



# Yolo County Workforce Innovation Board

American's Job Center of California - One-Stop Career Center Locations

West Sacramento  
500-A Jefferson Blvd., Building A  
(916) 375-6307

Winters  
111 East Grant Ave  
(530) 406-4444

Woodland  
25 N. Cottonwood St  
(530) 661-2641

> > NOTICE OF PUBLIC MEETING < <

## Workforce Innovation Board

January 27, 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. **Establish Quorum**
4. **Consider Agenda Approval**
5. **Regular Agenda**
  - a. Approve WIB Minutes – November 18, 2015 (Attachment) **Page 1**
  - b. WIB Election of Officers (Chair, Vice Chair, and Second Vice Chair). Note: Per the WIB Bylaws Officers shall be elected by the WIB from among its members for a one-year term, and shall serve no more than two consecutive years in each position. The Chair and Vice-Chair shall be elected from among local business representatives (Attachment) **Page 4**
  - c. Policy Bulletin No. 16-1 Transition from the WIA to WIOA (Attachment) **Page 5**
6. **Guest Speaker:** Hope P. Welton, Yolo County Counsel-Senior Deputy, to address Conflict of Interest Code (COI) requirements.
7. **Information Items**
  - a. Receive the Yolo County WIB Membership Roster as approved by the Board of Supervisors on December 15, 2015 (Attachment) **Page 10**
  - b. Receive the Yolo County WIB Bylaws as approved by the Board of Supervisors on December 15, 2015 (Attachment) **Page 12**
  - c. Receive Workforce Services Draft Directive (WSDD) 128/Amendment to PY 2015-16 Rapid Response Allocations and Guidance on Use of These Funds for WIOA Transitions Activities (Attachment) **Page 20**
  - d. Receive WSDD-129/Allowable Costs (Attachment) **Page 26**
  - e. Receive WSDD-130/WIOA Closeout Handbook (Attachment) **Page 33**
  - f. Receive WSDD-131/WIOA Memorandums of Understanding (Attachment) **Page 44**
  - g. Receive WSDD-132/Final State-Level W-PA and WIA Title 1B Proposed Local Area Performance Goals for PY 2015-26 (Attachment) **Page 64**
  - h. Receive Workforce Services Directive (WSD) 15-5/CalJOBS<sup>SM</sup> Cash Request Handbook (Attachment) **Page 72**
  - i. Receive WSD 15-6/Selective Service Registration (Attachment) **Page 74**
  - j. Receive WSD 15-7/WIOA Eligible Training Provider List – Policy and Procedures (Attachment) **Page 80**
  - k. Receive WSD 15-8/Funds Utilization Requirements for WIOA Funds (Attachment) **Page 83**
  - l. Receive WSD 15-9/Impact of WIOA Implementation on Waivers Approved Under WIA (Attachment) **Page 86**
  - m. Receive Workforce Services Information Notice (WSIN) 15-15/Access eWOTC Through

### 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

Employer Services Online (Attachment) **Page 93**

- n. Receive WSIN 15-16/Amendment to WIOA Formula Allocations – PY 2015-16 (Attachment) **Page 94**
- o. Receive WSIN 15-17/Conflict of Interest Code Requirements for Local Boards (Attachment) **Page 96**
- p. Receive WSIN 15-18/Proposition 39 Grant 2.0 – Request for Applications (Attachment) **Page 98**
- q. Receive WSIN 15-19/Public Comment Period – California's State Plan, PY 2016-2019 (Attachment) **Page 100**
- r. Receive WSIN 15-20/Waiver of 80 Percent Obligation Requirement for Program Year 2014-15 (Attachment) **Page 101**
- s. Receive WSIN 15-21/Implementation of the CalJOBS<sup>SM</sup> Customer Relationship Management (CRM) Module (Attachment) **Page 102**

#### **8. WIOA Update**

#### **9. Reports**

- a. Gary Pelfrey, WIB Chair
- b. Elaine Lytle, Executive Director
- c. Adhoc Committee Update

#### **10. Other Business That May Come Before the Board**

#### **11. Adjourn**

#### **Next Meeting:**

March 9, 2016 – Yolo County Health and Human Services Agency  
America's Job Center of California  
25 North Cottonwood St., Woodland / Clarksburg Room

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**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.

For more about the Yolo County Workforce Innovation Board log on to [www.yoloworks.org](http://www.yoloworks.org)



**Building Better Lives • Building Better Communities**

A proud partner of America's Job Center of California<sup>SM</sup> network.

## Board Members

Aim U Nation  
All Phase Security Inc.  
Buckhorn Steakhouse /  
Putah Creek Café  
California Dept. of  
Rehabilitation  
California Employment  
Development Department  
California Human  
Development  
Capay Organic – Farm  
Fresh To You  
City of Woodland  
Economic Development  
Clark Pacific  
Cruickshank Farms  
Davis Flight Support  
DMG Mori  
Experience Works, Inc.  
Food Bank of Yolo County  
Home Depot – West  
Sacramento  
Home Depot – Woodland  
La Cooperativa Campesina  
Los Rios Community  
College District  
Mata Realty  
Monsanto, Vegetable  
Nugget Market, Inc.  
Olam Tomato Processors  
Pride Industries  
PrideStaff  
River City Events  
Rural Innovations in Social  
Economics  
Sacramento Central Labor  
Council (5)  
West Sacramento Chamber  
of Commerce  
Woodland Aviation  
Woodland Community  
College  
Yolo County Department of  
Employment and Social  
Services  
Yolo County Housing  
Yolo County Office of  
Education  
Yolo Employment Services,  
Inc.



## Yolo County Workforce Innovation Board

### DRAFT Minutes

November 18, 2015

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:** Alan Ruzich, Alice Tapley, Benny Mitchell, Blanca Barba, Brett Sanders, Denice Seals, Dr. Alfred Konuwa, Gary Pelfrey, Janis Holt, Jennifer Pike, John Pickerel, Ken Garrett, Lori Perez, Lynn White, Maggie Campbell, Marco Lizarraga, Michele Fadling, Paul Basi, Randy Young, Rob Carrion, and Robyn David-Harris
- Absent:** Angelina Veal, Don Palm, Jennifer Cruickshank, Kate Stille, Kevin Sanchez, Sharon Krutt, Scharlene Reid, Raymond Rivera, Tico Zendejas, and Wendy Ross
- Staff:** Lisa Vincent, Judy Needham, Marc Marquez, Steve Roberts, and Cyndi Sechler
- Guests:** Don Saylor, Yolo County Board of Supervisors  
Tara Thronson, Deputy to Supervisor Saylor  
Cornelio Gomez, Northern Workforce Manager, E.D.D.  
Eric Franchimon, Apprenticeship Consultant, California Dept. of Industrial Relations  
Dan Maguire, Economic Developer Manager, City of Winters  
Christina Blackman, Davis Chamber of Commerce

### Call to Order – Pledge of Allegiance

Meeting called to order at 8:33 a.m. by WIB Chair, Gary Pelfrey with quorum present.

#### 1. Welcome Comments and Introductions

#### 2. Guest Speaker: Supervisor Don Saylor

Supervisor Saylor handed out Appreciation Certificates to WIB Members thanking them for their dedication and work they have on the WIB, and for the transition from the WIA Workforce Investment Board to the WIOA Workforce Innovation Board.

#### 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.*

Ben Mitchell talked about The Excel Center in Indiana. Goodwill Education Initiatives Inc., a not-for-profit organization formed by Goodwill Industries of Central Indiana, Inc., operates the Excel Center. For more information visit [www.excelcenter.org](http://www.excelcenter.org)

#### 4. Establish Quorum

Quorum established

#### 5. Consider Agenda Approval

Randy Young moved to approve the agenda; Marco Lizarraga seconded; motion passed.

**6. Consent Agenda – *Approved with one Motion unless item withdrawn for discussion.***

- a. Ratify the Executive Committee decision of October 28, 2015, to recommend the Executive Workgroup’s recommendations for new WIB Board.
- b. Ratify the Executive Committee decision of October 28, 2015, to recommend the approval of the WIB Bylaws.
- c. Ratify the Executive Committee decision of October 28, 2015, to recommend the approval of the Ad Hoc One Stop Partner Advisory Committee Charter.
- d. Ratify the Executive Committee decision of October 28, 2015, to recommend the approval of the updated 2016 WIB Meeting Calendar.

Denice Seals moved to approve items A–D; Randy Young seconded; motion passed.

**7. Regular Agenda**

- a. Approve WIB Minutes – September 9, 2015

Janis Holt moved to approve the September 9, 2015 minutes; Robyn David-Harris seconded; motion passed.

**8. Information Items**

- a. Receive Workforce Services Draft Directive (WSDD) 125/CalJOBS<sup>SM</sup> Cash Request Handbook
- b. Receive WSDD-126/Funds utilization Requirements for WIOA Funds
- c. Receive WSDD-127/Impact of WIOA Implementation on Waivers Approved Under WIA
- d. Receive Workforce Services Directive (WSD) 15-2/Federal Bonding Program
- e. Receive WSD 15-3/WIOA Youth Program Requirements
- f. Receive Workforce Services information Notice (WSIN) 15-8/ETPL Coordinator Contact List
- g. Receive WSIN 15-9/RR WARN Contact List Updated and WARN Letters Available in CalJOBS<sup>SM</sup>
- h. Receive WSIN 15-10/Release of DOL WIOA Operating Guidance, TEGL 3-15
- i. Receive WSIN 15-11/Decommissioning of the EDD Web-Cert<sup>SM</sup> Program
- j. Receive WSIN 15-12/Campesino de California Outreach SFP PY2015/16 Award
- k. Receive WSIN 15-13/CalJOBS<sup>SM</sup> User Group Meeting November 2015
- l. Receive WSIN 15-14/Strategies for monitoring, Accountability, Risk-Mitigation, and Transparency (SMART) Financial Training

WIB members received items A–L.

**9. WIOA Update**

No updates.

**10. Reports**

**a. Gary Pelfrey, WIB Chair**

Gary stated he appreciates everyone attending today.

Gary stated that on the WIB we have a very routine role to play as the board, and if we choose to, we could use the talents of this group to make a small but important difference in this community. Gary reported that he now clearly understands the mission of the WIB, and has learned most of that when he was working on the Bylaws and attending conferences.

Gary would like some ideas of a couple of tasks that we could focus on in 2016.

**b. Elaine Lytle, Executive Director**

No report.

**c. Raymond Rivera, America’s Job Center of California (AJCC) formerly known as the One-Stop Career Center**

No report.

**11. Other Business That May Come Before the Board**

No additional business.

**12. Adjourn**

Paul Basi moved to adjourn the meeting; Jennifer Pike seconded; meeting adjourned at 9:36 a.m.

**Next Meeting**

January 27, 2016

Yolo County HHSA/Clarksburg Room

Woodland One-Stop

8:30-10:30 a.m.

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- California Employment  
Development  
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- City of Woodland  
Economic  
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- 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.

**TO:** Members of the Workforce Innovation Board

**FROM:** Elaine Lytle, Executive Director

**DATE:** January 27, 2016

**SUBJECT: Election of Workforce Innovation Board Officers**

### RECOMMENDED ACTION

1. Open nominations for candidates for WIB Chair
2. Vote to elect WIB Chair
3. Open nominations for candidates for WIB Vice-Chair
4. Vote to elect WIB Vice-Chair
5. Open nominations for candidates for WIB Second Vice-Chair
6. Vote to elect WIB 2<sup>nd</sup> Vice-Chair

### REASON FOR RECOMMENDED ACTION

Elect officers for the Workforce Innovation Board; subject to nominations from the floor. Candidates to be elected to serve one-year terms, each officer may be reelected for a second one year term.

### FISCAL IMPACT

There is no fiscal impact to this action.

### BACKGROUND

Per the Section 10, 11, 12, and 13 of the WIB By-Laws, the officers of the Board shall consist of a Chair, Vice-Chair, Second Vice-Chair, and such other officers as the WIB may deem necessary. Officers shall be elected by the WIB from among its members for a one-year term, and shall serve no more than two consecutive years in each position. The Chair and Vice-Chair shall be elected from among local business representative.

The Chair is elected from among local business representatives to preside over the WIB meetings and the Executive Committee.

The Vice-Chair is elected from among local business representatives and may fill-in for the Chair if unable to attend a scheduled meeting of the WIB. The Vice-Chair may be assigned or requested to perform other duties as are necessary in-lieu of the Chair. The Vice-Chair is appointed to the Executive Committee of the WIB.

The Second Vice-Chair, is elected from among the Workforce/Labor representatives and may be assigned or requested to perform duties as are necessary. The Second Vice-Chair, in coordination with WIB staff, assists in arranging and scheduling presentations and programs for WIB meetings and special events and is appointed to the Executive Committee of the WIB. They may fill-in for the Chair and Vice Chair if both are unable to attend a scheduled meeting.

Upon election, each officer will begin their term following this meeting.

### AGENCY COORDINATION

No further agency coordination is required.



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Commerce
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- Woodland Adult  
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- Woodland Community  
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- Yolo Food Bank
- Yolo Employment  
Services, Inc.

**TO:** Members of the Workforce Innovation Board

**FROM:** Elaine Lytle, Executive Director

**DATE:** January 27, 2016

**SUBJECT: APPROVAL OF POLICY BULLETIN NO. 16-1 TRANSITION FROM THE WORKFORCE INVESTMENT ACT (WIA) TO THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)**

### RECOMMENDED ACTION

Approve Policy Bulletin No. 16-1.

### REASON FOR RECOMMENDED ACTION

Policy Bulletin No. 16-1 provides local operational guidance to support the orderly transition from WIA to WIOA during the initial designation period of July 1, 2015, through June 30, 2017.

### BACKGROUND

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

On April 16, 2015, the Federal Register published the Notice of Proposed Rulemaking (NPRMs) with a 60-day comment period that closed on June 15, 2015. In order to continue implementation prior to the final rule, the Federal Government (Department of Labor/Employment and Training Administration) will issue a series of WIOA Operating Guidance documents known as Training and Employment Guidance Letters (TEGLs) that will provide the needed implementation information. Additionally, the State of California (Employment Development Department/Workforce Services Division) will issue a series of WIOA Operating Guidance documents known as either Workforce Services Information Notices (WSIN) or Workforce Services Directives (WSD).

### FISCAL IMPACT

There will be no fiscal impact to the WIOA Adult, Dislocated Worker, or Youth Title I program allocations as a result to this action.

### AGENCY COORDINATION

The WIOA staff of the Health and Human Services Agency drafted the policy.

Attachments:  
Policy Bulletin No. 16-1 Transition from WIA to WIOA



**Yolo County  
Workforce Innovation and Opportunity Act (WIOA)  
Policy Bulletin No. 16-1**

**Bulletin Name:** **TRANSITION FROM THE WORKFORCE INVESTMENT ACT (WIA) TO THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)**

**Effective Date:** **July 1, 2015**

**Issue Date:** **January 27, 2016**

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**Background**

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

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**WIOA  
Federal  
Operating  
Guidance  
References**

Federal guidance includes but is not limited to the following:

- WIOA (Pub. L. 13-128), Title I

**TEGL No.**

- 38-14 Operating Guidance for the WIOA
- 34-14 WIOA Transition Authority Allotment of PY 2014 Dislocated Worker National Reserve Funds for WIOA Implementation Activities
- 30-14 Negotiating or Extending Performance Goals for the WIA Title IB Programs and Wagner-Peyser Act Funded Activities for PY 2015
- 29-14 WIOA Adult, Dislocated Worker and Youth Activities Program Allotments for PY 2015
- 27-14 WIOA Transition Authority for Immediate Implementation of Governance Provisions
- 26-14 WIOA Transition Authority for Flexible Use of State Rapid



Response Funds

- 23-14 WIOA Youth Program Transition
  - 19-14 Vision for the Workforce System and Initial Implementation of the WIOA
  - 12-14 Allowable Uses and Funding Limits of WIA PY 2014 funds for WIOA Transitional Activities
  - 13-12 ETA-9130 Quarterly U.S. Department of Labor Employment and Training Administration Financial Reports Instructions
  - 13-09 Contracting Strategies that Facilitate Serving the Youth Most in Need
- 

**WIOA  
State  
Operating  
Guidance  
References**

State guidance includes but is not limited to the following:

**WSD**

- 15-09 Impact of WIOA Implementation on Waivers Approved Under WIA
- 15-08 Funds Utilization Requirements for WIOA Funds
- 15-07 WIOA Eligible Training Provider List – Policy and Procedures
- 15-06 Selective Service Registration
- 15-03 WIOA Youth Program Requirements
- 15-01 70 LLSIL and Poverty Guidelines for 2015
- 14-16 PY 2015-16 Rapid Response Allocations and Guidance on Use of These Funds for WIOA Transitional Activities
- 14-15 WOA and TAA Co-Enrollment Policy and Procedures
- 14-13 Property – Prior Approval, Purchasing, Inventory, and Disposal
- 14-11 Salary and Bonus Limitations for 2015
- 14-10 Initial Local Area Designation and Local Board Certification Under WIOA
- 14-09 30 Percent Expenditure Requirement – Youth Formula Funds

**WSIN**

- 15-19 Public Comment Period – California’s State Plan, PY 2016-2019
  - 15-17 Conflict of Interest Code Requirements for Local Boards
  - 15-16 Amendment to WIOA Formula Allocations – PY 2015-16
  - 15-10 Release of DOL WIOA Operating Guidance, TEGL 3-15
  - 15-4 ETPL Minimum Performance Standards – PY 15/16 Eligibility
  - 15-3 WIA to WIOA Transition Guidance
  - 14-60 CalJOBS<sup>SM</sup> WIOA Third Party Upload Transition
  - 14-59 CalJOBS<sup>SM</sup> WIOA Conversion Plan
  - 14-58 New Federal Uniform Guidance and WIA Funds
  - 14-53 WIOA Formula Allocations – PY 2015-16
  - 14-52 Funding Limits & Reporting for WIOA Transitional Activities
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**Bulletin  
Description**

This bulletin provides local operational guidance to support the orderly transition from WIA to WIOA during the initial designation period of July 1, 2015, through June 30, 2017.

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**WIOA Local  
Area Operating  
Guidance**

Yolo County will utilize the existing WIA policies and/or procedures for title I Adult, Dislocated Worker, and Youth Programs during the initial designation period of July 1, 2015, through June 30, 2017, or until which time a WIOA policy and/or procedure is established.

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**WIOA  
Local Area  
Operating  
Guidance  
References**

Yolo County guidance includes but is not limited to the following:

**Eligibility**

- WIA Eligibility Determination and Intake Handbook

**Policy Bulletin No.**

- 00-2 WIA Self-sufficiency
- 02-1 WIA Support Services
- 02-5 Audit Resolution
- 02-6 Debt Collection
- 03-1 Time Limits for Paid Work Experience and Internship
- 03-2 WIA Title I Residency Requirement
- 05-1 Allowable WIA Payments
- 05-2 Recovery of WIA Tuition and Training Refunds
- 05-3 WIA Grievance and Complaint
- 06-1 Universal Access and Availability of Job and Training Opportunities
- 06-2 Monitoring
- 08-1 WIA Individual Training Accounts for Occupational Skills Training Agreements
- 13-1 WIA Selective Service

**Procedure Bulletin No.**

- 01-5 One-the-Job Training Agreement
- 02-2 Occupational Skills Training Agreement
- 03-3 WIA Equal Opportunity & Nondiscrimination Complaint Procedure for Customers
- 03-4 WIA Incident Reporting
- 04-2 WIA Support Services
- 04-4 WIA Audit Resolution
- 04-5 WIA Debt Collection
- 05-1 Participant Sexual Harassment Complaint
- 05-2 Updating & Re-verification of the Employment Eligibility Verification (I-9)
- 05-3 WIA Grievance and Complaint
- 06-1 Selective Service
- 06-2 Request for Unemployment Insurance Information from the Employment Development Department
- 06-3 Monitoring
- 10-1 WIA Participant Report of Injury

**PASSED AND ADOPTED** by the Yolo County Workforce Innovation Board, this 27th day of January 2016

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WIB Chair  
On behalf of the Yolo County  
Workforce Innovation Board

Date: \_\_\_\_\_

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Elaine Lytle, ESS Manager  
On behalf of the Yolo County  
Health and Human Services Agency

Date: \_\_\_\_\_

DRAFT

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# Workforce Innovation Board

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**Purpose:** This committee serves as an intermediary to assist the local service administration to respond to the business community. It is the contact point in the local service delivery systems and combines education and training in order to become more responsive to local employment and business development. It provides direction for the establishment of programs designed to prepare eligible youth, dislocated workers, and unskilled adults for entry into the labor force.

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**Authority:**

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**Related County Department:** Health and Human Services Agency

**Staff Liaison:** Lisa Vincent      **Telephone:** 530-406-4458      **Email:** lisa.vincent@yolocounty.org

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**Board of Supervisors representative:** Supervisor Don Saylor

**Telephone:** 530-666-8622      **Email:** don.saylor@yolocounty.org

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**Makeup of membership:** 19-25 members appointed by the Board of Supervisors:

- Minimum:  
 Business (51%)  
 Workforce (20%) / Labor (15%)  
 Adult Education/Literacy (1)  
 Vocational Rehabilitation (1)  
 Higher Education (1)  
 Wagner-Peyser (1)  
 Economic Development (1)
- 

**Membership terms:** 4 years from the date of appointment

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**Frequency and time of meetings:** Meets Bi-Monthly (January, March, May, July, September, November) the 2<sup>nd</sup> Wednesday at the Health and Human Services Agency in Woodland from 8:30 - 9:30 am.

