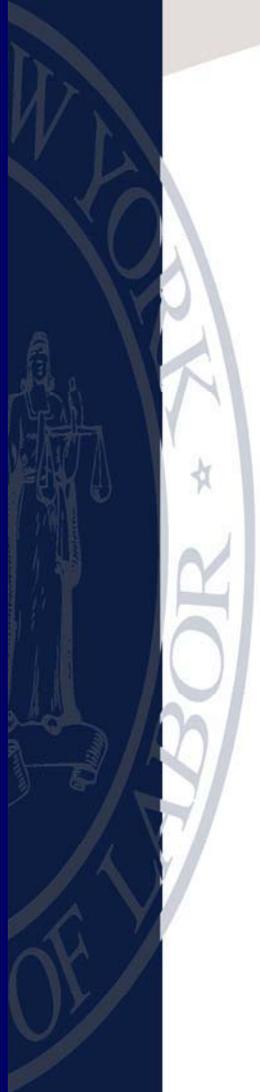


# Local Plan Modification

July 1, 2009 – June 30, 2010

**Division of Employment and  
Workforce Solutions**



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## **General Instructions for Modifying the Existing Local Plan**

The Workforce Investment Act Local Plan Modification for Program Year 2009-2010, for Workforce Investment Act Title I-B and Wagner Peyser programs, must be submitted to the New York State Department of Labor (NYSDOL) no later than **September 18, 2009**, in accordance with the Planning Guidelines issued by NYSDOL on behalf of the State Workforce Investment Board and the Governor. The Plan Modification must be developed by the Local Workforce Investment Board (Local Board) in partnership with the Local Chief Elected Official(s).

The Plan Modification, generated through this process, will amend and extend: the approved Local Plan, which originally covered the period July 1, 2005 – June 30, 2008; the local area's approved Functional Alignment Addendum; and the local area's previous plan modification, which extended the existing Plan and Addendum to June 30, 2009. Therefore, this Local Plan Modification will extend the existing Plan and Addendum to June 30, 2010 and will become the basis for local area policy and monitoring.

### **Plan Modification Guidelines**

The Plan Modification Guidelines are available and can be downloaded on New York's Workforce Development System website at:

[http://www.labor.state.ny.us/workforcenypartners/wfnyp\\_index.shtm](http://www.labor.state.ny.us/workforcenypartners/wfnyp_index.shtm)

The guidelines are attached to Technical Advisory # 09-16, dated May 26, 2009.

### **Publication**

The Local Board must make copies of the proposed Plan Modification available for public comment through such means as public hearings, local news media, and local websites. The general public must have access to the proposed Plan Modification; there must be 30 days from the date of publication and/or availability in which the general public may comment. When the Plan Modification is submitted for approval, any comments received in disagreement must be attached. In addition, the Plan Modification must explain how those disagreements were addressed.

### **Submission**

The draft Plan Modification is due **September 18, 2009**. NYSDOL requests local areas to complete the submittal process electronically by posting the draft Plan Modification, any comments received and the manner in which the comments were addressed, to the local area's workforce website. Specifically, local areas are required to **send an e-mail by cob September 18, 2009** to [WDTDLocalPlans@labor.state.ny.us](mailto:WDTDLocalPlans@labor.state.ny.us), with a copy to your state representative, which includes the following:

- Notice that the local Plan Modification, any comments received and information on the manner in which comments were addressed, are posted on the local website and available for State review;
- Indication of the URL and location of the Plan Modification document(s) on the website;
- Statement of the dates the Plan Modification was made available for public comment;
- Provision of contact information in the event there are problems accessing the Plan Modification; and

- Affirmation that no changes will be made to the document once it has been posted for NYSDOL review.

Should a local area be unable to comply with this method of submission, email a request for assistance to: [WDTDLocalPlans@labor.state.ny.us](mailto:WDTDLocalPlans@labor.state.ny.us). Please use “Request for Assistance with Local Plan Submission” in the Subject line.

**Time Table**

Plan Modification Guidelines Issued	May 26, 2009
Latest Date for Publishing Plan for Public Comment	<b>August 20, 2009</b>
Local Plan Modifications due to NYSDOL	<b>September 18, 2009</b>
NYSDOL approval or request for information	No later than <b>December 17, 2009</b>

**Required Attachments**

The required Attachments include:

- Attachment A: Signature of Local Board Chair
- Attachment B: Signature of Chief Elected Official
- Attachment C: Signature of WIB Director
- Attachment D: Units of Local Government
- Attachment E: Fiscal Agent/Grant Subrecipient
- Attachment F: One Stop Operator Information
- Attachment G: Federal and State Certifications

If any of the following have changed, please also attach:

- Chief Elected Official Agreement (if applicable)
- Local Board By-Laws
- One Stop Operator Agreements

**Note: Hard copies of the required attachments and signature pages must be mailed to the address below. These attachments and signature pages must be received no later than September 18, 2009.**

**Attn: Karen A. Coleman  
Local Plan Modification**

New York State Department of Labor  
Division of Employment and Workforce Solutions  
Building 12 ~ Room 450  
W. Averill Harriman Office Building Campus  
Albany, New York 12240

## **Instructions for Filling out the Plan Modification Document**

There are two main sections of the Local Plan Modification, each beginning with a short narrative and followed by instructions and questions. **A shaded area is provided into which the details of your response should be typed.**

For the check boxes and forms, you may want to lock the form to easily tab from box to box and insert an “X” where appropriate. If the forms toolbar is not visible, click “View” - “Toolbars” - “Forms” and click on the  symbol to lock or unlock the form.

It is recommended that you save this document to your computer as your working document using the following naming convention: “LWIA NAME – Plan Modification.” Save your document frequently during its completion.

Technical assistance regarding the development of the Local Plan Modification should be directed to your State Representative. If you need any assistance with the form, please contact Sharon Zapp at (518) 457-5189.

## **Workforce Investment Act Local Plan Modification July 1, 2009 – June 30, 2010**

In compliance with the Workforce Investment Act (WIA), each local workforce investment area is required to have a Comprehensive Local Plan in place. With the passage of the federal American Reinvestment and Recovery Act (Recovery Act), NYSDOL has determined that each local Workforce Investment Board will develop a One-Year Plan Modification to extend the current plan to now cover the period July 1, 2005 - June 30, 2010. The Plan Modification will allow for short-term changes, development of strategies and efficiencies for effectively utilizing increases in funding, and alignment with updated Federal, State and local priorities.

New York State shares the vision outlined in the Recovery Act; creating and preserving jobs, promoting economic recovery, and assisting those most impacted by the recession. Workforce development activities will play an integral role in achieving these three goals for both New York State and the nation as a whole. As workers increasingly find themselves dislocated, unemployed, and underemployed, they will need assistance to find new jobs, better jobs, and training opportunities to prepare them for these jobs.

It is crucial to maintain transparency and accountability at all levels. Recovery Act funds must be tracked accurately and separately from other sources of funding, and frequent communication regarding the use of these funds will be required. Needless to say, the funding from the Recovery Act, used concurrently with normal sources of funding, will allow a substantial increase in the number of services provided to customers in the One-Stop system. In particular, the number and proportion of customers receiving training services will increase.

The need for economic recovery also comes with an opportunity to ensure economic competitiveness in the long term. To this end, New York State has designated three demand sectors which will provide many job openings and are believed to be important to economic growth in the future:

- **Green and Renewable Resources**

This sector is comprised of a wide variety of industries and occupations; New York is primarily focused on Solar Power, Wind Power, and Weatherization. Each of these industries offer career paths, with solar and wind power focusing on the installation of small-scale power generation and weatherization providing construction and building renovation jobs. With rising energy costs and commitments on all levels of government to prevent environmental damage, green jobs are expected to grow substantially in the coming years. Furthermore, as the alteration of existing buildings and construction of new buildings cannot be performed overseas, these jobs are highly resistant to outsourcing.

- **Health Care (including the Life Sciences and BioTech/BioScience Industries)**

A substantial amount of labor market information identifies health care as a rapidly growing sector, in part due to the aging population. There are a number of entry-level jobs with the potential for career advancement in this industry in fields such as nursing, pharmaceuticals, and home or hospice care.

- **Advanced Manufacturing**

Manufacturing jobs that use high-tech processes, in industries such as Nanotechnology, Bioinformatics, and Medical Device manufacturing, are high growth and vital to the US economy, according to the US Department of Labor. The State also sees strong investment in such industries. This sector includes both high-tech jobs and lower-skill jobs that provide career ladders.

Many customers will have barriers to participating in training, such as transportation issues. It is expected that staff will work with customers to identify and remove barriers to participation through the provision of supportive services and needs-related payments. This is especially relevant for adults who are low-income, displaced, and under-skilled, as well as disconnected youth; in fact, many provisions in the Recovery Act are designed to target these populations, and there is a Priority of Service in effect for recipients of public assistance and other low-income individuals. These groups have been starkly affected by the economic recession and are greatly in need of assistance to get on a pathway out of poverty. Youth, also often at risk, can be served with a Summer Youth Employment Program. Given the fact that individuals up to age 24 can be considered “youth” for the purposes of spending Recovery Act funds, this presents an excellent opportunity to assist our young adult customers.

The Plan Modification will allow Local Boards the opportunity to re-evaluate their current system’s delivery of employment and training services in light of funding considerations, new initiatives and performance. In developing those new strategies and policies, local areas should consult with their region’s Labor Market Analyst to review updated data and trends that may impact planning efforts and to use demographic information provided to assure workforce related needs of special populations. In addition, occupational demand lists should be carefully reviewed with attention to current economic conditions. The Plan Modification consists of two parts, the Strategies and Policy Updates, and WIA Compliance sections.

#### Section I: Strategies and Policy Updates

The Strategies and Policy Updates section is in the form of questions that will address:

1. Priority of Service for recipients of public assistance, other low-income individuals, veterans, and eligible spouses of veterans;
2. Supportive services and needs-related payments;
3. Youth activities;
4. Reemployment services under the Wagner-Peyser Act;
5. Training; and
6. Continued emphasis on services for special needs populations.

#### Section II: WIA Compliance

The WIA Compliance section deals with the Local Board Policies that are regulated by the Workforce Investment Act. In this section, local boards are asked to verify that the policies contained in their current Plan and in their Functional Alignment Addendum remain in effect, or indicate that the policy has changed. Where policies have changed or new policies have been instituted, the policy must be attached.

During the State review process, local areas may be asked for clarification or additional information. **Responses will become part of the local plan, and will be considered policy.**

## **Section I. Strategies and Policy Updates**

### **1. Priority of Service**

Local Boards must incorporate priority of service for veterans and eligible spouses as mandated under federal regulations that went into effect on January 19, 2009. In addition, the Recovery Act requires a statutory priority for recipients of public assistance and other low-income individuals.

It is important to understand that veterans' priority of service is not intended to displace the core mission of any particular program. More specifically, a priority of service within a priority is created for those programs that are derived from a federal statutory mandate (such as the Recovery Act) that requires a priority or preference for a particular group of individuals. As an example, when you collectively compare recipients of public assistance and other low-income individuals with veterans and eligible spouses of veterans, the following priority order is applicable:

1. The first population to receive intensive and training services is public assistance and low-income veterans (or eligible spouses of veterans);
2. The second priority is for public assistance and low-income non-veterans;
3. The third priority is for veterans (or eligible spouses of veterans) who are not low-income or receiving public assistance;
4. The last priority is for adults who are non-veterans who are not low-income or receiving public assistance.

To this end, Local Boards are required to show evidence that strategies and policies are in place (or will be in place) addressing priority of service.

#### **a. Public Assistance and Low-Income Populations:**

Priority use of WIA Recovery Act funds for intensive and training services must apply to recipients of public assistance and other low-income individuals. This requirement is a major shift from current state guidance for non-Recovery Act WIA Adult formula funds which gives the Local Board discretion to enact priority of service.

In order to better understand current guidance regarding priority of service it is helpful to look back at historical guidance on this topic. The "Planning Guidelines for the Comprehensive Three-Year Local Plan (Program Year 2005 to 2007)" issued by the Department in February 2005 required Local Boards to describe the criteria used to determine whether funds allocated for employment and training activities are limited, and the process by which any priority of service will be applied. This guidance did not mandate that priority of service be enacted. Subsequently, the "Local Plan Modification for Program Year 2008" required the Local Board to submit any changes to current priority of service policy (if applicable) and to indicate if the Local Board has since declared a priority of service to be in effect.

Based on this historical guidance, it is possible that a Local Board has never declared priority of service to recipients of public assistance and other low-income individuals. The Recovery Act now requires every Local Board to declare priority of service to recipients of public assistance and other low-income individuals. Only WIA Adult funds are covered under this provision of the Recovery Act, as priority of service to recipients of public assistance and other low-income individuals does not apply to youth, dislocated worker, Wagner-Peyser, and Reemployment Services grant funds.

The Local Board must show clear evidence that priority of service is provided for intensive and training services under Recovery Act WIA Adult funds to recipients of public assistance and low-income individuals. As such, please respond to the questions below. Additionally, the Local Board is encouraged to develop a separate policy guidance document to be distributed to all impacted One-Stop Career Center staff members. Please find a sample policy provided in Attachment I.

1. Describe the method(s) that will be used to identify an individual as a priority customer. Please include:

- a. A description of how the appropriate documentation is collected and maintained when an individual self-identifies as a public assistance recipient or other low-income individual;
- b. The parameters to be used that qualifies someone as an low-income individual (note – income earned while on active duty status is required to be disregarded in eligibility determinations); and
- c. The estimated percentage/number of WIA Adult customers that will qualify for priority of service during the program year.
- d. If applicable, indicate how it was determined there are sufficient local resources for employment and training activities to serve all customers, so that a priority of service does not need to be applied for customers served by non-Recovery WIA Adult funds.

**a.) The NYC LWIA's has adopted a Priority of Service Policy for the Adult and Dislocated Worker formula funds that indicates that funds are not considered limited in the NYC LWIA, therefore customers do not need to be prioritized. However, understanding the importance of complying with the ARRA funding, and the necessity of prioritizing low income individuals the NYC LWIA is making accommodations to collect and verify customer status.**

**b.) As it relates to a priority customer, the NYC LWIA views low income individuals as WIA participants who: (a) received, or is a member of a family which received, cash payments under a federal, state or local income based public assistance program, or (b) is a member of a household that received (or has been determined within the six-month period prior to program participation) Food Stamps under the Food Stamp Act of 1977.**

**c.) The NYC LWIA will continue to focus on delivering high quality services to the high volume of diverse customers at the Workforce1 Career Centers. As noted above, due to the system's traditional focus on a universal customer pool and ability to access services in a timely fashion we do not feel we are in a position to accurately estimate the number of adult customers qualifying for priority of service.**

**d.) Due to the structure of the NYC LWIA every eligible customer can access the same intensive service options. The NYC LWIA views the provision of intensive services as a core activity at the Workforce1 Career Centers, and can make more readily available intensive services,**

**based on demand, such as workshops, career development services, etc. Pertaining to training availability, in 2008 the NYC LWIA initiated a change to its Individual Training Accounts, or Individual Training Grants (ITG) in New York City, guidelines removing maximum issuance targets in favor of minimum issuance targets. This demonstrates that if customer demand warrants the issuance of ITGs beyond the minimum targets, the Workforce1 Career Centers have the opportunity to issue additional ITGs, provided that customers are qualified and that the training is included in the City's growth occupation list.**

2. If your local area will not be applying priority of service to all adults, describe the procedure(s) that will be used to differentiate between Recovery WIA Adult and non-Recovery WIA Adult customers for purposes of Priority of Service. [Note: depending on local policy, priority of service may not be mandatory when services are provided with non-Recovery WIA Adult funds]

**To aid in the tracking of ARRA resources, the NYC LWIA has strategically funded discrete programs thereby enabling NYC Department of Small Business Services to easily apply priority of service to all adults consuming services funded by ARRA. These programs include expanding services through contracts at partner organizations for sector specific work readiness and placement, and expansion of training services.**

3. Describe the internal monitoring process, including subrecipient monitoring, that will be initiated to ensure federal priority of service requirements under the Recovery Act are successfully implemented and adhered to.

**The NYC Department of Small Business Services will continue to hold the Workforce1 Career Centers and discrete ARRA funded programs to high compliance standards, which includes a review of common intake, program eligibility, initial assessment, data entry, data element validation and staffing. SBS will carry out the system's current monitoring requirements, and will include an additional section to ensure priority of service is occurring.**

**Similarly, Mayor Bloomberg has taken a keen interest in ensuring that City agencies are aware and complying with ARRA requirements. To that end, the Mayor's Office of Operations and external consultant KPMG have conducted a thorough assessment of all City agencies – including DYCD and SBS – to ensure that they are aware and prepared to meet new reporting requirements, including Section 1512 provisions for subrecipients and vendors.**

4. Describe the modifications to Functional Alignment and/or Customer Flow that will be made (if any) to enhance implementation of priority of service.

