accommodations.

5. Obligation Not To Discriminate On The Basis Of Disability

Compliance with Section 504 of the *Rehabilitation Act of 1973*, as amended, and Title 29 CFR Part 38 reads as follows:

The recipients must ensure the accessibility to their training programs, activities and support services for all individuals, and must administer their training programs, activities and services in the most integrated setting appropriate to the needs of qualified individuals with disabilities. This includes employment tests or other selection criteria used by recipients that do not screen out individuals with disabilities, and training programs accessible to individuals with visual, hearing, or speech impairments. The recipients must provide means for individuals with disabilities to receive information about availability of facilities accessible to them. Additionally, recipients must provide auxiliary aids, services and reasonable accommodations to qualified individuals with disabilities to enable them to perform duties of the job (e.g., special aids, modified work sites, or restructuring of jobs).

The recipients must also provide the following:

- Designated parking for the disabled that is accessible to the building entrance, free of any barriers (e.g., steps, steep slopes, low spots in ground or pavement, buckled or uneven concrete walkways, loose gravel).
- Signage at a primary entrance to each of their inaccessible facilities, directing users to a location at which they can obtain information about accessible facilities.
- The international symbol for accessibility at each primary entrance of an accessible facility.
- Building entrance doors that can be opened with one hand.
- Accessible information at public counter or reception areas.
- Facility elevators that are accessible from the primary entrance meeting the above criteria.
- Elevator control panel and entrance buttons with raised numbers and Braille symbols at an accessible height.
- At least one accessible public telephone per floor.
- Accessible meeting rooms with Braille symbols at an accessible height.
- Facility restrooms that have at least one toilet stall with an accessible doorway. The stall should have grab bars and the toilet seat should be accessible for the disabled individual after the door is closed (access to the grab bars should not be obstructed by such things as toilet paper dispensers, seat cover dispensers, etc.).
- Alternative methods to ensure that training, job structure, work schedule, work procedure, and work equipment are available to individuals with disabilities when the facilities are not physically accessible to individuals with disabilities.

With regard to aid, benefits, services, training, and employment, Title 29 CFR Section 38.8 states that a recipient must do the following:

- Provide reasonable accommodation to qualified individuals with disabilities who are applicants, registrants, eligible applicants/registrants, participants, employees, or applicants for employment, unless providing the accommodation would cause the recipient undue hardship on business operations.
- Make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless making the modifications would fundamentally alter the nature of the WIOA Title I financially assisted service, program, or activity.

In those circumstances where a recipient believes that the proposed accommodation would cause undue hardship, or the proposed modification would fundamentally alter the program, the recipient has the burden of proving that compliance with this section would result in such hardship and alteration. The recipient must make the decision that the accommodation would cause such hardship or result in such alteration only after considering all factors listed in the definitions of "undue hardship" and "fundamental alteration." The decision must be accompanied by a written statement of the recipient's reasons for reaching that conclusion. The recipient must provide a copy of the statement of reasons to the individual(s) who requested the accommodation.

If a requested accommodation would result in undue hardship or a modification would result in a fundamental alteration, the recipient must take any other action that would not result in such burden or such alteration but would nevertheless ensure that individuals with disabilities receive the aid, benefits, services, training or employment provided by the recipient.

Title 29 CFR Section 38.4 defines "undue hardship" with regard to reasonable accommodation of individuals with disabilities, as significant difficulty or expense incurred by a recipient when considered in light of certain factors. These factors include, but are not limited to, the nature and net cost of the accommodations needed, overall financial resources of recipient, type of operation(s) of recipient, the number of persons aided, benefited, served, trained, or employed, the impact on the ability of other participants to receive aids, benefits, services, or training, or of other employees to perform their duties and the impact on the facility's ability to carry out its business or mission.

The term "fundamental alteration" means (1) a change in the essential nature of a program or activity as defined in Title 29 CFR Part 38.4, including but not limited to an aid, service, benefit, or training or (2) a cost that a recipient can demonstrate would result in an undue burden. The definition of "fundamental alteration" incorporates the concept of "undue financial and administrative burdens" in Title 29 CFR Part 38.

In addition, recipients must take appropriate steps to ensure that communications with beneficiaries, eligible registrants and applicants, participants, and members of the public who are individuals with disabilities are as effective as communications with others.

A Reasonable Accommodation Policy and Procedure Guide should be used when processing reasonable accommodation requests. This document should contain two sections; (1) provide general guidance and definitions for use when processing reasonable accommodation requests, and (2) provide step-by-step instructions on how to process these requests.

6. Data and Information Collection and Maintenance

In compliance with 29 CFR Sections 38.37 through 38.41 and Section 188 of WIOA, any entity to which financial assistance under WIOA Title I is extended (excluding the ultimate beneficiaries of the WIOA Title I funded program or activity) must do the following:

- Collect demographic data on race/ethnicity, sex, age, and, where known, disability status, of each individual, registrant, eligible individual/registant, participant, terminee, individual for employment, and employee.
- Maintain records of data in a system designed to allow the State and CRC to conduct statistical or other quantifiable analyses to verify compliance.
- Safeguard the confidentiality of the required information; confidential information should only be used for recordkeeping and reporting purposes; determining eligibility, where appropriate, for WIOA Title I financially assisted program or activity; determining if the recipient is operating its WIOA program in a nondiscriminatory manner, or other use authorized by law.
- Maintain a log of complaints filed alleging discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship (citizen or authorization to work in the U.S.) or participation in a WIOA Title I financially assisted program and activity. The log must include: (1) name and address of the complainant; (2) grounds of the complaint; (3) description of the complaint; (4) date complaint was filed; (5) disposition and date of disposition of complaint; and (6) any other pertinent information.

The EEO Office requires a copy of the Local Area complaint log annually (each calendar year). Please mail to the following address or return by e-mail:

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

- Promptly notify the CRC of any administrative enforcement actions or lawsuits filed against a Local Area alleging discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in a WIOA Title I financially assisted program and activity. Provide a brief description of the findings in any civil rights compliance review where the applicant or recipient was found in noncompliance and keeps a log containing certain information regarding complaints filed with it according to procedures set by the CRC.
- Retain records, including records of complaints, for a period of not less than three years from the close of the applicable program year or date of resolution of complaint.
- Adopt procedures for responding to complaints of discrimination.

7. Monitor for Compliance

In accordance with Title 29 CFR Sections 38.54(d)(2)(ii) and 38.54(d)(2)(iii), the EEO Office of the EDD monitors Local Areas for nondiscrimination and equal opportunity compliance as required by WIOA provisions and related regulations.

The EEO Office requires that each Local Area complete and submit the Electronic Compliance Monitoring Checklist biennial self-assessment checklists. The EEO Office will review the self-assessments, along with additional equal opportunity-related data, to coordinate and determine if a Local Area on-site review is necessary during a given program year. Through self-evaluations, Local Areas can validate their efforts in meeting regulatory requirements and identify the compliance status of their programs, activities, and Local Areas in which they need technical assistance.

8. Complaint Processing Procedures

In compliance with nondiscrimination and equal opportunity provisions of the WIOA and Title 29 CFR Section 38.76, the EO Officer must do the following:

- Develop and publish procedures (including alternative dispute resolution) for resolving allegations within the Local Area for noncompliance with applicable nondiscrimination and equal opportunity provisions.
- Develop and publish procedures for resolving allegations against service providers for noncompliance with applicable nondiscrimination and equal opportunity provisions. The service providers must then follow those procedures. (NOTE – Although the Local Area does not have the same contractual jurisdiction with vendors as with service providers, ***the Local Area shall document the facts of an alleged complaint. The facts should be used to advise the participant of any recourse available and to determine if the Local Area should continue to utilize the services of the vendor.***)

- Establish a logging system to record discrimination complaints.