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**Current Committee membership and terms:**

Member	Category	Date Appointed	Expiration of Term
	<b><u>Business Representatives</u></b>		
Benny Mitchell Jr.	Olam West Coast	12/15/2015	12/15/2019
Brett Sanders	Seminis Vegetable Seeds	12/15/2015	12/15/2019
Denice Seals	West Sacramento Chamber of Commerce	12/15/2015	12/15/2019
Gary Pelfrey	Woodland Aviation	12/15/2015	12/15/2019
Jennifer Pike	Clark Pacific	12/15/2015	12/15/2019
John Pickerel	Buckhorn Steakhouse	12/15/2015	12/15/2019
John Rodriguez	The Scoop Frozen Yogurt Shop	12/15/2015	12/15/2019
Kenneth D. Garrett Jr.	All Phase Security, Inc.	12/15/2015	12/15/2019
Kevin Sanchez	Yolo Food Bank	12/15/2015	12/15/2019
Marco Cesar Lizarraga	Optimum Zendejas Home Loans and La Cooperative	12/15/2015	12/15/2019

Michele Fadling	DMG Mori	12/15/2015	12/15/2019
Paul Basi	Pride Staff	12/15/2015	12/15/2019
	<b><u>Workforce/Labor</u></b>		
Alice B. Tapley	Yolo Employment Director	12/15/2015	12/15/2019
Lynn M. White	Unite HERE Local 49	12/15/2015	12/15/2019
Maggie Campbell	Laborers Local 185 (LiUNA)	12/15/2015	12/15/2019
Randy Young	Sheet Metal Worker LU 104	12/15/2015	12/15/2019
Rob Carrion	Operating Engineers Local Union No. 3	12/15/2015	12/15/2019
	<b><u>Adult Education/Literacy</u></b>		
Susan Moylan	Woodland Adult Education	12/15/2015	12/15/2019
	<b><u>Vocational Rehabilitation</u></b>		
Robyn David-Harris	Dept. of Rehabilitation	12/15/2015	12/15/2019
	<b><u>Higher Education</u></b>		
Dr. Alfred Konuwa	Woodland Community College	12/15/2015	12/15/2019
Don Palm	Sacramento City College (Davis Center)	12/15/2015	12/15/2019
	<b><u>Wagner-Peyser</u></b>		
Cornelio Gomez	Employment Development Department	12/15/2015	12/15/2019
	<b><u>Economic Development</u></b>		
Wendy Ross	City of Woodland	12/15/2015	12/15/2019

**How to apply to be a member of this committee:**

Individuals interested in serving on this advisory body may submit an application to the Yolo County Board of Supervisors' Office, 625 Court Street, Room 204, Woodland, CA 95695 or by completing an application on our website [www.yolocounty.org/general-government/board-of-supervisors/advisory-bodies](http://www.yolocounty.org/general-government/board-of-supervisors/advisory-bodies). For more information please call the Clerk of the Board at (530) 666-8195.

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Last updated: 12/15/15

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## YOLO COUNTY WORKFORCE INNOVATION BOARD BYLAWS

1. Created: The State of California, pursuant to the Federal Workforce Innovation and Opportunity Act of 2014 (WIOA), under section 107(c)(4)(B)(i), has designated the Yolo County Workforce Innovation Board as the entity responsible for the direction and oversight of employment and training programs at the local level. Federal and State rules and regulations provide for program activities and require the Yolo County Board of Supervisors, as Chief Local Elected Officials, for the Yolo County Workforce Development Area to appoint a local workforce development board, known as the Workforce Innovation Board (WIB).
2. Duties and Responsibilities: The WIB shall have the following duties and responsibilities, specified as functions in Section 107(d) of WIOA, subject to the approval of the Yolo County Board of Supervisors:
  - a) Develop a local plan to be approved by the Yolo County Board of Supervisors and submitted to the Governor of California and collaborate with other local boards in the planning region in the preparation and submission of a regional plan.
  - b) Conduct workforce research and regional labor market analysis to assist in the development and implementation of the local plan.
  - c) Convene, broker and leverage stakeholders to assist in the development of the local plan and identify non-Federal expertise and resources to leverage support for the workforce development activities.
  - d) Lead efforts to engage with a diverse range of employers and entities in the region.
  - e) Lead efforts in the local area to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.
  - f) Lead efforts in the local area to identify and disseminate information on proven and promising strategies and initiatives for meeting the needs of employers and workers and jobseekers (including individuals with barriers to employment) in the local workforce development system, including providing physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990, to the one-stop delivery system.
  - g) Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and jobseekers.
  - h) Conduct program oversight in partnership with the Yolo County Board of Supervisors.
  - i) Negotiate and reach agreement on local performance accountability measures in partnership with the Yolo County Board of Supervisors and the Governor.

- j) Select operators and providers with the approval of the Yolo County Board of Supervisors.
  - k) Coordinate activities with education and training providers in the local area.
  - l) Develop a budget subject to the approval of the Yolo County Board of Supervisors for the activities of the local board in the local area, consistent with the local plan and duties of the local board.
  - m) Assess the physical and programmatic accessibility of the one-stop centers annually in accordance with applicable nondiscrimination provisions under Title 1 of the WIOA and the Americans with Disabilities Act.
3. Membership Composition: Membership of the WIB shall be appointed by and serve at the discretion of the Yolo County Board of Supervisors, as the governing body of the local workforce development area, and met all requirements of Section 107(b)(2) of WIOA, including, but not limited to:
- a) Business Representatives. At least the majority (51%) of the WIB membership must be representatives of business in the local area, who:
    - (i) Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
    - (ii) Represent businesses, including small businesses, or organizations representing businesses described in this clause, that provide employment opportunities that, at a minimum, include high quality, work-relevant training and development in in-demand industry sectors or occupations in the local area; and
    - (iii) Are appointed from among individuals nominated by local business organizations and business trade associations.
  - b) Workforce/Labor Representatives. Not less than 20% of the WIB membership must be from the workforce of the local area, of which 15% must be from labor organizations. Workforce/labor membership must be representatives in the local area, who:
    - (i) Shall include representative of labor organizations (for a local area in which employees are represented by labor organizations), who have been nominated by local labor federations, or (for a local area in which no employees are represented by such organization) other representatives of employees;
    - (ii) Shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor–management apprenticeship program, or if no such joint program exists in the area, such a representative of an apprenticeship program in the area, if such a program exists;
    - (iii) May include representatives of community based organizations that have demonstrated experience and expertise in addressing the employment needs of individual with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and
    - (iv) May include representatives of organizations that have demonstrated experience in addressing the employment, training, or education needs of eligible youth, including representatives of organization that serve out-of-school youth.
  - c) Adult Education and Literacy Representatives. The WIB shall include representatives of entities administering education and training activities in the local area, who:

- (i) Shall include a representative of eligible providers administering adult education and literacy activities under title II;
- (ii) Shall include a representative of institutions of higher education providing workforce investment activities (including community colleges);
- (iii) May include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.
- d) Governmental, Economic and Community Development Representatives. WIB membership shall include representatives of governmental and economic and community development entities serving the local area, who:
  - (i) Shall include a representative of economic and community development entities;
  - (ii) Shall include an appropriate representative from the State employment services office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area;
  - (iii) Shall include an appropriate representative of the programs carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.) other than section 112 or part C of that title (29 U.S.C. 732, 741), serving the local area;
  - (iv) May include representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance; and
  - (v) May include representatives of philanthropic organizations serving the local area; and
- e) The WIB may include such other individuals or representative of entities as the chief elected official in the local area may determine to be appropriate.
- f) Members shall, to the extent possible, have optimum policy making or hiring authority within their organizations, agencies or entities.

6. Membership: Appointment.

The Yolo County Board of Supervisors shall make all appointments to the WIB after considering recommendations by the WIB and other interested parties.

7. Membership: Expectation.

- a) Regularly attend meetings of the WIB and/or WIB committee to which they are appointed.
- b) Be prepared for meetings by staying informed about board matters and reviewing materials sent in advance of the meetings.
- c) Accept committee assignments or other tasks in a cooperative spirit.
- d) Keep the WIB informed of the status and progress of their relevant activities as a WIB member.
- e) Maintain a professional and business-like approach to all WIB matters.
- f) Recuse themselves from influencing, voting or otherwise participating in any WIB decisions in which they have a conflict of interest.
- g) Represent the WIB as authorized, in the local community, before bodies of elected and appointed officials, and in the media.
- h) Refrain from intervening directly in the administrative implementation (application) of the WIB's and County's policies.
- i) Participate in strategic and/or business planning sessions.
- j) Make timely updates of member information records.
- k) Desire to make a positive contribution to the region's economy by helping shape a



workforce development system that meets the needs of employers and job seekers.

8. Membership: Terms of Office.

- a) The term of office for each WIB member is four years from the date of appointment by the Board of Supervisors.
- b) Members who are no longer actively involved in the work of his/her membership category within the County of Yolo shall be required to resign from his/her WIB seat.
- c) Members shall immediately inform the WIB of a change in employer or employment status, or other change in membership category, at which time it shall be determined if the member is eligible to continue serving on the WIB.

9. Membership: Absence.

The term of office of a WIB member who has three consecutive unexcused absences from the regular meetings of the WIB and/or WIB committee meetings may be terminated by the Board of Supervisors upon the recommendation of the WIB Chair. The WIB Chair shall only recommend removal of a WIB member upon a majority vote of the WIB. Upon adoption of such a recommendation, the WIB Chair shall forward the recommendation to the Board of Supervisors. The vacancy thereby created shall be filled by appointment in the same manner as the member being replaced.

10. Officers.

At the first meeting of the WIB, and annually thereafter, the members shall elect a Chair, Vice-Chair, Second Vice-Chair, and such other officers as the WIB may deem necessary.

11. Officers: Chair.

- a) The Chair shall be elected from among local business representatives for a one-year term, and shall serve no more than two consecutive one-year terms in the position.
- b) The duties of the Chair are to:
  - (i) Preside at all meetings of the WIB;
  - (ii) Represent the WIB at public functions whenever the occasion demands;
  - (iii) Call special meetings with appropriate advance notification to all members;
  - (iv) Establish the agenda for each WIB meeting in partnership with the WIB administrative entity;
  - (v) Execute necessary documents on behalf of the WIB; and
  - (vi) Act as the official representative of the WIB.
  - (vii) The Chair shall also serve as the Chair of the Executive Committee.
  - (viii) If the Chair position becomes vacant prior to the expiration of the term of office, the Vice-Chair shall succeed as Chair for the remainder of the term of office, and the WIB shall elect another of its local business members to succeed the Vice-Chair for the remainder of that term of office.

12. Officers: Vice-Chair.

- a) The Vice-Chair shall be elected from among local business representatives for a one-year term, and shall serve no more than two consecutive one-year terms in the position.
- b) The duties of the Vice-Chair are to:
  - (i) Assume all the powers and duties of the Chair in the absence of the Chair.

- (ii) Serve as a member of the Executive Committee.
  - (iii) If the Vice-Chair position becomes vacant prior to the expiration of the term of office, the WIB shall elect another of its local business members to succeed the Vice-Chair for the remainder of that term of office.
13. Officers: Second Vice-Chair.
- a) The Second Vice-Chair shall be elected from among the Workforce/Labor representatives for a one-year term, and shall serve no more than two consecutive one-year terms in the position.
  - b) The duties of the Second Vice-Chair are to:
    - (i) Serve as a member of the Executive Committee.
    - (ii) If the Second Vice-Chair becomes vacant prior to the remainder of the term of office, the WIB shall elect another of its workforce/labor members to succeed the Second Vice-Chair for the remainder of that term of office.
14. Standing Committee: Executive Committee.
- a) There shall be a committee of the WIB called the Executive Committee.
  - b) The Executive Committee shall consist of, at a minimum, the WIB Chair, Vice Chair, Second Vice-Chair, any additional WIB officers, and all standing Committee Chairs.
  - c) The term of the Chair of the Executive Committee shall be for one year, concurrent with the term of the Chair of the WIB.
  - d) The WIB may also appoint 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.
  - e) The Executive Committee may make such recommendations to the WIB as it deems necessary and appropriate.
  - f) The Executive Committee may act on behalf of the entire WIB in those situations where immediate action is required to address WIB business and there is insufficient time for such action to be taken at the next regularly scheduled WIB meeting or where delay would be detrimental to the local workforce investment system, subject to the following:
    - (i) A majority of the members of the Executive Committee shall constitute a quorum of the Executive Committee for action to be taken pursuant to this subsection.
    - (ii) A majority vote of those present and constituting a quorum shall be required for any action by the Executive Committee pursuant to this subsection.
    - (iii) Such meetings shall be subject to the provisions of the Ralph M. Brown Act.
    - (iv) Notification of such a meeting shall be sent to all WIB members, who may attend and whose views will be taken into consideration before the Executive Committee may take action on an item.
    - (v) Approval of expenditures may be made only when there is a need for immediate action, and shall not exceed a total of \$5,000 per occurrence.
    - (vi) Any action by the Executive Committee pursuant to this subsection shall include a notation that it is subject to review, and ratification or rejection, by the entire WIB at its next regular or special meeting.
    - (vii) The Executive Committee will provide written notice of any such action taken at the next regularly scheduled meeting of the full WIB.
    - (viii) Any such action will be brought to the WIB for consideration at its next regular or

special meeting. The WIB shall either ratify or disapprove the Executive Committee's action pursuant to this subsection. If the WIB ratifies the Executive Committee's action, such action shall be considered to have been approved by the WIB as of the date of the Executive Committee's action and shall be in full force and effect. If the WIB disapproves the Executive Committee's action, such action shall be considered null and void, and of no force or effect.

15. Subcommittees: Ad hoc workgroups.

- a) The Executive Committee of the WIB may appoint ad hoc subcommittees as it deems appropriate and necessary for the fulfillment of its duties and responsibilities to make recommendations in connection with any subject pertaining to the matters within the jurisdiction of the WIB.
- b) Such ad hoc subcommittees shall be chaired by a member of the WIB.
- c) Ad hoc subcommittees may include other WIB members as long as the total number of WIB members is less than the number that constitutes a WIB quorum.
- d) Ad hoc subcommittees may include Executive Committee members as long as the total number of Executive Committee members is less than the number that constitutes an Executive Committee quorum.
- e) Ad hoc subcommittees may include other individuals appointed by the Executive Committee of the WIB who are not members of the WIB and who the Executive Committee determines have appropriate experience and expertise.

16. Recommendations.

Recommendations of the WIB shall be submitted to the Director of Health and Human Services Agency or her/his designee, Employment Development Department, California Workforce Development Board, and/or the Yolo County Board of Supervisors, as appropriate.

17. Meetings: Date.

- a) Meetings of the WIB shall be held bi-monthly (January, March, May, July, September, and November) on a regular date set by the WIB at the Yolo County Health and Human Services Agency or at such other facility as the Chair shall determine.
- b) Meetings of the Executive Committee of the WIB shall be held bi-monthly (February, April, June, August, October, and December) on a regular date set by the Executive Committee at the Yolo County Health and Human Services Agency or at such other facility as the Chair shall determine.
- c) Either the Chair or a majority of the appointed members may call special meetings as necessary

18. Meetings: Quorum.

- a) A minimum of one more than one-half (1/2) of the currently appointed members of the WIB shall constitute a quorum for the transaction of business.
- b) A minimum of one more than one-half (1/2) of the currently appointed members of the Executive Committee of the WIB shall constitute a quorum for the transaction of business.
- c) A majority of the votes of the members present and voting on any issue shall be required for any action.

19. Meetings: Conduct.

- a) Meeting shall be conducted by the Chair.
  - i. The Chair shall recognize every motion made by a member, or call for a motion should a request come from outside the membership.
  - ii. A lack of a second shall cause the motion to fail.
  - iii. A vote shall be taken if there is a second and a quorum as required herein.
  - iv. A motion shall pass if it is approved by a majority of the members present, provided that the necessary quorum and notice requirements are met.
  - v. Any motion not receiving a second or failing to receive a majority vote shall be noted in the minutes as having failed to pass.
  - vi. By proper motion, any defeated motion may be placed on a future agenda for new motions and presentation of further information.
  - vii. There shall be no absentee voting.
  - viii. A member shall declare a conflict of interest and shall abstain from voting on any motion or consideration that (a) has direct bearing on services to be provided by the member or any organization with which that member is associated, (b) if that member or that member's spouse or minor child is an employee, administrator, board member, or likely to garner personal gain from the motion or issue under consideration or (c) would otherwise be the basis for a conflict of interest, as outlined in these Bylaws in Section 22.
  - ix. All meetings of the WIB and Executive Committee of the WIB shall have a posted agenda, shall be open to the public and in all ways adhere to the Ralph M. Brown Act (the Brown Act), California Government Code section 54950—54963.

20. Meetings: Minutes.

- a) The Director of Health and Human Services Agency or her/his designee shall designate a staff member to serve as secretary to the WIB, Executive Committee, and Subcommittees.
- b) Minutes shall include a record of attendance, a listing or reports received, and all action taken and recommendations adopted.
- c) The secretary shall file a copy of all minutes with the Clerk of the Board of Supervisors.

21. Staff.

- a) The WIB will receive professional, technical and clerical staff support from the Yolo County Health and Human Services Agency. The Director of Health and Human Services Agency or her/his designee shall act as a County Liaison to the WIB.

22. Conflict of Interest.

No member of the WIB shall vote on any matter before the WIB if he or she has a legal conflict of interest. A legal conflict of interest means a conflict as defined by applicable statutory and case law. Any possible legal conflict of interest on the part of a member shall be declared before discussion commences on the agenda item in question. If it is unclear whether a member has a legal conflict of interest the question shall be referred to County Counsel for determination of whether the member has a legal conflict of interest, and if so, to what extent the member may participate, if at all, in the discussion and voting on the agenda item.

23. Economic Interest.

Each member of the WIB shall file a Statement of Economic Interest promulgated by the Fair Political Practices Commission as a condition of assuming membership, annually while serving as a member, and upon leaving membership of the WIB, in compliance with applicable law.

24. Severability.

If any part of these Bylaws is held to be null and/or void, the validity of the remaining portion of the Bylaws shall not be affected.

25. Enactment.

These Bylaws shall become effective upon adoption by a majority vote of the WIB and approval of the BOS, and shall remain in effect until dissolution of the WIB.

TO: WORKFORCE DEVELOPMENT COMMUNITY

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

**SUBJECT MATTER HIGHLIGHTS**

PLEASE NOTE

This draft directive will replace Directive WSD14-16, dated June 26, 2015.

COMMENTS DUE

December 30, 2015

Comments can be submitted through one of the following ways:

<b>E-Mail</b>	<b>Kirstin.cordova@edd.ca.gov</b> (Include "draft comments" in the subject line)
<b>Mail</b>	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 Kirstin Cordova at 916-653-0521

# WORKFORCE SERVICES DRAFT DIRECTIVE

Number: WSDD-128

Date: November 16, 2015  
69:187:kc:17822

TO: WORKFORCE DEVELOPMENT COMMUNITY

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

## EXECUTIVE SUMMARY

### Purpose

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. 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)
- WIOA TEGL No. 26-14, *Workforce Innovation and Opportunity Act Transition Authority for Flexible Use of State Rapid Response Funds*
- WIOA TEGL No. 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*

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 replaces Directive WSD14-16, dated June 26, 2015. Retain this directive until further notice.

## BACKGROUND

Due to the DOL's recession, 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 TEGL 26-14, the DOL has provided additional flexibility to states by authorizing them to use up to 100 percent of previous years' RR funding and up to 50 percent of their PY 2015-16 RR funds to fund 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 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 Workforce Services Directive 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

RR and Layoff Aversion funding used for allowable transition activities must be reported under the “Comments” section in the “WIA/WIOA Summary of Expenditures” entry screen in CalJOBS<sup>SM</sup>. The “Comments” 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 “Comments” 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 CalJOBS<sup>SM</sup> 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](#)

### 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

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: ALLOWABLE COSTS

**SUBJECT MATTER HIGHLIGHTS**

This policy provides guidance on general cost principles and allowable costs under the *Workforce Innovation and Opportunity Act* and the Office of Management and Budget's *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*; Final Rule.

COMMENTS DUE

December 10, 2015

Comments can be submitted through one of the following ways:

<b>Fax</b>	WSD, Attention: <b>Ramon Valencia</b> at 916-654-9753
<b>E-Mail</b>	<a href="mailto:ramon.valencia@edd.ca.gov">ramon.valencia@edd.ca.gov</a> (Include "draft comments" in the subject line)
<b>Mail</b>	WSD / P.O. Box 826880 / MIC 50 / Sacramento, CA 94280-0001

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

If you have any questions, contact Ramon Valencia at 916-654-6111.

# WORKFORCE SERVICES DRAFT DIRECTIVE

Number: WSDD-129

Date: November 18, 2015  
69:007:rv:17628

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: ALLOWABLE COSTS

## EXECUTIVE SUMMARY

### Purpose

This policy provides guidance on general cost principles and allowable costs under the *Workforce Innovation and Opportunity Act (WIOA)* and the Office of Management and Budget's (OMB) *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*; Final Rule (Uniform Guidance).

