

## **Alternative Training Programs Policy**

### **Policy Statement**

In order to open sector and other training to a wider and more diverse participant base, the Workforce Investment Board (WIB) has prioritized a need to develop and participate in alternative training programs for special populations with multiple barriers to employment, and a need to invest in Vocational English as a Second Language (VESL), academic prep, transitional work, and bridge programs for participants unable to qualify initially for Individual Training Accounts (ITA) and sector-based training.

### **Priority for Intensive and Training Services**

WIA states that in the event that funds allocated to a local area for Adult employment and training activities are limited, priority for intensive and training services funded with Title I Adult Funds must be given to recipients of public assistance and other low-income individuals in the local area.

WIA includes in its definition of low-income individuals an individual who:

- Is eligible for Food Stamps;
- Receives public assistance including foster children;
- Has a household income below Federal Poverty Line or 70% of the lower living standard;
- Qualifies as homeless;
- Is an individual with a disability, whose own income meets the requirements of the program, but is a member of a family whose income does not meet such requirements.

### **Alternatives to Traditional ITA Training Programs**

In order to meet these priorities and provide to special populations with multiple barriers to employment maximum opportunities to benefit from WIA programs, alternatives to traditional ITA training programs may be employed.

For example, short-term pre-vocational services, including development of learning and communication skills, may be provided as "Intensive Services" and do not require the establishment of an ITA.

Further, in lieu of traditional ITA training, contracts for training may be authorized when:

- A. Such services are on-the-job training provided by an employer, or customized training.
- B. The Local WIB (LWIB) determines that there are an insufficient number of eligible providers of training services in the local area involved to accomplish the purposes of a system of individual training accounts.

1. The Local Plan must describe the process to be used in selecting the providers under a contract for services.
  2. This process must include a public comment period for interested providers of at least 30 days.
- C. The LWIB determines that there is a training services program of demonstrated effectiveness offered in the local area to serve targeted low-income special participant populations that face multiple barriers to employment.
1. Special participant populations that face multiple barriers to employment include:
    - (a) Low-income individuals with substantial language or cultural barriers;
    - (b) Low-income individuals who are offenders;
    - (c) Low-income individuals who are homeless;
    - (d) Low-income individuals who are disabled; or
    - (e) Other low-income hard-to-serve populations with special needs as defined by the LWIB.
  2. An eligible provider is:
    - (a) A community-based organization
    - (b) Another private organization.
  3. The WIB has developed the following criteria to determine demonstrated effectiveness of training service programs:
    - (a) Financial stability of the organization;
    - (b) Demonstrated performance for the program organization and/or key staff;
    - (c) How the specific program relates to the workforce investment needs identified in the local plan; and
    - (d) How the use of the program supports WIB priorities.
  4. Those training providers operating under the ITA exceptions still must qualify as eligible providers. To qualify:
    - (a) Appropriate service providers may be selected as long as the Local Workforce Investment Area takes into consideration the specific geographic and demographic factors where the program operates and the characteristics of the special population being served.
    - (b) The Local Workforce Investment Board must require performance data for all WIA Title I funded participants participating in any program of contracted training services.

(Adopted PY 06-07)

## **Customer Flow Policy**

### **Background**

The Workforce Investment Act provides three levels of services: core, intensive, and training, with service at one level a prerequisite for moving to the next level. The regulations call for the local areas to identify activities that lead or act as gateways from participation in core to intensive and training services.

### **Policy**

1. When and how a customer moves through the three levels of service can vary by customer, and is based on needs, informed choice, WorkSource Center staff expertise, availability of funds and resources, and the regulations that determine when registration can occur. WorkSource Center staff shall look at the entire array of core, intensive, and training services to ensure that the appropriate services are provided. Which core services precede intensive services and which intensive services precede training shall be determined on a case-by-case basis.
2. There must be demonstrable value added as the job seeker moves through self-service and informational core services, staff-intensive core services, intensive services, and training services. Each new level must build on the past level. The WorkSource Centers shall develop a method for documenting services received by a customer.
3. Self-service and informational activities fall within core services, do not require registration, and will be universally available.
4. When there is significant staff time required to provide WIA-funded services, the individuals receiving the staff-intensive core services must be registered.
5. Both mandatory and voluntary partners shall participate at the WorkSource Centers to provide the core services that are required as mandated by law. The core services to be provided by each partner shall be outlined in a memorandum of understanding, which will include cost and resource sharing.
6. Access to core services shall be seamless as a result of a well-designed integrated -service strategy, and includes all the partners of a WorkSource Centers.
7. To move to intensive services, the job seeker must have received at least one core service, be unemployed, underemployed or seeking a better-paying job, and after conducting a "quality job search," if appropriate, be unable to find a job
8. The need to move a job seeker from core to intensive services shall be based on the inability of an individual to find or retain a job that leads to self-sufficiency through core services. If appropriate, WorkSource Centers staff can also

accelerate a customer through core, intensive and training services in one day using only one service in each tier, if it is apparent that the customer needs to be moved quickly through the process in order to get a job.