The Local Areas complaint processing procedures must specify the following:

- a. Any person who believes that he or she or any specific class of individuals has been or is being subjected to discrimination prohibited by the nondiscrimination and equal opportunity provisions of WIOA may file a written complaint by using the *Discrimination Complaint Form – Local Area*, or a representative may file the complaint on his or her behalf.
- b. The complaint may be filed either with the Local Area’s EO Officer (or the person designated for this purpose), or directly with the CRC at DOL, 200 Constitution Avenue N.W., Room N-4123, Washington, D.C. 20210.
- c. A complaint filed, pursuant to Title 29 CFR 38.30, must be filed within 180 days of the alleged discrimination. The CRC, if shown good cause, may extend the filing time. In order to receive an extension, the complainant must be notified that a waiver letter is to be filed with the CRC. The waiver letter should include the reason the 180-day time period elapsed. This time period for filing is for the administrative convenience of the CRC and does not create a defense for the respondent.
- d. Complaints must be filed in writing by completing the *Discrimination Complaint Form – Local Area* or your personalized Local Area locally developed form. Regardless of the form used, all complaints must include the following information:
 - Contain the complainant’s name, address, or other means of contacting him or her.
 - Identify the respondent.
 - Describe the complainant’s allegation(s) in sufficient detail to allow the CRC or Local Area EO Officer, as applicable, to determine whether (1) the CRC or the Local Area has jurisdiction over the complaint; (2) the complaint was filed timely; and (3) the complaint has apparent merit, i.e., whether the allegation(s), if true, would violate any of the nondiscrimination and equal opportunity provisions of WIOA.
 - Be signed by the complainant or his or her authorized representative.
- e. Both complainant and respondent have the right to be represented by an attorney or other individual of his or her choice.
- f. Alternative Dispute Resolution (ADR)

- (1) The complainant must be offered ADR immediately upon receipt of the complaint. The choice whether to use ADR rests with the complainant. The preferred form of ADR is mediation.

What is Mediation? Mediation is a voluntary process during which a neutral third party assists both parties (complainant and respondent), communicates their concerns, and comes to an agreement about how to resolve a dispute.

The mediator does not make decisions, rule as to who is right or wrong, nor take sides or advocate for one side or the other. The role of the mediator is to help with communication so the parties can reach an understanding about how to best resolve their differences.

As the law allows, mediation proceedings and the information shared are confidential and no information divulged during this mediation may be used in court or any legal or administrative proceedings.

If the parties do not reach an agreement under ADR, the complainant may file directly with the CRC as described in Title 29 CFR Sections 38.71 through 38.74.

- (2) A party to any agreement reached under ADR may file a complaint with the CRC in the event the agreement is breached. In such circumstances, the following rules will apply:
 - The non-breaching party may file a complaint with the CRC within 30 days of the date on which the non-breaching party learns of the alleged breach.
 - The CRC must evaluate the circumstances to determine whether the agreement has been breached. If the CRC determines that the agreement has been breached, the complainant may file a complaint with the CRC based upon his or her original allegation(s), and the CRC will waive the time deadline for filing such a complaint.

Complaints filed with the Local Area

- a. The EO Officer shall issue a written acknowledgement of receipt by the Local Area of a complaint alleging discrimination by a WIOA Title I recipient and shall include a notice of the complainant's right to representation in the complaint process.

The EEO Office requires the EO Officer to forward one copy of the alleged complaint and one copy of the issued Notice of Final Action to the following address:

***Equal Employment Opportunity Office
Employment Development Department***

**800 Capitol Mall, MIC 49
P. O. Box 826880
Sacramento, CA 94280-0001**

- b. If the complainant elects not to participate in the ADR process, the EO Officer shall investigate the circumstances underlying the alleged complaint.
- c. At any point in the investigation of the complaint, the complainant, respondent, or the EO Officer may request that the parties attempt conciliation. The EO Officer shall facilitate such conciliation efforts.

What is Conciliation? Conciliation is a process whereby the parties to a dispute agree to utilize the services of a conciliator, who then meets with the parties separately in an attempt to resolve their differences. Conciliation differs from mediation in that the main goal is to conciliate, most of the time by seeking concessions.

If the conciliator is successful in negotiating an understanding between the parties, said understanding is almost always committed to writing (usually with the assistance of legal counsel) and signed by the parties, at which time it becomes a legal binding contract and falls under contract law.

- d. The Local Area shall be allowed 90 days to issue a Notice of Final Action from the date on which the complaint was filed. If, during the 90-day period, the Local Area issues a decision that is not acceptable to the complainant, the complainant or his or her representative may file a complaint with the CRC within 30 days after the date on which the complainant receives the Notice.
- e. If the 90 days expire and the complainant does not receive a Notice of Final Action from the Local Area, or the Local Area failed to issue a Notice of Final Action, the complainant or his/her representative may file a complaint with the CRC within 30 days of the expiration of the 90-day period. In other words, the complaint must be filed with the CRC within 120 days of the date on which the complaint was filed with the Local Area.
- f. The CRC may extend the 30-day time limit if the complainant is not notified, as provided in Title 29 CFR Section 38.81, or for other good cause shown.
- g. The Local Area shall notify the complainant in writing immediately upon determining that it does not have jurisdiction over a complaint that alleges a violation of the nondiscrimination and equal opportunity provisions of the WIOA. The *Notice of Lack of Jurisdiction* must also include the basis for such determination, as well as a statement of the complainant's right to file a written complaint with the CRC within 30 days of receipt of the Notice.

- h. During the resolution process, the EO Officer shall assure that all parties involved are given due process. These due process elements include the following:
- A notice to all parties of the specific charges
 - A notice to all parties of the responses to the allegations
 - The right of both parties to representation
 - The right of each party to present evidence, and to question others who present evidence
 - A decision made strictly on the evidence on the record

Actions by the CRC are as follows:

- a. The CRC determines acceptance of a complaint filed pursuant to Title 29 CFR Section 34.82. When the CRC accepts a complaint for investigation, it shall do the following:
- Notify the Local Area and the complainant of the acceptance of the complaint for investigation.
 - Advise the Local Area and complainant on the issues over which the CRC has accepted jurisdiction.
- b. The Local Area, the complainant, or a representative may contact the CRC for information regarding the complaint filed.
- c. When a complaint contains insufficient information, the CRC will seek the needed information from the complainant. If the complainant is unavailable after reasonable efforts have been made to reach him or her, or the information is not provided within the time specified, the complaint file may be closed without prejudice upon written notice sent to the complainant's last known address.
- d. The CRC, per WIOA Section 183(c), may issue a subpoena to the complainant to appear and give testimony and/or produce documentary evidence, before a designated representative, relating to the complaint being investigated. Issuing a subpoena can be done any place in the U.S., at any designated time and place.
- e. Where the CRC lacks jurisdiction over a complaint, the CRC shall do the following:
- Notify the complainant, explaining why the complaint is not covered by the nondiscrimination and equal opportunity provisions of WIOA or Title 29 CFR Part 38.
 - Refer the complainant to the appropriate federal, State, or local authority, when possible.

- f. The CRC will notify the complainant when a claim is not to be investigated and explain the basis for that determination.
- g. The CRC will refer complaints governed by the *Age Discrimination Act of 1975* to mediation as specified in Title 45 CFR Section 90.43(c)(3).
- h. If the complainant alleges more than one kind of complaint, "joint complaint" (e.g., individual employment discrimination, age discrimination, equal pay discrimination, etc.), the CRC shall refer such joint complaint to the Equal Employment Opportunity Commission for investigation and conciliation under the procedures described in Title 29 CFR, Parts 1690 or 1691, as appropriate. The CRC will advise the complainant and the Local Area of the referral.
- i. Under the One-Stop delivery system where the complainant alleges discrimination by an entity that operates a program or activity financially assisted by a federal grant making agency other than DOL, but participates as a partner in a One-Stop delivery system, the following procedures apply:
 - If the complainant alleges discrimination on a basis that is prohibited both by Section 188 of WIOA and by a civil rights law enforced by the federal grant making agency, the CRC and the grant making agency have dual jurisdiction over the complaint. The CRC will refer the complaint to the grant making agency for processing. The grant making agency's regulations will govern the processing of the complaint.
 - If the complainant alleges discrimination on the basis that is prohibited by Section 188 of WIOA, but not by any civil rights laws enforced by the federal grant making agency, the CRC has sole jurisdiction over the complaint and will retain and process the complaint pursuant to Title 29 CFR Part 38. The CRC will advise the complainant and the Local Area of the referral.
- j. The CRC may offer the parties of a complaint the option of mediating the complaint. In such circumstances, the following rules apply:
 - The mediation is voluntary; both parties must consent before the mediation process will proceed.
 - The mediation will be conducted under the guidance issued by the CRC.
 - If the parties are unable to reach resolution of the complaint through the mediation, the CRC will investigate and process the complaint under Title 29 CFR Sections 38.82 through 38.88.
- k. After making such a cause finding, the CRC shall issue an Initial Determination. The Initial Determination shall notify the complainant and the Local Area, in writing, of the following:

- The specific findings of the investigation;
 - The proposed corrective or remedial action and the time by which the corrective or remedial action must be completed;
 - Whether it will be necessary for the Local Area to enter into a written agreement; and
 - The opportunity to participate in voluntary compliance negotiations.
- I. Where a no cause determination is made, the CRC must issue a Final Determination to the complainant and the Local Area. The Final Determination represents DOL's final agency action on the complaint.