### Scope

This directive applies to subrecipients who received or will receive WIOA funds on or after December 26, 2014. In other words, this guidance applies to WIOA Program Year (PY) 2015-16 funds and all WIOA funds received in subsequent PYs.

### Effective Date

This directive is effective on the date of issuance.

## REFERENCES

- WIOA (Public Law 113-128) Sections 184(a)(3), 134(c)-(d), and 129
- Title 2 *Code of Federal Regulations* (CFR) Part 200 and 2900
- Training and Employment Guidance Letter (TEGL) 15-14, Subject: *Implementation of the New Uniform Guidance Regulations* (December 19, 2014)
- Workforce Services Directive (WSD)14-13 Subject: *Property—Prior Approval, Purchasing, Inventory, and Disposal* (April 29, 2015)
- Workforce Investment Act Directive (WIAD)03-10 Subject: *Allowable Costs* (April 09, 2004)

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 does not contain any state-imposed requirements.

## FILING INSTRUCTIONS

Retain this directive until further notice. For information on allowable costs under the former OMB guidance, refer to [WIAD03-10](#).

## BACKGROUND

On December 26, 2013, the OMB issued the [Uniform Guidance](#) under Title 2 CFR Part 200, which establishes uniform 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. The following year, the Department of Labor (DOL) adopted the OMB 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 recipients and subrecipients of this funding must adhere to the Uniform Guidance (including DOL Exceptions) as well as the corresponding administrative requirements, cost principles, and audit requirements included in WIOA. For more information on overarching Uniform Guidance Implementation, please see [TEGL 15-14](#).

## POLICY AND PROCEDURES

Each state, Local Workforce Development Area (Local Area), and provider that receives funds under WIOA Title I is required to comply with Uniform Guidance [WIOA Section 184(a)(3)]. This includes general principles and guidance on selected items of cost. However, if more restrictive city, state, or federal guidelines exist, they must take precedence. Local Areas should be reviewing and updating their local policies and procedures to ensure they are in compliance with all new guidance.

The Employment Development Department has compiled a high level matrix listing the various cost items referenced in Title 2 CFR Sections 200.420 through 200.475 (Attachment 1). The columns in the matrix contain the various entity types, the specific CFR Sections, and DOL Exceptions Sections (if applicable). The matrix also provides a quick reference guide to help indicate whether a cost item is allowable or not. WIOA funding recipients and subrecipients can use the matrix as an initial tool, rather than a final authority for making a determination of whether or not a cost would be considered allowable.

In general, to be an allowable charge to WIOA, a cost must meet the following criteria:

- Be necessary and reasonable for the performance of the award.
- Be allocable to the award.
- Conform to any limitations or exclusions set forth in the award.
- Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the non-federal entity.
- Be accorded consistent treatment.
- Be determined in accordance with generally accepted accounting principles.
- Not be used to meet cost sharing or matching requirements of any other federally-financed program (without prior approval from the state).
- Be adequately documented.

Expenditures of WIOA funds are allowable only for those activities permitted by the WIOA statute or federal regulations. Required and permissible program activities for adult and dislocated workers can be found in WIOA Section 134(c) and (d) respectively. Similarly, allowable program activities for the youth program can be found in WIOA Section 129.

#### Funds awarded prior to December 26, 2014

Funding received prior to December 26, 2014 (i.e., PY 2014-15 funds and before) must continue to follow the terms and conditions of those awards, including the cost principles required under the former OMB guidance. For information on allowable costs under the former OMB guidance, please refer to [WIAD03-10](#).

#### **ACTION**

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

#### **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

Attachment is available on the internet:

1. [Cost Items Matrix](#)

## COST ITEMS MATRIX

**THIS COST ITEMS MATRIX SHOULD ONLY BE USED AS A QUICK REFERENCE GUIDE.** The *Workforce Innovation and Opportunity Act (WIOA)* and *Uniform Administrative Requirements, Cost Principles, and Audit Requirements Final Rule (Uniform Guidance)* contain definitive guidance and final authority for determining whether or not a cost is allowable.

The matrix on the following page identifies the cost items and different types of entities. When determining whether the cost of an item is allowable, users must also refer to the applicable sections of the Uniform Guidance and WIOA.

Failure to address a particular cost item is not intended to imply that it is allowable or unallowable. Rather, the determination of allowability in each case should be based on the treatment or principles provided for similar or related costs. In the case of a discrepancy between the Uniform Guidance and the provisions of a specific Federal award administered by the pass-through entity, the federal award provisions govern. Note also that, in some instances, different cost items may be similarly named, and there may be some overlap between the various cost items.

When reviewing the matrix please use the following legend:

Legend Key	Legend Key Definition
A	Allowable
AP	Allowable with Prior Approval
AC	Allowable with Conditions
U	Unallowable
NS	Not Specified in the Uniform Guidance

If a cost item is denoted with two or more legend keys, users should delve further into the various information sources as they may provide the additional clarity that is needed. If this effort does not provide the necessary information then subrecipients should contact their Regional Advisor/Project Manager. The “NS” legend key means that information may not be readily available. In this event, the subrecipient should seek other information sources before contacting their Regional Advisor/Project Manager.

The “AP” legend key means that, in some instances, prior written approval will be required from the Cognizant Agency or Governor. In this event, the user should adhere to the Uniform Guidance Section 200.407, DOL Exceptions Section 2900.16, and review the existing policies and procedures established in the [Workforce Services Directive 14-13](#), until further guidance is provided by the state.



	<b>Cost Item</b>	<b>Educational Institutions</b>	<b>Non-Profit Organizations</b>	<b>State, Local and Indian Tribal Governments</b>	<b>Uniform Guidance Section</b>	<b>DOL Exception Section</b>
1	Advertising and public relations	A/U	A/U	A/U	<a href="#">200.421</a>	
2	Advisory councils	AC/U	AC/U	AC/U	<a href="#">200.422</a>	
3	Alcoholic beverages	U	U	U	<a href="#">200.423</a>	
4	Alumni/ae activities	U	NS	NS	<a href="#">200.424</a>	
5	Audit services	AC/U	AC/U	AC/U	<a href="#">200.425</a>	
6	Bad debts	U	U	U	<a href="#">200.426</a>	
7	Bonding costs	A	A	A	<a href="#">200.427</a>	
8	Collection of improper payments	A	A	A	<a href="#">200.428</a>	
9	Commencement and convocation costs	AC/U	NS	NS	<a href="#">200.429</a>	
10	Compensation – personal services	A/U	A/U	A/U	<a href="#">200.430</a>	
11	Compensation – fringe benefits	A /U	A /U	A /U	<a href="#">200.431</a>	
12	Conferences	A	A	A	<a href="#">200.432</a>	
13	Contingency provisions	AC/U	AC/U	AC/U	<a href="#">200.433</a>	<a href="#">2900.18</a>
14	Contributions and donations	U	U	U	<a href="#">200.434</a>	
15	Defense and prosecution of criminal and civil proceedings, claims, appeals, and patent infringement	AC/U	AC/U	AC/U	<a href="#">200.435</a>	
16	Depreciation	AC	AC	AC	<a href="#">200.436</a>	
17	Employee health and welfare costs	A	A	A	<a href="#">200.437</a>	
18	Entertainment costs	U/AP	U/AP	U/AP	<a href="#">200.438</a>	
19	Equipment and other capital expenditures	AP/U	AP/U	AP/U	<a href="#">200.439</a>	
20	Exchange rates	AP	AP	AP	<a href="#">200.440</a>	
21	Fines, penalties, damages and other settlements	U/AP	U/AP	U/AP	<a href="#">200.441</a>	
22	Fund raising and investment management costs	U/AP/A	U/AP/A	U/AP/A	<a href="#">200.442</a>	
23	Gains and losses on disposition of depreciable assets	AC	AC	AC	<a href="#">200.443</a>	
24	General cost of government	NS	NS	U/A	<a href="#">200.444</a>	
25	Goods or services for personal use	U/AP	U/AP	U/AP	<a href="#">200.445</a>	
26	Idle facilities and idle capacity	AC/U	AC/U	AC/U	<a href="#">200.446</a>	

	<b>Cost Item</b>	<b>Educational Institutions</b>	<b>Non-Profit Organizations</b>	<b>State, Local and Indian Tribal Governments</b>	<b>Uniform Guidance Section</b>	<b>DOL Exception Section</b>
27	Insurance and indemnification	AC/U	AC/U	AC/U	<a href="#">200.447</a>	
28	Intellectual property	A/U	A/U	A/U	<a href="#">200.448</a>	
29	Interest	AC/U	AC/U	AC/U	<a href="#">200.449</a>	
30	Lobbying	U	U	U	<a href="#">200.450</a>	
31	Losses on other awards or contracts	U	U	U	<a href="#">200.451</a>	
32	Maintenance and repair costs	A	A	A	<a href="#">200.452</a>	
33	Material and supplies costs, including costs of computing devices	A	A	A	<a href="#">200.453</a>	
34	Memberships, subscriptions, and professional activity costs	A/U	A/U	A/U	<a href="#">200.454</a>	
35	Organization costs	U/AP	U/AP	U/AP	<a href="#">200.455</a>	
36	Participant support costs	AP	AP	AP	<a href="#">200.456</a>	
37	Plant and security costs	A	A	A	<a href="#">200.457</a>	
38	Pre-award costs	AP	AP	AP	<a href="#">200.458</a>	
39	Professional services costs	A	A	A	<a href="#">200.459</a>	
40	Proposal costs	A	A	A	<a href="#">200.460</a>	
41	Publication and printing costs	A	A	A	<a href="#">200.461</a>	
42	Rearrangement and reconversion costs	A/AP	A/AP	A/AP	<a href="#">200.462</a>	
43	Recruiting costs	A/U	A/U	A/U	<a href="#">200.463</a>	
44	Relocations costs of employees	AC/U	AC/U	AC/U	<a href="#">200.464</a>	
45	Rental costs of real property and equipment	AC/U	AC/U	AC/U	<a href="#">200.465</a>	
46	Scholarships and student aid costs	AC	NS	NS	<a href="#">200.466</a>	
47	Selling and marketing	U/AP	U/AP	U/AP	<a href="#">200.467</a>	
48	Specialized service facilities	AC	AC	AC	<a href="#">200.468</a>	
49	Student activity costs	U/AP	U/AP	U/AP	<a href="#">200.469</a>	<a href="#">2900.19</a>
50	Taxes	AC	AC	AC	<a href="#">200.470</a>	
51	Termination costs	AC/U	AC/U	AC/U	<a href="#">200.471</a>	
52	Training and education costs	A	A	A	<a href="#">200.472</a>	
53	Transportation costs	A	A	A	<a href="#">200.473</a>	
54	Travel costs	AC	AC	AP	<a href="#">200.474</a>	
55	Trustees	A	A	NS	<a href="#">200.475</a>	

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA CLOSEOUT HANDBOOK

**SUBJECT MATTER HIGHLIGHTS**

PLEASE NOTE

This draft directive will replace Directive WSD14-14, dated June 10, 2015. The revisions to this directive are focused on updating the procedures to reflect the *Workforce Innovation and Opportunity Act* (WIOA).

COMMENTS DUE

December 10, 2015

Comments can be submitted through one of the following ways:

<b>Fax</b>	CO WSD, Attention: Carol Keane at 916-654-9119
<b>E-Mail</b>	<b>Carol.Keane@edd.ca.gov</b> (Include "draft comments" in the subject line)
<b>Mail</b>	CO 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 questions, contact the Central Office Workforce Services Division at 916-654-8060.

# WORKFORCE SERVICES DRAFT DIRECTIVE

Number: WSDD-130

Date: November 25, 2015  
69:188:ck:17575

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA CLOSEOUT HANDBOOK

## EXECUTIVE SUMMARY

### Purpose

All closeouts of *Workforce Innovation and Opportunity Act* (WIOA) program activities must conform to the following guidance, and the guidance in the attached closeout handbook. Also included is guidance for the reporting of leveraged resources.

### Scope

This closeout directive applies to Local Workforce Development Areas (Local Areas), and Subgrantees in receipt of WIOA grant funds from the state, and are hereafter referred to as subrecipients. This directive also applies to any organization funded by the subrecipient, hereafter referred to as subrecipient contractors.

### Effective Date

This directive is effective on the date of issuance.

## REFERENCES

- Final Rule at 2 *Code of Federal Regulations* (CFR) Chapter I and Chapter II, Part 200, et al (here after referred to as Uniform Guidance 2 CFR Part 200) and the Department of Labor's (DOL) exceptions at 2 CFR Chapter II, Part 2900, et al. (here after referred to as DOL Exceptions 2 CFR Part 2900)
- Uniform Guidance 2 CFR Part 2900.15 Closeout and 2 CFR Part 200.343 Reporting and Closeout
- Training and Employment Guidance Letter (TEGL) 17-05, dated February 17, 2006.
- TEGL 15-14 dated December 19, 2006, "Implementation of the New Uniform Guidance Regulations"
- ETA 9130 *Federal Financial Quarterly Report Instructions*.

*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 state-imposed requirements. These requirements are indicated by ***bold, italic*** type.

## **FILING INSTRUCTIONS**

This directive replaces Directive WSD14-14, dated June 10, 2015. Retain this directive until further notice.

## **BACKGROUND**

Title 2, Chapter II Part 200.343(a) of the Uniform Guidance states that a final financial report is required after the expiration of a funding period or the termination of grant support.

## **CLOSEOUT SUBMITTAL REQUIREMENTS**

Subrecipients must submit closeout documents to the state. These documents must be received by the state within 60 calendar days if ANY of the following occur:

- A subgrant agreement or interagency agreement has reached the term end date of the agreement.
- Formula funds (Local Areas only) are at the end of the two-year term of the funds.
- Any line item within a subgrant agreement or interagency agreement is fully spent.
- Any line item within a subgrant agreement or interagency agreement is fully spent and the term has NOT ended.
- Any line item within a subgrant agreement or interagency agreement has reached the term end date and the funds are NOT fully spent.

Instructions and report forms necessary to complete a closeout package are provided in the *WIOA Closeout Handbook*. The link to the handbook is shown at the end of this directive.

## **CLOSEOUT TIMEFRAMES**

The following are actions subrecipients must take in preparing to file closeout documents. All timeframes listed are considered to be approximate. As a special caution to non-Local Areas or any entity that will not have ongoing WIOA funding, please note that no WIOA expenditures can take place against the closing line item/subgrant agreement after the term end date. Prepaying for any required records storage or audits is encouraged. All closeout work that takes place after the term end date must be funded by other sources.

Do the following, three months prior to the term end date of your financial agreement:

- Update cash disbursement and expenditure reports in the CalJOBS<sup>SM</sup> system as necessary.
- Fully expend program income.

Do the following, one month prior to the term end date of your financial agreement:

- Identify all unliquidated obligations and work toward finalizing the cost prior to the term end date, since no unliquidated obligations can be shown on a closeout report.
- Gather the necessary closeout documents as described in this directive.
- Inform staff that the line item, subgrant agreement, interagency agreement, or project is closing and no staff time can be charged after the term end date.
- Notify any subrecipient contractors that all final invoices must be submitted by a specific date, and that failure to do so will result in non-payment for goods or services rendered.

Do the following when the term end date occurs:

- Draw down cash to cover all expenses that occurred up to the term end of the line item/subgrant agreement.
- Do not allow costs of any kind against the agreement.
- Pay all accrued expenses prior to submitting the closeout package. Closeout packages will not be processed until all accrued expenditures are paid.

In the 60 calendar days between the term end date and the date the closeout submittal is due, the following steps must occur:

- Complete payments to all subrecipient contractors for any accrued expenditures, since final invoices should have been received.
- Prepare and enter closeout reports into the CalJOBS<sup>SM</sup> system.
- Complete, sign and mail all necessary closeout forms to the following address:

Attn: WIOA Closeout Desk  
Financial Management Unit, MIC 69  
Central Office Workforce Services Division  
Employment Development Department  
P.O. Box 826880  
Sacramento, CA 94280-0001

- Complete and e-mail the End of Project Report to your Project Manager or Regional Advisor.
- Return any unexpended cash to the state at the address below. All returned funds must be documented with the name of the entity, Year of Appropriation (YOA), subgrant agreement number, funding stream, grant code and any other identifying information to allow the funds to be returned to the appropriate account.

Attn: Cash Control Unit  
 Fiscal Programs Division, MIC 70  
 Employment Development Department  
 P.O. Box 826217  
 Sacramento, CA 94230-6217

**POLICY AND PROCEDURES**

The *WIOA Closeout Handbook* contains closeout forms and instructions. All subrecipients are responsible for ensuring compliance with the requirements of the handbook. It is also the responsibility of each subrecipient to issue closeout instructions to each of their subrecipient contractors, providing sufficient time to conduct an orderly closeout of the line item, subgrant agreement or project. All subrecipients are to use the following matrix to determine which forms are to be completed when closing out a line item/subgrant agreement:

Documents Required →	Summary of Expenditures	Status Of Cash	Sub-recipient Release	Assignment of Refunds, etc.	Tax Cert.	Property Cert.	End of Project Report
Type of Closeout ↓							
Subgrant or Interagency Agreement closeout	YES	YES	YES	YES	YES	YES/NO*	YES**
Line Item ONLY closeout	YES	YES	NO	NO	NO	NO	YES**

\* A Local Area would submit the property certification form only when the WIOA program ends or when otherwise notified by the state. Any other subrecipient that will not receive additional WIOA funds from the state must complete the property certification form when their program ends. The above WIOA closeout documents are available in the closeout handbook.

\*\* Complete the “End of Project Report” if the project has ended. This requirement is for all WIOA 15 Percent Special Projects and 25 Percent Additional Assistance projects.

## Closing Formula Funds

The WIOA formula funds are allocated during each program year only to the Local Areas with a specific term ending date. In many cases, the subgrant agreement may contain other funds that extend beyond the term ending date of the formula funds. Therefore, the formula funds must be closed out even though the subgrant agreement term may go beyond the formula funds ending date. Formula funds that fall into this category will have grant codes: 200, 201, 202, 203, 204, 299, 301, 302, 303, 304, 499, 500, 501, 502, 503, and 504.

For example, formula funds allocated for the program year beginning July 1, 2015, must be spent by June 30, 2017. Any formula funds not spent by June 30, 2017, must be returned to the state. Based on this example, closeout expenditure reports would be due by August 20, 2017.

## Cash Draws

All subrecipients must closely monitor their cash draws to ensure the total funds drawn align with total expenditures. ***All cash must be drawn to meet the expenditures incurred when a closeout package is submitted.***

## Disposition of Supplies (for subrecipients required to file a property certification)

Supplies are defined as items with a useful life of one year or less and a unit acquisition cost of less than \$5,000. Supplies can include computers (unless the price exceeds the \$5,000 per unit cost), telephones, calculators, furniture, copy machines, fax machines and other supplies such as pens, paper, etc. When reporting supplies on the WIOA Closeout Inventory worksheet (worksheet is included in the closeout handbook), all similar supplies should be grouped together by category for inventory and fair market value purposes (e.g., computers, furniture, etc.).

If an aggregate inventory of unused supplies (see definition of “unused supplies” in the handbook) exists upon termination of the program or upon completion of the project that is \$5,000 or more in total aggregate “fair market” value (refer to the Calculation of “Fair Market” Value section of this directive), and the subrecipient can use the supplies for another federal program, they may retain the supplies for that program. If the subrecipient cannot use the supplies for another federal program, they may retain the supplies for use on non-federally sponsored activities or sell them. However, in either situation, compensation for the WIOA federal funds’ share must be returned to the state. The amount of compensation is computed by applying the percentage of WIOA federal funds used to purchase these items to the current “fair market” value of the supplies. If only WIOA federal funds were used, then use 100 percent for the calculation. The subrecipients may deduct and retain from the WIOA share, \$500 or 10 percent of the proceeds of the sale, whichever is less, for the subrecipient’s selling and handling expenses. The balance of funds must be submitted within 30 days to the address provided below. The name of the entity, subgrant number, year of appropriation, and the funding stream must be provided when submitting the funds.



Funds received from the sale of supplies must be sent to this address:

Attn: Cash Control Unit  
Fiscal Programs Division, MIC 70  
Employment Development Department  
P.O. Box 826217  
Sacramento, CA 94230-6217

If the subrecipient has no further use for the supplies and wishes to dispose of them (other than selling the supplies) they must request disposition instructions from the state. If the inventory of unused supplies is less than \$5,000 in aggregate, the subrecipient may retain the supplies with no further obligation.