9. To advance to training services, the job seeker must have received at least one core service and one intensive service and been unable to find or retain employment through intensive service(s). Underemployed individuals are also eligible for training.
10. As required by a prior directive, WorkSource Centers shall determine that the customer has the skills and qualifications to successfully complete the training selected by the customer (in consultation with the WorkSource Centers), and that the training is linked to employment opportunities in the local area, or in another area to which the individual is willing to relocate, and that other sources of grant assistance are not available.
11. If funds and resources are limited, priority for intensive and training services will be given to job seekers who fall below the City's defined self-sufficiency level and to recipients of public assistance.

Attached is a list of core, intensive and training services for reference.

(Adopted PY 01-02)

<b>Core Services- Self Service Informational (no registration required)</b>	<b>WIA Core Services (registration required)</b>	<b>WIA Intensive Services (registration required)</b>	<b>WIA Training Services (registration required)</b>
Determination of Eligibility to receive Assistance under Title IB	Staff assisted job search & placement assistance, career counseling	Comprehensive & specialized assessment, e.g. diagnostic testing, interviewing	Occupational skills training
Outreach, intake (which may include WPRS referrals) & orientation to One Stop Center	Follow-up services, including counseling regarding the workplace	Full development of individual employment plan	On the Job Training
Initial assessment of skill levels, aptitudes, abilities & need for additional assistance	Staff assisted job referrals (such as testing & background checks)	Group counseling	Workplace training & cooperative education programs
Employment statistics: Information, job listings, job skill requirements for job listings, & info on demand occupations	Staff assisted job development (working with employer & job seeker)	Individual counseling & career planning	Private sector training programs
Performance info on Eligible training provider	Staff assisted workshops and job clubs	Case Management	Skill upgrading & retraining
Performance info on the local One-Stop System		Short-term pre-vocational services	Entrepreneurial training
Info on filing for Unemployment Ins. self determined eligibility			Adult Education in combination w/training
Information on, referral to, supportive services		Follow-up services after employment	Job readiness training
Assistance in establishing eligibility for welfare-to-work activities and for other training and education programs			Customized training
Resource room			
Internet browsing (job info and training search)			
Internet accounts			
Initial development of employment plan			
Talent referrals (informational, e.g. talent scouts, labor exchange referrals of resumes without further screening)			
Workshops and job clubs			

## **Definition of Underemployment for Youth**

### **Background**

Under WIA, at least 30 percent of available youth funds are to be used for out-of-school youth. An out-of-school youth is defined as an individual who is a) an eligible youth (WIA Final Rules 20 CFR Part 664.200) who is a school dropout; or b) an eligible youth who has either graduated from high school or holds a GED, but is basic skills deficient, unemployed, or ***underemployed*** (WIA Sec. 101(33)).

*Underemployment*, however, is not specifically defined anywhere in the WIA regulations. Any term that is not specifically defined in the WIA Final Regulations is left to the discretion of the local Workforce Investment Board.

### **Underemployment**

An adult is termed underemployed if an individual is employed, but not earning enough to maintain self-sufficiency. The youth definition allows a working youth access to WIA services, which may lead to higher earnings and increased financial responsibilities, thus helping prevent future underemployment as an adult.

The WIB has defined *underemployment* for a youth as:

1. An older youth (age 19-21) who has never held a full-time job for more than 13 consecutive weeks.
2. An older youth who has been terminated from a job within the 12 months prior to application.
3. An older youth who has never held a job.

(Revised PY 06-07)

## **Definition of Youth Barriers to Employment**

### **Background**

The Workforce Investment Act [§101 (25)] directs the majority of Youth funds to be spent on low-income youth. However, the regulations (WIA Final Rules 20 CFR Part 664.200) do allow for exceptions.

Up to five percent of youth served by youth programs in a local area may be other than low-income individuals, provided that they meet one or more of the following eligibility categories:

1. School dropout;
2. Basic skills deficient, as defined in WIA section 101(4);
3. Are one or more grade levels below the grade level appropriate to the individual's age;
4. Pregnant or parenting;
5. Possess one or more disabilities, including learning disabilities;
6. Homeless or runaway;
7. Offender; or
8. Face serious barriers to employment, as identified below by the Local WIB (WIA Sec. 129(c) (5).)

### **Barriers to Employment**

The local Workforce Investment Board (WIB) defines a youth as having *barriers to employment*, if he or she requires additional assistance to complete an educational program or to secure and hold employment, due to barriers such as:

1. Emancipated youth
2. Youth with a disability, as defined by the LAUSD or the Department of Rehabilitation
3. Youth with limited English proficiency, as defined by LAUSD
4. Youth with a family history of chronic unemployment, including long-term public assistance
5. Youth whose parent or guardian met or meets one of the following barriers of the eligibility for youth services:
  - (a) Deficient in basic literacy skills
  - (b) School dropout
  - (c) Homeless, runaway
  - (d) Pregnant or parenting
  - (e) Offender
  - (f) Limited English Proficient (LEP)

## **Supportive Services/Needs Based and Incentives Payment Policy**

### **Background**

Workforce Investment Act (WIA) regulations allow WIBs to establish limits on the provision of supportive services or provide the WorkSource Centers and Youth Contractors with the authority to establish such limits, including a maximum amount funding and maximum length of time for supportive services (including needs based payments) to be available to customers. Procedures may also be established to allow WorkSource Centers to grant exceptions to the limits established under this provision.