9. Corrective Actions/Sanctions

A Letter of Findings, Notice to Show Cause, or Initial Determination issued pursuant to Title 29 CFR Sections 38.62 or 38.63, 38.66 and 38.67, or 38.91, respectively, must include the steps and the specific time period it will take the Local Area to achieve voluntary compliance. See Section 38.94 for corrective action steps.

Monetary corrective action may **not** be paid from federal funds.

If the Local Area receives a finding of noncompliance, the following sections of Title 29 CFR Part 38 may be referred to for detailed information:

- Final Determinations, Sections 38.90 through 38.101
- Breaches of Conciliation Agreements, Sections 38.102 through 38.105
- Subpart E - Federal Procedures for Effecting Compliance, Sections 38.110 through 38.115

Intimidation and Retaliation is Prohibited

No recipient may discharge, intimidate, retaliate, threaten, coerce, or discriminate against any individual because the individual has filed a complaint alleging a violation of WIOA; opposed a practice prohibited by the nondiscrimination and equal opportunity provisions of the WIOA; or furnished information to, or assisted or participated in any manner in an investigation, review, hearing, or any other activity related to administration of, exercise of authority under, or exercise of privilege secured by the nondiscrimination and equal opportunity of WIOA or Title 29 CFR Part 38. The sanctions and penalties contained in these procedures may be imposed against any recipient who engages in any such retaliation or intimidation, or fails to take necessary steps to prevent such activity.

Discrimination Complaint Form – Local Area

It is important for the EDD to receive documentation with sufficient information for the EDD EEO Office to analyze, compile, and report in a manner that is consistent with DOL

requirements. It is helpful when information gathering efforts include adequate questions that will elicit responses from the complainant, making the need to request additional information less likely.

The *Discrimination Complaint Form – Local Area* was developed to assist clients, participants, and service providers. This form is available for use by the Local Area in an effort to provide more consistent information when processing discrimination complaints from participants of WIOA and W-P funded programs and activities. The Local Area is encouraged to personalize the form with the name of the Local Area, logo and slogan information, and use the form for any and all discrimination complaints that may be received.

ACTION

Bring this directive to the attention of all relevant parties.

INQUIRIES

If you have any questions, please contact your [Regional Advisor](#) or call 916-654-7799

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

Attachments are available on the internet:

1. [Equal Opportunity is the Law](#)
2. [What to do if You Believe You Have Experienced Discrimination](#)
3. [Discrimination Complaint Form – Local Area](#)
4. [Reasonable Accommodation Policy and Procedure Guide](#)

WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-29

Date: March 1, 2016

Expiration Date: 04/01/18
50:94

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: USING THE ADULT BASIC CAREER SERVICES APPLICATION

This serves to provide information on the use of the Adult Basic Career services (ABC) application when enrolling *Workforce Innovation and Opportunity Act* (WIOA) clients into CalJOBSSM.

With the changes in WIOA, as outlined in TEGL 03-15, core services are now referred to as “basic career services,” and intensive services are now referred to as “individualized career services.”

When enrolling WIOA clients into CalJOBSSM, there are two application options. The first option is to use the Adult Basic Career services (ABC) application, previously known as the short application or the core application under the *Workforce Investment Act*. This option allows staff to collect limited information on customers only receiving basic career services. Use of the ABC application is limited to the low-income question, right-to-work verification and selective service registration. The second option is to use the full WIOA application, previously known as the long application under WIA. The full WIOA application will allow eligible clients to receive individualized career and adult training services, as well as career basic services.

The ABC application cannot document eligibility for dislocated worker and youth services, nor individualized career or adult training services. If staff expect that additional services will be required, it is recommended that the full WIOA application be completed and all required documentation collected.

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

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

WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-30

Date: March 10, 2016

Expiration Date: 04/10/18

69:187:kc:

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: REVISION OF AMENDMENT TO WIOA FORMULA ALLOCATIONS – PY 2015-16

This Information Notice (IN) replaces WSIN15-16. Allocations for round two (commonly referred to as “advanced” funds) *Workforce Innovation and Opportunity Act* (WIOA) formula funds for each Local Workforce Development Area (Local Area) for the Adult and Dislocated Worker funding streams for Program Year (PY) 2015-16 have been revised. The U.S. Department of Labor (DOL) has overturned the 0.2108 percent rescission contained in the Continuing Appropriations Resolution, 2016, which was applied to round two allotments.

The revised allotments to California and the amounts available for formula allocation to the Local Areas are listed below. Attachment 1 reflects the revised total amount Local Areas will receive for each of the funding streams during the PY 2015-16. Additionally, Attachment 2 provides a breakdown of how each of the three funding streams is allocated.

<u>PY 2015-16</u>	<u>Total Allotment</u>	<u>Amount Available for Formula Allocation</u>
Adult Program (Title I)	\$115,578,226	\$104,020,405
Youth Program (Title I)	\$120,707,084	\$108,636,376
Dislocated Worker Program (Title I)	\$164,063,131	\$106,641,037

If you have any questions about this notice, please contact Viviana Neet at Viviana.Neet@edd.ca.gov or by phone 916-653-9150.

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

Attachments are available on the internet:

1. [\(Revised\) WIOA Within-State CA Allocations PY 2015-16 \(Round 2 – Reverse Rescission 2/12/16\)](#)
2. [\(Revised\) WIOA Funding SFY 2015-16](#)

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

(Revised) WIOA Within-State California Allocations
for PY 2015-16 (Round 2 - Rescission Reversal 2/12/16)