Disposition of Equipment (Governmental Agencies required to file a property certification)

For equipment with a per unit fair market value (refer to the Calculation of “Fair Market” Value section of this directive) of \$5,000 or more, subrecipients of WIOA funds must take the following steps (Title 2 CFR Part 2900):

- The subrecipient may use the equipment in the program or project for which it was acquired as long as it is needed, whether or not the program or project continues to be supported by federal funds.
- If the equipment is no longer needed by the original program/project, the equipment may be used in other activities currently or previously supported by a federal agency. Priority should be given to federal programs funded by the Employment Training Administration of the Department of Labor (DOL).
- If the equipment is no longer needed by the program/project or for other activities currently or previously supported by a federal agency, the subrecipient may retain or sell the equipment and reimburse the state for the WIOA federal funds’ share of the equipment. The compensation is determined by multiplying the current “fair market” value or proceeds from the sale by the WIOA federal funds’ percentage share. If only WIOA federal funds were used, then use 100 percent for the calculation. Actual and reasonable selling and handling expenses (\$500 or 10 percent of the proceeds of the sale, whichever is less) may be deducted from the proceeds of the sale. The balance of funds must be submitted within 30 days to the following address:

Attn: Cash Control Unit  
Fiscal Programs Division, MIC 70  
Employment Development Department  
P.O. Box 826217  
Sacramento, CA 94230-6217

- The name of the entity, subgrant number, year of appropriation, and funding stream must be provided when submitting the funds.
- If the subrecipient has no further use for the equipment and wishes to dispose of the equipment (other than selling the equipment), they must request disposition instructions from the state.

For equipment with a “fair market” value of less than \$5,000 (per unit), subrecipients may retain, sell or dispose of the equipment and nothing needs to be reported to the state. **The one exception is the disposition of a vehicle. For disposition of a vehicle, refer to the Property-Prior Approval Purchasing, Inventory and Disposal directive.** A disposition record must be kept for any transaction in accordance with WIOA record retention requirements.

**Disposition of Equipment (Community Based Organizations, Institutions of Higher Education, Hospitals, other Nonprofit and Commercial Entities required to file a property certification)**

For equipment with a per unit “fair market” value (refer to the Calculation of “Fair Market” Value section of this directive) of \$5,000 or more, subrecipients of WIOA funds must take the following steps (Title 2 CFR Part 2900):

- The subrecipient may use the equipment in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by federal funds.
- If the equipment is no longer needed by the original program/project, the subrecipient shall use the equipment in connection with its other federally sponsored activities. Priority should be given to activities sponsored by the Employment Training Administration of the DOL. Next priority should be to activities sponsored by other federal awarding agencies.
- If the equipment is no longer needed by the program/project or used in connection with other federally sponsored activities, the subrecipient may retain the equipment for other uses provided compensation is made to the state. The compensation is determined by multiplying the current “fair market” value or proceeds from the sale by the WIOA federal funds’ percentage share. If only WIOA federal funds were used then use 100 percent for the calculation. Subrecipients are permitted to deduct actual reasonable selling and handling expenses (\$500 or 10 percent of the proceeds of the sale, whichever is less) from the proceeds of the sale. The balance of funds must be submitted within 30 days to the following address:

Attn: Cash Control Unit  
 Fiscal Programs Division, MIC 70  
 Employment Development Department  
 P.O. Box 826217  
 Sacramento, CA 94230-6217

- The name of the entity, subgrant number, year of appropriation, and funding stream must be provided when submitting the funds.
- If the subrecipient has no further use for the equipment and wishes to dispose of the equipment (other than selling the equipment), they must request disposition instructions from the state.

For equipment with a “fair market” value of less than \$5,000 (per unit), subrecipients may retain, sell or dispose of the equipment and nothing needs to be reported to the state. **The one exception is the disposition of a vehicle. For disposition of a vehicle, refer to the Property-Prior Approval Purchasing, Inventory and Disposal directive.** A disposition record must be kept for any transaction in accordance with WIOA record retention requirements.

### Calculation of “Fair Market” Value

The selling price of an item that is sold through auction, advertisement, or a dealer is the “fair market” value of the item regardless of any prior estimates. An item that is not sold but retained by the entity has a “fair market” value based on similar items that are offered for sale, using the selling price if known. Methods for determining fair market value include, but are not limited to, the following:

- Auctions
- Classified advertisements for similar used items
- Dealers
- Licensed appraisers

For automobiles, trucks, and vans, the standard authority on the value of used vehicles is the Kelley Blue Book. Depreciated value is not “fair market” value, nor a determining factor in establishing the “fair market” value.

### Equipment Records

Subrecipients and subrecipient contractors must maintain accurate records of all equipment (per unit cost of \$5,000 or more) purchased with federal funds. This equipment must have an identification tag or mark permanently attached showing that it was purchased with WIA/WIOA federal funds. A physical inventory of the equipment must be taken and the results reconciled with the equipment records at least once every two years.

The equipment records shall include the following information:

- A description of the equipment.
- Manufacturer’s serial number, model number, Federal Stock number, national stock number, or other identification number.

- Source of the equipment, including the award number.
- Whether title vests in the recipient or the federal government.
- Acquisition date (or date received, if the equipment was furnished by the federal government).
- Per unit acquisition cost.
- Records showing maintenance procedures to keep the equipment in good operating order.
- Location and condition of the equipment and the date the information was reported.
- Disposition date, sale price, loss, theft, etc.

### Records Retention

All equipment records must be retained for three years after the date of acquisition, through final disposition and then maintained for three years beyond that point. Program income transaction records are retained from the end of the subrecipient's fiscal year in which the income is earned. Subrecipients must retain all records of each WIA/WIOA allocation for a period of three years from the date of their last expenditure report submitted to the Central Office Workforce Services Division. If any litigation, claim, or audit is started before the expiration of the three-year period, ALL records must be retained until all findings have been resolved and final action taken. Refer to the Title 2 CFR Part 2900.

### Disposition of Disallowed Costs

When the resolution process (such as the Initial and Final Determination process) results in a determination by the state that identifies the disallowance of expenditures for WIA/WIOA funds not expended in accordance with the WIA/WIOA, a debt is established. The state is expected to collect that debt. Disallowed costs from WIA/WIOA funds must be repaid from nonfederal cash as a lump sum or as installments; stand-in costs may be also used to offset disallowed costs.

## Employment Development Department Financial Management Unit Contacts

Name	Title	Telephone	E-mail	Fax
Julie Martin	Analyst	916-653-5294	<a href="mailto:Julie.Martin@edd.ca.gov">Julie.Martin@edd.ca.gov</a>	916-654-9119
Wai Tin Wong	Analyst	916-653-8213	<a href="mailto:WaiTin.Wong@edd.ca.gov">WaiTin.Wong@edd.ca.gov</a>	916-654-9119
Michael Garcia	Analyst	916-654-8060	<a href="mailto:Michael.Garcia@edd.ca.gov">Michael.Garcia@edd.ca.gov</a>	916-654-9119
Kirstin Cordova	Analyst	916-653-0521	<a href="mailto:Kirstin.Cordova@edd.ca.gov">Kirstin.Cordova@edd.ca.gov</a>	916-654-9119
Carol Keane	Analyst	916-657-3545	<a href="mailto:Carol.Keane@edd.ca.gov">Carol.Keane@edd.ca.gov</a>	916-654-9119
Viviana Neet	Manager	916-653-9150	<a href="mailto:Viviana.Neet@edd.ca.gov">Viviana.Neet@edd.ca.gov</a>	916-654-9119

### ACTION

Bring this directive to the attention of the appropriate staff.

### INQUIRIES

Please forward questions regarding this directive to Julie Martin at 916-653-5294.

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

Attachment is available on the Internet:

1. [WIOA Closeout Handbook](#)

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA MEMORANDUMS OF UNDERSTANDING

**SUBJECT MATTER HIGHLIGHTS**

This policy provides guidance on the development of Memorandums of Understanding (MOUs) under the *Workforce Innovation and Opportunity Act* (WIOA).

COMMENTS DUE

December 17, 2015

Comments can be submitted through one of the following ways:

<b>Fax</b>	WSD, Attention: <b>Rolando Cordova</b> at <b>916-654-9753</b>
<b>E-Mail</b>	<a href="mailto:Rolando.Cordova@edd.ca.gov">Rolando.Cordova@edd.ca.gov</a> (Include "draft comments" in the subject line)
<b>Mail</b>	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.**

# WORKFORCE SERVICES DRAFT DIRECTIVE

Number: WSDD-131

Date: November 25, 2015  
69:175:rc:17866

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA MEMORANDUMS OF UNDERSTANDING

## EXECUTIVE SUMMARY

### Purpose

This policy provides guidance on the development of Memorandums of Understanding (MOUs) under the *Workforce Innovation and Opportunity Act (WIOA)*.

Please note that this guidance was developed using the WIOA Notices of Proposed Rule Making (NPRM) and is subject to change based upon issuance of the final WIOA regulations or further guidance from the Department of Labor (DOL).

### Scope

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

### Effective Date

This directive is effective on the date of issuance.

## REFERENCES

- *WIOA (Public Law 113-128) Section 121(c)*
- *Americans with Disability Act Amendment Act of 2008 (Public Law 110-325)*
- Title 34 *Code of Federal Regulations (CFR) "WIOA, Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions; NPRM"*, Sections 678.305, 678.310, 678.315, 678.500 and 678.505
- Title 2 *Code of Federal Regulations (CFR) Part 200*

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 printed in ***bold, italic type***.

## FILING INSTRUCTIONS

Retain this directive until further notice.

## BACKGROUND

The WIOA strengthens the ability of our public workforce system to align investments in workforce, education, and economic development with regional in-demand jobs. It also focuses on the importance of providing customers with access to high-quality one-stop centers that connect them with the full range of services available in their communities.

Accordingly, California's Workforce Development Strategic Plan was developed with the following three policy objectives in mind:

- Fostering demand-driven skills attainment
- Enabling upward mobility for all Californians
- Aligning, coordinating, and integrating programs and services

To achieve these objectives, the America's Job Center of California<sup>SM</sup> (AJCC) system must serve as an all-inclusive access point to education and training programs that provide demand-driven skills attainment, especially for those with barriers to employment.

Local Boards, with the agreement of the chief elected official (CEO), are responsible for entering into a MOU with each of the AJCC partners that outlines the operations of the overarching one-stop delivery system [WIOA Section 121(c)]. The law envisions that Local Boards will act as both the convener of the MOU negotiations as well as the shaper of how one-stop services are delivered within their Local Workforce Development Area (Local Area) (NPRM Preamble page 20602).

## POLICY AND PROCEDURES

The AJCCs are the cornerstone of California's workforce development system. AJCC partners are jointly responsible for workforce and economic development, educational, and other human service programs. Therefore, collaboration is essential to establishing a quality-focused, employer-driven, and customer-centered system.

### Comprehensive AJCC

Every Local Area must have at least one comprehensive AJCC that provides universal access to the full range of employment services, training and education, employer assistance, etc. In



other words, a comprehensive AJCC is a physical location where job seekers and employers have access to the programs, services, and activities of all the required AJCC partners. These include the following:

- WIOA Title I Adult, Dislocated Worker, and Youth
- WIOA Title II Adult Education and Literacy
- WIOA Title III Wagner-Peyser
- WIOA Title IV Vocational Rehabilitation
- Carl Perkins Career Technical Education
- Title V Older Americans Act
- Job Corps
- Native American Programs (Section 166)
- Migrant Seasonal Farmworkers (Section 167)
- Veterans
- Youth Build
- Trade Adjustment Assistance Act
- Community Services Block Grant
- Housing & Urban Development
- Unemployment Compensation
- Second Chance
- Temporary Assistance for Needy Families/CalWORKs

The term “access” refers to providing services through one of the following methods:

- Co-location – Program staff from each partner are physically present at the AJCC.
- Cross-training – Staff physically present at the AJCC are properly trained to provide information about all programs, services, and activities that may be available to the customer through other partners.
- Direct access through real-time technology – Access through two-way communication and interaction between customers and AJCC partners that result in services being provided. Examples may include the following:
  - Email or instant messaging.
  - Live chat via Skype or Facetime.
  - Identification of a single point of contact for service delivery at each partner program.
  - Establishment of an internet portal linking all of the partners.

(NPRM Section 678.305)

### Affiliate AJCCs

An affiliate AJCC is a center that offers job seekers and employers one or more of the AJCC programs, services, and activities. These types of centers serve as access points into the local AJCC system. An affiliated site is not required to provide access to every required AJCC core or partner service and the frequency of staff presence in an affiliated center is determined at the

local level. Affiliate AJCCs can be specialized centers that address specific needs of a target population or key industry sector or cluster. Local Areas choosing to incorporate affiliated centers as part of their service delivery strategy should implement these centers in a manner that supplements and enhances customer access (NPRM Section 678.310).

#### Stand Alone Wagner-Peyser Office

Stand-alone Wagner-Peyser (W-P) Employment Service (ES) offices are no longer permitted. Current W-P offices may transition to an affiliated center, provided that staff from at least one other partner in the affiliated center is physically present more than 50 percent of the time during the center's business hours and an MOU has been developed with the Local Board. Additionally, the other partner must not be the partner administering local veterans' employment representatives, disabled veterans' outreach program specialists, or unemployment compensation programs. If W-P ES and any of these three programs are provided at an affiliated site, an additional partner must have staff present in the center more than 50 percent of the time during the center's business hours (NPRM Section 678.315).

#### Development of a Memorandum of Understanding

Each MOU should act as a functional tool as well as visionary plan for how the Local Board and AJCC partners will work together to create a unified service delivery system that best meets the needs of their shared customers.

Local Boards may develop a single "umbrella" MOU that addresses overarching issues for the Local Board, CEO, and AJCC partners as they relate to the local AJCC system. Alternatively, they may choose to enter into a separate MOU with each individual partner or groups of partners (NPRM Section 678.505). Two or more Local Areas within a planning region also have the option to develop a single joint MOU, should they wish to do so (NPRM Section 678.500).

The three major components each MOU should address are as follows:

1. Shared Customers
2. Shared Services
3. Shared Costs

Joint infrastructure funding is a critical part of establishing the foundation needed to support integrated service delivery. Therefore, under WIOA each required partner must contribute a portion of their funds toward maintaining the AJCC system. However, in order to ensure we are moving toward a customer-focused approach across all programs, the shared resources and costs portion of each MOU does not have to be negotiated until after the Local Board and AJCC partners have first addressed their shared customers and services.

## Phase I and Phase II

The MOU development process will take place in two phases. Phase I of each MOU will address service coordination and collaboration amongst the partners. Subsequently, Phase II will address how to functionally and fiscally sustain the unified system described in Phase I through the use of resource sharing and joint infrastructure costs. After each phase of a MOU has been completed, it must be signed by authorized representatives of the Local Board, CEO, and AJCC partner(s).

### Phase I: Service Coordination

For Phase I, Local Boards are expected to work with all of the required and optional partners in their Local Area to develop an agreement regarding the operations of the local one stop system as it relates to shared services and customers. **Phase I of each MOU must be completed no later than June 30, 2016.**

### Phase II: Shared Resources and Costs

For Phase II, Local Boards should build upon the agreements established in Phase I and determine how to best support their established service delivery model through the sharing of resources and costs. **Phase II of each MOU must be completed no later than December 31, 2017.**

The two part schedule is being provided in order to allow time for other key WIOA milestones (e.g., Local Area subsequent designation, AJCC operator procurement, establishment of a state infrastructure fund) to be completed before Phase II of each MOU is due.

**While the AJCC operator can participate in the MOU development process, the responsibility of negotiating Phase I and Phase II of each MOU cannot be delegated to them as part of the competitive procurement process.** Local Boards may wish to request an assessment of an applicant's ability to leverage resources or their experience in working with the required and optional AJCC partners, but they cannot require applicants to submit each AJCC partner's financial commitments as part of the procurement process.

Every MOU must contain an assurance that it will be reviewed and updated, at a minimum, every three years in order to ensure it contains up to date information regarding funding, delivery of services, and changes in the signatory official of the Local Board, CEO, or AJCC partner(s).

**In addition, each MOU must be reviewed and, if necessary, renegotiated after Local Workforce Development Plans and Regional Workforce Development Plans have been developed.** This is to ensure they are properly aligned with the local priorities and strategies identified in both plans.

## Strategic Timeline

During the MOU development process, Local Boards should remain aware of upcoming deadlines for several other key WIOA provisions. The timeline below takes into account current federal guidance as well as California’s strategic vision for WIOA implementation:

- During PY 2015-2016, Local Boards must complete Phase I of the MOU no later than **June 30, 2016**.
- During PY 2016-2017, Local Boards must ensure that AJCC operators and career services providers are in place and operating by **June 30, 2017**.
- During PY 2017-2018, Local Boards must complete Phase II of the MOU no later than **December 31, 2017**.
- During PY 2018-2019, Local Boards must ensure that both Regional Plans and Local Plans go into effect as of **July 1, 2018**.

*\*Please note, dates are subject to change, pending further guidance from DOL.*

## Provisions of a Memorandum of Understanding

The table below outlines content for Phase I and Phase II of the MOU development process. The left column lists the provisions that each MOU must contain, as required by WIOA, and the right column lists what corresponding information needs to be included in order to address each provision.

In addition, the state developed a Sample MOU (Attachment 1). The Sample MOU is intended to be a technical assistance tool rather than a required template; it should be used in whatever way best fits the needs of the Local Board.

<b>Phase I</b> June 30, 2016	
<b>MOU Provisions Required under WIOA Section 121 (c)</b>	<b>Corresponding Information Needed</b>
<p><b>Services provided through the one-stop delivery system</b></p> <p>WIOA Section 121(c)(2)(A)(i)</p> <p>Describe the services to be provided through the one-stop delivery system consistent with the requirements of this section, including the manner in which the services will be coordinated and delivered through such a system.</p>	<ul style="list-style-type: none"> <li>• Define the purpose, mission, values and goals of the AJCC system.</li> <li>• Identify the AJCC partner(s) included in the MOU (both required and optional).</li> <li>• Describe the AJCC system design.</li> <li>• Describe the AJCC system services, that are applicable to each partner, including career services and those identified in the bi-lateral agreements contained in</li> </ul>

<p style="font-size: 48pt; color: yellow; text-align: center;">D</p>	<p>the California Workforce Development Strategic Plan</p> <ul style="list-style-type: none"> <li>• Identify the AJCC system customers and describe shared customers.</li> <li>• Describe the responsibilities of the AJCC partner(s), including joint planning and staff development/professional development.</li> </ul>
<p><b>Initial Plan for Funding of Services and Operating Costs</b></p> <p>Describe the initial plan for Phase II as referenced in WIOA Section 121(c)(2)(A)(ii).</p>	<ul style="list-style-type: none"> <li>• Include a commitment to sharing system operating costs.</li> <li>• Include an assurance that costs will be based on proportionate use and agreed upon methodology.</li> <li>• Include an assurance that a cost sharing agreement will be completed during Phase II of MOU process (see Attachment 1 for more guidance).</li> </ul>
<p><b>Methods for Referring Customers</b></p> <p>WIOA Section 121(c)(2)(A)(iii)</p> <p>Describe methods of referral of individuals between the one-stop operator and the one-stop partners for appropriate services and activities.</p>	<ul style="list-style-type: none"> <li>• Describe the AJCC system referral process.</li> <li>• Describe commitment to ensuring a high quality customer service and customer-centered focus.</li> <li>• Identify how the AJCC system will provide direct access to partners through real-time technology.</li> </ul>
<p><b>Access to Services</b></p> <p>WIOA Section 121(c)(2)(A)(iv)</p> <p>Describe methods to ensure the needs of workers and youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in the provision of necessary and appropriate access to services, including access to technology and materials, made available through the one-stop delivery system.</p>	<ul style="list-style-type: none"> <li>• Attach an AJCC system map that identifies the location of each comprehensive and affiliate AJCC within the Local Area.</li> <li>• Define individuals with barriers to employment and describe how the AJCC system will ensure access and priority for services to individuals with barriers to employment.</li> <li>• Include a commitment by the AJCC partner(s) to work together to share data and technology.</li> <li>• Identify measures and internal control applied to ensure system security.</li> </ul>

<p style="font-size: 48pt; color: yellow; text-align: center;">D R</p>	<ul style="list-style-type: none"> <li>• Include a commitment to comply with the confidentiality provisions of the respective statutes of the AJCC partner(s).</li> <li>• Describe how the AJCC system will provide measures to promote non-discrimination and equal opportunity.</li> <li>• Describe the AJCC system grievance procedures.</li> <li>• Include a commitment that the AJCC partner(s) will comply with the <i>Americans with Disability Act Amendment Act of 2008</i>.</li> <li>• Include a commitment that the AJCC partner(s) will promote capacity building and professional development for staff in order to increase awareness and understanding of serving individuals with barriers to employment and individuals with disabilities.</li> </ul>
<p><b>Duration of MOU</b></p> <p>WIOA Section 121(c)(2)(A)(v)</p> <p>Describe the duration of the MOU and the procedures for amending the memorandum during the duration of the memorandum, and assurances that such memorandum shall be reviewed not less than once every 3-year period to ensure appropriate funding and delivery of services.</p>	<p style="font-size: 48pt; color: yellow; text-align: center;">A F T</p> <ul style="list-style-type: none"> <li>• Identify the effective dates of the MOU.</li> <li>• Include an assurance to review the MOU at least every three years.</li> <li>• Describe the procedures established to revise and modify the MOU.</li> <li>• Describe the procedures established to terminate the MOU.</li> </ul>

Recommended MOU Provision	Optional Sections to include in the MOU
<p><b>Administration and Operations Management</b></p> <p><b>D</b></p> <p><b>R</b></p>	<ul style="list-style-type: none"> <li>• Describe management operations, including site supervision and day to day operations.</li> <li>• Describe how the AJCC system will engage in media releases and communication.</li> <li>• Describe the AJCC system policy and procedures regarding hold harmless, indemnification, and liability.</li> <li>• Describe how the AJCC system will handle dispute resolution.</li> </ul>
<p><b>Phase II</b> December 31, 2017</p>	
MOU Provisions Required under WIOA Section 121 (c)	Corresponding Information Needed
<p><b>Funding of Services and Operating Costs</b></p> <p>WIOA Section 121(c)(2)(A)(ii)</p> <p>Describe how the costs of such services and the operating costs of such system will be funded, including the following:</p> <p>(I) Funding through cash and in-kind contributions (fairly evaluated), which contributions may include funding from philanthropic organizations or other private entities, or through other alternative financing options, to provide a stable and equitable funding stream for ongoing one-stop delivery system operations.</p> <p>(II) Funding of the infrastructure costs of one-stop centers in accordance with subsection (h).</p>	<ul style="list-style-type: none"> <li>• Identify the AJCC system operating and infrastructure costs.</li> <li>• Describe how shared operating and infrastructure costs will be funded by the AJCC partner(s).</li> <li>• Describe the cash and in-kind contributions used to fund shared operating and infrastructure costs.</li> <li>• Identify the amount to be contributed by the AJCC partner(s) through the cost sharing agreement.</li> <li>• Include an assurance that AJCC proportionate fund contributions were calculated in accordance with Title 2 CFR Part 200.</li> <li>• Describe the process that will be used to periodically review and adjust shared costs so that they continue to be proportionate and equitable to the benefit received by the AJCC partner(s).</li> </ul>

## Additional Resources

Supplementary federal guidance that may be of assistance during the MOU development process includes the following:

- [DOL Training and Employment Guidance Letter 04-15](#): Vision for the One-Stop Delivery system under the WIOA
- [Rehabilitation Services Administration Technical Assistance Circular 15-02](#): Vision for the State Vocational Rehabilitation Services Program as a Partner in the Workforce Development System Under the WIOA
- [Office of Career, Technical and Adult Education - Division of Adult Education and Literacy 15-4](#): Vision of the Adult Education and Literacy Act in the Workforce System and Initial Implementation of the WIOA
- [Unemployment Insurance Program Letter 20-15](#): Unemployment Insurance and the WIOA of 2014

## **INQUIRIES**

If you have any questions regarding this directive, contact Robin Purdy at [Robin.Purdy@cwdb.ca.gov](mailto:Robin.Purdy@cwdb.ca.gov) or 916-657-1474.