**The NYC LWIA has made strides to ensure that all customers access quality services in a timely manner. More specifically, for ARRA funded initiatives occurring within the Workforce1 Career Centers, NYC does not anticipate a significant impact to current customer flow. However, in the event that ARRA funded participants are impacted by increased customer flow that reduces**

**their ability to access services in a timely manner i.e. waiting lists, tighter scrutiny will be exercised and customer flow will be modified. Customer data collected will be utilized in determining priority status. These modifications may include, but are not limited to, reserving slots in high traffic workshops and/or considering priority customers through the training eligibility process.**

5. Describe the methods of training and communication that will be implemented at the local level to ensure all impacted staff members are aware of and utilizing priority of service in the daily operations.

**The NYC Department of Small Business Services (SBS), in conjunction with the NYS Department of Labor, will release a policy to all Workforce1 Career Center staff prior to the implementation modified customer flow defining expectations. While all staff will be informed, specific training will be provided to Center leadership, membership teams, and career advisement staff.**

6. Please include relevant information not mentioned above that supports the Local Board's strategy for providing priority of service to recipients of public assistance and other low-income individuals.

**Not applicable.**

**b. Veterans & Eligible Spouses of Veterans:**

The United States Department of Labor implemented veterans' priority of service via regulation that went into effect on January 19, 2009. As a result of this regulation, all One-Stop Career Centers will need to have clear strategies for providing veterans and eligible spouses of veterans with the highest quality of service at every phase of services offered. Comprehensive guidance has been provided by the Department under the Workforce Development System Technical Advisory #09-14 released on April 29, 2009.

The federal regulation requires that Local Boards develop and include in their strategic local plans, policies implementing priority of service for the local One-Stop Career Centers and for service delivery by local workforce preparation and training providers. These policies must establish procedures to ensure that covered persons are given an opportunity to identify themselves as a veteran or eligible spouse at the point of entry thus allowing them to take full advantage of priority of service. Please note, federal regulations currently provide direction that verification of the status of an individual as a veteran or eligible spouse at the point of entry is not required.

More specifically, policies implementing priority of service shall ensure that covered persons are aware of: (1) their entitlement to priority of service; (2) the full array of employment, training, and placement services available under priority of service; and (3) any applicable eligibility requirements for those programs and/or services. Under this context, local policy should detail the strategies and procedures to be invoked that will satisfy the requirements as found in Federal regulation. For additional guidance, you are strongly encouraged to view the Federal regulations as found at 20 CFR Part 1010, published at *Federal Register* 78132 on December 19, 2008.

The Local Board must show clear evidence that priority of service is provided for veterans and eligible spouses of veterans. As such, please respond to the questions below. Responses become part of the local plan, and are considered policy. Additionally, the Local Board is encouraged to develop a separate policy guidance document to be distributed to all impacted One-Stop Career Center staff members.

1. Describe the policies that will be established to ensure covered persons are identified at the point of entry thus allowing them to take full advantage of priority of service. [Responses should include the procedures that are in place to ensure signage is properly displayed and the procedures that are in place to identify covered persons who physically access or virtually access service delivery points.]

**The NYC LWIA's functionally aligned Common Intake policy is in the process of being amended to ensure that veterans and eligible spouses of veterans are immediately identified. All Workforce1 Career Center staff will provide priority of service to veterans and eligible spouses. Veterans and eligible spouses who are identified as needing Career Development Services during the initial assessment process, will be referred to staff trained to work with**

**this particular population, when available, for the provision or facilitation of intensive services and other services the veterans may require to meet their career goals. If a veterans' specialist is not available to provide these services; another Workforce1 Career Center staff member will provide priority of service to these customers. The NYC Department of Small Business Services and NYS Department of Labor will provide, and install, signage informing veterans of their priority at strategic points in each Workforce1 Career Center, including the registration desk, orientation presentation, and resource room.**

2. Describe the enhancements that will be made to local area websites advising self-service users of priority of service.

**This past December, in an effort to increase access for all New Yorkers to important reemployment information, the WIB introduced [www.CareerLinkNYC.com](http://www.CareerLinkNYC.com). CareerLinkNYC is a website devoted to providing New Yorkers with essential resources such as applying important benefits like for Unemployment Insurance, job search tools, information for entrepreneurs and the variety of educational opportunities in New York City. While this is not a formal self- service option, i.e. customers do not enroll in WIA programs through the site this dedicated resource describes services available through the system. Additionally, information pertaining specifically to veteran's priority of service, such as a link the NYSDOL's site, the will be added to both [www.nyc.gov/workforce1](http://www.nyc.gov/workforce1) and [www.nyc.gov/wib](http://www.nyc.gov/wib).**

3. Describe the procedures that are in place to ensure all contract templates, RFP, and sub-contract agreement language is revised to include priority of service language.

**For existing agreements executed by the NYC Department of Small Business Services (SBS) contracts will be amended to include the following language:**

**Veterans Priority of Service: In accordance with the Jobs for Veterans Act of 2002, the Contractor shall implement priority of service for veterans and eligible spouses. Priority of service is defined as:**

- (i) veterans and eligible spouses receiving access to services earlier in time than non-veterans and non-eligible spouses**
- (ii) if services are limited, veterans and eligible spouses receiving access to the service instead of or before non-veterans and non-eligible spouses**

**This language will also be added to all future agreements and requests for proposals issued by SBS.**

4. Describe modifications to Functional Alignment and/or Customer Flow that will be made (if any) to enhance implementation of priority of service.

**As described above, the NYC LWIA functionally aligned Common Intake policy will be amended to ensure veterans are identified at point of entry.**

5. Describe the methods of training and communication that will be implemented at the local level to ensure all impacted staff members are aware of and utilizing veterans' priority of service in the daily operations. [Training should include defining the terms "veteran", "eligible veteran", "covered person", "eligible spouse", and "qualified job training program". Technical Advisory #-09-14 provides specific guidance on the information that should be shared with staff.]

**The NYC Department of Small Business Services (SBS), in conjunction with the NYS Department of Labor, will release a policy to all Workforce1 Career Center staff prior to the implementation of priority of service defining expectations in accordance with TA 09-14. While all staff will be informed, specific training will be provided to Center leadership, membership teams, and career advisement staff.**

6. Describe the outreach strategies (if any) that will be incorporated into local policy in an effort to "get the word out" about veterans' priority of service. [Outreach strategies may also be targeted to employers in an effort to gain support and interest for the hiring of veterans. In addition to the existing Work Opportunity Tax Credit veteran target group, the Recovery Act added "unemployed veterans" as a targeted category. An employer who hires an unemployed veteran (defined as discharged from active duty in the Armed Forces at any time during the five-year period ending on the hiring date, and receiving unemployment compensation for at least four weeks during the year prior to being hired by the employer) may qualify for a federal tax credit incentive.]

**The NYC LWIA will initially focus on the implementing a clear process to ensure that all Workforce1 Career Centers are aware of, and instituting veteran priority of service. As implementation occurs, the NYC LWIA will engage the Local Veterans Employment Representatives for best practices in serving and reaching out to the community of veterans in New York City. The NYC Department of Small Business Services (SBS) will also partner with the Mayor's Office of Veterans' Affairs to distribute materials informing veterans of their covered status.**

7. Describe the internal monitoring process that will be initiated to ensure federal veterans' priority of service requirements are successfully implemented and adhered to.

**As noted above, the NYC Department of Small Business Services (SBS) will modify the Workforce1 Career Center Quarterly Monitoring Guide to include Veterans Priority of Service as an area of focus in the monitoring of the Common Intake process.**

8. Please include relevant information not mentioned above that supports the Local Board's strategy for providing veterans and eligible spouses of veterans with priority of service.

**Not applicable.**

## **2. Supportive Services and Needs Related Payments**

The Recovery Act places a strong emphasis on providing increased services and training for workers in need. Further, the Recovery Act and New York State policy require the use of funds for

supportive services and needs-related payments that are necessary to ensure that participants are able to fully avail themselves of appropriate employment and training opportunities. Needs related payments must be made available to enable participants to pursue training of sufficient duration to acquire skills and credentials of value that will connect them to emerging jobs as the economy recovers.

As USDOL – ETA has acknowledged, differentiating between individuals served with Recovery Act and non-Recovery Act funds is challenging, since eligibility requirements are the same, and the funds must be spent concurrently. Accordingly, it is expected that local areas will make supportive services and needs related payments available to participants served by both Recovery Act and non-Recovery Act funds.

Local areas are therefore directed to develop policy guidelines for the administration of supportive services which include the following:

### **Definitions and Descriptions of Local Policy:**

#### **a. Supportive Services:**

WIA §663.800 (Ref: §101(46) and 134(e)(2)) defines supportive services for adults and dislocated workers as those that include transportation, child and dependent care, housing and needs related payments which are necessary to enable individuals to participate (or continue to participate) in activities authorized under WIA Title 1B and which are not available through other programs.

Supportive services for youth are defined in the WIA Rules and Regulations at §664.440 as including, but not limited to:

1. linkages to community services;
2. assistance with transportation costs;
3. assistance with childcare and dependent care costs;
4. assistance with housing;
5. referrals to medical services; and
6. assistance with uniforms or other appropriate work attire and work related tool costs, including such items as eyeglasses and protective eyewear.

Supportive Services can only be provided to individuals currently enrolled in a WIA program, except for Youth who may continue to receive Supportive Services during Follow Up at the discretion of the local area, per §664.450(a)(1).

1. Supportive service categories may be administered separately and distinctly from one another or disallowed completely by Local Boards. Describe how the Local Board will administer the following categories: Housing, Child and Dependent care, Transportation, Other payment categories, and Other supportive services specific to youth as defined in §664.440:

**The Workforce 1 Career Center's currently connect jobseekers to a wide array of supportive services through an institutionalized referral process to partner organizations through the Community Partners Network. This enables jobseekers to access high quality services, including Housing, Child and**

**Dependent care, Transportation, among others, within their respective neighborhoods and through providers who specialize in assisting jobseekers with particular barriers. The Workforce1 Career Center system also utilize ACCESS NYC, a free service provided by the City of New York that identifies and screens for over 30 City, State, and Federal human service benefit programs. This system helps jobseekers access all the benefits they are eligible for that can support them in getting and maintaining work. ACCESS NYC is currently available in seven languages including English, Spanish, Chinese, Korean, Haitian Creole, Russian, and Arabic. Finally, in addition the NYC Department of Small Business Services will make available funds specifically for transportation assistance and child care to a limited number of adult participants.**

2. Describe how the LWIA will establish initial and continuing eligibility for Supportive Services:

**As noted above the current practice of the Workforce 1 Career Center's is to connect jobseekers to a wide array of supportive services through an institutionalized referral process to partner organizations through the Community Partners Network. Both the Community Partner Network and ACCESS NYC can be accessed as frequently as a jobseeker needs, and does not require eligibility to be established for use.**

**As it relates to transportation assistance and child care:**

**In fall of 2009, the NYC Department of Small Business Services (SBS) will make transportation assistance, through public transportation passes called Metrocards, available to customers that have completed training through the Individual Training Grant program. In an effort to reengage and connect participants to employment this transportation assistance will enable customers to attend a work readiness workshop at their local Workforce1 Career Center, as well as prepare for, and attend job interviews. The connection between training and job placement is a key focus for the Workforce1 Career Centers and we are confident that providing additional assistance will further our efforts to increase the number of individuals trained and placed into employment through the Workforce1 system.**

**SBS has identified a select group of partner organizations throughout New York City who will provide child care assistance to individuals participating in dislocated worker programming to aid in the reemployment of this population. Individuals are eligible if they meet the following criteria:**

- 1. Unemployed**
- 2. Started training**
- 3. Must be parent or legal guardian of child**

**The child care provider must be willing to provide appropriate documentation to the jobseeker.**

3. Describe the following:

- a. Timing and frequency of services;
- b. Duration of services
- c. Priority of funding;
- d. Service adjustments;
- e. Exceptions; and
- f. Referrals to alternative sources of assistance, including use of local partnerships.

**a.) Transportation Assistance: Individual who complete training utilizing an Individual Training Grant will be provided a Metrocard upon attendance of a workshop geared at reengaging customers to connect to employment opportunities. Reengagement Workshops are held weekly at Workforce1 Career Centers.**

**Child Care: Individuals participating in particular programming, who meet the criteria referenced above (a.2), are eligible to apply for monthly child care reimbursement.**

**b.) Transportation Assistance: Jobseekers are eligible for a Metrocard one time, which will be distributed to eligible participants at the Reengagement Workshop.**

**Child Care: Eligible participants, as noted above, may receive up to a total of \$400 in reimbursement for child care costs.**

**c.) Both Transportation Assistance and Child Care will be provided to participants that meet eligibility criteria, as referenced above, through approximately September 30, 2010.**

**d.) Not applicable.**

**e.) Not applicable.**

**f.) Through its Community Partner Network, the NYC Department of Small Business Services (SBS) has relationships with over 200 community-based organizations, both for the "inbound" referral of candidates to the Workforce1 Career Centers and the "outbound" referral of customers to organizations for additional supportive services.**

4. Describe the accountability measures and methods of documentation of supportive services (by funding category):

**The NYC Department of Small Business Services will ensure accountability for both Transportation Assistance and Child Care by setting up policies and procedure to document and capture participant information.**

**Transportation Assistance: Jobseekers receiving Transportation Assistance will be required to sign out a Metrocard upon receipt at the Workforce1 Career**

**Centers Reengagement Workshop. Workforce1 Career Center staff will customers tag a “Transportation Assistance” service in Worksource1, allowing SBS to centrally track recipients of Metrocards.**

**Child Care: Individuals who meet the criteria referenced above, are eligible to apply for monthly child care reimbursement. This Monthly Reimbursement will only be provided to participants that supply proof of childcare within that month. Recipients will be tagged corresponding service in Worksource1, allowing the NYC Department of Small Business Services to centrally track recipients of child care payments.**

**b. Needs-Related Payments (NRP):**

The goal for One-Stop Career Centers should be that no individual approved to attend training should have to refuse or abandon such training because he or she cannot afford living expenses. Needs-related payments (NRPs), a sub-category of supportive services, are a means of allowing trainees to pursue or continue full-time training when they do not qualify for or have exhausted their Unemployment Insurance (UI) benefits. The Recovery Act and New York State policy require that these payments be made available to adult and dislocated worker trainees to enable them to complete the level of training that will make them more competitive in the job market.

Needs-related payments are defined in §663.815 as providing “financial assistance to participants for the purpose of enabling individuals to participate in training”. To qualify for NRPs, “adults must be unemployed; not qualify for, or ceased to have qualified for, unemployment compensation; and be enrolled in a program of training services under WIA §134(d)(4).” Please note that needs-related payments are not considered taxable income, according to USDOL.

Dislocated workers (DW) are additionally required to “have ceased to qualify for TAA or NAFTA-TAA; and be enrolled in a program of training services under WIA §134(d)(4) by the end of the 13<sup>th</sup> week after the most recent layoff that resulted in a determination of the worker’s eligibility as a dislocated worker, or if later, by the end of the 8<sup>th</sup> week after the worker is informed that a short-term layoff will exceed six months.” [Note: NYSDOL has requested a waiver to allow the dislocated worker requirements to be the same as the adult requirements. Upon approval, notice will be communicated to local areas.]

Needs-related payments may also be paid to youth who are enrolled in training, at the discretion of the local area.

A sample Training Support Analysis Form that can be used as a template when designing a method for determining an individual’s qualifications for NRPs is included as Attachment H.

Local needs-related payment policy should include provisions that such payments will not be offered to individuals who have another means of financial support, such as TANF.

1. Regarding the eligibility of participants:

- a. How many hours/credits must a participant be registered for in order to remain eligible for NRPs?
- b. What academic and attendance standards will be required for payments to continue and how will this be verified?
- c. Can and/or will payments be made to participants on sick, vacation, or holiday leave?
- d. How will Extended UI Benefits affect receiving NRPs?
- e. Will NRPs be suspended during periods of earned income and will participants have to re-qualify to start receiving NRPs again once the income ends? (How will income be calculated?)
- f. If an individual receives NRPs at the same time as supportive services from another program/partner, how will this be coordinated and documented?

- a.) Needs Related Payments (NRP) will be available to participants in approved training courses that are more than 150 hours in duration. Due to the diverse and vast offering of training course in the City, the NYCLWIA use 150 hours as a local proxy for full time training, and therefore aligns with our efforts to provide additional support to those participating in long term training.**
- b.) Due to payment mechanism constraints, NRPs will be a lump sum payment, made after the completion of Milestone 1, therefore ongoing academic and attendance standards will not be considered.**
- c.) A participants use of time, i.e. sick, vacation or holiday leave, will not be considered in the evaluation process.**
- d.) As part of the screening process, the Workforce 1 Career Centers will ensure that individuals have exhausted all Unemployment Insurance options before receiving NRPs.**
- e.) Given the short-term duration of most training - and the one-time payment mechanism used – earned income will not be considered.**
- f.) Individuals receiving supportive services and NRPs will be documented in the local system of record, Worksource1, by indicating the different**

2. Regarding the payments of NRPs:

- a. How will the payment amount of NRPs be determined?
- b. What is the maximum allowable individual payment?
- c. What is the limit on number of payments per individual?
- d. How will overpayments (or the potential for overpayments) be monitored and recovered?
- e. What will the payment schedule for NRPs be?
- f. How will participants claim payments?