Local Area	Round 1			Round 2		Total			Grand Total
	Youth	Adult	Dislocated Worker	Adult	Dislocated Worker	Youth	Adult	Dislocated Worker	
Alameda	\$1,816,257	\$142,916	\$393,751	\$1,567,134	\$2,170,143	\$1,816,257	\$1,710,050	\$2,563,894	\$6,090,201
Anaheim City	\$899,031	\$72,259	\$122,882	\$792,347	\$677,258	\$899,031	\$864,606	\$800,140	\$2,563,777
Contra Costa	\$1,722,300	\$141,857	\$352,265	\$1,555,526	\$1,941,496	\$1,722,300	\$1,697,383	\$2,293,761	\$5,713,444
Foothill	\$582,660	\$50,605	\$95,743	\$554,903	\$527,684	\$582,660	\$605,508	\$623,427	\$1,811,595
Fresno	\$4,352,012	\$342,758	\$657,503	\$3,758,479	\$3,623,804	\$4,352,012	\$4,101,237	\$4,281,307	\$12,734,556
Golden Sierra	\$1,068,924	\$87,443	\$205,876	\$958,853	\$1,134,679	\$1,068,924	\$1,046,296	\$1,340,555	\$3,455,775
Humboldt	\$410,207	\$30,086	\$49,960	\$329,909	\$275,355	\$410,207	\$359,995	\$325,315	\$1,095,517
Imperial	\$1,475,544	\$122,824	\$287,232	\$1,346,812	\$1,583,070	\$1,475,544	\$1,469,636	\$1,870,302	\$4,815,482
Kern, Inyo, Mono	\$3,658,583	\$294,496	\$538,960	\$3,229,268	\$2,970,461	\$3,658,583	\$3,523,764	\$3,509,421	\$10,691,768
Kings	\$617,377	\$58,993	\$93,846	\$646,881	\$517,227	\$617,377	\$705,874	\$611,073	\$1,934,324
Los Angeles City	\$14,987,996	\$1,213,317	\$1,613,148	\$13,304,530	\$8,890,809	\$14,987,996	\$14,517,847	\$10,503,957	\$40,009,800
Los Angeles	\$11,730,067	\$939,297	\$1,472,597	\$10,299,786	\$8,116,167	\$11,730,067	\$11,239,083	\$9,588,764	\$32,557,914
Madera	\$600,458	\$51,503	\$90,717	\$564,747	\$499,983	\$600,458	\$616,250	\$590,700	\$1,807,408
Marin	\$312,478	\$30,913	\$65,122	\$338,970	\$358,915	\$312,478	\$369,883	\$424,037	\$1,106,398
Mendocino	\$224,478	\$19,048	\$34,904	\$208,869	\$192,370	\$224,478	\$227,917	\$227,274	\$679,669
Merced	\$1,248,968	\$98,516	\$192,546	\$1,080,269	\$1,061,212	\$1,248,968	\$1,178,785	\$1,253,758	\$3,681,511
Monterey	\$1,454,577	\$124,009	\$296,290	\$1,359,805	\$1,632,993	\$1,454,577	\$1,483,814	\$1,929,283	\$4,867,674
Mother Lode	\$410,948	\$40,036	\$71,846	\$439,008	\$395,974	\$410,948	\$479,044	\$467,820	\$1,357,812
Napa-Lake	\$485,714	\$42,047	\$86,753	\$461,060	\$478,136	\$485,714	\$503,107	\$564,889	\$1,553,710
NoRTEC	\$2,409,661	\$193,774	\$357,311	\$2,124,813	\$1,969,307	\$2,409,661	\$2,318,587	\$2,326,618	\$7,054,866
NCC	\$1,011,223	\$78,104	\$166,457	\$856,441	\$917,420	\$1,011,223	\$934,545	\$1,083,877	\$3,029,645
NOVA	\$1,670,200	\$141,483	\$366,645	\$1,551,421	\$2,020,746	\$1,670,200	\$1,692,904	\$2,387,391	\$5,750,495
Oakland City	\$1,567,314	\$128,921	\$185,985	\$1,413,667	\$1,025,051	\$1,567,314	\$1,542,588	\$1,211,036	\$4,320,938
Orange	\$3,539,694	\$275,094	\$748,285	\$3,016,524	\$4,124,147	\$3,539,694	\$3,291,618	\$4,872,432	\$11,703,744
Pacific Gateway	\$1,915,311	\$145,884	\$205,984	\$1,599,677	\$1,135,273	\$1,915,311	\$1,745,561	\$1,341,257	\$5,002,129
Richmond City	\$414,348	\$36,246	\$48,326	\$397,448	\$266,346	\$414,348	\$433,694	\$314,672	\$1,162,714
Riverside	\$6,611,502	\$531,962	\$1,012,371	\$5,833,182	\$5,579,648	\$6,611,502	\$6,365,144	\$6,592,019	\$19,568,665
Sacramento	\$3,885,387	\$309,990	\$609,661	\$3,399,170	\$3,360,127	\$3,885,387	\$3,709,160	\$3,969,788	\$11,564,335
San Benito	\$192,731	\$15,192	\$37,578	\$166,590	\$207,112	\$192,731	\$181,782	\$244,690	\$619,203
San Bernardino City	\$990,612	\$77,312	\$101,657	\$847,757	\$560,277	\$990,612	\$925,069	\$661,934	\$2,577,615
San Bernardino	\$5,218,849	\$414,869	\$779,865	\$4,549,209	\$4,298,198	\$5,218,849	\$4,964,078	\$5,078,063	\$15,260,990
San Diego	\$7,684,498	\$588,990	\$1,256,547	\$6,458,513	\$6,925,415	\$7,684,498	\$7,047,503	\$8,181,962	\$22,913,963
San Francisco	\$1,398,109	\$128,916	\$299,876	\$1,413,612	\$1,652,754	\$1,398,109	\$1,542,528	\$1,952,630	\$4,893,267
San Joaquin	\$2,775,777	\$216,369	\$423,285	\$2,372,574	\$2,332,922	\$2,775,777	\$2,588,943	\$2,756,207	\$8,120,927
San Jose - Silicon Valley	\$2,657,475	\$209,854	\$454,275	\$2,301,136	\$2,503,718	\$2,657,475	\$2,510,990	\$2,957,993	\$8,126,458
San Luis Obispo	\$721,509	\$46,195	\$86,251	\$506,550	\$475,367	\$721,509	\$552,745	\$561,618	\$1,835,872
Santa Ana City	\$1,136,469	\$93,012	\$109,645	\$1,019,915	\$604,303	\$1,136,469	\$1,112,927	\$713,948	\$2,963,344
Santa Barbara	\$1,230,452	\$73,671	\$154,663	\$807,834	\$852,420	\$1,230,452	\$881,505	\$1,007,083	\$3,119,040
Santa Cruz	\$965,631	\$70,536	\$152,846	\$773,461	\$842,406	\$965,631	\$843,997	\$995,252	\$2,804,880
SELACO	\$1,096,099	\$86,932	\$172,160	\$953,245	\$948,852	\$1,096,099	\$1,040,177	\$1,121,012	\$3,257,288
Solano	\$997,677	\$91,726	\$196,356	\$1,005,816	\$1,082,211	\$997,677	\$1,097,542	\$1,278,567	\$3,373,786
Sonoma	\$1,012,777	\$79,900	\$172,519	\$876,134	\$950,833	\$1,012,777	\$956,034	\$1,123,352	\$3,092,163
South Bay	\$1,666,423	\$143,257	\$265,942	\$1,570,872	\$1,465,730	\$1,666,423	\$1,714,129	\$1,731,672	\$5,112,224
Stanislaus	\$2,156,486	\$173,742	\$351,721	\$1,905,157	\$1,938,497	\$2,156,486	\$2,078,899	\$2,290,218	\$6,525,603
Tulare	\$2,204,620	\$174,926	\$357,037	\$1,918,140	\$1,967,796	\$2,204,620	\$2,093,066	\$2,324,833	\$6,622,519
Ventura	\$1,956,058	\$149,684	\$359,780	\$1,641,347	\$1,982,913	\$1,956,058	\$1,791,031	\$2,342,693	\$6,089,782
Verdugo	\$754,029	\$67,780	\$131,812	\$743,238	\$726,479	\$754,029	\$811,018	\$858,291	\$2,423,338
Yolo	\$736,876	\$46,180	\$90,648	\$506,382	\$499,604	\$736,876	\$552,562	\$590,252	\$1,879,690
Total	\$108,636,376	\$8,693,424	\$16,377,429	\$95,326,981	\$90,263,608	\$108,636,376	\$104,020,405	\$106,641,037	\$319,297,818

Workforce Innovation and Opportunity Act (WIOA) Funding
***REVISED State Fiscal Year (PY) 2015-16**

Funding Stream	Round 1 (Base)	Share	Round 2 (Advance)	Share	Total
Youth Total	\$ 120,707,084		\$ -		\$ 120,707,084
Formula	\$ 108,636,376	90.00%	\$ -		\$ 108,636,376
Governor's Discretionary	\$ 12,070,708	10.00%	\$ -		\$ 12,070,708
Adult Total	\$ 9,659,359		\$ 105,918,867		\$ 115,578,226
Formula	\$ 8,693,424	90.00%	\$ 95,326,981	90.00%	\$ 104,020,405
Governor's Discretionary	\$ 965,935	10.00%	\$ 10,591,886	10.00%	\$ 11,557,821
Dislocated Worker Total	\$ 25,196,043		\$ 138,867,088		\$ 164,063,131
Formula	\$ 16,377,429	65.00%	\$ 90,263,608	65.00%	\$ 106,641,037
Rapid Response	\$ 6,299,010	25.00%	\$ 34,716,772	25.00%	\$ 41,015,782
Governor's Discretionary	\$ 2,519,604	10.00%	\$ 13,886,708	10.00%	\$ 16,406,312
Total WIA Funds	\$ 155,562,486		\$ 244,785,955		\$ 400,348,441
Formula	\$ 133,707,229		\$ 185,590,589		\$ 319,297,818
Rapid Response	\$ 6,299,010		\$ 34,716,772		\$ 41,015,782
Governor's Discretionary	\$ 15,556,247		\$ 24,478,594		\$ 40,034,841

* PY 2015-16 WIOA allotments based on Notice of Obligation - Grant Modification No. 2, AA-26768-15-A-6, dated October 1, 2015. The funding amounts for Round 2 are less than the amounts that were announced in TEGL 29-14, due to a 0.2108% rescission.

* Funding amounts for 2nd Round Rapid Response (RR) funds have been reduced by the RR carry-forward amounts for PY 2013-14 and 2014-15 as stated in WSD14-16.

*Funding amounts for the 2nd Round have been revised to reflect the rescission reversal based on Notice of Award - Grant Modification No. 4, AA-26768-15-55-A-6, dated February 12, 2016.

WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-31

Date: March 17, 2016

Expiration Date: 04/17/18

69:01:mw

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: CALIFORNIA EARNED INCOME TAX CREDIT

The California Earned Income Tax Credit (CalEITC) is a new tax credit created by Governor Jerry Brown and the Legislature to benefit California's working families and individuals.

The [CalEITC4ME](#) website provides an online tool with information on income eligibility for the CalEITC and federal Earned Income Tax Credit as well as information on free tax preparation services.

America's Job Center of CaliforniaSM staff are encouraged to disseminate the attached flyer to promote the CalEITC. Additional outreach and educational material is available for download on the CalEITC website.

For more information about eligibility and how to claim the tax credits, please visit [CalEITC4ME.org](#).