Please direct all other questions to your assigned [Regional Advisor](#).

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

Attachment is available on the internet:

1. [Sample MOU](#)



## **Workforce Innovation and Opportunity Act SAMPLE Memorandum of Understanding**

This Sample Memorandum of Understanding (MOU) is intended to be a technical assistance tool rather than a required template; it should be used in whatever way best fits the needs of the Local Workforce Development Board (Local Board).

The document contains a combination of suggested guidance and sample language. Please note, all sample language will be indicated by *italics*.

### **Preamble/Purpose of MOU**

This section should include the preamble and overall purpose of the MOU.

*The Workforce Innovation and Opportunity Act (WIOA) requires that a MOU be developed and executed between the Local Board and the America's Job Center of California<sup>SM</sup> (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.*

## ***Workforce Innovation and Opportunity Act*** **SAMPLE Memorandum of Understanding**

### **Local/Regional Vision Statement, Mission Statement, and Goals**

This section should include the vision, mission, principles, and goals of the AJCC delivery system from a local and regional viewpoint.

### **Parties to the MOU**

This section should include all parties relevant to the MOU.

Local Boards may enter into separate MOU agreements with each partner or enter into an “Umbrella” MOU which includes all required and optional AJCC partners, both locally and regionally.

Required partners include local/regional representatives of the following programs:

- WIOA Title I Adult, Dislocated Worker, and Youth
- WIOA Title II Adult Education and Literacy
- WIOA Title III Wagner-Peyser
- WIOA Title IV Vocational Rehabilitation
- Carl Perkins Career Technical Education
- Title V Older Americans Act
- Job Corps
- Native American Programs (Section 166)
- Migrant Seasonal Farmworkers (Section 167)
- Veterans
- Youth Build
- Trade Adjustment Assistance Act
- Community Services Block Grant
- Housing & Urban Development
- Unemployment Compensation
- Second Chance
- Temporary Assistance for Needy Families/CalWORKs

### **One-Stop System, Services**

This section should include a description of the local system, the customers served, and the services provided by each AJCC partner. This includes the three types of “career services” authorized under WIOA (basic career services, individualized career services and follow-up services) as well as training services and services provided to employers.

## ***Workforce Innovation and Opportunity Act*** **SAMPLE Memorandum of Understanding**

This can be included as an attachment or communicated through a chart that describes how each service will be integrated into the operations of the AJCCs and which partner(s) will provide it.

### **Responsibility of AJCC Partners**

This section should include a description of local and regional agreements to share responsibility for planning, implementing and operating the system.

- *The AJCC partner agrees to participate in joint planning, plan development, and modification of activities to accomplish the following:*
  - *Continuous partnership building.*
  - *Continuous planning in response to state and federal requirements.*
  - *Responsiveness to local and economic conditions, including employer needs.*
  - *Adherence to common data collection and reporting needs.*
- *Make the applicable service(s) applicable to the partner program available to customers through the one-stop delivery system.*
- *Participate in the operation of the one-stop system, consistent with the terms of the MOU and requirements of authorized laws.*
- *Participate in capacity building and staff development activities in order to ensure that all partners and staff are adequately cross-trained.*

### **Funding of Services and Operating Costs**

This section should include information on current or future planning related to shared resources and joint funding.

Local Boards that have already negotiated cost sharing agreements should include them as an attachment. Local Boards that have not yet negotiated cost sharing agreements should include language in Phase I of the MOU that indicates each partner agrees to negotiate and implement a cost sharing plan by December 31, 2017.

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

## **Workforce Innovation and Opportunity Act SAMPLE Memorandum of Understanding**

*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 are reflected in a separate Cost Sharing Agreement that will be attached to this MOU.*

### **Methods for Referring Customers**

This section should include a commitment to mutually implement processes for the referral of customers to services not provided on-site.

The referral process can be included as an attachment and should do the following:

- Ensure that intake and referral processes are customer-centered and provided by staff trained in customer service.
- Ensure that general information regarding AJCC programs, services, activities and resources shall be made available to all customers as appropriate.
- Describe how customer referrals are made electronically, through traditional correspondence, verbally or through other means determined in cooperation with partners and operators.
- Describe how each AJCC partner will provide a direct link or access to other AJCC partner staff 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).

### **Access for Individuals with Barriers to Employment**

This section should include information on how the AJCC system will ensure access for individuals with barriers to employment.

Recommended topics include the following:

- A definition of the term “individuals with barriers to employment.”
- A commitment to offer priority for services to 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.
- An attached “system map” that identifies the location of every comprehensive and affiliate AJCC within the Local Area.

This section should also include a commitment from each AJCC partner to ensure their policies, procedures, programs, and services are in compliance with the *Americans with Disabilities Act of 1990* and its amendments, in order to provide equal access to all customers with disabilities.

### **Shared Technology and System Security**

This section should include a commitment to share data and technology as well to ensure that all data and systems are secure.

## **Workforce Innovation and Opportunity Act SAMPLE Memorandum of Understanding**

*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 these tools, each AJCC Partner agrees to the following:*

- *Comply with the applicable provisions of WIOA, Welfare and Institutions Code, California Education Code, Rehabilitation Act, and any other appropriate statutes or requirements.*
- *The principles of common reporting and shared information through electronic mechanisms, including shared technology.*
- *Commit to share information to the greatest extent allowable under their governing legislation and confidentiality requirements.*
- *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.*
- *Develop technological enhancements that allow interfaces of common information needs, as appropriate.*
- *Understand that system security provisions shall be agreed upon by all partners.*

### **Confidentiality**

This section should address compliance with the confidentiality requirements of all applicable laws, regulations, and rules.

*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:*

- *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.*
- *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.*
- *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.*

## **Workforce Innovation and Opportunity Act SAMPLE Memorandum of Understanding**

- *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.*

### **Non-Discrimination and Equal Opportunity**

This section should address compliance with all non-discrimination and equal opportunity provisions.

*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) and related, applicable regulations.*

*The AJCC partner will assure compliance with the Americans with Disabilities Act of 1990 and its amendments, which prohibits discrimination on the basis of disability, as well as other applicable regulations and guidelines issued pursuant to the Americans with Disabilities Act.*

### **Grievances and Complaints Procedure**

This section should including a commitment to establish and maintain a procedure for handling grievances and complaints as outlined in WIOA.

*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.*

### **American's with Disabilities Act and Amendments Compliance**

This section should include language on how each AJCC partner will ensure that the policies and procedures of the AJCC system and the services being provided are in compliance with the Americans with Disabilities Act of 1990 and its amendments.

*The AJCC partner agrees to 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 and its amendments. 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.*

## **Workforce Innovation and Opportunity Act SAMPLE Memorandum of Understanding**

### **Effective Dates and Term of MOU**

This section should include the effective dates and term length of the MOU.

*This MOU shall be binding upon each party hereto upon execution by such party. The term of this MOU shall be three years, commencing on the date of execution by all parties. The MOU will be reviewed not less than once every three years to identify any substantial changes that have occurred.*

### **Modifications and Revisions**

This section should include information regarding any modifications or revisions of the MOU.

*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.*

### **Termination**

This section should include information regarding termination of the MOU.

*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 shall notify the other parties, in writing, 30 days in advance of that intention.*

### **Administrative and Operations Management Sections**

The following is sample language for the Administrative and Operations Management sections of the MOU, should the Local Board wish to include them.

#### **License for Use**

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

#### **Supervision/Day to Day Operations**

*The day-to-day supervision of staff assigned to the AJCCs will be the responsibility of the site supervisor(s). The original employer of staff assigned to the AJCCs will continue to set the priorities of 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 original employer.*

## **Workforce Innovation and Opportunity Act SAMPLE Memorandum of Understanding**

*The office hours for the staff at the AJCCs will be established by the site supervisor(s) and the primary employer. All staff will comply with the holiday schedule of their primary employer and will provide a copy of their holiday schedule to the operator and host agency at the beginning of each fiscal year.*

*Disciplinary actions may result in removal of co-located staff from the AJCCs and each party will take appropriate action.*

*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.*

### **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.*

### **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.*

*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 also includes letterhead, envelopes, business cards, any written correspondence and fax transmittals.*

### **Hold Harmless/Indemnification/Liability**

*In accordance with provisions of Section 895.4 of the California Government Code, 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. In addition, except for Departments of the State of California which cannot provide for indemnification of court costs and attorneys fees under the indemnification policy of the State of California, all other parties to this MOU agree to indemnify, defend and hold harmless each other from and against all court costs and attorneys*



***Workforce Innovation and Opportunity Act***  
**SAMPLE Memorandum of Understanding**

*fees 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.*

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: FINAL STATE-LEVEL W-PA AND WIA TITLE IB PROPOSED LOCAL AREA PERFORMANCE GOALS FOR PY 2015-16

**SUBJECT MATTER HIGHLIGHTS**

The Employment Development Department and the California Workforce Development Board announces the final state-level Program Year (PY) 2015-16 *Wagner-Peyser Act* and *Workforce Investment Act* Title IB Adult, Dislocated Worker, and Youth program performance goals. These proposed performance goals are for Local Workforce Development Areas' Adult, Dislocated Worker, and Youth programs for PY 2015-16. The California Workforce Development Board intends to extend Local Areas' negotiated PY 2014-15 goals into PY 2015-16.

COMMENTS DUE

December 30, 2015

Comments can be submitted through one of the following ways:

<b>Fax</b>	CWDB, Attention: Loren Shimanek at 916-657-1459
<b>E-Mail</b>	<a href="mailto:Loren.shimanek@cwdb.ca.gov">Loren.shimanek@cwdb.ca.gov</a> (Include "draft comments" in the subject line)
<b>Mail</b>	CWDB / P.O. Box 826880 / MIC 45 / 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.**

For all questions, contact The California Workforce Development Board at 916-657-1440.

# WORKFORCE SERVICES DRAFT DIRECTIVE

Number: WSDD-132

Date: December 16, 2015  
50:74:ls:17851

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: FINAL STATE-LEVEL W-PA AND WIA TITLE IB PROPOSED LOCAL AREA  
PERFORMANCE GOALS FOR PY 2015-16

## EXECUTIVE SUMMARY

### Purpose

The Employment Development Department and the California Workforce Development Board announces the final state-level *Wagner-Peyser Act* (W-PA) and *Workforce Investment Act* (WIA) Title IB Adult, Dislocated Worker, and Youth program performance goals for Program Year (PY) 2015-16. These proposed performance goals are for Local Workforce Development Area (Local Area) Adult, Dislocated Worker, and Youth programs for PY 2015-16. The California Workforce Development Board (State Board) intends to extend Local Area negotiated PY 2014-15 goals into PY 2015-16. Guidance for Local Areas that decide to negotiate revised goals for PY 2015-16 is also included.

### Scope

This Directive applies to all Local Areas and the Employment Development Department, the operator of California's W-PA program.

### Effective Date

This directive is effective on the date of issuance.

## REFERENCES

- *Workforce Innovation and Opportunity Act* (WIOA) Sec. 503
- WIA Sections 136(b) and 136(c)
- Title 20 *Code of Federal Regulations* (20 CFR) Part 666
- Department of Labor (DOL) Training and Employment Guidance Letter (TEGL) 30-14, *Negotiating or Extending Performance Goals for the Workforce Investment Act (WIA) Title IB Programs and Wagner-Peyser Act (W-PA) Funded Activities for Program Years (PY) 2015*

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

- DOL TEGL 25-13, *Negotiating Performance Goals for the Workforce Investment Act Title 1B Programs and Wagner-Peyser Act Funded Activities for Program Year (PY) 2014 (May 15, 2014)*
- DOL TEGL 17-05, *Common Measures Policy for the Employment and Training Administration's Performance Accountability System and Related Performance Issues (February 17, 2006), and DOL TEGL 17-05 Change 2 (May 20, 2009)*
- Workforce Services Directive WSD14-10 – *Initial Local Area Designation and Local Board Certification under WIOA*

## STATE-IMPOSED REQUIREMENTS

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

## FILING INSTRUCTIONS

Retain this directive until further notice.

## BACKGROUND

States are required to reach agreement with the Secretary of Labor on state-level performance goals for W-PA, WIA Adult, Dislocated Worker, and Youth programs. WIA Section 136(c)(2) states that the Local Workforce Development Board, chief elected official, and the Governor shall negotiate and reach agreement on the local levels of performance.

In accordance with WIOA Sec. 116, states will implement the new WIOA performance provisions in July 2016. Due to the phased-in implementation of WIOA performance accountability requirements, the State Board will assess LWDA performance for PY 2015 in accordance with WIA, focusing on Local Area preparedness for transitioning to the WIOA performance accountability system. The State Board will also allow local boards who undertake activities that result in new services, partnerships, and/or service redesign, or other WIOA transitional activities, the opportunity to maintain or set goals that enable them to perform successfully.

To provide greater flexibility and allow Local Areas to focus on WIOA transitional activities, the State Board is extending all currently negotiated PY 2014-15 goals forward into PY 2015-16 (see attachments). The goals contained within this directive will be the negotiated performance goals for PY 2015-16, unless Local Areas renegotiate their goals and different goals established for them.

## POLICY AND PROCEDURES

***As the primary contact for performance negotiations, the State Board negotiated performance goals with all 48 Local Areas for PY 2014-15, and followed the authorization set forth in WIOA Sec. 503, detailed in [TEGL 30-14](#), to extend negotiated performance goals into PY 2015-16. The objective of the negotiations process is to define local performance targets that are aligned with current economic indicators and reflect local area service strategies and***

**local achievements, while at the same time building on the overall system goal of continuous improvement for our clients and customers.**

**Local areas have the opportunity to renegotiate performance goals. Local board recertification under WIOA will be effective July 1, 2016. Local boards will be expected to perform successfully for both PY 2013-14 and PY 2014-15 in order to be eligible for recertification (Note – successful performance alone will not constitute eligibility for recertification). The evaluation of local performance outcomes will consider the extent to which local boards have begun to implement WIOA, and the potential impact on local performance levels.**

**Requests to renegotiate local area performance goals for PY 2015-16 must be submitted to the State Board no later than March 16, 2016, and negotiations completed by March 31, 2016.**

**Requests for renegotiations need to include data-driven analysis, as referenced in [TEGL 25-13](#) and [TEGL 30-14](#). The TEGs identify data, such as past program performance, unemployment rate, labor market statistics, and current program participant data (accessed through CalJOBS<sup>SM</sup>), to be used to support the renegotiation of performance goals.**

#### **ACTION**

This directive should be brought to the attention of Chief Elected Officials and Local Area administrators and staff.

#### **INQUIRIES**

If you have any questions about this policy, please contact Loren Shimanek at Loren.Shimanek@cwdb.ca.gov or by phone at 916-657-1459.

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

Attachments are available on the internet:

1. [W-PA and WIA Title I Program Year 2015-16 Proposed Performance Goals](#)
2. [LWDA Program Year 2015-16 Adult Proposed Performance Goals](#)
3. [LWDA Program Year 2015-16 Dislocated Worker Proposed Performance Goals](#)
4. [LWDA Program Year 2015-16 Youth Proposed Performance Goals](#)

**PROGRAM YEAR 2015-16 FINAL PERFORMANCE GOALS**

<b>WAGNER PEYSER COMMON MEASURES</b>			
	<b>ENTERED EMPLOYMENT</b>	<b>RETENTION RATE</b>	<b>AVERAGE EARNINGS</b>
<b>STATEWIDE GOAL PY 2015-16</b>	<b>54.0%</b>	<b>83.5%</b>	<b>\$18,750</b>

<b>ADULT WIA TITLE IB COMMON MEASURES</b>			
<b>ADULT</b>	<b>ENTERED EMPLOYMENT</b>	<b>RETENTION RATE</b>	<b>AVERAGE EARNINGS</b>
<b>STATEWIDE GOAL PY 2015-16</b>	<b>64.2%</b>	<b>82.0%</b>	<b>\$14,573</b>

<b>DISLOCATED WORKER WIA TITLE IB COMMON MEASURES</b>			
<b>DISLOCATED WORKER</b>	<b>ENTERED EMPLOYMENT</b>	<b>RETENTION RATE</b>	<b>AVERAGE EARNINGS</b>
<b>STATEWIDE GOAL PY 2015-16</b>	<b>70.5%</b>	<b>85.5%</b>	<b>\$19,201</b>

<b>YOUTH WIA TITLE IB COMMON MEASURES</b>			
<b>YOUTH</b>	<b>PLACEMENT</b>	<b>ATTAINMENT</b>	<b>LITERACY &amp; NUMERACY</b>
<b>STATEWIDE GOAL PY 2015-16</b>	<b>75.0%</b>	<b>64.0%</b>	<b>59.0%</b>

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

## PROGRAM YEAR 2015-16 PROPOSED PERFORMANCE GOALS BY LOCAL AREAS

ADULT	ENTERED EMPLOYMENT	RETENTION RATE	AVERAGE EARNINGS
ALAMEDA	58.5%	81.0%	\$17,600
ANAHEIM	75.0%	85.0%	\$13,875
CONTRA COSTA	75.0%	82.5%	\$14,950
FOOTHILL CONSORTIUM	74.5%	84.0%	\$14,000
FRESNO	64.0%	81.0%	\$13,150
GOLDEN SIERRA CONSORTIUM	70.5%	82.0%	\$17,500
HUMBOLDT	55.0%	78.0%	\$13,200
IMPERIAL	65.0%	70.0%	\$10,000
KERN/INYO/MONO CONSORTIUM	68.0%	79.0%	\$12,700
KINGS	64.0%	82.0%	\$12,850
LONG BEACH	51.5%	77.5%	\$14,000
LOS ANGELES CITY	60.0%	78.0%	\$12,850
LOS ANGELES COUNTY	72.0%	80.0%	\$12,500
MADERA	51.5%	76.5%	\$11,650
MARIN	72.5%	82.0%	\$16,600
MENDOCINO	72.5%	81.0%	\$13,500
MERCED	74.0%	81.5%	\$12,750
MONTEREY	65.0%	74.5%	\$10,600
MOTHER LODE CONSORTIUM	60.5%	79.5%	\$12,300
NAPA-LAKE	70.0%	82.0%	\$16,200
NORTH CENTRAL COUNTIES CONSORTIUM	72.0%	78.0%	\$13,500
NORTHERN RURAL TRAINING EMPLOYMENT CONSORTIUM	75.0%	81.5%	\$15,050
NOVA	51.5%	82.5%	\$20,650
OAKLAND	60.5%	77.5%	\$11,650
ORANGE	75.0%	82.0%	\$15,450
RICHMOND	73.5%	83.0%	\$14,250
RIVERSIDE	51.5%	72.0%	\$10,700
SACRAMENTO	54.5%	79.0%	\$13,450
SAN BENITO	75.0%	80.0%	\$11,650
SAN BERNARDINO CITY	73.5%	83.0%	\$11,950
SAN BERNARDINO COUNTY	51.5%	78.0%	\$13,000
SAN DIEGO	60.5%	79.0%	\$13,400
SAN FRANCISCO	73.5%	82.0%	\$13,050
SAN JOAQUIN	68.0%	80.5%	\$14,000
SAN JOSE CITY	51.5%	79.0%	\$14,200
SAN LUIS OBISPO	63.0%	75.0%	\$12,750
SANTA ANA	69.0%	81.0%	\$11,650
SANTA BARBARA	63.5%	86.5%	\$11,650
SANTA CRUZ	72.0%	85.0%	\$16,500
SOLANO	68.0%	80.0%	\$12,650
SONOMA	55.5%	79.0%	\$12,650
SOUTH BAY	74.0%	82.0%	\$11,400
SOUTHEAST LOS ANGELES COUNTY	72.5%	84.0%	\$16,000
STANISLAUS	72.0%	76.0%	\$11,300
TULARE	51.5%	77.5%	\$10,100
VENTURA	73.5%	83.5%	\$14,000
VERDUGO CONSORTIUM	59.0%	82.0%	\$17,250
YOLO	75.0%	85.0%	\$14,250
<b>STATEWIDE GOAL PY 2015-16</b>	<b>64.2%</b>	<b>82.0%</b>	<b>\$14,573</b>