- a.) **The payment of a \$500 Needs Related Payments (NRP) through consultation with LWIAs across the State, and determining reasonable costs associated with customer food, supplies and other costs incurred as a result of participating in training.**
- b.) **The NRP for each individual will be a one-time payment of \$500 made at Milestone 1, or after the completion of the first week of training.**
- c.) **The NYC Department of Small Business Services (SBS) will make one payment per individual.**
- d.) **As SBS is only making one payment per individual, multiple payments is not a possibility. A NRP will be made to the individual upon completion of the first week of training.**
- e.) **As SBS is only making one payment per individual, multiple payments is not a possibility. A NRP will be made to the individual upon completion of the first week of training.**
- f.) **Eligible participants will receive a W-9 form. Upon completion, funds will be sent directly to a participant's mailing address to avoid additional travel to the Workforce1 Career Centers.**

3. Regarding the administration of the NRP program:

- a. Who will have the authority to approve participant requests for NRPs?
- b. Who will manage the NRP program?
- c. Who will respond to questions and complaints?
- d. Who will handle NRP form distribution, payment accounting, and payment processing?
- e. How will the requirements for and payments of NRPs be documented?

- a.) **Workforce1 Center Career Advisors will provide the first level of screening for eligibility, but SBS will approve all requests.**
- b.) **SBS will be responsible for central management of the NRP program.**
- c.) **SBS will be responsible for handling customer questions and concerns about the NRP program.**
- d.) **SBS will be responsible for central management of the NRP program, which includes the form distribution, payment accounting, and payment processing.**
- e.) **SBS will issue a policy to the Workforce1 Career Centers outlining eligibility requirements and payment process.**

### 3. Youth Activities and Summer Youth Employment Programs

As cited in TEGL #14-08, the Recovery Act does not limit the use of the funds to summer employment, but the Congressional explanatory statement for the Act states that “the conferees are particularly interested in these funds being used to create summer employment opportunities for youth.” The Recovery Act also expands the eligibility criteria for the program to serve youth up to age 24.

ETA strongly encourages local areas to:

- Design age appropriate activities and work readiness goals;
- Establish worksites that offer meaningful work experience;
- Incorporate green work experiences;
- Develop connections to Registered Apprenticeship programs;
- Integrate work-based and classroom-based learning activities;
- Link summer employment to academic learning for summer employment participants who do not have a high school diploma;
- Offer continued services to support older, out-of-school youth during non-summer months; and
- Focus on the neediest youth, including out-of-school youth and those most at risk of dropping out, youth in and aging out of foster care, youth offenders and those at risk of court involvement, children of incarcerated parents, and migrant and farm worker youth.

With that in mind, please answer the following questions:

1. Describe your PY 2009 summer youth employment program design and include the following:
  - a. Activities broken out by age groups:
    - i. 14 – 15
    - ii. 17 – 18
    - iii. 18 - 21
    - iv. 22 – 24
    - v. 18 – 24 for work experience only 10/1/09 through 3/31/10;
  - b. Work readiness component;
  - c. Definition of work readiness to be measured;
  - d. How measurable increases of work readiness will be determined;
  - e. How “green” work experience or training will be incorporated into your program;
  - f. Apprenticeship opportunities; and
  - g. Outreach and services to migrant and farm worker youth and other neediest youth populations. Describe the various strategies you employed to recruit these target populations.

**a.) The Summer Youth Employment Program (SYEP) provides New York City youth between the ages of 14 and 24 with summer employment and educational experiences that capitalize on their individual strengths, develop their skills and competencies, and connect them to positive adult role models. SYEP provides seven weeks of entry-level work experience in a variety of jobs at community-based organizations, government agencies and private sector businesses.**

**Participants in the Workforce Investment Act (WIA) In-School Youth (ISY) program are guaranteed an SYEP job. Applicants are selected through a lottery that does not give preference to different age groups. Data will be available by the end of the summer when program enrollment is complete. Enrollment for SYEP continues until two weeks before the end of the program.**

**The NYC Department of Youth and Community Development (DYCD) will not be using ARRA funds to extend the 2009 SYEP work experiences for 18-24 year olds beyond the August 15 conclusion of the program. Any remaining Recovery Act funds will be applied to Program Year 2010 SYEP activities.**

**b.) A participant's "work readiness" will be assessed prior to program start using a DYCD-developed assessment tool. Participants will also attend at least 16 hours of training involving work readiness and other topics.**

**c.) A participant must show progress in workplace readiness, career exploration and financial literacy over the course of the seven week program.**

**d.) Case workers will assess youth in workplace readiness, career exploration and financial literacy prior to the program start and end of the program. This will determine if participant has improved in the three areas above through demonstrated work skills, worksite evaluations and classroom training.**

**e.) DYCD and its subcontracting organizations have developed worksites that provide "green" jobs opportunities. These include various assignments at parks and housing projects, recycling programs and water and energy conservation and monitoring programs.**

**f.) Not Applicable.**

**g.) DYCD implements a broad citywide outreach strategy. Applications and posters for SYEP are distributed to schools, libraries, community centers and public housing locations. DYCD also worked with the NYC Department of Education, Administration for Children's Services, Department of Probation, Department of Corrections and, various foster care, and homeless youth programs to recruit and serve vulnerable youth.**

2. Provide the following:

- a. What percentage of Recovery Act funds do you plan to spend on summer 2009 activities from 5/1/2009 through 9/30/2009 and how many participants will be served?
- b. What percentage of Recovery Act funds do you plan to spend on serving older youth participating in work experience only activities from 10/1/2009 through 3/31/2010 and how many participants will be served?

**a.) Nearly 65% of WIA Youth ARRA funds allocated to New York City, or**

**\$18.5 million out of \$29.02 million, will be spent during the summer of 2009 to serve an additional 14,378 SYEP participants.**

**b.) Not Applicable.**

3. If the fiscal agent or grant recipient is not operating the summer employment program, please describe the Local Board's procedures for procuring summer employment providers.

**The City of New York operates SYEP through a network of community-based organizations (CBOs) selected through a competitive procurement process.**

4. Describe the type of summer program worksites that were identified, recognizing that youth worksites could not include casinos or other gambling establishments, aquariums, zoos, golf courses, or swimming pools when funded with Recovery Act funds:
- How were/will worksites be selected?
  - Identify the type of sites, i.e. public sector, private sector, non-profits that were/will be used.
  - What is the local plan to ensure that adherence to current workplace safety guidance and applicable federal/state minimum wage requirements are observed?
  - How will you ensure that the youth work experience does not unfavorably impact current employees and/or impair existing contracts for services or collective bargaining agreement, or replace laid off workers?
  - Will youth be matched to work sites based on their goals and interest? If not, how will they be matched?
  - Please identify the project-based or service learning that will be utilized.

- Worksites are developed by the NYC Department of Youth and Community Development (DYCD) subcontracting organizations throughout the year and include hospitals, schools, community centers, government agencies and small and large businesses.**
- Approximately 8,600 public, private and non-profits worksites will be used.**
- DYCD administers payroll for all participants, utilizing debit cards, and will be paying the July 2009 Federal minimum wage of \$7.25 per hour. DYCD and its subcontractors provide worksite orientations and monitor all worksites at least once a week.**
- DYCD reviews worksite assignments prior to program start and conducts random worksite monitoring visits during the employment period to ensure compliance.**
- All youth will be evaluated and assigned to worksites according to their skills, needs and interests while also taking into consideration any specific requirements of the worksite such as age and skills needed.**

f.) **In keeping with the Mayor Bloomberg’s larger NYC Service initiative goals to promote service and volunteerism, SYEP participants were offered an opportunity to voluntarily participate in DYCD Summer of Service events, which focused on improving green spaces at parks and public housing locations throughout the city on July 24 and August 7.**

5. Integration of Work-Based and Classroom-Based Learning Activities, Academic and Occupational Learning are two options to complement work experience. Describe the following:

- a. Did your local area offer classroom-based learning along with the work experience during the summer youth employment program? If so, please detail to whom and how it was offered.
- b. Did your local area provide a direct link between summer employment and academic learning? If so, how was this accomplished?

a.) **Yes, all SYEP participants are required to attend between 16 and 18 hours of classroom-based learning over seven weeks on topics such as work readiness, career exploration, financial literacy, college and post secondary education exploration and health education. The curriculum is provided by the NYC Department of Youth and Community Development and administered by the community-based organizations.**

b.) **Mandatory educational topics include career exploration and post high school education awareness and exploration. Resume building, interview skills and college preparation are included activities.**

6. Describe what your year-round program design for Recovery Act funds includes. Indicate whether you are reserving your Recovery Act funds to support summer youth employment and extended work experience only activities for older youth.

**Year round program designs for ARRA funds include the WIA Out-of-School Youth (OSY) “Subsidized Internships for Disconnected Youth”, Parks Opportunity Program, (or “POP Connect”) “Back to School and Work”, and the WIA In-School Youth (ISY) program “Go to School, Get a Job” initiatives.**

**The “Subsidized Internships for Disconnected Youth” program will provide internships to young adults ages 16-21, who are not working and not in school, and who are enrolled in the WIA OSY program.**

**The NTC Parks Department initiative provides additional WIA OSY program slots to TANF recipients aged 18-24 through the existing NYC Department of Parks and Recreation’s Parks Opportunity Program (POP).**

**The “Go to School, Get a Job” program is a part-time jobs component to the WIA ISY program during the school year. Participants must remain in or return to high school and meet academic and job performance standards.**

**As previously indicated in question 1(a), DYCD has not reserved Recovery Act funds to support summer youth employment extended work experience activities for older youth. Any remaining Recovery Act funds will be applied to SYEP 2010.**

7. Briefly describe how you are coordinating the expenditure of your WIA Formula funds and Recovery funds to optimize program flexibility and ensure adequate expenditure rates for both funding sources.

**The NYC Department of Youth and Community Development works closely with contracting agencies to ensure that all funds are spent in a timely and coordinated manner, consistent with the Agency's goal of providing high quality programming to youth and families.**

8. Describe your local strategy for continued services supporting older, out-of-school youth during non-summer months including:

- a. Any supportive services, daycare, incentives, and needs-based payments; and
- b. Co-enrolling youth in adult training services.
- c. Promoting the availability of employer tax credits to hire disconnected youth, ages 16-24, during 2009 or 2010.

- a.) **NYC Department of Youth and Community Development (DYCD) contractors provide supportive services to older out of school youth enrolled in its in year round programs. Supportive services needed are specific to a participant and is determined on a per case basis by the Community-based organization.**
- b.) **Older, out-of school youth will be informed about the City's existing programs suited to disconnected youth, such as the WIA Out-of School Youth Program, DYCD's Young Adult Internship Program, and the Fatherhood Re-entry Project. Youth out of school and out of work participating in SYEP this summer will also get general information regarding job hunting, including information on available resources at the One Stop centers for youth ages 18 and over.**
- c.) **DYCD provides information on tax credit opportunities to its network of community based providers. They in turn provide this information to current and potential internship employers.**

#### **4. Reemployment Services under the Wagner-Peyser Act**

The Recovery Act provides dedicated funding for allowable reemployment services including, but not limited to: occupational and labor market information, in-person staff assisted services, initial and comprehensive assessment; career guidance; group and individual counseling; development of individual employment plans/training plans; identification of skills gaps and transferable skills; as well as job search assistance and referral to jobs.

Local plans are required to address the following issues as they relate to reemployment services:

1. Describe how the LWIA will ensure that a full array of reemployment services is provided to UI customers, including skill assessment, career planning and training.

**Ensuring that all customers, including UI customers, have access to a full array of services including skill assessment, career planning, and training is a key component of the NYC local one stop center service delivery plan. The New York City One Stop Operator Consortium during PY 2008 adopted a functional alignment work plan including a key objective to ensure that all one stop center policies/procedures comply with state policy directives/issuances and that policies around access to services are consistent from all One Stop system access points for all customers. Much progress toward meeting this objective has been made over the past year and under the direction of the Operator Consortium efforts to expand access to the full array of reemployment services for UI customers will continue into PY 2009/2010.**

**A major achievement in PY 2008 was the implementation of Individual Training Grant (ITG) approvals to all one stop centers in NYC. As of July 1, 2009, under a joint initiative between SBS and NYSDOL, the three DOL operated One Stop Centers that serve the largest numbers of UI claimants in NYC – the Varick St Office in downtown Manhattan, the Flushing Queens Office, and the Metrotech Office in Brooklyn – began approving ITGs using the NYC case conference model. Previously, customers served at these locations needed to be referred to vendor operated WorkForce 1 Centers to access training. This now means that customers have access to ITGs at all One Stop locations in NYC. By the end of calendar year 2009, access to ITGs will be even further expanded by adding DOL staff to the existing ITG career advisor teams at the co-located WorkForce 1 Centers located in Harlem, Jamaica, Brooklyn, and the Bronx which are now currently staffed solely by WIA funded vendor staff. The Staten Island WorkForce 1 Center will also expand the ITG process to include DOL staff participation as soon as re-location to a new site is complete allowing for space for additional DOL funded staff.**

**As part of the ITG expansion plan at the co-located centers in NYC, WIA funded vendor staff will be trained in the 599 program and application process so that UI 599 training approvals can be functionally aligned. Upon implementation, all NYC career advisors will be able to assist UI customers with UI 599 applications as appropriate in conjunction with other training assessment/approval processes. Currently only NYSDOL staff in NYC handle UI 599 applications.**

**All UI customers in NYC are either scheduled for an in-person initial assessment or sent a letter advising them of the services available through the one-stop system. Beginning in the fall of 2008, the dramatic increases in the numbers of UI claimants forced NYC to adjust its process of scheduling UI claimants based on capacity limitations. Since that time, only claimants**

with profiling scores of 70 or above (those considered likely to exhaust benefits) are scheduled for an in-person individual initial assessment. All other UI customers are contacted via letter detailing the services available throughout the one-stop system and encouraged to take advantage of these services. NYSDOL and SBS are currently collaborating on the content of the letter that is mailed to UI claimants to ensure that all claimants are made aware of the full array of services available thru the WorkForce 1 local one stop system and how to access these services. The revised letter content provides a link to the [www.CareerLinkNYC.com](http://www.CareerLinkNYC.com) website developed locally through a public/private partnership to help recently unemployed workers in New York City. This website provides a wide range of information and links to both free and fee-based services including employment opportunities, labor market data, support and counseling resources, educational and training opportunities, and career changing information. The website content is updated regularly to add new information and resources. UI Claimants will also continue to be provided links to the NYSDOL website and the JobZone tool.

During PY 2008, in accordance with state policy, NYC modified the Initial Assessment process. Emphasis is placed on distinguishing during this initial assessment those individuals in need of additional Career Development Services (CDS) from those that are Job Search Ready (JSR). Identifying claimants assessed as in need of career development services at this initial contact point allows them to be scheduled for needed services (such as more comprehensive assessments, assistance in the development of an individual employment plan, skills upgrading, training, etc..) as early in the claims cycle as possible.

During PY 2008 and in PY 2009, additional DOL employment counselors and LSRs and WIA funded career advisors were brought on board to handle the increasing UI claimant and dislocated worker populations. Capacity building of staff is a priority, and both new and existing staff in NYC will continue to take advantage of the variety of capacity building resources being offered thru state and federal resources. Beginning in PY 2008 and continuing, intensive capacity building efforts have been directed at building the capacity of NYSDOL staff responsible for skill assessments, development of individual employment plans, and training approvals. Historically NYSDOL funded staff have focused mainly on more immediate job search assistance and job referral activities for “job ready” UI claimants. In today’s economic climate, the UI claimant populations’ needs are changing. To meet these changing needs, staffs capacity in the area of skill development and training services must be strengthened. This will be a continuing focus into PY 2009/2010.

In response to the downturn in the economy and the increased need for services, NYC also expanded the hours of operation of one stop centers. WorkForce 1 Center services are now available during expanded evening hours on Tuesday, Wednesday, and Thursday evenings as well as on the first and third Saturday of each month. NYC will continue to monitor the need for service to ensure adequate access in response to demand.

**During PY 2008, the One Stop Center Operator Consortium developed and issued a staff survey and all staff that serve job seeker customers (both DOL and WIA funded vendor staff) at any/all one stop locations were asked to complete the survey. The survey is intended to identify the impact of the increased workload levels over the last year on the center operations and to assist the consortium in developing processes and policies that will improve service delivery and coordination across the City's Workforce1 Career Center system. Survey results will be discussed at the next consortium meeting and will be used to inform continuing efforts to ensure that all customers have access to a full array of services.**

2. With the emphasis on training in the Recovery Act, explain how you are promoting training to UI customers, including the Section 599 provisions of the UI Law.