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

Attachment is available on the Internet:

1. [CalEITC Flyer](#)

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IT'S YOUR MONEY
GET IT!
FIND OUT HOW CalEITC4Me.org



If you made less than \$13,870 last year, then you may be eligible for the California Earned Income Tax Credit (CalEITC), California's new cash back tax credit. Made more than \$13,870? If you made up to \$53,267, you may qualify for the federal Earned Income Tax Credit.

CalEITC4Me is here to help you learn how to get more cash back in your pocket this tax season. Our website CalEITC4Me.org has all the information you need to find out if you are eligible and how to claim the tax credits for free.

All you have to do is this:

- Find out if you are eligible and for how much with the **CalEITC4Me Calculator** at CalEITC4Me.org/Earn-It/.
- If you made \$54,000 or less last year, search by city or zip code to find free help to file for free with our **Free Tax Prep Finder** at CalEITC4Me.org/Get-It/.

File your tax returns by April 18, 2016. Don't let this money go unclaimed – you can only get the refund if you file!

Maybe you don't qualify yourself, but know others who would. The average credit amount for the CalEITC is \$900. This boost in their refund could mean a lot, so help us tell them about it!

Like CalEITC on [Facebook](#) and follow CalEITC on [Twitter](#) to get new information this tax season.

WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-32

Date: March 18, 2016

Expiration Date: 04/18/18

88:52:ls

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: VETERANS' EMPLOYMENT-RELATED ASSISTANCE PROGRAM – SOLICITATION FOR PROPOSALS

The Employment Development Department, in coordination with the California Workforce Development Board, and the California Labor and Workforce Development Agency, announces a Solicitation for Proposals (SFP) that makes available up to \$5 million of Workforce Innovation and Opportunity Act Title I Governor's Discretionary and 25 percent Dislocated Worker funds to fund a Veterans' Employment-Related Assistance Program.

The goal of this initiative is to promote the use of regional industry sector strategies as the framework to help unemployed and underemployed veterans transition from military careers to rewarding civilian employment. This SFP's focus is on veterans with Significant Barriers to Employment.

Eligible applicants include public and private non-profit organizations, private for-profit organizations, Local Workforce Development Areas, education and training providers, and faith-based organizations. Individuals are not eligible to apply.

Proposal applications must be received no later than Friday, April 22, 2016, before 3 p.m. PST.

To view this SFP, please visit the [Workforce Development SFP](#) webpage.

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

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WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-33

Date: March 22, 2016

Expiration Date: 04/22/18

50:158:kd

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: RELEASE OF THE NEW VOSCAN MODULE IN CalJOBSSM

The California Employment Development Department (EDD) is pleased to announce the release of the VOscan Module in CalJOBSSM. The module will be available for use by the Local Workforce Development Areas (Local Areas) and EDD staff effective April 1, 2016.

The VOscan Module is designed to give Title IB and Title III staff the ability to track and record client services through a fully integrated scan card system. The module will allow offices to improve front desk service delivery and reduce wait times. In order to take advantage of this functionality, individuals must first be registered in CalJOBSSM and have an active Wagner-Peyser application, which then allows the VOscan activities to populate into the individual's Wagner-Peyser application. Scan cards may be provided during or after the registration process by recording the card's unique number in the individual's registration. It is recommended that the scan card be provided to the jobseeker after the individual has self-registered in CalJOBSSM. The following three specific activity codes can be used with the scan card:

- 101 – Orientation
- 104 – Workshop
- 120 – Resource Room

Title IB or Title III staff who enroll individuals into Wagner-Peyser services are required to verify Right to Work documentation when providing staff assisted and intensive services. Title IB and Title III staff do not have to verify Right to Work documents for core A self-service or information activities, which includes: orientation, use of the resource room, self-service labor market research, self-service résumé preparation, and self-service job search. For further information regarding verification of Right to Work documentation, please review the Technical Assistance Guide linked in the attachments of [WIA Title I Eligibility Directive WSD14-4](#). Please note, this policy is subject to change once further WIOA guidance is provided by DOL.

Each Local Area is responsible for covering the cost of the VOscan equipment for their respective area, and must go through its standard local procurement process to secure it. The required equipment includes magnetic cards, which are pre-encoded and pre-numbered, and either a programmable terminal (X1) or wedge reader (mini scanner). Taking into account that the mini scanners do not have reporting capabilities, purchasing the X1 machines is recommended. The

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magnetic cards, which have the America's Job Center of CaliforniaSM logo on the front, can be co-branded to include a local brand logo on the back. All magnetic scan cards must be purchased from the Geographic Solutions Inc. vendor due to the need for a centralized card numbering system, which allows the cards to be used throughout California, at any America's Job Center of CaliforniaSM location. Current pricing information is attached, but is subject to change. VOscan inquiries should be submitted to CalJOBSAdmin@edd.ca.gov.

For detailed instructions on this module, please refer to the *User Guide for Staff*, Chapter 17, under the Staff Online Resources menu in CalJOBSSM.

Contact Kristi Duthler with the CalJOBSSM Operations Team at 916-653-0202 if you have any questions.

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

Attachments are available on the internet:

1. [VOscan Card Quote](#)
2. [VOscan Hardware Quote](#)
3. [User Guide for Staff, Chapter 17](#)

WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-34

Date: March 22, 2016

Expiration Date: 04/22/18

88:52:ls

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: GRANT APPLICATION OPPORTUNITY – SUMMER JOBS AND BEYOND: CAREER
PATHWAYS FOR YOUTH

On February 4, 2016, the U.S. Department of Labor Employment and Training Administration (DOLETA) announced the availability of \$20 million in *Workforce Innovation and Opportunity Act* (WIOA) grant funds for the pilot program, Summer Jobs and Beyond: Career Pathways for Youth (CPY).

The Summer Jobs and Beyond: CPY grant funds will be used to provide resources to Local Workforce Development Boards (Local Boards) to expand and enhance existing summer employment programs and work experience for eligible youth. The goal of this grant is to streamline service delivery, align resources, and assist youth in preparing for successful entry into the workforce. CPY grants are also intended to strengthen the alignment of partnerships under WIOA. Approximately 10 grants up to \$2 million will be funded, not to exceed \$20 million.

Eligible applicants are Local Areas with the required partnership with local summer employment programs, employers, local education agencies, and re-engagement centers. The grants cannot be used to supplement existing programs, but to transform the youth-serving systems within Local Areas.

The Employment Development Department will not be pursuing this funding opportunity. Applications for this grant opportunity must be submitted by March 25, 2016.

For more information about this grant opportunity, please visit the Grants.gov.

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

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WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-35

Date: March 25, 2016

Expiration Date: 04/25/18
69:175:rc

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: SUPERVISED POPULATION WORKFORCE TRAINING GRANT PROGRAM

Due to the passing of Assembly Bill 2060 (Chapter 383, Statutes of 2014), \$4.3 million for grants have now become available as part of the Supervised Population Workforce Training Grant Program. These grants will fund programs that help develop competitive workforce training programs for individuals on probation, mandatory supervision, and postrelease community supervision. The goal is to assist these populations in obtaining a marketable industry or apprenticeship board-recognized certification, credential, or degree. In addition, the California Workforce Development Board (State Board) is interested in funding programs that further advance the goals of California's Strategic Workforce Development Plan, and build workforce system infrastructure and capacity through the following:

- **Collaboration** among partners in development of service delivery strategies and alignment of resources to better connect the supervised population to employment.
- **Innovation** that creates new or adapts existing approaches or accelerates application of promising practices in workforce development and skill attainment.
- **System change** that utilizes these grants to incentivize adoption of proven strategies and innovations that are sustained beyond the grant period.

Successful programs will create new or expand existing regional partnerships that include Local Workforce Development Boards (Local Boards), community colleges, community-based organizations, labor organizations, and industry associations or coalitions of employers. Funds awarded under this grant may be used to provide training, "earn and learn" activities, support services, and job placement assistance.

Proposals **must be received by May 2, 2016**. Eligible applicants for this Supervised Population Workforce Training Grant Program include all California counties or consortiums of counties, Local Boards, nonprofit community-based organizations and other nonprofits, labor and business organizations, education entities, etc. For more information on this funding opportunity and its requirements, please refer to the Solicitation Notice – AB 2060 Supervised Population Workforce Training Grant Program 2.0 on the State Board's web page at <http://cwdb.ca.gov/Initiatives.htm>.

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

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WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-36

Date: March 28, 2016

Expiration Date: 04/28/18
50:211:cc

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: AWARDS OF PROPOSITION 39 PRE-APPRENTICESHIP SUPPORT, TRAINING, AND
PLACEMENT GRANTS 2.0

The Employment Development Department, in coordination with the California Workforce Development Board (State Board) and the California Labor and Workforce Development Agency are pleased to announce the award of seven grants under the second round of funding for the Proposition 39 Pre-Apprenticeship Support, Training, and Placement Grants 2.0 Request for Applications.