Additionally, WIA regulations mandate that post-employment follow-up services must be made available for a minimum of 12 months after registered customers are placed into unsubsidized employment. Follow-up services may include supportive services, provided the services are clearly documented in a registered customers case file.

### **I. Supportive Services**

Definition:

Supportive services are customer services that are necessary to enable WIA eligible individuals, who cannot afford to pay for such services, to participate in authorized WIA activities. For Youth participants such activities must correspond to the Ten WIA Elements for Youth Programs. Examples of such services include but are not limited to:

- Child care and dependent care for dependents of customer
- Clothing - Adequate clothing to allow customer to wear appropriate work attire while participating in WIA activities and during job interviews
- Housing - Temporary shelter, housing assistance and referral services
- Linkages to community services - Alcohol/drug/gang intervention counseling, drop-out prevention, pregnancy prevention, money management, tutoring or other purposes
- Referrals to medical services - Referral services to appropriate medical service providers
- Transportation - Expenses for commuting to and from WIA activities such as public transportation fare, carpool arrangement or gas for personal auto
- Other - Services which are consistent with these policies and when justification is maintained in the customer's file. Examples include, but are not limited to, the following: uniforms or work-related tools, including such items as eye glasses and protective eye gear which may be needed for participating in WIA activities and/or employment, materials for individuals with disabilities, meals, and needs related payments.

### Supportive Services Policy

1. Supportive services may be provided only when necessary for enabling an individual to participate in WIA activities and may be made available at any level of service.
2. Supportive services must be provided to all youth participants for a minimum duration of 12 months.
3. Supportive services can be provided to customers who cannot obtain supportive services through other programs or partner agencies providing such services.
4. No funding limit is placed on supportive service costs with the exception of needs based payments (see below), however, the costs must be reasonable, necessary, and allowable under federal guidelines.
5. Supportive services may be received throughout the period that the customer is enrolled in WIA and up to a maximum of 12 months after exiting (excluding needs based payments).
6. Supportive services must be documented in a customer's file and include justification for supportive services, amount of planned funding, and verification that services were received.

## **II. Needs Based Payments**

Needs-based payments are supportive services in the form of monetary assistance necessary to enable individuals to participate in an eligible WIA activity. Needs-based payments are provided through cash assistance or arrangement with another human resource agency.

### Needs Based Payments Policy

1. Needs based payments may be provided to participants in the WIA Adult or Dislocated Worker programs during the entire length of time that a customer utilizes a WIA training program or unpaid work experience, but may not be continued after the customer exits the program. Needs based payments may be provided to WIA Youth participants at any level of the provision of WIA Youth services during the entire length of time that a Youth participant remains in the WIA Youth program. Needs-based payments are not an allowable post-employment/post-exit follow-up service.
2. Needs based payments must be documented in a customer's file and include justification for services, amount of planned funding, and verification that services were received.
3. Eligibility for needs based payments:
  - a. Adults must be unemployed, not qualify for UI or have ceased to qualify for UI, and be enrolled in a program of training services under WIA.

- b. Dislocated workers must be unemployed and not be qualified, or have ceased to qualify, for UI or trade readjustment allowance, and be enrolled in a program of training services under WIA.
  - c. All WIA Youth participants may receive need-based payments. An urgent need for such payments must be demonstrated and documented in the participant's file.
4. Limits on payments
- a. For adults, establish that the maximum is the current minimum wage for every hour of documented participation in WIA classroom training. Payment may not exceed the applicable weekly level of the UI.
  - b. For dislocated workers, payments must not exceed the greater of the following two levels:
    - i. For customers who were eligible for UI as a result of a qualifying dislocation, payment may not exceed the applicable weekly level of the UI. Payment is based on every hour of documented participation in WIA classroom training.
    - ii. For customers who did not qualify for UI as a result of a qualifying layoff, the weekly payment may not exceed the poverty level for an equivalent period. Payment is based on every hour of documented participant in WIA classroom training.
  - c. For Youth, the maximum needs-based payment is \$1,200 per participant per year.
5. A participant may not receive needs-based payments for either post employment or post exit follow-up services as he/she is no longer participating in an eligible WIA activity, but may still receive all other support services for up to 12 months after exiting the program.

WorkSource Centers will not include supportive services or needs based payment costs in their cost per entered employment figures (CPEE). Historically, both supportive services and needs based payments were included in this calculation. Consequently, the CPEE was higher, and there was less incentive to provide these services. By removing supportive services and needs based payment costs from the CPEE calculation, WDD expects the WorkSource Centers to be more willing to provide these services.

### **III. Incentive payments (Youth Only)**

Incentive payments are funds paid to WIA Youth participants in the form of cash based on attendance, successful performance, or completion of a WIA activity that leads to attainment of a goal as identified in the participant's Individual Service Strategy. Such payments are intended to provide participants with an incentive to remain in the activity; or with a reward for good performance.

(Revised PY 04-05)

## **Work Experience Policy**

### **Background:**

Work experience is the planned, structured learning experience that takes place in a workplace for a limited period of time. It is designed to provide specific behavioral and occupational skills appropriate for the workplace. It may be paid or unpaid, and located in the private, nonprofit, or public sectors. It primarily functions as a workplace-values activity, as opposed to a training activity, which is for the acquisition of specific occupational or job skills.