**As detailed above, with the expansion of ITG approvals to DOL staff, the LWIA has taken significant steps to make training more readily available to all UI customers. UI customers are now able to attend ITG Workshops, receive technical assistance regarding training options and apply for training at the three centers that serve the majority of the UI caseload.**

**All NYC one stop locations provide center orientations covering the full array of services available. Center orientations are common across all center locations to ensure that all customers are aware of available services including training. Following orientation, customers receive an individual, one on one initial assessment with staff to determine service needs and a plan for next steps. Staff conducting initial assessments of customers, are trained to identify customers that are in need of Career Development Services including skill upgrading and/or training.**

**All one stop locations now also schedule special ITG workshops for customers interested in and in need of training to learn more about the types of training available and how to apply for training. The ITG Workshop serves as the entrée for the ITG process. Workshop schedules are posted at the centers and on the local area website. Following the workshops customers do occupational and training provider research to develop their training plan. Each office schedules special resource room hours where staff is available to assist customers with this research and to provide assistance with the development of their training plans. Ultimately, each customer meets one on one with a career advisor and when the individual's training plan is fully developed, the career advisor acts as an advocate on behalf of the customer under the case conference model to obtain approval for the training grant.**

**NYC has also developed an excellent website, the NYC Training Guide, which provides customers with complete information to assist them in researching their occupational goal and developing an appropriate training plan to meet that goal. This site also provides information for training providers interested in being approved for WIA funded training grants.**

**NYC based staff participated in training offered/delivered thru the NYSDOL statewide for counselors and/or other staff providing career advisor services. This training was delivered in recognition of the increased need for skills upgrading and training services in today's economy. Increased numbers of both NYSDOL and WIA funded vendor staff have been brought on board to meet the increased service needs of customers with the majority of expanded staff resources directed towards career advisor/training services. All NYC locations are reaching space capacity both for staff and customer group space. Plans are underway in different stages to increase space availability in several boroughs in response to increased demand.**

**The 599 program is discussed during the center orientations and through the initial assessment and comprehensive assessment process. As mentioned in the previous response, the expanded ITG plan in NYC includes a plan to train SBS vendor staff in the 599 program. It is expected that all staff involved in the ITG process will be able to assist customers with the 599 program application by the end of CY 2009.**

3. Describe any specialized services or training opportunities that will be developed to meet the needs of UI Customers.

**In the upcoming year NYSDOL staff will be analyzing UI customer characteristic data such as education level, industry and job title at separation, tenure, wage levels, etc to develop recommendations for occupations in need of expanded customer choice in terms of provider offerings available for WIA approved training grants to better align with the needs of the changing UI customer population in NYC. Working with the SBS training staff and the NYC One Stop Operator consortium, these recommendations will need to be evaluated and approved by the LWIB. With the recent expansion of ITG approvals to the 3 DOL office locations, efforts have begun to examine the types of courses available to ITG participants as compared to the training needs of the UI customer population. .**

**In PY 2008 NYSDOL was awarded a National Emergency Grant (NEG) in response to the loss of jobs in the Financial Services industry in NYC. This grant is being administered by NYSDOL as a state level grant and services are available throughout Long Island, Hudson Valley, and NYC. In NYC, local DOL funded staff located at the one stop centers have responsibility for the review and processing of NEG training grants to eligible participants. In addition, up to \$250,000 of local NYC dislocated worker funds are being set aside to supplement the NEG to allow similar training opportunities to be offered to individuals dislocated from NEG approved financial service sector firms prior to the allowable grant cutoff dislocation date. In addition, thru the NYC One Stop Consortium partner agencies, SBS and CUNY, we are developing linkages to other available programs/services for referral of NEG eligible individuals to assist in meeting their full service needs.**

**The NYC local ARRA plan includes a number of new training opportunities, which although not exclusively developed for UI claimants, are available to UI claimants as well as other adult and dislocated worker customers in need of training. These include programs targeting higher priced training in demand occupations, entrepreneurial training, and sector focused job programs as described elsewhere in the plan**

4. Explain how your area is dealing with increased numbers of UI customers in a functionally aligned/integrated manner.

**The increased numbers of UI customers requiring services has underscored the necessity of the workforce system to operate in a functionally aligned and integrated manner.**

**In PY2008, under the direction of the One Stop Operator Consortium, SBS and NYSDOL staff began analyzing the total numbers of customers being served in NYC across all one stop center locations, both WIA funded vendor operated centers and NYSDOL operated centers. Initial efforts highlighted the complications resulting from the use of two separate case management systems (WorkSource One and OSOS). As a result, a number of tasks related to improved data management and reporting were added to the One Stop Operator Consortium functional alignment work plan in PY2008. Some progress in this area was made during PY 2008, but escalation of these tasks and increased efforts in this area are needed in PY 2009.**

**One major step was achieved as part of the ITG expansion project – DOL staffs involved with ITG approvals now have access to the Worksource One system and data enter ITG information directly into that system.**

**The LWIB and the One Stop Operator Consortium partners must be working from accurate, common system data in order to make informed decisions and to effectively align/integrate services and to evaluate the impact of policies and procedures on center performance and outcomes. To this end, during PY 2009, SBS and NYSDOL staff will establish a joint workteam to address outstanding issues related to the current WorkSource One and OSOS system connectivity design. As outlined in the current One Stop Operator Consortium workplan, these efforts are needed to:**

- Ensure accuracy of data**
- Prepare common reports on system performance**
- Respond and implement corrective actions based on findings of oversights from compliance reviews**

**To-date decisions regarding the distribution of the UI customer population among the various One Stop Center has been the responsibility of NYC DOL Regional Office. During PY 2008, much discussion of the impact of increasing UI workload on One Stop Center operations took place between NYSDOL and SBS and vendor staff, however NYSDOL staff continued to control the distribution of the UI workload to office. During PY 2009, the goal is to functionally align this process thru the One Stop Operator Consortium. This**

**will foster more effective use of resources and joint decision making rather than each partner addressing the impact of UI workload increases on their unique partner operations.**

5. What strategies is the LWIA using to keep UI customers engaged for an increased length of time as a result of the currently recessed job market? In particular, discuss the amount of time that is allowed to lapse before a call-back for services.

**The high level of dislocation and unemployment has caused a recognizable increase in customers exiting under common measures (with a 90 day gap in service) while still on unemployment insurance. Substantial improvement against this performance indicator is needed.**

**Any effective strategy to engage UI customers for an increased length of time must be implemented as a joint effort involving both NYSDOL and WIA funded vendor staff. During PY 2009, NYSDOL and SBS working in coordination with the One Stop Operator Consortium will analyze the current customer flow and design new UI customer engagement strategies to address this issue. Given space and staffing resource limitations, analysis is needed as to how to most effectively target resources to achieve the maximum result – it is critical to reach a balance between the quantity of customers served and the quality and intensity of service provided to each customer. New approaches need to be identified/tested including more effective use of existing technologies to re-engage customers remotely and use of more group services.**

## **5. Individual Training Accounts (ITA), Customized Training and OJT**

The American Recovery and Reinvestment Act provides an unprecedented opportunity for expanded access to training and related services for workers. This infusion of additional formula funds should result in a substantial increase in the number of adults and dislocated workers receiving training services. Additionally, LWIAs have the authority to enter into contracts with institutions of higher education, such as community colleges, or other eligible training providers to facilitate the training of multiple individuals in high-demand occupations, so long as the contract does not limit customer choice. As indicated in TEG 14-08, institutions of higher education, including community colleges, do not need to be on the state list of eligible training providers. Other training providers, which are not institutions of higher education, must be on the state eligible training providers list in order to be awarded a contract.

In anticipation of the receipt of Recovery Act funding, the Department issued Technical Advisory #09-2, *Individual Training Account (ITA) Approval Policy*, which required every local area to develop a written ITA policy and procedures.

1. Provide a copy of your local area's written ITA policy and procedures (which should include the demand occupations/skills targeted for training services). Please reach out to all available resources, including your area Labor Market Analyst and business services representatives, to secure the most current local and regional labor market data on occupations that are in demand.

**The NYC LWIA ITA or Individual Training Grant policies are provided in**

**attachment 5.**

**As it relates to the NYC LWIA growth occupation list, in an effort to refine the local list to more closely reflect employer demand in New York City, the NYC Labor Market Information Service, at the request of the New York City Department of Small Business Services (SBS) and the New York City Workforce Investment Board (NYCWIB), reviewed and proposed an improved methodology. This revised methodology took into account employment outlook, skill level, wages, and growth/stability. The method and results, are in the process of formal adoption by the NYCWIB and SBS, with an anticipated release date in the Fall of 2009.**

**The NYCLMIS chiefly relied on the New York State Department of Labor's Long-Term (2006-16<sup>1</sup>) Occupational Projections as a source of occupational data, additional sources consulted were: New York State Department of Labor, Jobs in Demand Lists, 2009; New York State Department of Labor, Industry Staffing Patterns, 2009; New York State Department of Labor, Quarterly Census of Employment and Wages, 2001-03; NYC Department of Small Business Services, Workforce Training, Growth Occupation List, 2008; New York State Department of Labor Detailed Occupational Employment Statistics, Long-Term (2004-14) Projections; United States Department of Labor O\*NET Production Database, Version 13.0. The NYCLMIS also consulted the New York City Labor Market Analyst.**

2. Discuss how the ITA cap was established for the local area. Explain whether the cap was recently increased due to the receipt of additional funds through the Recovery Act and how this increase will impact training numbers and increase training opportunities in your area.

**In March 2009, the NYC Workforce Investment Board established a tiered Individual Training Grant (ITG) pricing structure that equates the voucher price with value for the jobseeker. This new model aims to create a training pipeline for occupations with high demand, high wages and opportunities to place job-seekers. The system used to determine the price is tied to four outcomes: job opportunities, increased earnings, overcoming educational limitations, and overcoming technical skills deficits based on NYS Department of Labor data. The caps of \$1,300, \$2,200, and \$3,800 for the tiers are based on the cost to place one jobseeker after training and the amount that the City has to invest in each outcome. Together these criteria take into account an occupation's barriers to entry, as well as benefits to both jobseekers and employers.**

**The NYC LWIS has not increased our ITG price caps due to the infusion of ARRA funds.**

3. Discuss whether the local area intends to enter into contracts with institutions of higher education or other eligible training providers to facilitate the training of multiple individuals in high-demand occupations. If pursuing this option, describe the occupations and identify

the training providers from which you will be purchasing training. If your area will not enter into such contracts, please explain why not.

**The NYC Department of Small Business Services (SBS), in coordination with the City University of New York and other City Agencies, have developed a number of classroom trainings designed to comply with the training provisions of ARRA and TEGL 14-08. The majority of the trainings focus on healthcare occupations, such as Licensed Practical Nurse, Registered Nurse, Emergency Medical Technician, among others. SBS expects to serve over 600 New Yorkers through these discrete ARRA funded programs.**

4. Describe how all career counseling staff that are conducting comprehensive assessment (both WIA-funded and non-WIA-funded) are developing Individual Employment Plans/Training Plans that include approval for ITAs.

**In the NYC LWIA, Career Advisors at the Workforce1 Career Centers assess jobseekers for employment and training opportunities through the Case Conference Model. Lauded by the U.S. Department of Labor as a “Promising Practice”, the Case Conference Model is a sequenced assessment and decision-making process that emphasizes individual assessments of jobseekers to ensure that they are referred to training opportunities which will best prepare them for employment in growth occupations. As part of this process, jobseekers meet with a Career Advisor to discuss their background, career goals and complete an Individual Employment Plan (IEP). The IEP identifies the jobseeker’s employment goal and necessary next steps to prepare for that goal. It is also used to determine if jobseekers have barriers that will prevent them from being employed and/or completing training. Jobseekers develop their IEP, in conjunction with a Career Advisor, prior to receiving an ITG and entering training.**

5. Describe the processes in place to determine Pell grant eligibility. Explain how the local area intends to utilize Pell grants and coordinate them with other financial aid resources. If the local area has processes in place to notify customers of Pell eligibility, please describe them.

**The NYCLWIA is in the process of determining where Pell grant eligibility should take place within our local process, as well as how to coordinate this resource with other financial aid.**

6. Using the table below, provide the numbers of individuals that received training services in PY 2008 (see Attachment J for PY 2008 data to date provided by Research and Statistics) and project the number of participants that are anticipated to receive training services in PY 2009. Any planned training for participants through contracted classroom training and or through contracts with community based organizations for special populations should be counted under the ITA category.

<b>PY 2008 Estimated Participants in Training Services</b>				
	Adult	Dislocated Worker	Youth	
			In-School	Out-of-School
Total # of Participants in Training	<b>6,600</b>	<b>2,300</b>	<b>4,482</b>	<b>855</b>
Total # - ITA	<b>4,800</b>	<b>2300</b>	-	-
Total # - OJT	<b>0</b>	<b>0</b>	-	-
Total # - Skill Upgrading	<b>11,200</b>	<b>4,800</b>	-	-
Total # -Customized	<b>1,850</b>	<b>0</b>	-	-
Total # - Rec'd NRPs	<b>0</b>	<b>0</b>	-	-
Total # - Rec'd Supp. Services	<b>0</b>	<b>0</b>	<b>4,482</b>	<b>855</b>
Total Training Expenditures (ITA, OJT and Customized)	<b>\$10,886,000</b>	<b>\$5,300,000</b>	<b>\$12,732,946</b>	<b>\$6,686,676</b>
<b>PY 2009 Planned Participants in Training Services</b>				
	Adult	Dislocated Worker	Youth	
			In-School	Out-of-School
Total # of Participants in Training	<b>9,200</b>	<b>4,000</b>	<b>4,403</b>	<b>1,884</b>
Total # - ITA	<b>6,400</b>	<b>3,700</b>	-	-
Total # - OJT	<b>0</b>	<b>0</b>	-	-
Total # - Skill Upgrading	<b>16,800</b>	<b>7,200</b>	-	-
Total # -Customized	<b>2,500</b>	<b>0</b>	-	-
Total # - Rec'd NRPs	<b>300</b>	<b>100</b>	-	-
Total # - Rec'd Supp. Services	<b>3,000</b>	<b>1,000</b>	<b>4,403</b>	<b>1,884</b>
Total Training Expenditures (ITA, OJT and Customized)	<b>\$20,300,000</b>	<b>\$11,800,000</b>	<b>\$17,664,520</b>	<b>\$16,606,355</b>

## 6. Service Delivery to Targeted Populations

Federal policy under the Recovery Act, as articulated in TEGL No. 14-08, recognizes the significant impact the recession has had on low-income, displaced and under-skilled adults and disconnected youth. Local policy under the Recovery Act should place emphasis on enabling these populations to acquire the knowledge and skills necessary for success in the workplace.

In addition, Program Year 2009 federal planning guidelines call for assurances that the full range of high quality employment and training services, delivered through the One-Stop delivery system, will be accessible to, and meet the needs, of the following groups: dislocated workers, displaced homemakers, low-income individuals, migrant and seasonal farm workers, women, minorities, individuals training for non-traditional employment, veterans, public assistance recipients and individuals with multiple barriers to employment, including older workers, individuals with limited English proficiency and persons with disabilities. In addition, LWIAs need to assure that effective outreach and recruitment strategies are in place through local partnerships to reach all targeted population groups.

LWIAs are requested to describe local priority of service to low income individuals and recipients of public assistance in Section 1 of this plan. Note that if the Local Board currently has such a policy in place, it should be reviewed for consistency with the guidelines established in TEGL No. 14-08, adjusted as necessary and submitted with this planning document. LWIAs are also asked to describe local priority of service to veterans and eligible spouses of veterans in Section 1.

The Other Service Strategies section of local planning guidance for Program Year 2008 requested an explanation of strategies and initiatives to serve various special populations, which included:

- Individuals with Limited English Proficiency
- Low Income, Low-Skilled Workers
- Other Individuals with Barriers to Employment
- Individuals with Disabilities (including the role of the Disability Program Navigator)

As noted above, federal policy as outlined in TEGL 14-08 continues the emphasis on providing high quality services to these groups. Local areas should review their current strategies and initiatives for service to these populations, update them as warranted under Recovery Act guidelines and attach them to this plan submission. In addition, describe local service delivery strategies that will address the workplace needs of:

1. **Dislocated Workers, including Displaced Homemakers:** Describe assistance provided to dislocated workers to assure they have the necessary skills to reconnect with the workplace. Describe how comprehensive One-Stop services are fully available to Displaced Homemakers and any linkages with area Displaced Homemaker Centers.