Proposition 39 funding will help create apprenticeship and pre-apprenticeship programs in the construction and green energy trades and serve at-risk youth, women, veterans, and disadvantaged or disconnected job seekers.

The list of grant awardees is available on the [State Board website](#).

If you have any questions, please contact Lynn Le of the State Board at 916-651-7526, or via email at Lynn.Le@cwdb.ca.gov.

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

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WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-37

Date: April 4, 2016

Expiration Date: 05/04/18
21:95:das

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: DISABILITY EMPLOYMENT ACCELERATOR – SOLICITATION FOR PROPOSALS

The Employment Development Department, in coordination with the California Workforce Development Board and the California Labor and Workforce Development Agency, announces a Solicitation for Proposals (SFP) for a Disability Employment Accelerator program (DEA). This SFP makes available \$1.4 million of Workforce Innovation and Opportunity Act Title I Governor's Discretionary funds for this program.

The DEA program will focus on creating linkages and engaging businesses in high-growth industries. Local Areas that receive funding will strive to use these business linkages to develop "earn and learn" service strategies (Work Experience, Transitional Jobs, On-the-Job Training, etc.) to ensure that Persons with Disabilities (PWD) have the necessary skills to obtain and retain competitive, integrated employment.

Eligible applicants are Local Workforce Development Areas. Individuals are not eligible to apply.

Proposals must be received no later than 3:00 p.m. PDT, Friday, April 29, 2016.

To view this SFP, please visit the [Workforce Development SFP](#) webpage.

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

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WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-38

Date: April 5, 2016

Expiration Date: 05/05/18

69:175:rc

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: 2016 BUILDING WORKFORCE PARTNERSHIPS CONFERENCE

The 2016 Building Workforce Partnerships Conference – *Upskilling for a Shared Prosperity: Raising the Floor to Reach the Ladder* – hosted by the California Labor Federation’s Workforce and Economic Development Program, will take place May 10 - 11, 2016, at the following location:

Sheraton Grand Hotel
1230 J Street
Sacramento, CA 95814
Phone number: 916-447-1700 or 800-325-3535

This year’s conference will focus on the role of business engagement as part of a strategy to identify opportunities for incumbent worker training, develop career pathways, and provide layoff aversion activities to stabilize the regional industry sector workforce. Additional information will be shared on the following topics:

- Building a regional network partnership
- Developing pro-active business engagement strategies
- Leveraging dollars to conduct incumbent worker training
- Connecting the workforce system to employers through apprenticeships

Local Workforce Development Board directors, staff, and members, as well as California Rapid Response practitioners are strongly encouraged to attend.

Registration information can be found by visiting the [California Labor Federation](#) website. Hotel accommodations can be reserved online via the [Sheraton Grand Hotel](#) website, or by calling the phone numbers listed above. Registrants should make sure to ask for the Building Workforce Partnerships Conference room rate. If Local Boards need help getting all of the appropriate staff to this important conference, a limited number of scholarships covering the registration fee portion are available.

If you have any questions, contact Martha Bader at mbader@calaborfed.org or 510-663-4082.

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

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WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-39

Date: April 5, 2016

Expiration Date: 05/05/18

50:10:gp:

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: NEW EDD REGIONAL ADVISOR ASSIGNMENTS

This notice provides updated [Regional Advisor](#) assignments in the Program and Technical Assistance Section, Central Office Workforce Services Division. To the extent possible, the assignments align with California's fourteen regional planning units in support of California's implementation of the *Workforce Innovation and Opportunity Act (WIOA)*.

The Regional Advisors are the Employment Development Department's (EDD) primary point of contact for state and local agencies in the America's Job Center of CaliforniaSM (AJCC) network. They assist Local Area administrators, EDD staff, and other partner agencies in the delivery of coordinated technical assistance by the state. They also ensure that EDD delivers ongoing, customized services and support needed by local partners to understand federal and state workforce laws for compliance with associated requirements.

Additional responsibilities include the following:

- Acting as a resource to state and local administrators regarding the development, implementation, and operation of all WIOA grants and programs within assigned regions.
- Facilitating the development and approval of local and regional plans and solutions to promote effective administration, coordination, and implementation of local workforce programs.
- Conducting fact-finding of Incident Reports as requested by the Federal Department of Labor and EDD's Policy, Accountability, and Compliance Branch.
- Serving in a lead role on statewide initiatives and managing high profile special projects.

The [Regional Advisor](#) listing also includes primary contact information as well as alternate contacts. If you have any questions, please contact Georganne Pintar, at georganne.pintar@edd.ca.gov or (916) 654-7611.

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

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WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-40

Date: April 6, 2016

Expiration Date: 5/6/18
69:01:mw

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WORKFORCE ACCELERATOR FUND 3.0—REQUEST FOR APPLICATIONS

The California Workforce Development Board (State Board) and Employment Development Department are pleased to announce the availability of up to \$5.7 million in funding to accelerate employment for California job seekers through the Workforce Accelerator Fund (WAF) 3.0. The WAF 3.0 will support projects that bridge education and workforce gaps for targeted populations and build workforce system capacity through the following:

- **Collaboration** among partners in the development of service delivery strategies and alignment of resources to better connect disadvantaged and disconnected job seekers to employment.
- **Innovation** that creates new or adapts existing approaches or accelerates application of promising practices in workforce development and skill attainment.
- **System change** that incentivizes the adoption of proven strategies that are sustained beyond the grant period.

The WAF 3.0 will also support projects that accelerate skill development and employment for individuals with barriers to employment, including the long-term unemployed, returning veterans, low-income workers, disconnected youth, individuals with disabilities, ex-offenders, and CalWORKs participants.

Project Goals

- Improve labor market and skills outcomes for target populations through the development of strategies that fill gaps, accelerate processes, or customize services to ensure greater access to employment opportunities.
- Implement, replicate, and scale successful innovations that emerged from the previous WAF projects.
- Create new models for service delivery and funding alignment that can be replicated across the state and tailored to regional needs.
- Leverage state investment with commitments from industry, labor, public, and community partners.

Eligible Applicants

This Request for Applications (RFA) is open to new applicants as well as current or previous WAF grantees, as specified in the RFA.

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Eligible applicants include Local Workforce Development Boards, labor organizations, K-12 education entities, community colleges, adult schools, county social service agencies, community-based organizations, business-related non-profit organizations, and workforce intermediaries. A for-profit private business or a for-profit consortium of businesses can be a partner on the Project Team, but cannot be the lead applicant.

WAF 3.0 Project Activities

The WAF 3.0 is looking for projects that will create partnerships and prototype innovative strategies in order to bridge the educational and workforce gaps that exist for target populations, as well those that will implement promising models and practices for workforce service delivery infrastructure.

Through this RFA, the State Board will fund four types of WAF 3.0 projects:

1. New Accelerator Projects
2. Innovation Impact Projects
3. Innovation Network Projects
4. Accelerator 3.0 Technical Assistance and Support

Significant Dates

New Accelerator and Innovation Impact applications are due **April 25, 2016** by 3 p.m.

Innovation Network and Accelerator 3.0 Technical Assistance and Support applications are due **May 2, 2016** by 3 p.m.

For more information on the WAF 3.0 projects and application requirements, please refer to the RFA Notice on the State Board [Initiatives](#) website.

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

WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-41

Date: April 8, 2016

Expiration Date: 05/08/18

50:158:kd

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: RELEASE OF THE NEW GENERIC MODULE IN CALJOBS

The California Employment Development Department (EDD) is pleased to announce the release of the Generic Module in CalJOBSSM. The module will be available for use by the Local Workforce Development Areas (Local Areas) on April 1, 2016.

The Generic Module allows Local Areas to track locally funded grants that are not administered nor reported by the state through the *Workforce Innovation and Opportunity Act (WIOA)* or *Wagner-Peyser Act*. The module allows tracking of the local program from the application, to enrollment, to program outcomes using screens similar to those in the WIOA application. The parameters of each program are established and managed at the local level and are associated with the specific Local Area. The Generic Module allows Local Areas to create programs using unique eligibility questions based on program-specific requirements. Access to each generic program is privilege-based by Local Area and by program.