## PROGRAM YEAR 2015-16 PROPOSED PERFORMANCE GOALS BY LOCAL AREAS

DISLOCATED WORKER	ENTERED EMPLOYMENT	RETENTION RATE	AVERAGE EARNINGS
ALAMEDA	69.0%	85.0%	\$20,950
ANAHEIM	79.0%	84.0%	\$16,850
CONTRA COSTA	77.5%	85.0%	\$20,250
FOOTHILL CONSORTIUM	75.0%	87.5%	\$20,000
FRESNO	73.0%	84.5%	\$14,300
GOLDEN SIERRA CONSORTIUM	72.0%	84.5%	\$18,950
HUMBOLDT	67.0%	86.5%	\$14,750
IMPERIAL	70.0%	73.0%	\$10,500
KERN/INYO/MONO CONSORTIUM	73.0%	82.0%	\$14,550
KINGS	68.0%	83.0%	\$15,500
LONG BEACH	61.5%	82.5%	\$17,300
LOS ANGELES CITY	67.5%	80.2%	\$15,150
LOS ANGELES COUNTY	73.0%	84.0%	\$15,400
MADERA	69.0%	83.5%	\$13,100
MARIN	70.0%	82.0%	\$18,500
MENDOCINO	73.0%	79.0%	\$14,900
MERCED	79.0%	83.5%	\$14,500
MONTEREY	62.0%	75.5%	\$13,600
MOTHER LODE CONSORTIUM	71.5%	83.0%	\$15,650
NAPA-LAKE	73.5%	80.0%	\$16,350
NORTH CENTRAL COUNTIES CONSORTIUM	73.5%	79.5%	\$14,200
NORTHERN RURAL TRAINING EMPLOYMENT CONSORTIUM	78.0%	81.0%	\$15,250
NOVA	57.5%	83.0%	\$26,500
OAKLAND	63.5%	82.5%	\$17,050
ORANGE	79.0%	85.0%	\$18,600
RICHMOND	75.0%	85.0%	\$18,300
RIVERSIDE	56.5%	75.5%	\$13,750
SACRAMENTO	62.5%	83.0%	\$17,800
SAN BENITO	77.5%	82.5%	\$14,500
SAN BERNARDINO CITY	81.0%	86.0%	\$14,750
SAN BERNARDINO COUNTY	56.4%	81.5%	\$13,250
SAN DIEGO	73.5%	79.5%	\$18,050
SAN FRANCISCO	71.5%	87.5%	\$18,000
SAN JOAQUIN	71.5%	83.5%	\$17,200
SAN JOSE CITY	58.5%	83.0%	\$20,100
SAN LUIS OBISPO	65.0%	77.0%	\$14,250
SANTA ANA	62.0%	89.0%	\$14,850
SANTA BARBARA	82.0%	89.5%	\$14,400
SANTA CRUZ	70.5%	84.0%	\$15,050
SOLANO	72.0%	80.0%	\$17,300
SONOMA	60.0%	83.5%	\$17,300
SOUTH BAY	79.0%	86.5%	\$17,000
SOUTHEAST LOS ANGELES COUNTY	73.5%	86.5%	\$16,500
STANISLAUS	78.0%	82.0%	\$14,700
TULARE	57.5%	77.5%	\$11,900
VENTURA	76.5%	84.0%	\$15,750
VERDUGO CONSORTIUM	67.0%	82.0%	\$16,100
YOLO	78.5%	85.0%	\$15,750
<b>STATEWIDE GOAL PY 2015-16</b>	<b>70.5%</b>	<b>85.5%</b>	<b>\$19,201</b>



## PROGRAM YEAR 2015-16 PROPOSED PERFORMANCE GOALS BY LOCAL AREAS

YOUTH	PLACEMENT EMPLOYMENT EDUCATION	ATTAINMENT DEGREE CERTIFICATE	LITERACY NUMERACY GAINS
ALAMEDA	60.0%	51.5%	40.5%
ANAHEIM	72.0%	60.0%	54.0%
CONTRA COSTA	60.0%	51.5%	40.5%
FOOTHILL CONSORTIUM	68.0%	51.5%	62.0%
FRESNO	60.0%	55.0%	45.0%
GOLDEN SIERRA CONSORTIUM	63.5%	64.0%	48.0%
HUMBOLDT	68.0%	57.0%	54.0%
IMPERIAL	50.0%	57.0%	60.0%
KERN/INYO/MONO CONSORTIUM	65.0%	64.0%	40.5%
KINGS	68.0%	62.0%	60.0%
LONG BEACH	72.0%	60.0%	54.0%
LOS ANGELES CITY	72.9%	63.0%	54.4%
LOS ANGELES COUNTY	60.0%	49.0%	53.0%
MADERA	55.0%	64.0%	57.5%
MARIN	55.0%	51.7%	60.5%
MENDOCINO	65.0%	55.0%	50.0%
MERCED	68.0%	64.0%	40.5%
MONTEREY	70.0%	64.0%	59.0%
MOTHER LODE CONSORTIUM	74.0%	51.5%	55.0%
NAPA-LAKE	65.5%	60.0%	48.0%
NORTH CENTRAL COUNTIES CONSORTIUM	68.0%	60.0%	54.0%
NORTHERN RURAL TRAINING EMPLOYMENT CONSORTIUM	64.0%	58.0%	62.0%
NOVA	59.5%	48.0%	48.5%
OAKLAND	55.0%	56.5%	40.5%
ORANGE	70.0%	51.5%	67.0%
RICHMOND	65.0%	51.5%	40.5%
RIVERSIDE	54.0%	60.0%	70.0%
SACRAMENTO	65.0%	64.0%	59.5%
SAN BENITO	70.0%	59.0%	48.5%
SAN BERNARDINO CITY	72.0%	60.0%	65.0%
SAN BERNARDINO COUNTY	67.0%	60.5%	57.0%
SAN DIEGO	70.5%	51.5%	54.5%
SAN FRANCISCO	60.0%	51.5%	40.5%
SAN JOAQUIN	67.2%	55.5%	56.0%
SAN JOSE CITY	60.0%	64.0%	63.5%
SAN LUIS OBISPO	65.0%	64.0%	55.0%
SANTA ANA	70.0%	64.0%	69.5%
SANTA BARBARA	68.0%	64.0%	53.5%
SANTA CRUZ	70.5%	64.0%	72.0%
SOLANO	60.0%	45.0%	42.0%
SONOMA	60.0%	42.0%	35.0%
SOUTH BAY	65.0%	55.0%	55.5%
SOUTHEAST LOS ANGELES COUNTY	68.5%	53.0%	48.5%
STANISLAUS	60.0%	51.5%	61.5%
TULARE	68.0%	53.0%	53.5%
VENTURA	68.0%	58.0%	58.0%
VERDUGO CONSORTIUM	62.5%	64.0%	72.0%
YOLO	72.0%	64.0%	72.0%
<b>STATEWIDE GOAL PY 2015-16</b>	<b>75.0%</b>	<b>64.0%</b>	<b>59.0%</b>

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: CalJOBS<sup>SM</sup> CASH REQUEST HANDBOOK

## EXECUTIVE SUMMARY

### Purpose

The *CalJOBS<sup>SM</sup> Cash Request Handbook* (handbook) provides guidance to any Local Workforce Development Area (Local Area) or subgrantee with a contract funded through the *Workforce Innovation and Opportunity Act* (WIOA) who needs cash to pay for expenditures incurred against their contract. Hereafter, all references made to Local Areas will be referred to as subgrantees.

This handbook eliminates obsolete references to programs that have ended and also provides detail on the cash request process, whether using the state's on-line CalJOBS<sup>SM</sup> system or making the request through a manual process.

### Scope

This directive applies to all subgrantees of WIOA funds.

### Effective Date

This directive is effective on the date of issuance.

## REFERENCES

- WIOA Section 159(2), Section 184(a) (1)
- Title 2 *Code of Federal Regulations* (CFR) Part 200 and 2 CFR Part 2900

## STATE-IMPOSED REQUIREMENTS

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

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

## FILING INSTRUCTIONS

This directive replaces Directive WSD14-8, dated February 13, 2015. Retain this directive until further notice.

## BACKGROUND

The handbook provides instructions to any subgrantee of WIOA funds, and other types of funds, who has entered into a binding contract with the Employment Development Department (EDD), regarding how to request cash to pay contract expenses. This handbook provides information needed to order cash using the EDD CalJOBS<sup>SM</sup> Cash Draw system. The handbook also addresses the process to follow when subgrantees must manually order cash using a hard copy request form.

## POLICY AND PROCEDURES

This handbook contains various forms and instructions. ***All subgrantees are responsible for ensuring compliance with the requirements contained in the handbook.***

***All subgrantees must monitor their cash draws to ensure their account does not reflect an “excess cash” balance.*** The Department of Labor and the EDD define excess cash as any amount that is not disbursed within three to four working days after receipt. A notification screen is generated by CalJOBS<sup>SM</sup> whenever a subgrantee requesting cash does not update the “cash disbursed” field. Failure to update the “cash disbursed” field may cause the denial of a cash request.

## ACTION

Bring this directive to the attention of all appropriate staff.

## INQUIRIES

Please direct questions about this directive to Michael Garcia, Analyst, Financial Management Unit, at 916-654-8060 or Wai Tin Wong, Analyst, Financial Management Unit, at 916-653-8213.

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

Attachments are available on the internet:

1. [CalJOBS<sup>SM</sup> Cash Request Handbook](#) (PDF)
2. [Summary of Comments](#) (PDF)
3. [CalJOBS<sup>SM</sup> Contingency Cash Request Form](#) (MS Word)

# WORKFORCE SERVICES DIRECTIVE

Number: WSD15-06

Date: November 3, 2015  
69:175:rc:15607

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: SELECTIVE SERVICE REGISTRATION

## EXECUTIVE SUMMARY

### Purpose

This policy provides guidance on Selective Service registration requirements for participation in *Workforce Innovation and Opportunity Act* (WIOA) funded services.

### 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)Section 189(h)
- Title 50 *United States Code* "Military Selective Service Act," Appendix 453
- Training and Employment Guidance Letter (TEGL) 11-11, Change 2, *Selective Service Registration Requirements for Employment and Training Administration Funded Programs* (May 16, 2012)
- TEGL 8-98, *Selective Service Registration* (November 4, 1998)

## STATE-IMPOSED REQUIREMENTS

This directive contains no state-imposed requirements.

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

## **FILING INSTRUCTIONS**

This directive replaces *Workforce Investment Act Directive WSD12-8*, dated August 28, 2012, and finalizes Workforce Services Draft Directive WSDD-123, issued for comment on August 24, 2015. The Workforce Services Division received six comments during the draft comment period. A summary of the comments is provided as Attachment 1. Retain this directive until further notice.

## **BACKGROUND**

Males who are subject to the registration requirements of the *Military Selective Service Act* must have complied with these requirements to be eligible for participation in WIOA funded programs and services. Under WIOA Section 189(h), the U.S. Secretary of Labor is required to ensure that each individual participating in a WIOA program, or receiving any assistance under WIOA Title I, has not violated Section 3 of the *Military Selective Service Act*. This section requires that every male citizen and every other male residing in the United States must register with Selective Service between their 18th and 26th birthday.

## **POLICY AND PROCEDURES**

All programs and services established or receiving assistance under WIOA Title I must comply with the Selective Service registration requirements. These requirements apply to both formula and discretionary grants awarded by the Department of Labor (DOL). They do not apply to programs funded or solely authorized by the *Wagner-Peyser Act*.

### Selective Service Registration Requirements

Males born on or after January 1, 1960, are required to register with the Selective Service within 30 days of their 18th birthday and up to, but not including, their 26th birthday.

This includes the following males:

- U.S. citizens.
- Veterans discharged before their 26th birthday.
- Non-U.S. citizens, including undocumented immigrants, legal permanent residents, seasonal agricultural workers, and refugees, who take up residency in the U.S. prior to their 26th birthday.
- Dual nationals of the U.S. and another country, regardless of whether they live in the U.S.

Selective Service registration is not required for the following male U.S. citizens:

- Males who are serving in the military on full-time active duty.
- Males attending the service academies.
- Disabled males who were continually limited to a residence, hospital, or institution.

- Males who are hospitalized, institutionalized, or incarcerated are not required to register during their confinement; however, they must register within 30 days after being released if they have not yet reached their 26th birthday.
- Male veterans discharged after their 26th birthday.

Selective Service registration is not required for the following male non-U.S. citizens:

- Non-U.S. males who entered the U.S. for the first time after their 26th birthday. Acceptable forms of supporting documentation include the following:
  - Date of entry stamp in passport.
  - I-94 with date of entry stamp on it.
  - Letter from the U.S. Citizenship and Immigration Services indicating the date the male entered the U.S. presented in conjunction with documentation establishing the male's age.
- Non-U.S. males who entered the U.S. illegally after their 26th birthday. They must provide proof that they were not living in the U.S. from age 18 through 25.
- Non-U.S. males on a valid non-immigrant visa.

\*Note that the requirement for transsexual, transgendered, and intersex individuals to register with the Selective Service depends upon the gender recorded on their birth certificate. According to the Selective Service website, "Individuals who are born female and have a gender change are not required to register. U.S. citizens or immigrants who are born male and have a gender change are still required to register."

The above list of Selective Service registration requirements is not exhaustive. Additional information regarding these requirements, including a [quick reference chart](#) showing who must register, can be found on the [Selective Service](#) website.

### Acceptable Documentation

In order to be eligible to receive WIOA-funded services, all males born on or after January 1, 1960, must present documentation showing compliance with the Selective Service registration requirements.

Acceptable documentation to determine a person's eligibility for WIOA Title I programs include the following:

- Selective Service acknowledgement letter.
- Report of Separation form (Form DD-214). Should be used only if veteran was discharged after his 26th birthday.
- Screen printout of the [Selective Service Verification](#) site. For males who already registered, this website can be used to confirm their Selective Service number as well as the date of registration, by entering a last name, social security number, and date of birth.
- Selective Service registration card.
- Selective Service verification form (Form 3A).
- Stamped post office receipt of registration.

## Registration Requirements for Males Under 26

Before being enrolled in WIOA-funded services, all males who are not registered with the Selective Service and have not reached their 26th birthday must register through the Selective Service website. If a male turns 18 while participating in WIOA-funded services, registration with Selective Service must be completed no later than 30 days after he becomes 18 in order to continue to receive WIOA-funded services. If a male under the age of 26 refuses to register with Selective Service, WIOA-funded services must be suspended until he registers.

## Non-Registration by Males 26 and Older

Grantees, subgrantees or contractors, funded or authorized by WIOA Title I, must establish a policy for those potential participants who are 26 or older that failed to register with the Selective Service. This policy may either request a Status Information Letter from a potential participant before making a determination of knowing and willful failure to register or initiate the process to determine if the potential participant's failure was knowing and willful without first requesting a Status Information Letter. The second option may be preferable for entities that have time limits for enrolling participants (e.g., individuals recently released from incarceration).

Before enrolling in WIOA-funded services, all males 26 and older must provide one of the following:

- Documentation showing they were not required to register.
- If they were required to register, documentation establishing that their failure to register was not knowing or willful.

Individuals who did not register for the Selective Service or who cannot provide any of the documentation listed in the "Acceptable Documentation" section of this directive must obtain a Status Information Letter from the Selective Service indicating whether they are required to register. The [Status Information Letter Request](#) form and instructions can be accessed through the Selective Service website. The individual will need to describe, in detail, the circumstances that prevented him from registering (e.g., hospitalization, incarceration, or military service) and provide documentation of those circumstances. The documentation should be specific as to the dates of the circumstances.

## Status Information Letter

If the Status Information Letter indicates that an individual was not required to register for the Selective Service, then he is eligible to enroll in a WIOA-funded service. If the Status Information Letter indicates that the individual was required to register and did not register, he is presumed to be disqualified from participation in WIOA-funded activities and services until it can be determined that his failure to register was not knowing and willful. All costs associated with grant-funded services provided to non-eligible individuals may be disallowed.

An individual may obtain a Status Information Letter from the Selective Service if one of the following applies:

- The individual believes he was not required to register.
- The individual did register but cannot provide the appropriate documentation.

### How to Determine “Knowing and Willful” Failure to Register

If the individual was required but failed to register with the Selective Service, as determined by the Status Information Letter or by his own acknowledgement, the individual may only receive services if he establishes by a preponderance of the evidence that the failure to register was not knowing and willful. The grantee, subgrantee, or contractor that enrolls individuals in WIOA-funded activities, and is thereby authorized to approve the use of WIOA grant funds, is the entity responsible for evaluating the evidence presented by the individual and determining whether the failure to register was knowing and willful.

#### *Documentation*

Evidence presented may include the individual’s written explanation and supporting documentation of his circumstances at the time of the required registration and the reason(s) for failure to register. The individual should be encouraged to offer as much evidence and in as much detail as possible to support his case. The following are examples of documentation that may be of assistance in making a determination in these cases:

- Service in the Armed Forces – Evidence that a male has served honorably in the U.S. Armed Forces, such as a Form DD-214 or his Honorable Discharge Certificate. These documents serve as evidence that his failure to register was not knowing and willful.
- Third Party Affidavits – Affidavits concerning reasons for not registering from parents, teachers, employers, doctors and others may help grantees in making a determination regarding willful and knowing failure to register.

#### *Model Questions*

In order to establish consistency regarding the implementation of the requirement, Local Areas should use the following questions as a model for determining whether a failure to register is knowing and willful.

To determine whether the failure was “knowing”, authorized organizations should ask the following:

- Was the individual aware of the requirement to register?
- If the individual knew about the requirement to register, was he misinformed about the applicability of the requirement to him (e.g., veterans who were discharged before their 26th birthday were occasionally told that they did not need to register)?
- On which date did the individual first learn that he was required to register?
- Where did the individual live when he was between the ages of 18 and 26?
- Does the status information letter indicate that Selective Service sent letters to the individual at that address and did not receive a response?



To determine whether the failure was “willful”, authorized organizations should ask the following:

- Was the failure to register done deliberately and intentionally?
- Did the individual have the mental capacity to choose whether to register and decided not to register?
- What actions, if any, did the individual take when he learned of the requirement to register?

Finally, a participant’s claim of ignorance (e.g., “I did not know...”) regarding Selective Service registration requirements should not suffice as enough evidence to make a determination if his failure was knowing and willful. Ask for more evidence to support this claim.

### Results of Findings

If an authorized organization determines that an individual’s failure to register with the Selective Service was not knowing and willful and the individual is otherwise eligible, services may be provided. However, if the authorized organization determines that evidence shows that the individual’s failure to register was knowing and willful, WIOA services must be denied. Individuals who are denied services must be advised of available grievance procedures. Authorized organizations must keep documentation related to evidence presented in determinations on Selective Service.

### **ACTION**

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

### **INQUIRIES**

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

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

Attachment is available on the internet:

1. [Summary of Comments](#) (PDF)

Number: WSD15-07  
Date: November 10, 2015  
50:111:st:17776

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIOA ELIGIBLE TRAINING PROVIDER LIST – POLICY AND PROCEDURES

### EXECUTIVE SUMMARY

#### Purpose

The Employment Development Department (EDD) and the California Workforce Development Board (State Board) are publishing state requirements for training programs listed on the Eligible Training Provider List (ETPL) under the *Workforce Innovation and Opportunity Act* (WIOA). These criteria address both the initial and subsequent eligibility determinations.

#### Scope

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

#### Effective Date

The policy in this directive is effective on the date of issuance.

### REFERENCES

- WIOA (Public Law 113-128) Section 122
- Title 20 *Code of Federal Regulations* (CFR) “WIOA, Notice of Proposed Rule Making” (NPRM), Sections 680.400 – 680.530
- Training and Employment Guidance Letter (TEGL) 41.-14, *Workforce Innovation and Opportunity Act Title I Training Provider Transition* (June 26, 2014)
- *California Unemployment Insurance Code* (CUIC) Sections 1266-1274.20 “California Training Benefits Program”
- *Senate Bill 118*, Chapter 562, Statutes of 2013
- *California Labor Code* Section 4658.7(e)
- *California Private Postsecondary Education Act of 2009*

*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 only state requirements.