Work experience should be designed to promote the development of good work habits and basic work skills. When combined with other services, work experience should be provided concurrently or sequentially to increase the basic education and/or occupational skills of the customer, as set out in the adult Individual Employment Plan (IEP) or youth Individual Service Strategy (ISS). Work experience may be combined with community service or conservation service corps programs.

### **Federal Regulations:**

WIA regulations state that WIBs are responsible for developing policies on the use and duration of both paid and unpaid work experience and internships. The regulations also state that unpaid work experience should be limited in duration, combined with other activities, and based on a service strategy identified in the IEP or ISS.

Contractors and city staff will monitor and evaluate the effectiveness of intensive services, including work experience, in addressing the needs of customers and customer outcomes, including the needed experience to secure higher paying, higher-skilled employment.

Labor standards apply to any work experience where there is an employee-employer relationship, as defined by the Fair Labor Standards Act.

### **Policy:**

We recommend that work experience is paid, and should be provided to individuals lacking a significant work history. Work experience shall be limited in duration, integrated in the individual's employment plan, and combined with other intensive services. The goal of work experience is for an individual to gain employment, and if the intensive service does not assist a customer in obtaining a job, there should be further consideration of on-the-job or classroom training.

Participation in work experience should be for a reasonable length of time, based on the needs of the customer, and should be linked to achievement of a necessary skill level (skill competencies attained). The WorkSource and OneSource centers shall ensure that paid work experience does not result in the loss of public benefits.

(Revised PY 02-03)

## **Assignment of WorkSource and OneSource Center Agreements Policy**

### **Background:**

Requests from Workforce Investment Act (WIA) program operators were submitted to the Community Development Department (CDD) during Program Years 2004-2005 and 2005-2006 for the purpose of assigning existing WorkSource Center agreements to different operators. These requests were forwarded to the Workforce Investment Board (WIB), City Council, and Mayor for consideration. The WIB Executive Committee approved, at its Executive Committee meeting on January 28, 2006, the need for a formal policy and procedures to address such assignment requests.

### **Policy Statement:**

Contractors must provide the City sixty days advance written notice of any facts that may materially affect the performance of their agreements or impact the City's decision to continue an agreement with the Contractor. Among the items to be disclosed are negotiations leading to the sale, merger or acquisition of the Contractor. Contractor may not assign, delegate, or transfer their agreements, nor assign or transfer any right, interest or obligation in their agreements, including the right to payment, without prior written consent of the City.

When any City WIA OneSource or WorkSource Center operator proposes to assign their agreement to another organization due to sale, acquisition or merger, the Department shall submit to the WIB a recommendation as to whether or not to accept said assignment.

If the Department and/or WIB do not concur with the contractors request to assign their agreement; or when any City WIA OneSource or WorkSource Center operator:

- Proposes to assign their agreement to another organization for reasons not stated above,
- Fails to meet certification requirements, or
- Proposes termination of their agreement for any other reason,

The Department shall submit to the WIB a recommendation as to whether or not to continue WorkSource Center or OneSource operations at the specified location.

If the WIB agrees to continue operations at the specified location, the selection of the replacement operator shall be made by the Department and shall be submitted to the WIB, City Council and Mayor for approval. The identified replacement operator will be selected from a list of qualified organizations established through a formal competitive bid process.

Procedures

The Department shall, at all times, maintain a list of qualified replacement operators. The list shall be established for a period of one year and may be renewed annually for no more than three years total.

Replacement operator lists are currently in place for WorkSource (developed in 2007) and OneSource (developed in 2009).

Revised PY 09-10

## **Certification Policy & Procedures**

### **Introduction**

Certification of WorkSource Centers and OneSource general contractors (henceforth known as contractors) by the Workforce Investment Board (WIB) requires they be successful in meeting annual contract performance goals. Contractors shall also incorporate Malcolm Baldrige National Quality Award Criteria into their management practices to ensure success in the certification process.

### **Certification Guidelines**

1. Contractors shall be certified by the WIB, on an annual basis, through a formal performance evaluation.
2. The WIB shall not fund any organization as a contractor that is not certified.
3. If a contractor has its certification revoked, their agreement with the City will be allowed to expire at the end of the program year (typically June 30), unless extenuating circumstances, as identified by the Department, support an earlier termination date. The intent of this guideline is to allow for the uninterrupted provision of services to customers that are actively participating in the program.
4. Extenuating circumstances that could result in the immediate termination of an agreement may include, but are not limited to, poor performance or confirmed organizational findings of fraud and abuse.
5. In the event a contractor fails to meet certification standards, Department staff shall prepare a report to the WIB regarding the impact of contract termination on the community, together with recommendations to either terminate services or identify a replacement center operator.
6. A contractor may appeal the denial of certification. An Appeals Board shall be established in accordance with the Workforce Investment Board-Local Elected Official (WIB-LEO) agreement to hear such appeals.
7. The Department shall present certification recommendations to the WIB Policy and Oversight and Executive Committees, prior to convening an appeals hearing.
8. Replacement center operators shall be selected from a list of qualified organizations identified through a formal bid process or Department staff may assume center operations.
9. A de-funded contractor will be removed from any existing list of qualified replacement center operators and may only be reinstated through a future competitive bid process.