A Generic Program Request Form that captures program specific details, question sets, and service codes will need to be completed and submitted by the MIS Administrator to the CalJOBS Operations Unit (CJOU) in order to create a generic program. The CJOU will review the request and enter the program into CalJOBS. Please note, the Generic Module cannot be used to capture Adult Basic Career Services. Each program created is available for use by the Local Area for which it was created, and access can be granted to staff members as needed. MIS Administrators have the privilege to grant staff access to their specific program. However, CJOU will need to give staff access to the Generic Module.

Individuals must be registered in CalJOBS in order to create a generic application. Only general information (name, address, phone number and e-mail address) will auto populate from the registration into the generic application. Any additional personal information must be captured through the question set. Existing service codes will be available for generic programs and should be chosen based upon the specific needs of the program and the individuals being served. Soft exits will not generate in the module and staff will need to complete an outcome to officially terminate the individual's enrollment in the program.

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

For detailed instructions on this module, please refer to the *User Guide for Staff*, Chapter 9, under the Staff Online Resources menu in CalJOBS.

If you have any questions, contact Kristi Duthler with the CalJOBS Operations Team at 916-653-0202.

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

WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-42

Date: April 12, 2016

Expiration Date: 05/12/18

69:175:rc

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: MOU WIOA REQUIRED PARTNER INFORMATION

Under the *Workforce Innovation and Opportunity Act* (WIOA), Local Workforce Development Boards (Local Boards) are responsible for entering into a Memorandum of Understanding (MOU) with each of the America's Job Center of CaliforniaSM (AJCC) locations that outlines operations of the overarching one-stop delivery system. To assist in the development of strong partnerships and comprehensive MOUs, information on who to contact regarding MOUs is included below for WIOA core programs.

Title II - Adult Education

As the state entity responsible for the administration of WIOA Title II funds, grantees were notified of their obligation to participate as a partner in the AJCC system. The California Department of Education created a list of WIOA Title II grantees and their corresponding Local Boards (Attachment).

The guidance received by the WIOA grantees included the following language:

As a current provider of the federal WIOA Title II: Adult Education and Family Literacy Act (AEFLA) grant, the law requires your organization to jointly develop a MOU with your local core WIOA one-stop partners.

Pursuant to the WIOA law Section 121(c), each Local Board, with the agreement of the chief elected official for the local area, will develop and enter into an MOU with one-stop partners in the local area.

As core program partners within local areas, adult education agencies receiving WIOA, Title II: AEFLA funding in 2015-16 are required to assist in the development of, and be a signatory to, the agreed upon MOU as part of Phase I by the June 30, 2016 deadline.

For Phase II, local partners will build upon MOUs signed in Phase I by determining how to best support the local service delivery model through the sharing of resources and costs. Phase II must be completed by December 31, 2017.

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

If you have not been contacted by your Local Board, I encourage you to reach out to local boards and program partners to assist in the development of your local MOU.

Title III - Wagner-Peyser

The Employment Development Department (EDD) has authorized Field Division Chiefs or Deputy Division Chiefs to negotiate and sign the MOU. For information on EDD Field Division office locations, [Click Here](#).

Title IV - Vocational Rehabilitation

The California Department of Rehabilitation (DOR) has authorized District Administrators to negotiate and sign the MOU. For a listing of DOR office locations, [Click Here](#).

Additional Partner

As the state entity responsible for the Community Action Partnership, the California Department of Community Services and Development (CSD) sent California's 58 Community Action Agencies an overview of the information covered in Workforce Services Directive WSD15-12 *Memorandums of Understanding*, including a copy of the sample MOU and alerted them to their role in developing an MOU in their area. For more information on specific CSD services provided in a particular county, [Click Here](#).

MOU Directive

The EDD and State Board issued [WSD15-12 Memorandums of Understanding](#), which provides guidance on the development of a comprehensive MOU. Included as attachments with this directive are a sample MOU, a sample MOU Phase I timeline, as well as a matrix that lists all of the required AJCC partners and their respective points of contact.

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

Attachment is available on the internet:

1. [WIOA Title II Grantees and Local Board Contact Information](#)

WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-43

Date: April 12, 2016

Expiration Date: 05/12/18

50:10:gp

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WAGNER-PEYSER FUNDS – DEAF AND HARD OF HEARING SERVICES 2016-17

The Employment Development Department (EDD) announces the availability of Wagner-Peyser 10 Percent Governor's Discretionary funds in a Solicitation for Proposals (SFP) as follows:

Wagner-Peyser- Deaf and Hard of Hearing Services

Funding Available	\$2,250,000 in Wagner-Peyser 10 Percent funds
Proposal Due Date	May 13, 2016
Purpose	The program is designed to assist job-ready deaf and hard of hearing persons in searching for, obtaining, and retaining unsubsidized employment.

Questions and Answers There will not be a Bidder's Conference. However, questions will be accepted until April 22, 2016, by e-mail at wpsfp@edd.ca.gov.

The SFP is open to non-profit public or private agencies, community and faith-based organizations, tribal government, and educational institutions. Individuals are not eligible to apply. Applicants must clearly demonstrate that their service area meets the criteria outlined in the SFP.

Copies of the SFP, as well as related information, are available in electronic form at [Workforce Development Solicitations for Proposals](#). If you have any questions regarding this notice, please contact Gil Barkley at (916) 654-9309 or by email at gil.barkley@edd.ca.gov.

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

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

WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-44

Date: April 18, 2016

Expiration Date: 05/18/18

69:01:mw

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA REGIONAL IMPLEMENTATION GRANTS – SOLICITATION FOR PROPOSALS

The California Workforce Development Board (State Board), in coordination with the Employment Development and the California Labor and Workforce Development Agency, announces the availability of up to \$2.6 million for Local Workforce Development Boards (Local Boards) to support *Workforce Innovation and Opportunity Act* (WIOA) regional implementation, innovation, technical assistance, and training activities. In addition, up to \$775,010 is available to Local Boards and other entities to coordinate and administer WIOA partnerships, technical assistance, and training activities.

Project Goals and Objectives

Element 1 – Regional Implementation & Innovation Grants

The Element 1 Regional Implementation & Innovation grant will provide funds to implement the State Board's Unified State Plan goal of building regional sector pathways, including increasing industry-valued credential attainment and enrollment in apprenticeship through sector strategies.

Only Local Boards are eligible to apply.

Element 2 – Regional Implementation & Innovation Grants

The Element 2 Regional Implementation & Innovation grant will support projects aimed at the development and implementation of decision-making structures that will strengthen Local Board activities and performance at the regional level.

Only Local Boards are eligible to apply.

Element 3 – WIOA Partnership, Technical Assistance & Training

The goal of the WIOA Partnership, Technical Assistance & Training grant is to support state, regional, and Local Board training, capacity building, and customer centered design.

Local Boards, public and private non-profit organizations, private for-profit organizations, education and training providers, faith-based and community based organizations are eligible to apply. Individuals are not eligible to apply.

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

Significant Dates

Proposal applications must be received no later than **May 11, 2016** at 3 p.m.

For more information on WIOA grants and application requirements, please refer to the Solicitation for Proposals notice on the State Board [Initiatives](#) webpage.

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

WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-45

Date: April 21, 2016

Expiration Date: 05/21/18

69:187:kc

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA FORMULA ALLOCATIONS – PY 2016-17

This provides *Workforce Innovation and Opportunity Act* (WIOA) formula fund allocations for each Local Workforce Development Area (Local Areas), for the Adult, Youth, and Dislocated Worker (DW) funding streams for Program Year (PY) 2016-17. These allocations are based on the allotments issued by the U.S. Department of Labor (DOL) to the states (refer to DOL Training and Employment Guidance Letter (TEGL) 17-15, dated April 5, 2016). In addition, TEGL 17-15 increases the amount available to the Governor for statewide workforce investment activities from ten percent to fifteen percent.

The WIOA prescribes a specific method to calculate sub-state hold harmless levels. These hold harmless provisions were established to help mitigate year-to-year volatility in funding levels. Under WIOA, hold harmless provisions ensure that each Local Area receives no less than 90 percent of their average percentage share from the two prior years. The Local Areas that receive more than 100 percent of their average percentage share from the previous two years will be proportionately reduced by the amount of total funding necessary to ensure that all Local Areas receive at least 90 percent of their average percentage share from the two prior years.

Please be aware that this notice is being issued for planning and budgeting purposes only because the State has not yet received the federal *Notice of Obligation* (NOO) for any of the funding streams. Once the NOO has been received, Youth allocations will be released to Local Areas immediately. The Adult and DW allocations will be released as soon as we receive federal and state spending authority for these funds.

The allotment to California and the amounts available for the formula allocation to its Local Areas are listed below. Attachment 1 reflects the total amount Local Areas will receive for each of the funding streams for PY 2016-17. Additionally, Attachment 2 provides a breakdown of how each of the three funding streams is allocated.