## **FILING INSTRUCTIONS**

This directive supersedes Workforce Services Directive WSD13-10, dated April 4, 2014, and WSD14-7, dated February 2, 2015. Retain this directive until further notice.

## **BACKGROUND**

Section 122 of the WIOA requires states to establish a list of training providers who are eligible to receive WIOA funds for training services provided to adults and dislocated workers, and to establish two separate procedures for the ETPL: initial eligibility and subsequent eligibility. The State Board has revised the existing policy and procedures governing the operation of the ETPL, by incorporating performance criteria to more clearly identify quality training programs and the desired outcomes for WIOA clients enrolled in these programs. This criteria will be used to fully implement the initial and subsequent eligibility policies required in WIOA Section 122(b)(1), Title 20 of the CFR and the CUIC. These policies and procedures contain state requirements that mandate all private postsecondary education providers receive an “Approval to Operate” from the Bureau of Private Postsecondary Education (BPPE) prior to being listed on the ETPL. This approval ensures the training provider satisfies the BPPE statutes and enables the provider to enroll WIOA eligible students. The spending of public resources, state or federal, is considered a form of student financial assistance.

The information contained in this directive is intended to assist Local Workforce Development Boards (local boards) in establishing local procedures for soliciting and approving applications from interested training providers and forwarding information on locally-approved providers and their programs to the state for approval and inclusion on the ETPL.

## **POLICY AND PROCEDURES**

With the exception of certain types of customized, cohort and on-the-job training, training providers/programs listed on the ETPL are eligible to receive WIOA funds to provide training services to adults and dislocated workers. In order to be listed on the ETPL, training providers must submit an application, through the CalJOBS<sup>SM</sup> website to a local board to offer training programs. All new and existing training providers are required to register their institution and programs in [CalJOBS<sup>SM</sup>](#).

Prior to approving private postsecondary training providers registering programs on the ETPL, local boards shall ensure the provider has received an “Approval to Operate” from the BPPE. This information can be obtained on the BPPE website under the [Directory of Approved Institutions](#).

The attached *WIOA ETPL Policy and Procedures* contain detailed information on initial and subsequent eligibility requirements, and the roles and responsibilities of the local boards and the EDD in maintaining the integrity of the ETPL and the quality of the training programs offered on it. It is important to note that initial and subsequent eligibility is based on the performance outcomes achieved by the entire cohort of students in that program, reported annually to BPPE. All providers are required to submit information on performance outcomes to determine eligibility for listing and to facilitate informed customer choice.

The attached procedures also include a process for training providers to request a waiver of initial or subsequent eligibility for a specific program from their local workforce board. This process has been included to comply with the WIOA provision that requires consideration of the characteristics of the population served, availability of training providers in rural areas; and relevant economic conditions.

The *Provider Services Guide* located in the Staff Online Resources area of CalJOBS<sup>SM</sup> provides detailed instructions to assist local boards and training providers in entering programs into the CalJOBS<sup>SM</sup> ETPL module. The CalJOBS<sup>SM</sup> system includes data entry screens and reports, and is the mandatory method to be used by training providers and local boards for transmitting this data to the state. The EDD will accept applications for the ETPL from local boards on any working day of the year. Approved applications will appear on the list within 30 days of their submission by the local board to the state. Training providers will be able to make changes to their program information in the automated system and transmit the updates to the local boards for review. The ETPL will be updated daily to incorporate changes that do not require verification; all other changes will be included within 30 days of their submission to the EDD.

Local boards have access to an updated statewide ETPL via the CalJOBS<sup>SM</sup> website on each working day of the year (excluding minimal periods required for system maintenance). The ETPL is available at [www.caljobs.ca.gov](http://www.caljobs.ca.gov) under "Education Services."

## **ACTION**

The information contained in this directive should be shared with all local staff involved in the administration of the ETPL.

## **INQUIRIES**

If you have any questions regarding this directive, contact Daniel X. Patterson at 916-657-1446. Please direct all other questions to your assigned [Regional Advisor](#).

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

Attachments are available on the Internet:

1. [WIOA ETPL Policy and Procedures](#)
2. [WSDD-120 Summary of Comments](#)

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: FUNDS UTILIZATION REQUIREMENTS FOR WIOA FUNDS

## EXECUTIVE SUMMARY

### Purpose

The Employment Development Department is issuing state policy and procedures for the recapture and reallocation of underobligated *Workforce Innovation and Opportunity Act* (WIOA) Title I formula funds.

### Scope

Funds utilization requirements are applicable to adult, youth, and dislocated worker funds allocated by formula to Local Workforce Development Areas (Local Areas). The funds utilization requirement does not apply to Rapid Response 25 percent funds or projects funded using the Governor's discretionary funds.

### Effective Date

This directive is effective on the date of issuance.

## REFERENCES

- WIOA Sections 127(c) and 132(c)
- WIOA Sections 128(c) and 133(c)
- Title 2 *Code of Federal Regulations* (CFR) Part 200

## STATE-IMPOSED REQUIREMENTS

This policy contains state-imposed requirements. These requirements are in ***bold italic*** type.

## FILING INSTRUCTIONS

This directive replaces *Workforce Investment Act Directive* WIAD 01-10, dated February 1, 2002, and finalizes Workforce Services Draft Directive WSDD-126, dated September 14, 2015. The Central Office Workforce Services Division received two comments during the comment period. These comments did not result in any changes to the directive. A summary of comments is provided as Attachment 1. Retain this directive until further notice.

## BACKGROUND

On July 22, 2014, President Obama signed the WIOA, which replaced the *Workforce Investment Act (WIA)*. On an annual basis, federal funds are provided to the Department of Labor (DOL), which is the designated agency for administering the WIOA program. The Secretary of Labor allocates these funds to the states and, as required by law, has implemented the 80 percent obligation rate requirement for each of the states. On receipt of funds, the Governor of California allocates them to the Local Areas by formula. In accordance with the WIOA, the Governor has the option to establish an 80 percent obligation rate requirement on formula funds provided to each Local Area.

## POLICY AND PROCEDURES

It is the responsibility of each Local Area to ensure that funds are obligated appropriately at the level set by the state. The EDD will work with the Local Areas on a case-by-case basis to assist them in resolving any problems with obligation of funds.

### Recapture Provisions, Title I – Youth, Adult, and Dislocated Worker

***The Local Areas are required to obligate at least 80 percent of their program dollars by the end of the first program year for which they were allotted. The determination regarding whether a Local Area has obligated 80 percent of its funds will occur after the first quarter of each program year for the prior program year.***

A sample calculation is as follows:

- \$100,000 Allocation
- (\$10,000) Administration Reserve of 10 percent
- \$90,000 Remaining to obligate

$\$90,000 \times .80 = \$72,000$  (required obligation amount).

Obligations means orders placed for property and services, contracts and subawards made, and similar transactions during a given period that require payment by the non-Federal entity during the same or a future period.

For these programs, an allocation to a Local Area includes the following:

- The initial allocation for that program year.
- Any increase or decrease to the initial allocation. This includes any funds transferred to or from another fund source, (e.g., from adult to dislocated worker). Therefore, if the allocation is increased or decreased, the 80 percent factor adjusts accordingly.

Funds utilization analysis will be based on June 30 expenditure reports submitted to the EDD by the end of the first quarter of each program year (due October 20). If the filing date for first quarter reports is missed, then calculations will be based on the latest financial information available to EDD as of October 20 for the previous program year. Any unobligated funds that exceed 20 percent of the prior year's program allocation are considered excess and may be recaptured/returned to the state by means of reduction, via unilateral subgrant modification, to the prior program year's allocation. For example, excess unobligated PY 2014-15 funds would be deobligated from the PY 2014-15 allocation. ***Recapture/reallocation will be calculated for funds allocated for PY 2014-15, based on financial reports submitted to EDD as of October 20, 2015, for the period ending June 30, 2015. Funds utilization will be computed separately for each funding stream.***

### Reallocation

To be eligible to receive youth, adult, or dislocated worker funds under the reallocation procedures, a Local Area must meet the 80 percent minimum obligation requirement. A Local Area's eligibility to receive a reallocation must be separately determined for each funding stream. An equitable share amount based on the original allocation percentage will be used to reallocate funds. Each Local Area will be given the opportunity to accept or decline the reallocated funds.

### Effect of Recapture/Reallocation on Administrative Funds

Based on direction from the DOL, the loss of a portion of a Local Area's allocation to recapture does not result in the loss of administrative funds available to the Local Area. Conversely, the acceptance of a reallocation of recaptured funds does not result in an increase of the administrative funds available to the Local Area. Cost compliance of administrative limits is measured at the end of the two-year life of the funds.

### **ACTION**

It is the Local Area's responsibility to establish, maintain and exercise ongoing controls to ensure compliance with these requirements.

### **INQUIRIES**

Please direct questions regarding this directive to your assigned Regional Advisor.

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

Attachment is available on the internet:

1. [Summary of Comments: Draft Directive Funds Utilization Requirements for WIOA Funds \(WSDD-126\)](#)

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: IMPACT OF WIOA IMPLEMENTATION ON WAIVERS APPROVED UNDER WIA

## EXECUTIVE SUMMARY

### Purpose

This policy provides guidance on how the implementation of the *Workforce Innovation and Opportunity Act* (WIOA) affects 10 statewide waivers previously granted to California under the *Workforce Investment Act* (WIA).

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 issuance of the final regulations.

### Scope

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

### Effective Date

This directive is effective on the date of issuance.

## REFERENCES

- WIA Sections 101(8)(C), 101(31)(B), 112(b)(18)(B), 117(d)(2)(B), 117(e), 117(h)(4)(b)(i and ii), 122(c), 123, 129(b)(2)(C), 129(c)(2), 133(b)(4), 134 (a), 134(a)(1)(A), 134(d), and 136(b)
- WIOA (Public Law 113-128) Sections 3(14)(C), 133(b)(4), 134(c)(3)(H), and 134(d)(4)(a)(i)
- Title 20 *Code of Federal Regulations* (CFR) Sections 661.420, 663.530, 663.710, 664.405, 664.460, 664.510, 664.610 665.200(d), 665.200(e), 665.200(h), and 667.140,
- Title 20 NPRM Sections 680.800, 681.400(b), and 681.550

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- Training and Employment Guidance Letter ([TEGL 01-15](#), *Operations Guidance Regarding the Impact of Workforce Innovation and Opportunity Act Implementation on Waivers Approved Under the Workforce Investment Act* (July 1, 2015))
- [TEGL 38-14](#), *Operational Guidance to Support the Orderly Transition of Workforce Investment Act Participants, Funds, and Sub recipient Contracts to the Workforce Innovation and Opportunity Act* (June 8, 2015)
- [TEGL 17-05](#), *Common Measures Policy for the Employment and Training Administration's Performance Accountability System and Related Performance Issues* (February 17, 2006)
- California [Senate Bill \(SB\) 118](#) Chapter 562, Statutes of 2013
- Workforce Services Directive ([WSD 14-12](#)), Subject: *Waivers for OJT Training and Youth Procurement and New Waiver Process*
- [WSD 13-10](#), Subject: *Eligible Training Provider List Policy and Procedures*
- [WSD 13-8](#), Subject: *WIA Statewide Waivers and State Plan PY 2013-2017*
- [WSDD-120](#), Subject: *WIOA Eligible Training Provider List – Policy and Procedures*

## STATE-IMPOSED REQUIREMENTS

This directive contains no state-imposed requirements.

## FILING INSTRUCTIONS

This directive finalizes Workforce Services Draft Directive WSDD-127, dated September 23, 2015. The Central Office Workforce Services Division received two comments during the comment period. A summary of comments is provided as an attachment. Retain this directive until further notice.

For information on California waivers under WIA, refer to [WSD 14-12](#), dated April 24, 2015 and [WSD 13-8](#), dated January 8, 2014.

## BACKGROUND

Prior to the implementation of WIOA on July 1, 2015, the Department of Labor (DOL) granted California 10 waivers under WIA. They include the following:

- WIA Section 122(c) – Waives the time limit on the period of initial eligibility of training providers.
- WIA Section 133(b)(4) – Increases the allowable transfer amount between adult and dislocated worker funding streams allocated to a Local Area.
- WIA Section 134(a) – Permits Local Areas to use a portion of local funds for incumbent worker training (IWT).
- WIA Section 134(a)(1)(A) – Permits a portion of the funds reserved for rapid response (RR) activities to be used for IWT.
- Title 20 CFR 664.510 – Waives the prohibition to use individual training accounts (ITA) for older and out-of-school youth.

- WIA Section 101(8)(C) – Waives the required 50 percent employer contribution for customized training.
- WIA Section 101(31)(B) – Allows an increase in the employer reimbursement for on-the-job training (OJT) through a sliding scale based on the size of the business.
- WIA Section 101(31)(B) – Allows an increase in the employer reimbursement for OJT for long-term unemployed, veterans, and individuals with disabilities.
- WIA Section 123 – Waives the requirement for competitive procurement of service providers for three of the 10 youth program elements.
- WIA Section 136(b) – Permits the state to replace the performance measures with the common measures.

On July 1, 2015, the DOL released [TEGL 01-15](#), outlining the Employment and Training Administration’s (ETA) guidance on waivers approved by the Secretary of DOL under WIA. The TEGL states that the Secretary’s waiver authority under WIA does not extend to the provisions of WIOA. However, WIOA does provide the Secretary with the authority to take appropriate actions for the orderly transition from WIA to WIOA. Therefore, the ETA conducted an analysis of each waiver to determine which waivers may remain in place for Program Year (PY) 2015-16 and which WIA waivers were terminated on June 30, 2015.

## **POLICY AND PROCEDURES**

The following guidance outlines how the 10 waivers approved for California under WIA are affected by the implementation of WIOA. The waivers are separated into three categories: Expired Waiver(s), Waiver(s) continuing through PY 2015-16 with obligated funds, and Waiver(s) continuing through PY 2015-16.

### Category 1: Expired Waiver(s)

The following waiver expired June 30, 2015.

#### *1. Eligibility of Training Providers*

This waiver suspended the subsequent eligibility certification requirements of WIA Section 122(c). Under this waiver, the state postponed the determination of subsequent eligibility of training providers.

#### *Current Guidance*

The EDD and the California Workforce Development Board (State Board) issued a directive establishing initial and subsequent eligibility criteria for providers on the Eligible Training Provider List under WIOA.

### Category 2: Waiver(s) Continuing Through PY 2015-16 with Obligated Funds

The following waivers are permitted to continue through PY 2015-16 with funds that have already been obligated as of June 30, 2015. For the purposes of this guidance, “obligated

funds” means that a Local Area has an executed contract in place. For more information regarding the transition of funds from WIA to WIOA, please refer to [TEGL 38-14](#).

1. *Transfer of Adult and Dislocated Worker Formula Funds*

This waiver authorized an increase of the funds transfer limitation at WIA Section 133(b)(4). The waiver authorized Local Areas to transfer up to 50 percent of the adult and dislocated worker formula funds.

*Current Guidance*

Under WIOA, Local Areas can transfer up to 100 percent between the adult and dislocated worker funding streams with approval from the Governor (WIOA Section 133[b][4]).

2. *Use of Local Funds for Incumbent Worker Training Activities*

The waiver of WIA Section 134(a) permitted Local Areas to use up to 10 percent of the adult and dislocated worker formula funds for IWT as part of a layoff aversion strategy.

*Current Guidance*

Under WIOA, Local Areas may use up to 20 percent of their combined total of adult and dislocated worker allotments for IWT (WIOA Section 134[d][4][a][i]).

3. *Use of Rapid Response Funds to Conduct Incumbent Worker Training Activities*

The waiver of WIA Section 134(a)(1)(A) permitted Local Areas to use up to 20 percent of RR funds for IWT as part of a layoff aversion strategy.

*Current Guidance*

According to the WIOA NPRM, Local Areas may use their RR funds for statewide incumbent worker training activities (NPRM 680.800).

4. *Individual Training Accounts*

This waiver removed the prohibition of using ITAs for older and out-of-school (OS) youth participants found at Title 20 CFR 664.510.

*Current Guidance*

According to the WIOA NPRM, Local Areas may use ITAs for OS youth participants ages 18-24 when using WIOA youth funds (NPRM 681.550).

5. *Customized Training*

This waiver allowed the state to remove the required 50 percent employer contribution for customized training at WIA Section 101(8)(C) and use a sliding scale for the employer contribution based on the size of the business.

*Current Guidance*

Under WIOA, the definition of customized training states that an employer pays a significant portion of the cost of training, as determined by the Local Workforce

Development Board (Local Board) involved, taking into account the size of the employer and other factors as the Local Board determines to be appropriate (WIOA Section 3[14][C]).

6. *Increase in Employer Reimbursement for OJT Through a Sliding Scale Based on the Size of the Business*

This waiver of WIA Section 101(31)(B) allowed the state to increase the employer reimbursement rate for OJT through a sliding scale based on the size of the business. Under this waiver, employers with 50 or fewer employees are allowed up to a 90 percent reimbursement rate. Employers with 51-250 employees are allowed up to a 75 percent reimbursement rate. Employers with more than 250 employees are allowed up to a 50 percent reimbursement rate.

*Current Guidance*

Under WIOA, the Governor may authorize up to a 75 percent reimbursement rate for OJT for statewide activities and Local Boards may authorize up to a 75 percent reimbursement rate for OJT for local activities, taking into account certain factors (WIOA 134[c][3][H]).

7. *Increase in Employer Reimbursement for OJT for Long-Term Unemployed, Veterans, and Individuals with Disabilities*

This waiver allowed the state to increase the employer reimbursement rate for OJT through a sliding scale for long-term unemployed, veterans, and individuals with disabilities. Under this waiver, a 75 percent employer reimbursement rate is allowed where OJT is provided to an individual unemployed between 16-51 weeks. A 90 percent employer reimbursement rate is allowed where OJT is provided to an individual unemployed for 52 weeks or more. A 90 percent employer reimbursement rate is also allowed where OJT is provided to a veteran or individual with a disability.

*Current Guidance*

Under WIOA, the Governor may authorize up to a 75 percent reimbursement rate for OJT for statewide activities and Local Boards may authorize up to a 75 percent reimbursement rate for OJT for Local activities, taking into account certain factors (WIOA 134[c][3][H]).

8. *Competitive Procurement for Youth Elements*

This waiver removed the requirement for Local Areas to competitively procure youth providers for three of the 10 youth program elements: supportive services, follow-up services, and work experience.

*Current Guidance*

According to the WIOA NPRM, the requirements of WIOA Section 123 concerning competitive procurement of youth providers do not apply to the design framework services when these services are more appropriately provided by the grant recipient/fiscal agent. Design framework services include intake, objective assessments

and the development of individual service strategy, case management, and follow-up services (NPRM 681.400[b]).

### Category 3: Waiver(s) Continuing Through PY 2015-16

Since WIOA performance requirements will not take effect until July 1, 2016, the DOL Employment and Training Administration will continue to honor the waiver that permits the state to replace the performance measures with the common measures through June 30, 2016.

#### 1. *Common Measures*

This waiver allows the state to replace the 17 performance measures under WIA Section 136(b) with the DOL Common Measures. Further information regarding the DOL Common Performance Measures can be found in [TEGL 17-05](#).

#### *Current Guidance*

Under WIOA, new performance requirements will not take effect until July 1, 2016 (WIOA Section 116).

### **ACTION**

Please bring this guidance 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. [Summary of Comments](#)

**Summary of Comments**

**Draft Directive *Impact of WIOA Implementation on Waivers Approved under WIA (WSDD-127)***

There were two comments to the draft version of this directive:

Commenter #1 asked if there is a definition for long-term unemployed under the *Workforce Innovation and Opportunity Act (WIOA)*.

Resolution: For the purposes of this directive, and in accordance with the Bureau of Labor Statistics, the term “long-term unemployed” refers to an individual who has been unemployed for 27 weeks or more.

Commenter #2 asked why the On-The-Job (OJT) reimbursement rate guidance in this directive is contradictory to the OJT reimbursement rate guidance found in Workforce Services Directive (WSD) WSD13-8 and WSD14-12.

Resolution: The OJT reimbursement rates referenced in WSD13-8 and WSD14-12 were due to *Workforce Investment Act (WIA)* waivers granted to California by the Department of Labor (DOL). As referenced in this directive, the DOL Secretary of Labor’s waiver authority under WIA does not extend to WIOA. However, DOL did determine that the above mentioned WIA waivers are permitted to continue through PY 2015-16, but only if the funds were obligated by June 30, 2015. Otherwise, WIOA provisions for OJT would currently apply.

# WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-15

Date: November 9, 2015

Expiration Date: 1/9/18

50:15:NH:17826

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: ACCESS eWOTC THROUGH EMPLOYER SERVICES ONLINE

Based on customer feedback, the Employment Development Department (EDD) has streamlined the log in and registration process for eWOTC and other online services. If you currently use eWOTC, you will now log in through the [Employer Services Online](#) link.

Some information about this change:

- This will NOT affect your username and password. Continue to use your existing username and password.
- The link to log in stays the same for eWOTC ([log into eWOTC](#)).
- There is an updated look and feel when you log in and/or register.
- eWOTC and e-Services for Business will both use Employer Services Online to log in.