## Performance Evaluation (SOFA II)

1. Frequency - Evaluations will be conducted annually at the completion of the program year, evaluating results for the entire twelve months. Additionally, a Six Month progress report will be prepared.
2. Evaluation Categories – Contractors will be evaluated in three categories for the awarding of STARS:
  - Satisfaction
  - Outcomes and Flow (Products and Services)
  - Administrative Capability (Financial, Human Resources & Organizational Effectiveness)
3. Awarding of Stars – A maximum of 4 Stars can be awarded:
  - If a contractor meets the minimum contract goals for the Outcomes and Flow category, a Star will be awarded for Attainment of Minimum Contract Goals.
  - If in addition to attaining minimum contract goals a contractor exceeds the minimum contract goals for every measure in a category by a specified percent, a Star will be awarded for that category.
4. Evaluation Results – Results of the evaluation will be categorized as follows:

0 Stars	=	Failure to perform
1 Star	=	Satisfactory
2 Stars	=	Good
3 Stars	=	Excellent
4 Stars	=	Outstanding

Evaluation results and certification recommendations will be compiled by the Department and presented to the WIB Policy and Oversight Committee following the end of the program year.

### 5. Recognition of Star Performance

- Incentive Awards - Star performers may be eligible for incentive awards. An incentive award fund will be established by the WIB through the Annual Plan, contingent upon fund availability.
- Agencies earning four Stars will be formally recognized.
- Contractors on probation as a result of not meeting the additional requirement for certification will not be eligible for incentives.

6. Probation/Corrective Action - Contractors who are not awarded stars shall be placed on probation and corrective action will be requested.
7. Revocation of Certification - If contractors are on probation for two consecutive annual evaluations or do not meet the additional requirement for certification for two consecutive years, they shall have their certification revoked.

**Performance Measures**

**1. Satisfaction**

Measure	WorkSource	OneSource
a. Customer Satisfaction (intercept/telephone)	X	
b. Exiter Satisfaction (telephone)	X	X
c. Employer Satisfaction	X	X

**2. Outcomes and Flow (Products & Services)**

a. Entered/Placed into Employment/Education	X	X
b. Average Earnings/Average Wage at Placement	X	
c. Retention	X	
d. Employed with a Credential/Certificate.	X	
e. Attainment of a High School or College Diploma, GED, or Certificate.		X
f. Literacy & Numeracy Gains		X
g. Number of Unduplicated Universal Access Customers Served	X	
h. Number of Exited Customers (including Hard to Serve Adults for WS;)	X	X
i. Percentage of Out-of-School Youth Served		X
j. Number of Employer Customers	X	

**3. Administrative Capability/Annual Plan Priorities**

a. Assesses contractor administrative practices related to work performance, timeliness, fiscal, communication, human resources & ethics.	X	X
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**4. Additional Requirements**

Measure	WorkSource	OneSource
Contractor incorporation of Malcolm Baldrige National Quality Award criteria into their management practices	X	X

Adding this additional requirement into the Certification Policy is to ensure a focus on strategic planning and goals and a focus on providing quality service.

STARS will not be awarded for contractor performance in this category. Rather, contractors were required to achieve, at minimum, a California Awards for

Performance Excellence (CAPE) Prospector award from the California Council for Excellence during PY 08-09. Those contractors who were in possession of a CAPE Award were not required to apply if the award was granted within the last 24 months.

All contractors will be required to submit a CAPE Eureka application by no later than June 30, 2011.

Contractors not receiving the required award will be placed on probation and must achieve said award by the end of the following program year.

(Revised PY 09-10)

## **Customized Training Policy**

### **Background**

The Workforce Investment Act identifies Customized Training as an allowable training activity that is designed to meet the special requirements of an employer, group of employers, or industry group with a commitment by the employer to employ, or in the case of incumbent workers, continue to employ, an individual after successful completion of training; and for which the employer pays for not less than 50 percent of the cost of training.

### **Evaluation**

Certified WorkSource Centers contractors or Sector Intermediary Organizations may submit proposals. Evaluation for Customized Trainings will be determined by the Community Development Department and will be evaluated based on the criteria outlined in the Sector Initiative Policy.

### **Policy**

To be considered for customized training, proposals should include the following:

- Identify employer or industry group and obtain a written commitment by the participating employer(s) to hire a minimum of 80% of those participants that successfully complete the training
- Include Vocational English as a Second Language (VESL) component, when appropriate
- Include both a classroom and worksite training component (classroom training does not have to appear on the State ETPL).
- Include subsidies and/or needs based payments for time spent in classroom training.
- Be in a demand occupation and within a target training sector defined and/or allowed by the Workforce Investment Board (WIB), and identify a career ladder.
- Result in a wage at placement that meets or exceeds the City's Self-Sufficiency Standard and which includes medical benefits.
- Result in the attainment of an industry recognized credential.
- Identify Placement and Retention Rates and Average Earnings (2<sup>nd</sup> & 3<sup>rd</sup> quarters after exit) that will assist the City in meeting its Department of Labor performance standards.
- Include a detailed line-item budget that identifies a minimum 50 percent cash match or in-kind contribution by the participating employer(s) or industry group.
- Demonstrate a regional approach by detailing the participation of other WorkSource Centers and their job seekers.