**The NYC LWIA is a universal access system, providing core, intensive, and training services to all eligible customers, including dislocated workers and displaced homemakers. ARRA funds have allowed the NYC LWIA to partner with multiple organizations to provide services to all categories of dislocated workers, expanding the Workforce1 system to directly meet the needs of more**

**unemployed New Yorkers.**

2. **Migrant and Seasonal Farm Worker Adults:** Explain the means by which the full range of WIA and Wagner-Peyser Services are available to Migrant and Seasonal Farm Worker adults in your area.

**The NYC LWIA is a universal access system, providing core, intensive, and training services to all eligible customers. Due to the nature of the labor market in the NYC LWIA, we do not traditionally serve migrant and seasonal farmer workers.**

3. **Women:** Describe service strategies that assure women have access to labor market information and the skills development and supportive services necessary to enable them to acquire and retain high-wage jobs and maintain self-sufficiency. Include approaches used to eliminate possible barriers to employment in non-traditional occupations.

**The NYC LWIA is a universal access system, providing core, intensive, and training services to all eligible customers. The NYC Workforce Investment Board (WIB) provides the Workforce1 Career Centers, and workforce system in New York City writ large, with comprehensive labor market information through the innovative NYC Labor Market Information Service, a joint partnership between the WIB and the Center for Urban Research at the CUNY Graduate Center. This information allows jobseekers to make informed decisions about growing sectors, occupations and training opportunities.**

4. **Minorities:** Describe how services, including those provided through partner agencies, will be coordinated to assure that minority customers receive the full range of employment and training programs and services, especially those that lead to employment in high-wage, high-growth occupations.

**The NYC LWIA is a universal access system, providing core, intensive, and training services to all eligible customers. Of those customers that respond to self-attested requests for race and ethnicity data, the vast majority of respondents are people of color. Through the Workforce1 Career Centers' Community Partner Network, jobseekers who identify with an ethnic group or express particular cultural barriers can access services through partner organizations that specialize in meeting these particular customer's needs.**

5. **Individuals Training for Non-Traditional Employment:** Explain how information on area demand occupations, high-growth industries and related training opportunities, including occupational skills training, are made available to individuals interested in training for non-traditional employment.

**The NYC Workforce Investment Board (WIB) provides the Workforce1 Career Centers, and workforce system in New York City writ large, with comprehensive labor market information through the innovative NYC Labor Market Information Service, a joint partnership between the WIB and the Center for Urban Research at the CUNY Graduate Center. This information allows jobseekers to make informed decisions about growing sectors, occupations and training opportunities. This information is disseminated**

through partnerships with the New York City Employment and Training Coalition in order to make the vast network of community based organizations aware of trends and opportunities. Likewise, through our local NYC Training Guide, jobseekers can access information about training opportunities that are eligible to be funding by Individual Training Grants.

6. **Older Individuals:** Describe how services offered through your local One-Stop system are accessible to, and meet the needs of, older individuals (age 55+).

The NYC Department for the Aging (DFTA) is a mandated partner of the NYC LWIA system. As such, DFTA staff is available during scheduled times at all Workforce1 Career Centers. References to specialized services for older individuals are also included in all orientations at the Workforce1 Career Centers. A number of organizations – including AARP – are members of the Community Partner Network, referring older individuals for employment opportunities at the Workforce1 Career Centers.

7. **Other:** Indicate any other population groups specifically targeted in your local area, such as persons in need of English as a Second Language (ESL) instruction, and individuals who are preparing to re-enter the workforce.

In partnership with the City University of New York, the NYC LWIA has launched “GED for Jobs” -- a diploma program focused on preparing individuals with basic skills that lead to employment. Three local Community Colleges provide twelve-week intensive instruction. The program emphasizes particular learning needs of individuals while ensuring instruction occurs within the greater goal of securing employment upon completion.

In 2009, the NYC LWIA will be piloting the highly successful I-BEST model for integrated service delivery to non-English speakers through a specialized center focusing in the healthcare sector.

ARRA funding has also allowed the NYC LWIA to partner with community organizations to provide preparation and placement services for adults belonging to the high need populations, as defined by the NYC WIB.

## Section II WIA Compliance

The Local Plan Modification will extend the existing Local Plan and Functional Alignment Addendum to June 30, 2010 and will become the basis for local area policy and monitoring.

It is anticipated that many of the local board's policies and procedures have remained constant since implementing the approved 2005-2009 Plan and Functional Alignment Addendum. Therefore, the purpose of this Compliance Section is to capture and publish local information about policies that may have changed or been updated. The local board is asked to certify as to whether a policy change has occurred and, where that has happened, provide the new policy.

Please complete the following chart (which follows the same order as the Compliance Section of the 2005-2009 Plan) indicating the status of your governing policies and attach new policy where appropriate.

<i>Required Policy</i>	<i>Is current policy, definition, design or provision of services different from that in the approved 2005-2009?</i>	<i>Is changed or new policy, definition, design or provision of services description attached?</i>
<b>1. Selecting and Certifying One Stop Operators</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>2. Contracting for Service Providers</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>3. Priority of Service</b>	Updated Policy attachment required ( <b>ATTACHMENT 1</b> )	<input checked="" type="checkbox"/> Yes
<b>4. Self-Sufficiency</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No ( <b>ATTACHMENT 2</b> )	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>5. Supportive Services and Needs-Related Payments</b>	Updated Policy attachment required ( <b>ATTACHMENT 3</b> )	<input checked="" type="checkbox"/> Yes
<b>6. Grievances and Complaints</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<i>Provide the name, title, and contact information of the EO Officer.</i>	<b>Nancy Gannie, Director of EOO, New York City Department of Small Business Services, 110 William Street, 8<sup>th</sup> Floor, New York, New York 10038</b>	
<b>7. Youth Services</b>		
<i>Eligibility Definitions</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<i>Performance</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<i>Design Framework</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<i>Youth Council</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<i>Recovery Act Provisions</i>	Policy attachment required	<input checked="" type="checkbox"/> Yes
<b>8. Adult, Dislocated Worker and Wagner-Peyser Services</b>		
<i>Eligibility Definitions</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<i>Performance</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<i>Rapid Response</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<i>Business Services</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<i>Integration of Services</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<i>Reemployment Services Recovery Act Provisions</i>	Policy attachment required	<input checked="" type="checkbox"/> Yes
<b>9. Training</b>		
<i>Individual Training Accounts (ITA)</i>	Updated Policy attachment required <b>(ATTACHMENT 4)</b>	<input checked="" type="checkbox"/> Yes
<i>Customized Training</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>(ATTACHMENT 5)</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<i>OJT</i>		
<i>Trade Act Strategies</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>10. WIA IB &amp; Wagner-Peyser PY 09 Performance and System Indicators</b>	NA	NA
<b>11. Local Monitoring</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>12. Open Meetings</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>13. Public Comment on Local Plan</b>	NA	NA

### Required Signatures

	<i>Required Signatures</i>	<i>Attached?</i>	
Attachment A	Signature of Local Board Chair	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Attachment B	Signature of Chief Elected Official(s)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Attachment C	Signature of WIB Director	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Attachment D	Units of Local Government	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Attachment E	Fiscal Agent/Grant Subrecipient	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Attachment F	One Stop Operator Information	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Attachment G	Federal and State Certifications	<input type="checkbox"/> Yes	<input type="checkbox"/> No

If any of the following documents have changed in whole or in part, please attach.

	<i>Changed?</i>		<i>Attached?</i>	
Chief Elected Official Agreement	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Local Board By-Laws ( <b>Attachment 6</b> )	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
One Stop Operator Agreement	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**ATTACHMENT A: SIGNATURE OF LOCAL BOARD CHAIR**

**Workforce Investment Act Local Plan Modification for  
Program Year 2009-2010, for Workforce Investment Act Title 1-B  
and Wagner Peyser Programs**

In compliance with the provisions of the Workforce Investment Act of 1998, the Interim Final Rule, and Planning guidelines and instructions developed by the Governor, this Plan Modification is being submitted jointly by the Local Board and the respective Chief Elected Official(s).

By virtue of my signature, I:

- agree to comply with all statutory and regulatory requirements of the Act as well as other applicable state and federal laws, regulations and policies
- affirm that the composition of the Local Board is in compliance with the law, rules and regulations and is approved by the State
- affirm that this Plan Modification was developed in collaboration with the Local Board and is jointly submitted with the Chief Elected official(s) on behalf of the Local Board
- Affirm that the board, including any staff to the board, will not directly provide any core, intensive or training services.

Date:		Signature of Local Board Chair:	
Mr. _____		Typed Name of Local Board Chair:	
Ms. _____			
Other _____			
Name of Board:			
Address 1:			
Address 2:			
City:			
State:			Zip:
Phone:			E-mail:

**Submittal directions:** Complete this form as part of the Plan Modification development process and submit the entire Plan Modification electronically as described earlier in this guidance. Submit this form with original signatures as directed on page 2 of the Instructions.

**ATTACHMENT B: SIGNATURE OF CHIEF ELECTED OFFICIAL**

**Workforce Investment Act Local Plan Modification for  
Program Year 2009-2010, for Workforce Investment Act Title 1-B  
and Wagner Peyser Programs**

In compliance with the provisions of the Workforce Investment Act of 1998, the Interim Final Rule, and Planning guidelines and instructions developed by the Governor, this Plan Modification is being submitted jointly by the Local Board and the respective Chief Elected Official(s).

By virtue of my signature, I:

- agree to comply with all statutory and regulatory requirements of the Act as well as other applicable state and federal laws, regulations and policies
- affirm that the Grant recipient possesses the capacity to fulfill all responsibilities and assume liability for funds received, as stipulated in **§667.705** of the rules and regulations
- affirm that the composition of the Local Board is in compliance with the law, rules and regulations and is approved by the State
- affirm that the Chair of the Local Board was duly elected by that Board
- Affirm that the board, including any staff to the board, will not directly provide any core, intensive or training services.

**Note:** A separate signature sheet is required for each local Chief Elected Official.

Date:		Signature of Local Chief Elected Official (CEO):
Mr.    ___		Typed Name of Local CEO:
Ms.     ___		
Other  ___		
Title of Local CEO:		
Address 1:		
Address 2:		
City:		
State:		Zip:
Phone:		E-mail:

**Submittal directions:** Complete this form as part of the Plan Modification development process and submit the entire Plan Modification electronically as described earlier in this guidance. Submit this form with original signatures as described on page 2 of the Instructions.

**ATTACHMENT C: SIGNATURE OF WIB DIRECTOR**

**Workforce Investment Act Local Plan Modification for  
Program Year 2009-2010, for Workforce Investment Act Title 1-B  
and Wagner Peyser Programs**

In compliance with the Planning guidelines and instructions developed by the Governor, this Plan Modification was developed through consultation and dialogue between the local area’s representative(s) and the New York State Department of Labor’s Regional Labor Market Analyst.

By virtue of my signature, I:

- attest that dialogues were conducted between the WIB’s representatives and the LMA which provided the WIB with data and the demographic characteristics of the LWIA’s resident population
- assure that service delivery and design, resource allocation, and other planning decisions were made by the WIB as a result of a careful consideration of the implications of the data and demographics as provided

Date:		Signature of Local WIB Director:
Mr. ___		Typed Name of Local WIB Director:
Ms. ___		
Other ___		
Name of Board:		

**Submittal directions:** Complete this form as part of the Plan Modification development process and submit the entire Plan Modification electronically as described earlier in this guidance. Submit this form with original signatures as directed on page 2 of the Instructions.

**ATTACHMENT D: UNITS OF LOCAL GOVERNMENT**

*Where a local area is comprised of multiple counties or jurisdictional areas, provide the names of the individual governmental units and identify the grant recipient.*

Unit of Local Government	Grant Recipient	
	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

**ATTACHMENT E: FISCAL AGENT/GRANT SUBRECIPIENT**

*Identify the Fiscal Agent or a Grant Recipient to assist in the administration of grant funds.  
Provide the names of the agent and/or subrecipient.*

Entity	Fiscal Agent	
	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

Entity	Grant Subrecipient	
	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

## ATTACHMENT F: ONE STOP OPERATOR INFORMATION

Complete the following information for each locally certified One Stop Operator in your Workforce Investment Area.

<b>OPERATOR:</b>	
<i>Method of Selection</i>	<i>Type of Operator</i>
<input type="checkbox"/> Consortium  <input type="checkbox"/> Competitive Bid	<input type="checkbox"/> System  <input type="checkbox"/> Center(s)
<b>Operator Address:</b>	
<b>Operator Phone:</b>	
<b>E-Mail:</b>	

Attach a list of all One Stop centers overseen by this Operator and include for *each* center:

- Name/Address/Phone of Center(s)
- Identify Full-Service or Certified Affiliate Site
- Identify Partners On-Site and Frequency On-Site (e.g., half day/week; two days/week)
- Identify Center Hours of Operation

### OPERATOR CERTIFICATION STATUS

Indicate status of Local Level Operator Recertification:

- Granted
- Application Submitted/Pending LWIB Review
- Application Not Yet Due
- Other (explain)

## ATTACHMENT G: FEDERAL AND STATE CERTIFICATIONS

The funding for the awards granted under this contract is provided by either the United States Department of Labor or the United States Department of Health and Human Services which requires the following certifications:

### **A. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION-LOWER TIER COVERED TRANSACTIONS**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statement in this certification, such prospective participant shall attach an explanation to this proposal.

### **B. CERTIFICATION REGARDING LOBBYING - Certification for Contracts, Grants, Loans, and Cooperative Agreements**

By accepting this grant, the signee hereby certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The signer shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of facts upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S.C. **Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.**

**C. DRUG FREE WORKPLACE.** By signing this application, the grantee certifies that it will provide a Drug Free Workplace by implementing the provisions at 29 CFR 98.630, Appendix C,

pertaining to the Drug Free Workplace. In accordance with these provisions, a list of places where performance of work is done in connection with this specific grant will take place must be maintained at your office and available for Federal inspection.

#### **D. NONDISCRIMINATION & EQUAL OPPORTUNITY ASSURANCE:**

##### **For contracts funded by the U.S. Department of Labor**

As a condition to the award of financial assistance from the Department of Labor under Title I of WIA, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

- (1) Section 188 of the Workforce Investment Act of 1998 (WIA) which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age disability, political affiliation, or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I - financially assisted program or activity;
- (2) Title VI of the Civil Rights Act of 1964, as amended which prohibits discrimination on the basis of race, color, and national origin;
- (3) Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
- (4) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
- (5) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The grant applicant also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIA Title I - financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance. For grants serving participants in work activities funded through the Welfare-to-Work block grant programs under Section 407(a) of the Social Security Act, the grant applicant shall comply with 20 CFR 645.255.

##### **For contracts funded by the U.S. Department of Health and Human Services**

As a condition to the award of financial assistance from the Department of Labor under Title IV-A of the Social Security Act, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws including but not limited to:

- (1) Title VI of the Civil rights Act of 1964(P.L. 88-352) and Executive Order Number 11246 as amended by E.O. 11375 relating to Equal Employment Opportunity which prohibits discrimination on the basis of race, color or national origin;

(2) Section 504 of the Rehabilitation Act of 1973, as amended, and the regulations issued pursuant thereto contained in 45 CFR Part 84 entitled “Nondiscrimination on the Basis of Handicap in Programs and Activities Reviewing or Benefiting from Federal Financial Assistance” which prohibit discrimination against qualified individuals with disabilities;

(3) The Age Discrimination Act of 1975, as amended, and the regulations at 45 CFR Part 90 entitled “Nondiscrimination on the Basis of Age in Programs and Activities Reviewing Federal Financial Assistance”, which prohibits discrimination on the basis of age;

(4) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs; and

(5) The Americans with Disabilities Act (ADA) of 1990, 42 U.S.C. Section 12116, and regulations issued by the Equal Employment Opportunity Commission which implement the employment provisions of the ADA, set forth at 29 CFR Part 1630.

The grant applicant also assures that it will comply with 45 CFR Part 80 and all other regulations implementing the laws listed above. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

## **STATE CERTIFICATIONS**

### **E. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND OUTSTANDING DEBTS**

The undersigned, as a duly sworn representative of the contractor/vendor, hereby attests and certifies that:

- 1) No principle or executive officer of the contractor’s/vendor’s company, its subcontractor(s) and/or successor(s) is presently suspended or debarred; and
- 2) The contractor/vendor, its subcontractor(s) and/or its successor(s) is not ineligible to submit a bid on, or be awarded, any public work contract or sub-contract with the State, any municipal corporation or public body for reason of debarment for failure to pay the prevailing rate of wages, or to provide supplements, in accordance with Article 8 of the New York State Labor Law.
- 3) The contractor/vendor, its subcontractor(s) and/or its successor do not have any outstanding debts owed to the Department, including but not limited to, contractual obligations, fines related to Safety and Health violations, payments owed to workers for public works projects or the general provisions of the Labor Law, unemployment insurance contributions or other related assessments, penalties or charges.