This change is effective November 9, 2015. For more information, go to [Employer Services Online](#). For questions, please contact the WOTC Team at [WOTCsupport@edd.ca.gov](mailto:WOTCsupport@edd.ca.gov).

Thank you for your continued partnership with the EDD.

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

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# WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-16

Date: November 16, 2015

Expiration Date: 12/16/17

69:187:kc:17820

TO: WORKFORCE DEVELOPMENT COMMUNITY

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

This Information Notice (IN) replaces WSIN14-53.

Round two *Workforce Innovation and Opportunity Act* (WIOA) formula funds (commonly referred to as “advanced” 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 released. The Department of Labor released Grant Modification No. 2, AA-26768-15-A-6 on October 1, 2015, reflecting a 0.2108 percent rescission contained in the Continuing Appropriations Resolution, 2016, which was only 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 PY 2015-16 amounts Local Areas will receive for each of the funding streams.

<u>PY 2015-16</u>	<u>Total Allotment</u>	<u>Amount Available for Formula Allocation</u>
Adult Program (Title I)	\$115,354,275	\$103,818,849
Youth Program (Title I)	\$120,707,084	\$108,636,376
Dislocated Worker Program (Title I)	\$163,769,442	\$106,450,140

If you have any questions, please contact Viviana Neet at [Viviana.Neet@edd.ca.gov](mailto:Viviana.Neet@edd.ca.gov) or by phone at 916-653-9150.

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

Attachments are available on the internet:

1. [\(Revised\) WIOA Within-State California Allocations for PY 2015-16 \(Round 2 – Rescission 10/01/2015\)](#)

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(Revised) WIOA Within-State California Allocations  
for PY 2015-16 (Round 2 - Rescission 10/01/2015)

Local Area	Round 1			Round 2 - With Rescission		Total			Grand Total
	Youth	Adult	Dislocated Worker	Adult	Dislocated Worker	Youth	Adult	Dislocated Worker	
Alameda	\$1,816,257	\$142,916	\$393,751	\$1,563,821	\$2,165,553	\$1,816,257	\$1,706,737	\$2,559,304	\$6,082,298
Anaheim City	\$899,031	\$72,259	\$122,882	\$790,672	\$675,826	\$899,031	\$862,931	\$798,708	\$2,560,670
Contra Costa	\$1,722,300	\$141,857	\$352,265	\$1,552,237	\$1,937,390	\$1,722,300	\$1,694,094	\$2,289,655	\$5,706,049
Foothill	\$582,660	\$50,605	\$95,743	\$553,730	\$526,568	\$582,660	\$604,335	\$622,311	\$1,809,306
Fresno	\$4,352,012	\$342,758	\$657,503	\$3,750,532	\$3,616,140	\$4,352,012	\$4,093,290	\$4,273,643	\$12,718,945
Golden Sierra	\$1,068,924	\$87,443	\$205,876	\$956,826	\$1,132,279	\$1,068,924	\$1,044,269	\$1,338,155	\$3,451,348
Humboldt	\$410,207	\$30,086	\$49,960	\$329,211	\$274,773	\$410,207	\$359,297	\$324,733	\$1,094,237
Imperial	\$1,475,544	\$122,824	\$287,232	\$1,343,964	\$1,579,722	\$1,475,544	\$1,466,788	\$1,866,954	\$4,809,286
Kern, Inyo, Mono	\$3,658,583	\$294,496	\$538,960	\$3,222,440	\$2,964,179	\$3,658,583	\$3,516,936	\$3,503,139	\$10,678,658
Kings	\$617,377	\$58,993	\$93,846	\$645,513	\$516,133	\$617,377	\$704,506	\$609,979	\$1,931,862
Los Angeles City	\$14,987,996	\$1,213,317	\$1,613,148	\$13,276,396	\$8,872,007	\$14,987,996	\$14,489,713	\$10,485,155	\$39,962,864
Los Angeles	\$11,730,067	\$939,297	\$1,472,597	\$10,278,009	\$8,099,002	\$11,730,067	\$11,217,306	\$9,571,599	\$32,518,972
Madera	\$600,458	\$51,503	\$90,717	\$563,553	\$498,926	\$600,458	\$615,056	\$589,643	\$1,805,157
Marin	\$312,478	\$30,913	\$65,122	\$338,253	\$358,156	\$312,478	\$369,166	\$423,278	\$1,104,922
Mendocino	\$224,478	\$19,048	\$34,904	\$208,427	\$191,963	\$224,478	\$227,475	\$226,867	\$678,820
Merced	\$1,248,968	\$98,516	\$192,546	\$1,077,985	\$1,058,968	\$1,248,968	\$1,176,501	\$1,251,514	\$3,676,983
Monterey	\$1,454,577	\$124,009	\$296,290	\$1,356,930	\$1,629,539	\$1,454,577	\$1,480,939	\$1,925,829	\$4,861,345
Mother Lode	\$410,948	\$40,036	\$71,846	\$438,080	\$395,137	\$410,948	\$478,116	\$466,983	\$1,356,047
Napa-Lake	\$485,714	\$42,047	\$86,753	\$460,085	\$477,125	\$485,714	\$502,132	\$563,878	\$1,551,724
NoRTEC	\$2,409,661	\$193,774	\$357,311	\$2,120,320	\$1,965,142	\$2,409,661	\$2,314,094	\$2,322,453	\$7,046,208
NCC	\$1,011,223	\$78,104	\$166,457	\$854,630	\$915,480	\$1,011,223	\$932,734	\$1,081,937	\$3,025,894
NOVA	\$1,670,200	\$141,483	\$366,645	\$1,548,141	\$2,016,472	\$1,670,200	\$1,689,624	\$2,383,117	\$5,742,941
Oakland City	\$1,567,314	\$128,921	\$185,985	\$1,410,678	\$1,022,883	\$1,567,314	\$1,539,599	\$1,208,868	\$4,315,781
Orange	\$3,539,694	\$275,094	\$748,285	\$3,010,146	\$4,115,425	\$3,539,694	\$3,285,240	\$4,863,710	\$11,688,644
Pacific Gateway	\$1,915,311	\$145,884	\$205,984	\$1,596,295	\$1,132,872	\$1,915,311	\$1,742,179	\$1,338,856	\$4,996,346
Richmond City	\$414,348	\$36,246	\$48,326	\$396,608	\$265,783	\$414,348	\$432,854	\$314,109	\$1,161,311
Riverside	\$6,611,502	\$531,962	\$1,012,371	\$5,820,849	\$5,567,848	\$6,611,502	\$6,352,811	\$6,580,219	\$19,544,532
Sacramento	\$3,885,387	\$309,990	\$609,661	\$3,391,983	\$3,353,021	\$3,885,387	\$3,701,973	\$3,962,682	\$11,550,042
San Benito	\$192,731	\$15,192	\$37,578	\$166,238	\$206,674	\$192,731	\$181,430	\$244,252	\$618,413
San Bernardino City	\$990,612	\$77,312	\$101,657	\$845,965	\$559,092	\$990,612	\$923,277	\$660,749	\$2,574,638
San Bernardino	\$5,218,849	\$414,869	\$779,865	\$4,539,590	\$4,289,108	\$5,218,849	\$4,954,459	\$5,068,973	\$15,242,281
San Diego	\$7,684,498	\$588,990	\$1,256,547	\$6,444,857	\$6,910,768	\$7,684,498	\$7,033,847	\$8,167,315	\$22,885,660
San Francisco	\$1,398,109	\$128,916	\$299,876	\$1,410,623	\$1,649,259	\$1,398,109	\$1,539,539	\$1,949,135	\$4,886,783
San Joaquin	\$2,775,777	\$216,369	\$423,285	\$2,367,558	\$2,327,988	\$2,775,777	\$2,583,927	\$2,751,273	\$8,110,977
San Jose - Silicon Valley	\$2,657,475	\$209,854	\$454,275	\$2,296,271	\$2,498,423	\$2,657,475	\$2,506,125	\$2,952,698	\$8,116,298
San Luis Obispo	\$721,509	\$46,195	\$86,251	\$505,479	\$474,362	\$721,509	\$551,674	\$560,613	\$1,833,796
Santa Ana City	\$1,136,469	\$93,012	\$109,645	\$1,017,759	\$603,025	\$1,136,469	\$1,110,771	\$712,670	\$2,959,910
Santa Barbara	\$1,230,452	\$73,671	\$154,663	\$806,126	\$850,617	\$1,230,452	\$879,797	\$1,005,280	\$3,115,529
Santa Cruz	\$965,631	\$70,536	\$152,846	\$771,826	\$840,624	\$965,631	\$842,362	\$993,470	\$2,801,463
SELACO	\$1,096,099	\$86,932	\$172,160	\$951,229	\$946,845	\$1,096,099	\$1,038,161	\$1,119,005	\$3,253,265
Solano	\$997,677	\$91,726	\$196,356	\$1,003,689	\$1,079,922	\$997,677	\$1,095,415	\$1,276,278	\$3,369,370
Sonoma	\$1,012,777	\$79,900	\$172,519	\$874,282	\$948,822	\$1,012,777	\$954,182	\$1,121,341	\$3,088,300
South Bay	\$1,666,423	\$143,257	\$265,942	\$1,567,551	\$1,462,630	\$1,666,423	\$1,710,808	\$1,728,572	\$5,105,803
Stanislaus	\$2,156,486	\$173,742	\$351,721	\$1,901,129	\$1,934,397	\$2,156,486	\$2,074,871	\$2,286,118	\$6,517,475
Tulare	\$2,204,620	\$174,926	\$357,037	\$1,914,084	\$1,963,634	\$2,204,620	\$2,089,010	\$2,320,671	\$6,614,301
Ventura	\$1,956,058	\$149,684	\$359,780	\$1,637,877	\$1,978,719	\$1,956,058	\$1,787,561	\$2,338,499	\$6,082,118
Verdugo	\$754,029	\$67,780	\$131,812	\$741,667	\$724,943	\$754,029	\$809,447	\$856,755	\$2,420,231
Yolo	\$736,876	\$46,180	\$90,648	\$505,311	\$498,547	\$736,876	\$551,491	\$589,195	\$1,877,562
Total	\$108,636,376	\$8,693,424	\$16,377,429	\$95,125,425	\$90,072,711	\$108,636,376	\$103,818,849	\$106,450,140	\$318,905,365

# WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-17

Date: November 17, 2015

Expiration Date: 12/17/17

69:175:rc:17809

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: CONFLICT OF INTEREST CODE REQUIREMENTS FOR LOCAL BOARDS

The Employment Development Department is providing the following guidance to assist Local Workforce Development Areas (Local Areas) in the development of a Conflict of Interest Code (COIC) for their Local Workforce Development Board (Local Board). This guidance reflects recent changes made to the California [Fair Political Practices Commission](#) (FPPC) regulations.

The California FPPC was established to meet the responsibilities of the *Political Reform Act of 1974*. It provides oversight and education to state and local agencies in the development and enforcement of COICs, including regulatory guidance on the appointment of members to boards and commissions.

In accordance with federal statute, the [California's Unemployment Insurance Code \(CUIC\)](#) outlines the mandatory and discretionary appointments that comprise Local Board membership. One of the functions of the members is to provide valued input and representation on the responsibilities addressed by the Local Board. However, Local Boards must also ensure that all decisions are reached in a transparent, ethical, and legal manner.

As such, the COIC must provide clear guidance on when members should recuse themselves from a vote, due to a potential conflict of interest. When developing this policy, Local Areas are advised to consult the California FPPC Regulations Section [18703](#), which provides criteria to determine a public official's financial interest in making governmental decisions.

Section [18703\(e\)\(5\)](#) further states that *if "the decision is made by a board or commission and the law that establishes the board or commission requires certain appointees to have a representative interest in a particular industry, trade, or profession or other identified interest, and the public official is an appointed member representing that interest," then "this provision applies only if the effect is on the industry, trade, or profession or other identified interest represented and there is no unique effect on the official's interest."*

Therefore, the COIC policy should not hinder a Local Board member from fulfilling his or her duty to speak on behalf of the constituencies he or she is specifically appointed to represent. If technical assistance is needed, Local Areas should contact the California [FPPC](#).

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

Local Areas are encouraged to consult with their legal counsel to ensure their COIC reflects current regulatory guidance and is being applied accurately and equitably to all members. They should also ensure that Ethics Training is provided to all members as required by [California Assembly Bill 1234](#).

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

# WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-18

Date: November 20, 2015

Expiration Date: 12/20/17

50:211:cc:17848

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: PROPOSITION 39 GRANT 2.0 – REQUEST FOR APPLICATIONS

The California State Workforce Development Board (State Board) and the Employment Development Department announces the availability of approximately \$4.3 million to implement and support energy efficiency-focused “earn-and-learn” job training and placement programs, targeting disadvantaged job seekers. The funds were established by the voter-approved Proposition 39 - *The California Clean Energy Jobs Act* (SB 73 – Chapter 29, Statutes of 2013).

The State Board will fund grant projects that fill critical workforce skills gaps by creating opportunities for disadvantaged California job seekers to earn industry-valued credentials and enter into pre-apprenticeship, leading to apprenticeship or direct employment, in the energy efficiency or construction sectors.

In addition, the State Board is interested in funding applications that further advance the goals of California’s Strategic Workforce Development Plan 2013-2017 “Shared Strategy for a Shared Prosperity,” and build workforce system infrastructure and capacity through the following:

- **Collaboration** among regional partners in the development and delivery of “earn and learn” and pre-apprenticeship models in the energy efficiency/construction sector.
- **Innovation** that creates new approaches, adapts existing approaches, or accelerates application of promising practices in workforce development and skills attainment.
- **System change** that utilizes these funds to incentivize adoption of proven strategies and innovations that are sustained beyond the grant period.

California is a recognized leader in the development and implementation of environmental and energy efficiency policies and climate change management practices. To further this commitment, the state has directed the State Board to award grants that support the growth of California’s green/clean economy. The State Board estimates that approximately two-thirds of the jobs created by Proposition 39 Clean Energy Job Creation-funded projects in California shall be in traditional construction trade occupations, and shall have “green

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skills” elements that are critical to improving energy efficiency in school facilities across the state.

The Request for Applications (RFA) will leverage public and private investment in the energy efficiency industries to train disadvantaged Californians for entry-level employment and careers in these newly emerging fields. The first round of Proposition 39 grants (Prop 39 1.0) was announced in February 2014, and resulted in ten innovative projects. Prop 39 2.0 will build upon these successes, and solicit new strategies for California’s green/clean economy. Projects funded under this RFA will create opportunities for at-risk youth, veterans, women and other disadvantaged or disconnected job seekers to improve their qualifications for energy efficiency occupations and to qualify them for state-certified apprenticeship programs, community college career programs, and direct job placement.

### **Project Goals**

- Train at-risk youth, women, veterans, and other disadvantaged job seekers in green job skills.
- Create structured pathways to apprenticeship.
- Build the energy efficiency workforce.
- Align systems and leverage funding to optimize results and reduce service duplication.
- Implement, replicate, and/or scale successful innovations that emerged from Prop 39 1.0 projects.

Successful applications shall create or expand regional partnerships that include local workforce development boards, community colleges, community-based organizations, labor organizations and industry associations or coalitions of employers. Funds awarded under this RFA may be used to provide training, “earn and learn” activities, support services, and job placement assistance. In addition, the State Board shall make funding available for technical assistance and capacity building among key stakeholders, and for development of program elements, tools and service strategies that advance project and system efficiency, and effectiveness.

Technical Assistance & Capacity Building and Training Implementation Applications are due **December 18, 2015 by 3 p.m.**

Development Applications will be accepted on an on-going basis until **May 2, 2016**, pending availability of funds.

For more information on this funding opportunity and its requirements, please refer to the [State Board’s Initiatives website](#).

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

# WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-19

Date: December 3, 2015

Expiration Date: 01/03/18

69:175:rc

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: PUBLIC COMMENT PERIOD – CALIFORNIA’S STATE PLAN, PY 2016-2019

The California Workforce Development Board (State Board) is seeking public comments on California’s Unified Strategic Workforce Development Plan (State Plan).

The four-year State Plan represents agreement among the core partners identified in the *Workforce Innovation and Opportunity Act* (WIOA) and serves as the framework for the development of public policy, fiscal investment, and operation of all state labor exchange, workforce education, and training programs. This draft State Plan meets the requirements of Federal Register Notice Docket ID number ETA-2015-0006-0002 “WIOA Unified and Combined State Plan Requirements” and the associated Information Collection Request.

The State Plan will be posted on the [State Board's website](#) for a 30-day public comment period. Comments will be accepted until 5 p.m. on January 2, 2015 and must be submitted in writing through one of the following:

Mail California Workforce Development Board  
Attn: Unified State Plan Comments  
800 Capitol Mall, Suite 1022  
Sacramento, CA 95814

E-mail [CWDBInfo@cwdb.ca.gov](mailto:CWDBInfo@cwdb.ca.gov)

Fax 916-657-1381

If you have any questions, contact Daniel X. Patterson at the State Board by e-mail at [Daniel.Patterson@cwdb.ca.gov](mailto:Daniel.Patterson@cwdb.ca.gov) or by phone at (916) 657-1446.

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

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# WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-20

Date: December 16, 2015

Expiration Date: 01/16/18

69:125:mg:17881

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WAIVER OF 80 PERCENT OBLIGATION REQUIREMENT FOR PROGRAM YEAR 2014-15

The requirement for Local Workforce Development Areas (Local Areas) to obligate at least 80 percent of their *Workforce Investment Act* program dollars by the end of the Program Year (PY) is being waived. This waiver only applies to PY 2014-15, funds which must be fully expended by June 30, 2016.

This waiver is being granted in order to provide Local Areas with as much flexibility and resources as possible to implement the *Workforce Innovation and Opportunity Act*. For guidance on the funds utilization requirements for PY 2015-16 funds, please refer to Directive [WSD15-08](#) issued November 18, 2015.

If you have any questions regarding this information, please contact your assigned [Regional Advisor](#).

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

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## WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-21

Date: December 30, 2015

Expiration Date: 01/30/18

50:dic:kd:17887

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: IMPLEMENTATION OF THE CalJOBS<sup>SM</sup> CUSTOMER RELATIONSHIP MANAGEMENT (CRM) MODULE

The Employment Development Department (EDD) is pleased to announce the addition of the Customer Relationship Management (CRM) module in CalJOBS<sup>SM</sup>. The module will be available for use by the Local Workforce Development Areas and the EDD staff on December 31, 2015.

The CRM module meets the business needs of managing, recording, and conducting employer recruitments actively. Currently, CalJOBS<sup>SM</sup> uses "Preferred Employer" as the only employer account type. CRM will offer "Marketing Lead" as a second employer account type where staff can convert a business contact into an active recruiting employer. Marketing Leads can be created by staff in two different ways: (1) by manual entry, or (2) by converting an external (spidered) employer. Staff should exercise caution when selecting either option as each method will differ in how the marketing lead is completed:

- Creating Marketing Leads by manual entry will require staff to provide employer contact information.
- Creating Marketing Leads by using an external (spidered) employer will allow staff to populate employer contact information from employers who have active job orders in CalJOBS<sup>SM</sup>.

Ideally, a Marketing Lead should be created when staff establish initial contact with any potential employer and/or business customer.

With the additional options that CRM provides for creating employer recruitments, staff should be aware of, and conduct, the following check points prior to converting a Marketing Lead into a Preferred Employer account:

- Check if the employer is already in CalJOBS<sup>SM</sup>.
- Verify the employer account type before recording employer service codes or completing any other tasks on behalf of the employer. The indication of account

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type can be found in two places: (1) the “Employer Profile,” under “General Information,” or (2) “Case Management Profile,” under “Marketing Details.”

- Follow current practices for creating job referrals. Job referrals are created for Preferred/Recruiting employers only – not for Marketing Leads. Marketing Lead employers do not have access to post job orders or search for candidates.
- When converting a “Marketing Lead” account to a “Preferred Employer” account, the employer’s username (generated by CalJOBS<sup>SM</sup>) will remain the same, including the “MKT” prefix. It is recommended that staff remove the “MKT” prefix.
- The traditional employer vetting process will occur when a “Marketing Lead” account is converted into a “Preferred Employer” account type. Employer information will be verified by the WSB staff before the employer is provided CalJOBS<sup>SM</sup> access.
- CalJOBS<sup>SM</sup> allows staff to search for employers by “Marketing Lead” or “Preferred Employer” account types. Detailed employer reports also give staff the ability to run reports by “Marketing Lead” or “Preferred Employer” account type.
- EDD and Local Area staff are recommended to continue following the current procedures for employer outreach in respect to other Local Areas.

CRM will also offer “Work Items” as a feature that will allow assigning tasks to staff for completion on behalf of Marketing Lead employers. Detailed CRM reports will be available for the tracking of Work Items and activities provided to Marketing Lead employers. Work Items tasks are not region specific and may be accessed by any staff. Staff with CRM have access to all active marketing leads with no separation between Local Areas.

For further and detailed information on Customer Relationship Management, please refer to the *Staff Services User Guide*, Chapter 28 linked below.

Questions regarding this Information Notice can be directed to Kayleigh Davis, CalJOBS<sup>SM</sup> Operations Unit, at 916-653-0202.

JOSÉ LUIS MÁRQUEZ, Chief  
Central Office Workforce Services Division

Attachment is available on the internet:

1. [Staff Services User Guide, Chapter 28](#)