(Revised PY 09-10)

## **Definition of Demand Occupations**

A demand occupation is an occupation with an existing demand for workers and which provides a *self-sufficient* wage and/or benefits - as defined in the Annual Plan. A job placement with a wage below the defined self-sufficiency level may be deemed satisfactory if the WorkSource Centers can demonstrate that such placement provides a career track that allows the job seeker to attain self-sufficiency. This may be necessary in challenging economic climate when many industries are static or show contraction.

The WorkSource Centers are responsible for monitoring jobseekers customers' progress and ensuring that those customers are on career paths that lead to self-sufficiency. The WorkSource Centers are required to make readily available to their customers, information and options in regard to demand occupations and industry clusters.

The following are sources defining Demand Occupations within the Los Angeles labor market:

1. The Los Angeles Economy Project report can be viewed (October, 2005 – Milken Institute) at: [www.milkeninstitute.com](http://www.milkeninstitute.com) or [www.economicrt.org](http://www.economicrt.org)
2. Los Angeles Economic Development Corporation's (EDC) economic research at [www.laedc.org](http://www.laedc.org)
3. State of California homepage at [www.ca.edd.gov](http://www.ca.edd.gov) Double click at "Business", "Labor and Employment," "Major California Industries," or "Business Facts and Figures," etc.
4. The U.S. Bureau of Labor Statistics website at [www.bls.gov](http://www.bls.gov) has available information on occupations, annual and hourly wages, career tracks, etc., as does [www.i-train.org](http://www.i-train.org).
5. State of California Employment Development Department (EDD) website at [www.edd.cahwnet.gov](http://www.edd.cahwnet.gov). double click "Labor Market Information," for general information on jobs, for information on high paying, high demand jobs, for information on jobs for which demand is growing or shrinking, etc.
6. The WIB may define targeted sectors as demand sectors. Contact WIB staff or the CDD's Business Services Group staff.
7. Other additional labor market resources may be used as long as the following information is presented: a) justify any determination that a particular job is in a demand occupation, b) document any steps taken in reaching that determination, and c) maintain such documentation in the file of the particular customer for whom such determination is made.

(Revised PY 09-10)

## **Individual Training Accounts (ITA) Policy**

Per the Workforce Investment Act (WIA) Regulations, Individual Training Accounts (ITA) may be established on behalf of customers to purchase classroom-training services from State approved, eligible training providers list (ETPL).

With the exception of certain types of customized and On-the-Job training, and the alternatives to traditional ITA training programs described in the Alternative Training Programs Policy, only training providers through their training programs listed on the ETPL are eligible to receive WIA funds to train adults and dislocated workers. This list is available on the internet at: <http://etpl.edd.ca.gov/wiaetplind.htm>. (Ref. EDD Directive Number WIAD06-15).

The State has been granted an extension to the waiver that extends the period of “initial eligibility of training providers”. Additionally, the State has been granted an extension to the waiver on the prohibition for use of youth WIA dollars to fund ITAs for older and out-of-school youth. (Ref. WIA EDD Directive WSD07-9). Therefore, older and out-of-school youth who are determined not to follow an academic track, and are instead focused on employment shall have the same access as adults and dislocated workers to the advantages of ITAs.

ITAs may be established for City of Los Angeles WIA customers only if the conditions set herein are met:

1. The customer is unemployed or employed at a wage that is below the level of self-sufficiency consistent with the adopted policy of self sufficiency approved by the Workforce Investment Board (WIB).\*
2. The customer received core and intensive services but was unable to obtain or retain employment at a level of self-sufficiency through such services.
3. The customer has been assessed and provided case management services through which a determination has been made that the customer is in need of training services other than an OJT or a customized training activity.
4. The customer has been unable to secure other financial assistance to cover the cost of training. In this case, **utilization of Pell Grants for eligible customers is required. Registered participants ineligible for Pell Grant assistance will not be denied access to training.** A participant may enroll in a WIA-subsidized training while his/her application for a Pell Grant is pending as long as the WorkSource Centers operator has made arrangements with the training provider and the participant regarding allocation of the Pell Grant. The training provider must reimburse the WorkSource Centers operator for the amount the Pell Grant subsequently awarded to customer. Reimbursement is not required from the portion

of Pell Grant assistance disbursed to the WIA participant for education-related expenses.

5. The customer has not participated in WIA funded training for 24 months following their last registration.
6. The customer has been unable to identify and/or enroll in a comparable course offered by local public educational institution.
7. The customer has looked into the list of training providers and selected from a minimum of three schools prior to selecting a training provider.
8. The customer has selected a training course or combination of courses in consultation with a case manager and consistent with customer's Individual Employment Plan (IEP).
9. The training must lead to employment in a demand or growth occupation and identify a career ladder.\* ***The determination of demand or growth occupations must incorporate economic data from the LA Economy Project and utilize to the fullest extent possible the labor market information system of the EDD.*** (Ref WIA EDD Directive WIAD06-17).
10. The training must result in a wage at placement, which meets or exceeds the City's Living Wage standard, with the goal of attaining self-sufficiency.
11. The training must result in the attainment of an industry-recognized credential, if available, or the attainment of skills of a generally accepted standard.