### **F. CERTIFICATION REGARDING "NONDISCRIMINATION IN EMPLOYMENT IN NORTHERN IRELAND: MacBRIDE FAIR EMPLOYMENT PRINCIPLES"**

In accordance with Chapter 807 of the Laws of 1992 the bidder, by submission of this bid, certifies that it or any individual or legal entity in which the bidder holds a 10% or greater ownership

interest, or any individual or legal entity that holds a 10% or greater ownership interest in the bidder, either:

(answer Yes or No to one or both of the following, as applicable.)

1. Has business operations in Northern Ireland:

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

If Yes:

2. Shall take lawful steps in good faith to conduct any business operations they have in Northern Ireland in accordance with the MacBride Fair Employment Principles relating to nondiscrimination in employment and freedom of workplace opportunity regarding such operations in Northern Ireland, and shall permit independent monitoring of its compliance with such Principles.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No

**G. NON-COLLUSIVE BIDDING CERTIFICATION**

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his or her knowledge and belief:

1. The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
2. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit to bid for the purpose of restricting competition.

I, the undersigned, attest under penalty of perjury that I am an authorized representative of the Bidder/Contractor and that the foregoing statements are true and accurate.

Signature of Authorized Representative:
Title:
Date:

**ATTACHMENT H: TRAINING SUPPORT ANALYSIS FORM:**

**NEEDS-RELATED PAYMENTS**

**Please note that a "no" response to questions 1 through 3 disqualifies you for needs-related payments (NRP).**

1. Are you unemployed or have you received notification of layoff?  
 Yes    No
  
2. Have you ceased to qualify for UI benefits or Trade Readjustment Allowances (TRA)?  
 Yes    No
  
3. Are you currently maintaining satisfactory progress in training? Attach most recent grades.  
 Yes    No

**Please note that a "yes" response to questions 4 and 5 disqualifies you for needs-related payments (NRP).**

4. Are you currently participating in a work experience, On-the-Job Training (OJT) or work study?  
 Yes    No
  
5. Do you intend to claim any type of unemployment insurance benefits or receive any payments for work or vacation?  
 Yes    No
  
6. Do you need income support beyond your "other resources" available in order to participate in training? Examples of other resources include but are not limited to severance pay, TANF, other family income (spouse's income), etc.  
 Yes    No

If yes, explain:

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**Needs-Related Payments are not intended to provide the entire amount of income support you may need to complete your training. These payments are made to temporarily help you while making satisfactory progress during your participation in full-time training. Needs-Related Payments are subject to your on-going eligibility for the program and funding availability.**

**All answers and statements are true and complete to the best of my knowledge. I understand that untruthful or misleading answers may cause my determination to be rejected. I further understand that any payments made based on such statements may require Needs-Related Payments provided to be returned.**

Participant Signature: \_\_\_\_\_

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

ATTACHMENT I: PRIORITY OF SERVICE SAMPLE POLICIES

**LOCAL WORKFORCE INVESTMENT BOARD  
POLICY ISSUANCE NUMBER:**

**TO:** All One-Stop Career Center Staff and Providers

**SUBJECT:** Priority of Service for Recipients of Public Assistance & Other Low-Income Individuals under the Recovery Act WIA Adult Funding Stream

**ISSUANCE DATE:** XXXXXX

**EFFECTIVE DATE:** XXXXXX

**EXPIRATION DATE:** XXXXXX

---

**Purpose:** To issue priority of service policy for adults who are recipients of public assistance and other low-income individuals who require intensive and training services under the Recovery Act WIA Adult funding stream.

**Background:** The American Recovery and Reinvestment Act of 2009 (The Recovery Act) signed by President Obama on February 17, 2009 is intended to preserve and create jobs, promote the nation's economic recovery, and to assist those most impacted by the recession. On March 18, 2009, the United States Department of Labor's, Employment and Training Administration released guidance (Training & Employment Guidance Letter No. 14-8) for implementing Workforce Investment Act and Wagner-Peyser Act funding under the Recovery Act. The Recovery Act contains several provisions designed to target services to certain populations. One such provision mandates that priority of service must be enacted for recipients of public assistance and other low-income individuals who receive intensive and training services under the WIA Adult funding stream.

**Policy:** The local workforce investment board should craft language that provides clear direction to successfully ensure priority of service is provided for intensive and training services under Recovery Act WIA Adult to recipients of public assistance and low-income individuals. Points to consider are:

1. What defines a low-income individual?
2. What criteria will be used to differentiate between Recovery WIA Adult and non-Recovery WIA Adult funds? (Depending on local policy, Priority of Service may not be mandatory when services are provided with non-Recovery WIA Adult funds).
3. What criteria will be used to designate a priority customer?
4. What monitoring criteria will be enacted to ensure federal requirements are being successfully implemented?

**Inquiries:** Please direct any questions to XXXXXXXX.

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Chair LWIB or Chief Elected Official

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Date

**LOCAL WORKFORCE INVESTMENT BOARD  
POLICY ISSUANCE NUMBER:**

**TO:** All One-Stop Career Center Staff and Providers

**SUBJECT:** Veterans Priority of Service

**ISSUANCE DATE:** XXXXXX

**EFFECTIVE DATE:** XXXXXX

**EXPIRATION DATE:** XXXXXX

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**Purpose:** The purpose of this policy is to implement veterans’ priority of service as mandated in Federal regulation (Final Rule, 20CFR Part 1010) that went into effect on January 19, 2009.

**Background:** The Jobs for Veterans Act, enacted into Public Law 107-288 on November 7, 2002 made a number of amendments to encourage military veterans’ access to services within an integrated one-stop service delivery system. One such amendment creates a priority of service for veterans (and some spouses) “who otherwise meet the eligibility requirements for participation” in DOL training programs. As mandated in Federal regulation, One-Stop Career Centers are required to implement priority of service and will need to have clear strategies for providing veterans and eligible spouses of veterans with quality service at every phase of services offered.

**Policy:** The local workforce investment board should craft language that provides clear direction to successfully ensure priority of service is provided to Veterans. Points to consider are:

1. What defines a veteran, eligible veteran, covered person, eligible spouse, qualified job training program?
2. What procedures are in place to ensure signage is properly displayed?
3. What procedures are in place to identify covered persons who physically access or virtually access service delivery points?
4. What outreach strategies (if any) will be incorporated in local policy?
5. What website design policy will be implemented?
6. What procedures are in place to ensure the revision of all contract templates, RFP and sub-agreement language to include priority of service language?
7. What customer flow process will be implemented to make use of DVOPs and LVERs?
8. What modifications to Functional Alignment (if any) will be made to enhance implementation of priority of service?
9. What procedures are in place to ensure all impacted staff are made aware of and assist in the implementation of priority of service?

**Inquiries:** Please direct any questions to XXXXXXXX.

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Chair LWIB or Chief Elected Official

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Date

ATTACHMENT J: PY 2008 PARTICIPANT TRAINING DATA

ACTIVE CUSTOMERS WITH ACTIVE SERVICES FROM JULY 1, 2008 - APRIL 30, 2009		PY08 12-month Projection (added 20% to original numbers)									
WIB	FUND	TRNG	ITA	OJT	SKLUP	ENT	AED	CUST	OCC		
Albany/Rensselaer/Schenectady Counties	WIA Dislocated Worker Local	448	428	14	56	0	31	25	320		
Albany/Rensselaer/Schenectady Counties	WIA Adult Local	410	389	19	120	0	13	0	258		
Albany/Rensselaer/Schenectady Counties	OOSY	19	0	0	1	0	0	0	18		
Albany/Rensselaer/Schenectady Counties	ISY	37	0	0	35	0	0	0	2		
Allegany/Cattaraugus Counties	WIA Dislocated Worker Local	94	76	17	0	0	4	0	73		
Allegany/Cattaraugus Counties	WIA Adult Local	253	170	80	0	0	0	0	173		
Allegany/Cattaraugus Counties	OOSY	34	0	5	0	0	0	0	29		
Allegany/Cattaraugus Counties	ISY	13	0	0	0	0	0	0	13		
Broome/Tioga Counties	WIA Dislocated Worker Local	449	248	56	0	0	1	0	391		
Broome/Tioga Counties	WIA Adult Local	920	623	86	8	0	0	0	826		
Broome/Tioga Counties	OOSY	54	0	0	0	0	0	0	54		
Broome/Tioga Counties	ISY	6	0	0	0	0	0	0	6		
Cayuga/Cortland Counties	WIA Dislocated Worker Local	91	86	2	0	0	0	0	89		
Cayuga/Cortland Counties	WIA Adult Local	120	97	1	12	0	0	0	107		
Cayuga/Cortland Counties	OOSY	6	0	0	0	0	0	0	6		
Cayuga/Cortland Counties	ISY	2	0	0	1	0	0	0	1		
Chautauqua County	WIA Dislocated Worker Local	102	100	0	0	0	1	0	101		
Chautauqua County	WIA Adult Local	143	61	0	1	0	0	79	62		
Chautauqua County	OOSY	5	0	0	0	0	0	0	5		
Chautauqua County	ISY	2	0	0	0	0	0	0	2		
Chemung/Schuyler/Steuben Counties	WIA Dislocated Worker Local	218	72	47	6	0	0	0	166		
Chemung/Schuyler/Steuben Counties	WIA Adult Local	976	24	449	70	0	0	328	130		
Chemung/Schuyler/Steuben Counties	OOSY	58	0	0	5	0	0	0	53		
Chemung/Schuyler/Steuben Counties	ISY	12	0	0	0	0	0	0	12		
Chenango/Delaware/Otsego Counties	WIA Dislocated Worker Local	94	76	8	5	0	4	0	77		
Chenango/Delaware/Otsego Counties	WIA Adult Local	162	95	22	1	0	1	43	95		

ACTIVE CUSTOMERS WITH ACTIVE SERVICES FROM JULY 1, 2008 - APRIL 30, 2009		PY08 12-month Projection (added 20% to original numbers)									
WIB	FUND	TRNG	ITA	OJT	SKLUP	ENT	AED	CUST	OCC		
Chenango/Delaware/Otsego Counties	OOSY	14	0	2	0	0	0	0	12		
Clinton/Essex/Franklin/Hamilton	WIA Dislocated Worker Local	32	13	18	0	0	0	0	14		
Clinton/Essex/Franklin/Hamilton	WIA Adult Local	128	85	38	2	0	0	0	88		
Clinton/Essex/Franklin/Hamilton	OOSY	4	0	0	0	0	0	0	4		
Columbia/Greene Counties	WIA Dislocated Worker Local	83	72	2	0	0	18	0	62		
Columbia/Greene Counties	WIA Adult Local	78	48	1	0	0	13	26	37		
Dutchess County	WIA Dislocated Worker Local	125	119	6	0	5	1	0	113		
Dutchess County	WIA Adult Local	98	94	5	0	5	2	0	86		
Dutchess County	OOSY	20	0	0	0	0	0	0	20		
Dutchess County	ISY	1	0	0	0	0	0	0	1		
Erie County	WIA Dislocated Worker Local	671	403	236	11	0	1	4	419		
Erie County	WIA Adult Local	704	497	98	44	0	0	59	503		
Erie County	OOSY	8	0	0	0	1	0	0	7		
Erie County	ISY	65	0	0	0	55	0	0	10		
FINGER LAKES - Ontario/Seneca/Wayne/Yates	WIA Dislocated Worker Local	120	104	13	1	0	0	0	106		
FINGER LAKES - Ontario/Seneca/Wayne/Yates	WIA Adult Local	257	164	52	24	0	0	5	176		
FINGER LAKES - Ontario/Seneca/Wayne/Yates	OOSY	2	0	0	0	0	0	0	2		
FINGER LAKES - Ontario/Seneca/Wayne/Yates	ISY	5	0	0	0	0	0	0	5		
Fulton/Montgomery/Schoharie Counties	WIA Dislocated Worker Local	72	54	14	0	0	18	0	40		
Fulton/Montgomery/Schoharie Counties	WIA Adult Local	312	73	0	1	0	14	234	62		
GLOW - Genesee/Orleans/Livingston/Wyoming	WIA Dislocated Worker Local	156	145	11	0	0	1	0	144		
GLOW - Genesee/Orleans/Livingston/Wyoming	WIA Adult Local	348	253	44	0	0	31	41	232		
GLOW - Genesee/Orleans/Livingston/Wyoming	OOSY	24	0	0	1	0	0	0	23		
Hempstead/Long Beach	WIA Dislocated Worker Local	373	251	1	6	0	12	0	354		
Hempstead/Long Beach	WIA Adult Local	108	94	1	2	0	0	1	103		

ACTIVE CUSTOMERS WITH ACTIVE SERVICES FROM JULY 1, 2008 - APRIL 30, 2009		PY08 12-month Projection (added 20% to original numbers)										
WIB	FUND	TRNG	ITA	OJT	SKLUP	ENT	AED	CUST	OCC			
Jefferson/Lewis Counties	WIA Dislocated Worker Local	62	44	18	0	0	23	0	22			
Jefferson/Lewis Counties	WIA Adult Local	158	110	46	1	0	37	0	74			
Monroe County	WIA Dislocated Worker Local	288	252	2	29	0	2	1	253			
Monroe County	WIA Adult Local	671	443	5	206	0	4	11	445			
Monroe County	OOSY	100	0	0	0	0	0	0	100			
Monroe County	ISY	203	0	0	0	0	0	0	203			
New York City	WIA Dislocated Worker Local	1282	1278	0	0	0	38	2	1241			
New York City	WIA Adult Local	3708	2918	98	0	0	59	712	2839			
New York City	OOSY	NA	NA	NA	NA	NA	NA	NA	NA			
New York City	ISY	NA	NA	NA	NA	NA	NA	NA	NA			
Niagara County	WIA Dislocated Worker Local	132	118	6	0	0	0	0	126			
Niagara County	WIA Adult Local	168	151	8	1	0	0	1	157			
Niagara County	OOSY	11	0	0	0	0	0	0	11			
Niagara County	ISY	1	0	0	0	0	0	0	1			
NYSDOL - CO	WIA Dislocated Worker Local	2	2	0	0	0	0	0	2			
Oneida/Herkimer/Madison Counties	WIA Dislocated Worker Local	270	194	76	0	0	6	4	185			
Oneida/Herkimer/Madison Counties	WIA Adult Local	391	114	142	1	0	1	106	142			
Oneida/Herkimer/Madison Counties	OOSY	34	0	8	0	0	0	13	12			
Oneida/Herkimer/Madison Counties	ISY	5	0	0	0	0	0	1	4			
Onondaga County	WIA Dislocated Worker Local	254	242	8	0	0	20	0	226			
Onondaga County	WIA Adult Local	301	176	25	0	0	28	102	146			
Onondaga County	OOSY	29	0	1	0	0	0	0	28			
Onondaga County	ISY	10	0	0	0	0	0	0	10			
Orange County	WIA Dislocated Worker Local	176	166	11	0	0	0	0	166			
Orange County	WIA Adult Local	142	124	14	1	0	0	0	126			
Oswego County	WIA Dislocated Worker Local	107	92	13	0	0	0	0	94			
Oswego County	WIA Adult Local	232	113	48	26	0	2	31	124			

ACTIVE CUSTOMERS WITH ACTIVE SERVICES FROM JULY 1, 2008 - APRIL 30, 2009		PY08 12-month Projection (added 20% to original numbers)										
WIB	FUND	TRNG	ITA	OJT	SKLUP	ENT	AED	CUST	OCC			
Oswego County	OOSY	25	0	0	0	0	0	0	25			
Oswego County	ISY	13	0	0	0	0	0	0	13			
Oyster Bay/North Hempstead/Glen Cove	WIA Dislocated Worker Local	577	222	0	4	0	1	0	572			
Oyster Bay/North Hempstead/Glen Cove	WIA Adult Local	186	119	0	0	0	1	0	185			
Oyster Bay/North Hempstead/Glen Cove	OOSY	13	0	0	0	0	0	0	13			
Putnam/Westchester Bal.	WIA Dislocated Worker Local	224	212	0	12	0	1	0	211			
Putnam/Westchester Bal.	WIA Adult Local	179	176	0	4	0	0	0	175			
Putnam/Westchester Bal.	OOSY	49	0	1	0	0	0	0	48			
Putnam/Westchester Bal.	ISY	6	0	0	0	0	0	0	6			
Rockland County	WIA Dislocated Worker Local	46	42	0	1	0	1	1	42			
Rockland County	WIA Adult Local	38	32	0	0	0	2	2	34			
Rockland County	OOSY	25	0	0	0	0	0	0	25			
Rockland County	ISY	30	0	0	0	0	0	0	30			
Saratoga/Warren/Washington Counties	WIA Dislocated Worker Local	26	24	1	1	0	1	0	23			
Saratoga/Warren/Washington Counties	WIA Adult Local	74	66	1	4	0	4	0	66			
St. Lawrence County	WIA Dislocated Worker Local	120	90	17	1	0	0	0	102			
St. Lawrence County	WIA Adult Local	263	203	31	4	0	0	0	228			
St. Lawrence County	OOSY	11	0	0	0	0	0	0	11			
St. Lawrence County	ISY	2	0	0	0	0	0	0	2			
Suffolk County	WIA Dislocated Worker Local	953	937	0	5	0	4	0	944			
Suffolk County	WIA Adult Local	961	959	0	7	0	78	0	876			
Suffolk County	OOSY	53	0	1	0	0	0	0	52			
Suffolk County	ISY	12	0	0	0	0	0	0	12			
Sullivan County	WIA Dislocated Worker Local	34	19	5	0	0	13	0	16			
Sullivan County	WIA Adult Local	43	40	5	0	0	0	0	38			
Sullivan County	OOSY	4	0	0	0	0	0	0	4			
Sullivan County	ISY	1	0	0	0	0	0	0	1			
Tompkins County	WIA Dislocated Worker	42	41	0	1	4	0	0	37			