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

<u>PY 2016-17</u>	<u>Total Federal Allotment</u>	<u>Amount Available for Formula Allocation</u>
Adult Program (Title I)	\$123,210,917	\$104,729,280
Youth Program (Title I)	\$128,788,366	\$109,470,112
Dislocated Worker Program (Title I)	\$169,644,376	\$101,786,627

Youth allotments to the states will be issued in one sum with an April 1, 2016, effective date under grant code 301.

If you have any questions about this notice, please contact Viviana Neet at Viviana.Neet@edd.ca.gov or by phone (916) 653-9150.

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

1. [Youth , Adult, and Dislocated Worker Activities Program Allotments](#)
2. [WIOA Funding SFY 2016-17](#)

Workforce Innovation and Opportunity Act
Youth, Adult, and Dislocated Worker Activities Program Allocations
Program Year 2016-17

Local Area	Round 1			Round 2		Grand Total
	Youth	Adult	Dislocated Worker	Adult	Dislocated Worker	
Alameda	\$1,852,462	\$221,460	\$375,727	\$1,517,687	\$2,001,949	\$5,969,285
Anaheim City	\$865,257	\$105,877	\$117,349	\$725,588	\$625,258	\$2,439,329
Contra Costa	\$1,669,928	\$209,526	\$339,709	\$1,435,904	\$1,810,038	\$5,465,105
Foothill	\$672,173	\$87,940	\$95,660	\$602,664	\$509,696	\$1,968,133
Fresno	\$4,639,966	\$557,441	\$687,181	\$3,820,197	\$3,661,440	\$13,366,225
Golden Sierra	\$1,001,088	\$124,602	\$193,878	\$853,906	\$1,033,022	\$3,206,496
Humboldt	\$381,561	\$42,335	\$48,835	\$290,127	\$260,205	\$1,023,063
Imperial	\$1,801,123	\$226,880	\$328,624	\$1,554,833	\$1,750,978	\$5,662,438
Kern, Inyo, Mono	\$3,978,187	\$487,432	\$580,831	\$3,340,417	\$3,094,788	\$11,481,655
Kings	\$641,789	\$92,763	\$97,688	\$635,716	\$520,500	\$1,988,456
Los Angeles City	\$15,347,624	\$1,891,029	\$1,559,578	\$12,959,396	\$8,309,734	\$40,067,361
Los Angeles	\$12,265,216	\$1,495,493	\$1,425,028	\$10,248,753	\$7,592,833	\$33,027,323
Madera	\$653,598	\$84,866	\$98,643	\$581,596	\$525,591	\$1,944,294
Marin	\$292,181	\$44,335	\$61,322	\$303,835	\$326,737	\$1,028,410
Mendocino	\$221,300	\$28,600	\$34,355	\$195,996	\$183,051	\$663,302
Merced	\$1,336,688	\$160,803	\$203,765	\$1,101,995	\$1,085,702	\$3,888,953
Monterey	\$1,529,554	\$198,145	\$314,158	\$1,357,905	\$1,673,898	\$5,073,660
Mother Lode	\$394,015	\$58,805	\$67,365	\$402,999	\$358,934	\$1,282,118
Napa-Lake	\$462,076	\$61,086	\$84,097	\$418,625	\$448,085	\$1,473,969
NoRTEC	\$2,394,786	\$293,203	\$343,975	\$2,009,346	\$1,832,772	\$6,874,082
NCC	\$1,046,332	\$123,227	\$169,564	\$844,484	\$903,469	\$3,087,076
NOVA-San Mateo	\$1,565,292	\$201,105	\$344,686	\$1,378,189	\$1,836,556	\$5,325,828
Oakland City	\$1,437,498	\$179,978	\$169,934	\$1,233,403	\$905,443	\$3,926,256
Orange	\$3,309,493	\$391,001	\$735,905	\$2,679,566	\$3,921,053	\$11,037,018
Pacific Gateway	\$2,018,168	\$235,112	\$202,899	\$1,611,243	\$1,081,087	\$5,148,509
Richmond City	\$375,881	\$50,069	\$43,465	\$343,128	\$231,591	\$1,044,134
Riverside	\$6,448,535	\$789,904	\$991,404	\$5,413,288	\$5,282,405	\$18,925,536
Sacramento	\$3,763,899	\$457,105	\$584,167	\$3,132,582	\$3,112,563	\$11,050,316
San Benito	\$202,210	\$24,293	\$37,211	\$166,483	\$198,270	\$628,467
San Bernardino City	\$917,064	\$108,732	\$96,833	\$745,149	\$515,945	\$2,383,723
San Bernardino	\$5,081,431	\$614,831	\$742,454	\$4,213,498	\$3,955,945	\$14,608,159
San Diego	\$7,310,414	\$851,298	\$1,192,116	\$5,834,028	\$6,351,835	\$21,539,691
San Francisco	\$1,308,458	\$183,820	\$284,022	\$1,259,733	\$1,513,330	\$4,549,363
San Joaquin	\$2,825,766	\$335,624	\$424,791	\$2,300,065	\$2,263,374	\$8,149,620
San Jose - Silicon Valley	\$2,502,712	\$301,023	\$420,919	\$2,062,936	\$2,242,744	\$7,530,334
San Luis Obispo	\$669,704	\$65,597	\$84,786	\$449,545	\$451,758	\$1,721,390
Santa Ana City	\$1,034,615	\$128,938	\$98,456	\$883,624	\$524,594	\$2,670,227
Santa Barbara	\$1,227,998	\$112,199	\$155,998	\$768,912	\$831,188	\$3,096,295
Santa Cruz	\$1,007,272	\$112,578	\$155,921	\$771,510	\$830,781	\$2,878,062
SELACO	\$1,172,289	\$141,675	\$165,806	\$970,909	\$883,450	\$3,334,129
Solano	\$977,259	\$137,009	\$188,073	\$938,933	\$1,002,094	\$3,243,368
Sonoma	\$956,999	\$114,773	\$162,281	\$786,553	\$864,667	\$2,885,273
South Bay	\$1,803,221	\$234,370	\$261,996	\$1,606,159	\$1,395,971	\$5,301,717
Stanislaus	\$2,243,498	\$275,163	\$354,662	\$1,885,721	\$1,889,712	\$6,648,756
Tulare	\$2,412,436	\$291,948	\$381,914	\$2,000,745	\$2,034,916	\$7,121,959
Ventura	\$1,906,759	\$221,947	\$358,668	\$1,521,025	\$1,911,056	\$5,919,455
Verdugo	\$818,257	\$110,951	\$126,925	\$760,355	\$676,284	\$2,492,772
Yolo	\$726,080	\$69,162	\$90,975	\$473,976	\$484,736	\$1,844,929
TOTAL	\$109,470,112	\$13,336,053	\$16,084,599	\$91,393,227	\$85,702,028	\$315,986,019

**Workforce Innovation and Opportunity Act (WIOA) Funding
State Fiscal Year (SFY) 2016-17**

Funding Stream	Round 1 (Base)	Share	Round 2 (Advance)	Share	Total
Youth Total	\$ 128,788,366		\$ -		\$ 128,788,366
Formula	\$ 109,470,112	85.00%	\$ -		\$ 109,470,112
Governor's Discretionary	\$ 19,318,254	15.00%	\$ -		\$ 19,318,254
Adult Total	\$ 15,689,474		\$ 107,521,443		\$ 123,210,917
Formula	\$ 13,336,053	85.00%	\$ 91,393,227	85.00%	\$ 104,729,280
Governor's Discretionary	\$ 2,353,421	15.00%	\$ 16,128,216	15.00%	\$ 18,481,637
Dislocated Worker Total	\$ 26,807,663		\$ 142,836,713		\$ 169,644,376
Formula	\$ 16,084,599	60.00%	\$ 85,702,028	60.00%	\$ 101,786,627
Rapid Response	\$ 6,701,915	25.00%	\$ 35,709,179	25.00%	\$ 42,411,094
Governor's Discretionary	\$ 4,021,149	15.00%	\$ 21,425,506	15.00%	\$ 25,446,655
Total WIA Funds	\$ 171,285,503		\$ 250,358,156		\$ 421,643,659
Formula	\$ 138,890,764		\$ 177,095,255		\$ 315,986,019
Rapid Response	\$ 6,701,915		\$ 35,709,179		\$ 42,411,094
Governor's Discretionary	\$ 25,692,824		\$ 37,553,722		\$ 63,246,546

* Program Year 2016-17 WIOA allotments based on TEGL 17-15, dated April 5, 2016