### **Other Conditions**

- Any customer who has met the aforementioned conditions must be referred to the training provider of choice unless the program has exhausted training funds for the program year. The program year approved budget shall reflect the training funds available.
- Short-term prevocational services are considered intensive services. It is not required that intensive service providers be on the ETPL. (Ref: WIA Section 134(d)(3)(C)(vi))
- All classroom training providers are required to be on the ETPL regardless of whether or not they issue a credential.
- Supportive services and needs based payments must be provided consistent with the WIB approved policy on Supportive Services and Needs Based Payments; unless, through a financial needs assessment, it has been determined that the customer is ineligible for such support or has sufficient resources to remain in training. The assessment should be documented and be part of the IEP and placed in individual participant folder.

- In order to maximize the limited funds available for training services, no customer shall be referred to a course offering with a total tuition of greater than \$7,500. Customers may, however, use other sources of funds to cover those costs that exceed \$7,500. The customer's file should show the leveraging of funds for the customer covering either the full training or payment in excess of \$7,500 in training fees.
- Notwithstanding the leveraging of funds, in cases where there is a viable reason to subsidize a training in excess of \$7,500, based on the market rate for local training programs, the service provider shall obtain prior City approval.
- In such cases, this policy prohibits the issuance of a training voucher without prior approval of the City; therefore, it is the sole responsibility of the service provider to submit its written request, indicating the reasons, in a timely manner so as not to impede the registration of the WIA customer in the course of choice consistent with his/her employment plan (IEP).
- Given the limited funding, priority for ITAs funded through the Adult program must be given to recipients of public assistance and other low-income individuals.
- ***The City reserves the right to prohibit the referral of customers to schools that have poor performance records in serving City customers.***
- Training institutions, not on the ETPL, may provide training **under 15 percent statewide projects and with 25 percent dislocated worker funds, excluding rapid response funding.** However, the training institution must meet state licensing requirements, such as those governed by the Bureau of Private Postsecondary and Vocational Education.
- ***Any revisions to the ITA policy after an Annual Plan has been released for the program year shall be issued through a City Directive. The City's WIB adopted policies and City Directives on ITA shall not be inconsistent with those requirements mandated by DOL and EDD.***
- ***A copy of this approved policy, together with a complete explanation of the limited funds available, should be shared with potential ITA customers upon completion of core and intensive services but before training services are provided.***

(Revised PY 09-10)

## **Limited English Proficient (LEP) Policy**

### **Background**

The Workforce Investment Act (WIA) requires nondiscrimination on the basis of national origin in programs receiving Federal financial assistance. Denial of equal access to federally funded programs and activities based on national origin, including Limited English Proficient (LEP) is strictly prohibited. This policy is pursuant to Section 188 of WIA; Title VI of the Civil Rights Act of 1964; Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency;" The Dymally-Alatorre Bilingual Services Act; and the U.S. Department of Labor (DOL) Training and Employment Guidance Letter 26-02.

### **Purpose/Definition**

This policy provides guidance and sets standards for the City of Los Angeles Workforce Development System<sup>1</sup> and other agencies serving LEP individuals to ensure meaningful and timely access to WIA-funded programs and services.

For this purpose, no one will be denied access to information, services, or resources throughout the Workforce Development System because of their limited proficiency in the English language, or be subjected to unreasonable delays in the receipt of such services. A person can qualify as LEP *if they are an adult or out of school youth who has a limited ability to read, write, speak, or understand English, and a) whose native language is a language other than English; or b) who lives in a family or community environment where a language other than English is the dominant language.*<sup>2</sup>

### **Policy**

#### **1. LEP Assessment**

As the first key to ensuring meaningful access, each agency in the Workforce Development System will conduct a thorough annual assessment of the languages spoken by customers and potential customers in the communities it serves. In addition to identifying the current LEP makeup of the service areas, the Workforce Development System will also examine a) whether existing LEP resources and tools are adequate and, b) what improvements are needed to outreach to LEP populations that might be underserved relative to their proportion in the service area. This analysis and review of services will be made part of the annual Request For Contract Renewal (RFCR) package.

For the Workforce Development System to properly assess the significant LEP population, the Workforce Investment Board (WIB) promotes the use of the DOL's four factors to determine the language needs of an area<sup>3</sup>:

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<sup>1</sup> Workforce Development System includes the WorkSource Centers and the OneSource Youth Opportunity System

<sup>2</sup> Workforce Investment Act of 1998

<sup>3</sup> Department of Labor, Civil Rights Center, Federal Register, issued May 29, 2003, p.32294-32295.

- a. The number or proportion of LEP persons served or encountered in the eligible service population--the greater the number or proportion of LEP persons in a language group, the more language services needed;
- b. The frequency with which LEP individuals come in contact with the program--higher frequency requires more services;
- c. The nature and importance of the program, activity, or service provided by the recipient; and
- d. The resources available to the recipient and costs--larger recipients with larger budgets must provide a higher level of language services

In assessing factor one, consider any temporary but significant changes in the community's demographics. For example, in some communities, the population swells during peak vacation periods or seasonal influx for agricultural or manufacturing employment purposes.

The second factor, frequency of contact, should be considered in the light of areas or neighborhoods that may have concentration of LEP individuals. In such cases, even if the overall number of LEP persons in the area is low, the frequency of contact may be higher.