ACTIVE CUSTOMERS WITH ACTIVE SERVICES FROM JULY 1, 2008 - APRIL 30, 2009		PY08 12-month Projection (added 20% to original numbers)									
WIB	FUND	TRNG	ITA	OJT	SKLUP	ENT	AED	CUST	OCC		
	Local										
Tompkins County	WIA Adult Local	55	53	2	5	1	0	0	47		
Ulster County	WIA Dislocated Worker Local	74	71	0	0	0	5	0	70		
Ulster County	WIA Adult Local	154	150	4	0	0	0	0	150		
Ulster County	OOSY	29	0	0	0	0	0	0	29		
Ulster County	ISY	2	0	0	0	0	0	0	2		
Yonkers City of	WIA Dislocated Worker Local	49	47	1	0	0	0	1	47		
Yonkers City of	WIA Adult Local	73	62	7	0	0	5	0	61		
Yonkers City of	OOSY	59	0	0	0	0	0	0	59		
Yonkers City of	ISY	14	0	0	0	0	0	0	14		

**NYC Local Workforce Investment Area  
Local Plan Modification 2009**

**Attachment 1  
NYC WIB Priority of Service Policy**

**RESOLUTION OF THE NEW YORK CITY WORKFORCE INVESTMENT BOARD  
EXECUTIVE COMMITTEE  
APPROVING PRIORITY OF SERVICE POLICY**

**WHEREAS**, the American Recovery and Investment Act of 2009 (ARRA) provides additional funding for Workforce Investment Act of 2009 (WIA) authorized activities, which must be implemented expeditiously and effectively, in accordance with US Department of Labor Training and Employment Guidance Letter No. 14-08 (TEGL 14-08), and

**WHEREAS**, TEGL 14-08 indicates that priority use of WIA Adult formula funds provided under ARRA must be for services to recipients of public assistance and other low-income individuals as described in WIA Section 134(d)(4)(e), and

**WHEREAS**, TEGL 14-08 also requires state and local areas to incorporate a priority of service policy for veterans and eligible spouses sufficient to meet the requirements of 20 CFR Part 1010 for purposes of both WIA Adult formula funds and WIA Dislocated Worker formula funds provided under ARRA; and

**WHEREAS**, WIA Section 101(37) defines “public assistance” as Federal, State, or local government cash payments for which eligibility is determined by a needs or income test, and

**WHEREAS**, WIA Section 101(25) defines “low-income individual” as an individual who:

- (A) receives, or is a member of a family that receives, cash payments under a Federal, State, or local income based public assistance program;
- (B) received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402)) that, in relation to family size, does not exceed the higher of (i) the poverty line, for an equivalent period; or (ii) 70 percent of the lower living standard income level, for an equivalent period;
- (C) is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);
- (D) qualifies as a homeless individual, as defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302);
- (E) is a foster child on behalf of whom State or local government payments are made; or
- (F) in cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of a program described in subparagraph (A) or of subparagraph (B), but who is a member of a family whose income does not meet such requirements,

and

**WHEREAS**, WIA Section 49(A) defines “veteran” as an individual who served in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable, and

**WHEREAS**, “eligible spouse” is not defined in WIA, but is defined in 20 CFR Part 1010 as the spouse of any of the following: (1) any veteran who died of a service connected disability; (2) any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days: (i) missing in action; (ii) captured in line of duty by a hostile force; or (iii) forcibly detained or interned in line of duty by a foreign government or power; (3) any veteran who has a total disability resulting from a service connected disability, as evaluated by the Department of Veterans Affairs; (4) any veteran who died while a disability, as indicated in (3), was in existence, and

**WHEREAS**, the Workforce Investment Board estimates that the New York City Local Workforce Investment Area will receive ARRA funding amounting to approximately \$16 million in Adult formula funding and approximately \$14 million for Dislocated Worker formula funding, and

**NOW, THEREFORE, BE IT RESOLVED** the New York City Local Workforce Investment Board, Executive Committee, hereby establishes the following Priority of Service Policy with respect to ARRA-funded programs in the New York City Local Workforce Investment Area in order to meet the requirement that ARRA funding be spent efficiently and effectively:

1. Priority of service with respect to programs funded by ARRA Adult formula funding shall be provided to recipients of public assistance, low income individuals, veterans and eligible spouses, as described above;
2. Priority of service with respect to programs funded by ARRA Dislocated Worker formula funding shall be provided to veterans and eligible spouses, as described above.

This Resolution shall take effect immediately.

**NYC Local Workforce Investment Area  
Local Plan Modification 2009**

**Attachment 2  
NYC WIB Supportive Services Policy**

**A RESOLUTION OF THE NEW YORK CITY WORKFORCE INVESTMENT BOARD  
WORKFORCE POLICY COMMITTEE APPROVING A  
LOCAL SELF-SUFFICIENCY POLICY**

**WHEREAS**, in accordance with Title I of the Workforce Investment Act (WIA) of 1998 (Pub. L. 105–220), the Secretary of Labor annually determines the Lower Living Standard Income Level (LLSIL) for uses described in the law;

**WHEREAS**, the regulations promulgated under WIA require Local Boards to set criteria for determining whether employment leads to self-sufficiency (“Self-Sufficiency Standard”), and, at a minimum, such criteria must provide that self-sufficiency means employment that pays at least the LLSIL;

**WHEREAS**, the NYC Local Workforce Investment Area will set Self-Sufficiency Standard (annualized) at four times the LLSIL, as may be adjusted by the Secretary of Labor;

**BE IT RESOLVED** that the Workforce Policy Committee hereby approves the above Self-Sufficiency Standards set forth above for programming in the New York City Local Workforce Investment Area.

This resolution shall take effect immediately.

**NYC Local Workforce Investment Area  
Local Plan Modification 2009**

**Attachment 3  
NYC WIB Supportive Services and  
Needs Related Payments Policy**

**A RESOLUTION  
OF THE NEW YORK CITY WORKFORCE INVESTMENT BOARD  
EXECUTIVE COMMITTEE APPROVING  
THE SUPPORTIVE SERVICES POLICY**

**WHEREAS**, the American Recovery and Investment Act of 2009 (ARRA) provides additional funding for Workforce Investment Act of 2009 (WIA) authorized activities, which must be implemented expeditiously and effectively, in accordance with US Department of Labor Training and Employment Guidance Letter No. 14-08 (TEGL 14-08), and

**WHEREAS**, ARRA and TEGL 14-08 emphasize that ARRA funds are authorized to be used for supportive services, and

**WHEREAS**, under WIA § 134 (e)(2)(3) and 20 CFR 663.800-663.810, supportive services includes transportation, child care, dependent care, housing, and needs related payments that are necessary to enable an individual to participate in activities authorized under WIA Title I, provided that the recipient is participating in core, intensive or training services and the recipient is unable to obtain supportive services through other programs providing such services, and

**WHEREAS**, the Local Workforce Investment Board has the authority and flexibility to develop policies to the provision of supportive services for the local area, and

**WHEREAS**, the New York City Local Workforce Investment Board previously established a strong supportive services policy that supports the Workforce 1 Career Center's practice of referring jobseekers to supportive services offered by partner organizations through the Community Partners Network, and

**WHEREAS**, the New York City Local Workforce Investment Board, Executive Committee, supports the provision of supportive services to eligible recipients by operators of ARRA funded programs within the local area to the extent practicable. in order to meet the requirement that ARRA funding be spent efficiently an effectively,

**NOW, THEREFORE BE IT RESOLVED** by the Executive Committee as follows:

The Workforce Executive Committee hereby approves the supportive services practice currently in effect for the New York City Local Workforce Investment Area and supports the provision of supportive services to eligible recipients by operators of ARRA funded programs within the local area to the extent practicable in order to meet the requirement that ARRA funding be spent efficiently an effectively.

This policy shall take effect immediately.

**NYC Local Workforce Investment Area  
Local Plan Modification 2009**

**Attachment 4  
NYC LWIA Individual Training Account Policy**

**A RESOLUTION OF THE NEW YORK CITY WORKFORCE INVESTMENT BOARD  
WORKFORCE POLICY COMMITTEE APPROVING  
THE INDIVIDUAL TRAINING ACCOUNTS POLICY**

**WHEREAS**, the Workforce Investment Act of 1998 §134(c) (2) provides Local Workforce Investment Boards the authority and flexibility to develop policy related to the provision of training services; and

**WHEREAS**, it has been determined that it would be advantageous to organize all policies previously approved by the Policy Committee into one comprehensive policy paper; and

**WHEREAS**, changes to existing policies and the development of new policies is necessary to improve processes for training services;

**NOW, THEREFORE, BE IT RESOLVED** that the New York City Workforce Investment Board Policy Paper for Individual Training Accounts is hereby adopted and replaces all previously approved policies.

This Resolution shall take effect immediately.

New York City Workforce Investment Board  
Policy Paper for Individual Training Accounts

In the NYC local area, WIA Individual Training Accounts (ITAs) are branded Individual Training Grants (ITG) and eligible courses and schools are listed on the Training Guide ([www.nyc.gov/trainingguide](http://www.nyc.gov/trainingguide)).

### General

The NYC Workforce1 Career Center system operates with the goal of serving both businesses and jobseekers, focusing on getting jobseekers to successful employment and advancement. Through this system, eligible Workforce Investment Act (WIA) participants are able to select their choice of occupational training that is provided through Training Providers that are evaluated, approved and placed on the state Eligible Training Provider List (ETPL).

### Training Providers

1. Eligibility Requirements: (Portions from Resolutions of Aug. 11, 2004 and Nov 5, 2008)
  - a. All Training Providers on the ETPL and the NYC Training Guide must be in compliance with NYS laws and have the license, certification, registration or approval from the appropriate state or federal oversight agency to provide the training.
  - b. All providers on the ETPL that are licensed under Sections 5002(4) and 5001 of the New York State Education Law ("Licensed Providers") shall be required to submit to an audit to assess compliance of courses and curriculums with Section 5002(4) of the NYS Education Law (the "Audit"). If it is determined that any Licensed Provider is offering a course or curriculum that is not duly approved by the appropriate NYS licensing body, such Licensed Provider shall be notified of such noncompliance and must take immediate and good faith steps to apply for approval of such courses. Upon receipt of such notice, the Licensed Provider shall have a one year grace period, during which the Licensed Provider may remain on the ETPL, provided such Licensed Provider is working in good faith to obtain the necessary approvals of all courses and curriculums. By the conclusion of the grace period, the Licensed Provider must provide the Board with proof of all necessary NYS oversight approvals of each of its courses and curriculums. If such approvals are not provided by the end of such grace period, the Licensed Provider shall not be eligible to receive ITGs for those courses or curriculums that have not been approved until such time as such approvals are obtained. No new Licensed Providers shall be added to the ETPL which do not have the required course approvals.
  - c. A Training Provider may also be removed from the ETPL if it is determined that the Provider has committed fraud or intentionally provided incorrect information to SBS or ITG customers.
2. Report Card Evaluation: (Portion from Resolution of June 30, 2003)
  - a. A Training Provider course shall be deemed ineligible to receive ITGs for a minimum period of six months if the job placement rate of the training provider's students who received ITGs is less than 50% and the completion rate is less than 75%.
    - i. Applies by course for courses with 5 or more students in a six month period
    - ii. Placement is defined by employment within three months of training
    - iii. Training providers deemed ineligible to receive ITGs by having failed the course completion and job Placement threshold will be provided an opportunity, at the end of their six month disqualification period, to demonstrate to SBS' reasonable satisfaction that particular courses for which the training provider desires to restore ITG eligibility are providing quality training to individuals and are likely to result in job placement.

3. Price: (*Resolution of Nov 14, 2008*)
  - a. ITG vouchers shall be assigned a value by SBS program staff based on anticipated outcomes from one of the following three price tiers:  
Tier 1: \$1300  
Tier 2: \$2200  
Tier 3: \$3800.
4. Payment: (*Resolution of February 2, 2005*)
  - a. The payment structure for ITGs is as follows:
    - i. 50% of the value of an ITG issued to a customer for a training course is paid to the Training Provider upon the ITG holder's enrollment in such training course
    - ii. 50% (i.e., the full remainder) of the value of the ITG is paid to the Training Provider upon the customer's successful completion of the training course(s) and receipt of credential.
  - b. Vouchers will not be validated that have the student starting prior to the start date on the voucher or are found not meet the other requirements specified on the vouchers or the invoices themselves.

#### **Jobseeker**

1. Allocations: (*Portion from Resolution of June 30, 2003*)
  - a. In order to control and manage ITG issuance, and ensure the availability of ITGs throughout each year, SBS shall have the authority to assign to each of the SBS contractors authorized to issue WIA funded ITGs maximum dollar allocations of ITG funding on a periodic basis, whether quarterly, monthly, or otherwise, as SBS may determine in its discretion.
2. Eligibility for Training:
  - a. All jobseekers interested in occupational training opportunities available through ITGs will be assessed using the Individual Employment Plan and the Case Conference model to receive an ITG voucher.
    - i. Through the Case Conference Model, Workforce1 Career Centers assess customers for employment and training opportunities. The Case Conference Model requires individual assessments of jobseekers to ensure that they are referred to training opportunities which will best prepare them for employment in a desired occupation. The process includes: orientation to learn about general services and meet with a Career Advisor; assessment for employment and training, using nationally recognized job readiness and skills assessment tools such as Provelt!; research on appropriate training courses using the NYC Training Guide ([www.nyc.gov/trainingguide](http://www.nyc.gov/trainingguide)), and the case management where Career Advisors discuss ITG applications and determine who is most suited to benefit from occupational training. The model has been in place since 2006 and was recognized by USDOL in 2008 as a promising practice.
    - ii. In circumstances where there is a clear connection between training and employment opportunities, customers can be evaluated using an accelerated assessment process.
  - b. Both unemployed and employed jobseekers can receive ITGs.
  - c. Once the employment goals and assessments are completed, low-income and veterans priorities are applied to the decision making based on customer self attestation.
3. Growth Occupations (*Resolution of June 30, 2003*)

- a. ITGs will only be authorized for courses that provide training for employment in a Growth Occupation. "Growth Occupations" shall mean the occupations identified on the quarterly short-term growth occupation list issued by the New York State Department of Labor for New York City, provided that SBS shall have the discretion to add to or subtract from such list based upon its own research, information, and priorities.

4. Exceptions (*Portions from Resolution of June 30, 2003*)

The Placement Threshold, Growth Occupation and Price criteria shall not be applicable to the following ITG issuance:

1. Issuance of ITGs by the Dislocated Worker Intensive Service providers under their contracts with SBS.
2. Issuance of ITGs in connection with special initiatives established by SBS with the approval of the WIB or the applicable WIB committee.
  1. Such special initiatives may include but are not restricted to cohort-based advancement training, longer-term, high priced occupational skills training, tuition assistance for degree programs, occupation-specific retraining for growth industries, and others.

**NYC Local Workforce Investment Area  
Local Plan Modification 2009**

**Attachment 5  
NYC LWIA Customized Training Policy**

**RESOLUTION OF THE NEW YORK CITY WORKFORCE INVESTMENT  
BOARD POLICY COMMITTEE APPROVING MODIFICATIONS TO THE NYC  
BUSINESS SOLUTIONS TRAINING FUNDS PROGRAM**

WHEREAS, the Workforce Development Corporation (“WDC”) maintains a Training Funds programs which provides grants to employers to train their employees; and

WHEREAS, the Training Funds program currently permits up to 10% of trainees under an award to earn more than the pre-training maximum wage (set by the WIB at 450% of the federal Lower Level Income Standard, currently \$61,830), and it has been determined that this program policy is not serving the Training Funds program goal of helping business train managers necessary to hire more entry-level workers; and

WHEREAS, the Training Funds program currently requires that no more than 25% of trainees under an award earn more than \$10/hr after training, and it has been determined that this requirement may not encourage employers from training entry-level, lower-wage workers;

NOW, THEREFORE, BE IT RESOLVED the Training Funds policies permitting up to 10% of trainees under an award to earn more than the pre-training maximum wage and requiring that no more than 25% of trainees under an award earn more than \$10/hr after training, which were approved by the WIB Policy Committee on August 29, 2007, are hereby eliminated effective immediately.

**NYC Local Workforce Investment Area  
Local Plan Modification 2009**

**Attachment 6  
NYC WIB By Laws**

**A RESOLUTION OF THE NEW YORK CITY  
WORKFORCE INVESTMENT BOARD  
RECOMMENDING BY-LAW CHANGE  
(June 19, 2009)**

RESOLVED, that the WIB Board of Directors hereby approves the Amended and Restated WIB By-Laws attached hereto in order to change the title of the WIB Executive Director to President, effective immediately.

By-Laws of the



ADOPTED June 19, 2009

AMENDED AND RESTATED  
BY-LAWS  
of the  
LOCAL WORKFORCE INVESTMENT BOARD  
FOR THE CITY OF NEW YORK WORKFORCE INVESTMENT AREA  
(As Amended and Restated at the June 19, 2009 Meeting  
of the Local Workforce Investment Board)

ARTICLE I  
Powers of the Board

The Local Workforce Investment Board for the City Of New York Workforce Investment Area (the "Board") shall possess functions of and powers conferred upon a local workforce investment board pursuant to the Workforce Investment Act of 1998, codified as amended at 29 U.S.C. §§ 2811 et seq. ("WIA"), and in accordance with the Memorandum of Understanding between the Mayor of the City of New York (the "Mayor") and the Board.

ARTICLE II  
Members of the Board

Section 2.1. Qualifications. The members of the Board (the "Board Members") shall be appointed by the Mayor in accordance with Section 117 of the WIA.

Section 2.2. Majority. A majority of the Board shall be representatives of business described in section 117(b)(2)(A)(i) of the WIA, except where such requirement is excused pursuant to section 2.4.

Section 2.3. Duration of Term.

(a) Unless and until the term of a Board Member is earlier terminated as provided herein, Board Members shall serve for a term of three (3) years.

(b) The term of each Board Member shall terminate upon the occurrence of any the following:

(1) the death of such Board Member;

(2) the resignation of such Board Member as provided herein;

(3) the removal of such Board Member as provided herein; or

(4) an Ex-Officio Board Member ceasing to hold the federal, State or City office or other office or position by virtue of which he or she is a Board Member, or otherwise ceasing to possess any qualification necessary for Board membership.

(c) Any Board Member may resign at any time by delivering a resignation in writing to the Mayor, at City Hall, and the Chairperson of the Board (the "Chairperson") and the President of the Board (the "President"), at their addresses as they appear in the records of the Board, by hand or by first class mail. Such resignation shall take effect thirty (30) days from the date of such delivery or mailing or at the time specified therein. Unless otherwise specified in the resignation, the acceptance of such resignation shall not be necessary to make it effective.

(d) A Board Member may be removed for just cause as determined by the Mayor. Without limiting the foregoing, the Mayor shall have just cause for removal of a Board Member in the

event that the Board Member fails to attend three (3) or more Board meetings during any 12-month period.

Section 2.4. Vacancies.

(a) If a vacancy in the Board occurs, the Chairperson shall provide written notice thereof to the Mayor, at City Hall, and to the New York State Workforce Investment Board, c/o the New York State Department of Labor or at another address provided for such purpose, within twenty (20) calendar days of the resignation, termination, or other event causing the vacancy. Such notice shall include:

(1) the name of the Board Member;

(2) the category represented by such Board Member; and

(3) the effective date of the resignation, termination, or other event causing the vacancy.

(b) (1) Vacancies in the Board required to be filled pursuant to section 117(b) of the WIA shall be filled by the Mayor in accordance with section 117 of the WIA within ninety (90) calendar days of the effective date of the resignation, termination, or other event causing the vacancy. Such vacant positions shall count as though they were filled for the purpose of determining the whole number of the Board.

(2) All other vacancies in the Board need not be filled by the Mayor, or may be filled at any time by the Mayor in accordance with section 117 of the WIA. Such vacant positions shall not count as though they were filled for the purpose of determining the whole number of the Board unless and until the Mayor fills such vacant positions.

(c) During the period of any vacancy, the Board shall be able to transact business provided a quorum is present; provided, however, that any action taken by the Board beyond the ninety (90) day period referred to in paragraph (b)(1) of this section shall be void where such vacancy is required to be filled pursuant to section 117(b) of the WIA.

Section 2.5. Chairperson.

(a) The Chairperson shall be elected by the Board from among representatives of business described in section 117(b)(2)(A)(i) of the WIA.

(b) The Chairperson shall preside at all meetings of the Board and of the Executive Committee. In the absence of the Chairperson from any meeting, the Vice-Chairperson shall preside thereat.

(c) The Chairperson shall, subject to the control of the Board, have general management of the affairs of the Board and shall perform all the duties incidental to his or her office or prescribed for him or her by these By-Laws or by the Board, and shall make and sign in the name of the Board all contracts, leases and other instruments which are authorized from time to time by the Board.

Section 2.6. Compensation. Board Members shall serve without compensation.

Section 2.7. Designees.

(a) An Ex Officio Board Member may designate in writing to the Chairperson one Designee to represent such Board Member in his or her absence.

(b) A designee may attend Board and Committee meetings on behalf of an absent Member, shall count towards a quorum at any meeting that he or she attends, and may exercise thereat the rights, powers and privileges of the absent Member.

(c) For the purposes of this section, an Ex Officio Board Member is a Board Member who holds such position by virtue of his or her federal, State or City office **or** who is appointed to the Board expressly by virtue of his or her office or position. Representatives of business, as described in section 117(b)(2)(A)(i) of the WIA, may not be appointed as Ex Officio Members.

(c) The Mayor may terminate a designation at any time, with or without cause.

ARTICLE III  
Meetings of the Board

Section 3.1. Annual and Regular Meetings. The Board shall meet at least quarterly in each fiscal year for the transaction of such business as may come before the meeting. Such quarterly meetings shall be held at such places within the City of New York and at such times as the Board or the Chairperson prescribes.

Section 3.2. Special Meetings. A special meeting of the Board may be called by the Mayor, a majority of the Board or the Chairperson. Special meetings of the Board shall be held at such times and at such places in the City of New York or elsewhere as the Mayor, the Board or the Chairperson prescribe.

Section 3.3. Notice of Meetings. Written notice of each meeting of the Board shall be given by first class mail, by e-mail or by facsimile transmission and shall be mailed or transmitted, as the case may be, not less than five (5) days before such meeting. Such notice shall be directed to each Board Member at the Board Member's address, e-mail address or facsimile number as it appears in the records of the Board; provided, however, that such notice may be waived by any Board Member by signing a written waiver of notice before or after the meeting or by attending the meeting without protesting lack of notice prior to or at the commencement of the meeting. The notice shall set forth the location, date and hour of the meeting. In the case of a special meeting, the notice shall further state the nature of the business to be transacted at the meeting and at whose direction the meeting is being called. Meetings of the Board may also be held at any place and time without notice by unanimous written consent of all Board Members.

Section 3.4. Procedure. The order of business and all other matters of procedure at every meeting of the Board shall be determined by the Chairperson or other person presiding thereat.

Section 3.5. Quorum. At all meetings of the Board, a quorum shall be required for the transaction of business and shall consist of a majority of the whole number of the Board. If a quorum is not present, the Board Members present may adjourn the meeting to such time and place as they may determine, without notice other than announcement at the meeting, until a quorum is present.

Section 3.6. Voting Requirements.

(a) All questions shall be determined by vote of a majority of the whole number of the Board.

(b) At all meetings of the Board, all votes shall be viva voce or by ballot, as determined by the Chairperson.

(c) In accordance with the Open Meetings Law (Article 7 of the Public Officers Law), Board Members may participate in a meeting of the Board by means of videoconferencing. Participation by such means shall constitute presence in person at the meeting.

(d) No vote of any Board Member shall be by proxy.

ARTICLE IV  
Committees

Section 4.1. Executive Committee. The Board in cooperation with the Mayor may designate an Executive Committee to consist of at least five (5) Board Members. Except as otherwise provided by the Board, the Executive Committee shall be authorized to advise and make recommendations to the Board concerning any matter relating to WIA and act on behalf of the Board in any matter that may be lawfully assigned to such committee in accordance with the WIA.

Section 4.2. Youth Council.

(a) The Board in cooperation with the Mayor shall designate a Youth Council in accordance with section 117(h) of the WIA.

(b) Members of the Youth Council who are not Board Members shall be voting members of the Youth Council and nonvoting Board Members. Such persons shall count for the purpose of determining the whole number of the Youth Council but shall not count for the purpose of determining the whole number of the Board.

(c) The duties of the Youth Council shall include those duties set forth in section 117(h)(4) of the WIA.

Section 4.3. Other Committees. The Board, in cooperation with the Mayor, may: (a) provide for one or more additional committees; (b) designate Board Members and/or persons who are not Board Members to serve as members thereof; and (c) designate a Board Member to be the chairperson thereof. Each such committee may exercise such powers as may be lawfully delegated by the Board in accordance with the WIA.

Section 4.4. Records and Reports. Each committee shall keep records of its proceedings and report the same from time to time to the Board.

Section 4.5. Meetings.

(a) Each committee shall have the power to fix the time and place of regular and/or special meetings of such committee and the method of giving notice thereof. Unless otherwise prescribed, meetings of any committee may be called in the same manner and upon the same notice to members thereof, and notice of such meeting may be waived in the same manner, as provided in these By-Laws with respect to meetings of the Board.

(b) The order of business and all other matters of procedure at every meeting of any committee shall be determined by the person presiding thereat.

(c) At all meetings of a committee, a quorum shall be required for the transaction of business and shall consist of a majority of the whole number of such committee. If a quorum is not present, the committee members present may adjourn the meeting to such time and place as they determine, without notice other than announcement at the meeting, until a quorum is present.

(d) In accordance with the Open Meetings Law (Article 7 of the Public Officers Law), members of any committee may participate in a meeting of such committee by means of videoconferencing. To the extent permitted by law, any one or more members of any advisory committee may participate in a meeting of such committee by means of a conference telephone or similar communications equipment allowing all persons participating in the meeting to hear one another at the same time. Participation by videoconferencing or a conference telephone or similar communications equipment shall constitute presence in person at the meeting.

(e) All questions shall be determined by vote of a majority of the whole number of the committee.

Section 4.6. Authority. In addition to any other restrictions on the authority of committees contained in these By-Laws, no committee shall have authority with respect to the following matters:

(a) the amendment or repeal of these By-Laws or the adoption of new by-laws; and

(b) the amendment or repeal of any resolution of the Board which by its terms shall not be so amendable or repealable.

Section 4.7. Duration of Terms of Committee Members.

(a) Unless and until the term of a committee member is earlier terminated as provided herein, committee members shall serve for the term for which he or she is appointed and until his or her successor has been appointed and qualified.

(b) The term of each committee member shall terminate upon the occurrence of any the following:

(1) the resignation of such committee member as provided herein;

(2) the removal of such committee member as provided herein; or

(3) if such committee member is a Board Member, the termination of his or her Board membership as provided in Section 2.3 of these By-Laws.

(c) Any committee member may resign at any time by delivering a resignation in writing to the Chairperson, the President and each committee member by hand or by first class mail at their addresses as they appear in the records of the Board. Such resignation shall take effect thirty (30) days from the date of such delivery or mailing or at the time specified therein. Unless otherwise specified in the resignation, the acceptance of such resignation shall not be necessary to make it effective.

(d) A committee member may be removed with or without cause at any time by the Board.

Section 4.8. Vacancies.

(a) Youth Council.

(1) Vacancies in the Youth Council required to be filled pursuant to section 117(h) of the WIA shall be filled by the Board in cooperation with the Mayor within ninety (90) calendar days of the effective date of the event causing the vacancy. Such vacant positions shall count as though they were filled for the purpose of determining the whole number of the Youth Council.

(2) All other vacancies in the Youth Council need not be filled, or may be filled at any time by the Board in cooperation with the Mayor in accordance with section 117(h) of the WIA. Such vacant positions shall not count as though they were filled for the purpose of determining the whole number of the Youth Council unless and until such vacant positions are filled.

(3) During the period of any vacancy in the Youth Council, the Youth Council shall be able to transact business provided a quorum is present; provided, however, that any action taken by the Youth Council beyond the ninety (90) day period referred to in paragraph (a)(1) of this section shall be void where such vacancy is required to be filled pursuant to section 117(h) of the WIA.

(b) Executive Committee.

(1) Vacancies in the Executive Committee that cause the membership of such committee to be less than five (5) shall be filled by the Board in cooperation with the Mayor as soon as practicable. Such vacant positions shall count as though they were filled for the purpose of determining the whole number of the Executive Committee. During the period of any

such vacancy, the Executive Committee shall not be able to transact business.

(2) All other vacancies in the Executive Committee need not be filled, or may be filled by the Board in cooperation with the Mayor at any time. Such vacant positions shall not count as though they were filled for the purpose of determining the whole number of the Executive Committee unless and until such vacant positions are filled. During the period of any such vacancy, the Executive Committee shall be able to transact business provided a quorum is present.

(c) All Other Committees. Vacancies in any committee other than the Youth Council or the Executive Committee need not be filled, or may be filled by the Board in cooperation with the Mayor at any time. Such vacant positions shall not count as though they were filled for the purpose of determining the whole number of such committee unless and until such vacant positions are filled. During the period of any such vacancy, such committee shall be able to transact business provided a quorum is present.

## ARTICLE V Officers

### Section 5.1. Appointment.

(a) In addition to the election of the Chairperson as provided herein, the Board may appoint a Vice-Chairperson, Secretary, a Treasurer and such other officers that they determine to be necessary or appropriate.

(b) The Board, with the agreement of the Mayor, shall appoint a President.

Section 5.2. Duties.

(a) The Vice-Chairperson shall, in the absence of the Chairperson or in the event of his or her inability to act, perform the duties of the Chairperson, and when so acting have all the powers of and be subject to all the restrictions upon the Chairperson. He or She shall perform such other duties, as from time to time, may be assigned to him or her by the Chairperson.

(b) The Secretary shall record the minutes of all meetings of the Board and perform such other duties that usually pertain to the office.

(c) Pursuant to the budget developed by the Board and approved by the Mayor, the Treasurer shall keep a full and accurate account of receipts and expenditures and make authorized disbursements, and shall perform such other duties that usually pertain to the office.

(d) The President shall be responsible for managing the day-to-day operations of the Board and shall have such other authority and perform such other duties in the management of the affairs of Board as are provided therefor.

(e) All other officers shall have such authority and perform such duties in the management of the affairs of Board as are provided therefor.

Section 5.3. Duration of Term.

(a) Unless and until the term of an officer is earlier terminated as provided herein, officers shall serve for the term for which he or she is elected or appointed and until his or her successor has been elected or appointed and qualified.

(b) The term of each officer shall terminate upon the occurrence of any the following:

(1) the resignation of such officer as provided herein;

(2) the removal of such officer as provided herein; or

(3) if such officer is a Board Member, the termination of his or her Board membership as provided in Section 2.3 of these By-Laws.

(c) Any officer may resign at any time by delivering a resignation in writing to the Chairperson by hand or by first class mail at his or her address as it appears in the records of the Board. Such resignation shall take effect thirty (30) days from the date of such delivery or mailing or at the time specified therein. Unless otherwise specified in the resignation, the acceptance of such resignation shall not be necessary to make it effective.

(d) An officer may be removed with or without cause at any time by the Board or the Mayor.

Section 5.4. Vacancies. Officer vacancies shall be filled as soon as practicable in accordance with the appropriate appointment provisions of these By-laws.

## ARTICLE VI Miscellaneous

Section 6.1. Conflict of Interest.

(a) Each Board Member and committee member shall avoid participation in the affairs of the Board or any committee thereof that would create a conflict of interest pursuant to

section 117(g) of the WIA and other applicable conflict-of-interest provisions of federal, State, and local law.

(b) A Board Member having a conflict of interest on any matter may be counted for purposes of determining the presence of a quorum at any meeting where such matter is discussed and/or voted upon, but shall not vote on, use his or her influence on, or participate in any discussions concerning such matter.

Section 6.2. Fiscal Year. The fiscal year of the Board shall end on June 30th.

Section 6.3. Amendments. These By-Laws may be added to, amended, altered or repealed (subject to the voting requirements set forth herein) at any meeting of the Board, notice of which shall have referred to the proposed action.

Section 6.4. Sunshine Provision. The Board shall make available to the public information regarding the activities of the Board in accordance with section 117(e) of the WIA.

Section 6.5. Records. The Board shall maintain and make available reports and other records with respect to programs and activities carried out under title I of the WIA in accordance with the WIA.

**AMENDED AND RESTATED BY-LAWS  
of the  
LOCAL WORKFORCE INVESTMENT BOARD  
FOR THE CITY OF NEW YORK WORKFORCE INVESTMENT AREA  
(As Amended and Restated at the June 19, 2009  
Meeting  
of the Local Workforce Investment Board)**