The third factor should be taken in the light of how the services available in the area impact the lives of its target population. The more important the program, or the greater the possible consequences of the contact for LEP individuals, the more likely the language assistance services will be necessary.

The fourth factor should be considered in promoting service quality and service integration that provide a seamless system, responsive and comprehensive array of services.

## 2. Language Assistance Plan

The Workforce Development System through its WorkSource and OneSource Centers must develop and provide a language assistance plan based on the LEP Assessment. The Centers have two primary ways to provide language services: Oral interpretation, either in person or via a telephone interpretation service, and written translation. The correct mix of language assistance services should be based on what is both necessary and reasonable in light of the four-factor analysis mentioned above.

The Language Assistance plan at a minimum should include the following elements:

- ❑ Survey and identification of LEP individuals who need language assistance
- ❑ Use of language assistance tools (e.g. "I Speak Identification Cards")
- ❑ Information dissemination to LEP persons
- ❑ Staff training on plan to build knowledge of federal regulations pertaining to LEP persons.
- ❑ Monitoring and oversight, including updating the LEP plan

### 3. Translation of Vital Documents

The language assistance plan should incorporate a plan to translate “vital” written materials into the languages that were identified through the LEP assessment. DOL has acknowledged the difficulty in identifying vital documents. However, the federal register states that “meaningful access” must be granted to all individuals. Thus, vital documents could include:

- ❑ Applications to participate in a Workforce Investment Act (WIA) program, activity, or services
- ❑ Written tests that do not assess English language competency, but test the competency for a particular license, job, or skill for which English language proficiency is not required
- ❑ Consent and compliance forms
- ❑ List of partners at a Center and services provided
- ❑ Letter containing important information regarding participation in a program or activity
- ❑ Notices pertaining to the reduction, denial, or termination of services or benefits and of the right to appeal such actions
- ❑ Notices that require a response from beneficiaries
- ❑ Information on the right to file complaints of discrimination
- ❑ Information on the provision of services to individuals with disabilities
- ❑ State wage, hour, safety, health enforcement, and information materials
- ❑ Notices advising LEP persons of the availability of free language assistance
- ❑ Other marketing and outreach information

Additionally, all translated documents must be reviewed for accuracy. Even though certified translators are not required, the Workforce Development System should have mechanisms in place to verify the accuracy of the translated document.

### 4. Interpreter Requirements

At a minimum all interpreters used by the Workforce Development System must meet the following requirements:

- ❑ Demonstrated proficiency in both English and another language
- ❑ Fundamental knowledge in both languages of any specialized terms or concepts peculiar to the Center’s program or activity
- ❑ Sensitivity to the LEP person’s culture
- ❑ Demonstrated ability to convey information in both languages accurately; and if possible, use staff trained in the skills and ethics of interpreting

There may be cases where interpretation services are offered to the LEP person and these are declined. In such cases the LEP person may request the use of a family member or friend as an alternative. It is then appropriate for the Center to use this person to assist in the provision of services. However, the use of such a person should

not compromise the effectiveness of services or breach confidentiality. In these cases, the Center should have a competent bilingual staff member observe the communication and interpretation to ensure it is adequate. The Center must also document in the LEP person's file: the offer of an interpreter, the refusal of free language assistance services, and the witnessing of the communication using "Interpreter Services Statement" form.

Consistent with U.S. DOL's federal register guidance, the WIB adopts the following hierarchy of methods to meet LEP needs as needed:

- a. Ensuring the Workforce Development System hire multilingual staff
- b. Paid interpreters that are on staff
- c. Paid outside interpreters
- d. Use telephone interpreter lines
- e. Community volunteers-trained in both interpretation and in WIA programs
- f. Not using children, family members, friends, and/or strangers as interpreters except in an emergency circumstances or when the LEP person decides to use them after being advised of free and competent interpreters being available.

#### 5. LEP Customer Flow

After the Center identifies an LEP customer's primary language through a language needs assessment, this information should be documented in the case files preferably using a language identification form such as the Oral and Written Language Designation Form. The choice of whether to use the LEP individual's primary language for oral or written communication is the customer's choice.

The Workforce Development System will serve LEP individuals in their service delivery areas and ensure that LEP customers are offered meaningful and equal access to WIA services. Each Center must be able to describe and document how LEP customers receive services. This will be subject to review by the City's LEP Coordinator and reported to the WIB.

Furthermore, as the WIB develops new sector initiatives and other training programs, Vocational English as a Second Language (VESL) training should be incorporated in these programs to increase LEP customer participation. The WIB is committed to designing programs to ensure that limited English speakers are included in skills training as well as bridge programs as described in a WIB policy on Training and Supportive Services. Moreover, the Workforce Development System shall leverage resources to increase training opportunities in other languages where available.

## 6. Monitoring and Oversight

Both Workforce Development System and City staffs will be responsible for monitoring the quality of services to LEP persons.

The Workforce Development System must annually evaluate its language assistance plan to keep information current on the LEP makeup of its service area, the communication needs of LEP customers, whether assistance offered is meeting the needs of such persons, whether staff is knowledgeable about policies and procedures and how to implement them, and whether sources of, and arrangements for, assistance are still current and viable. Oversight of the plan should include obtaining the LEP persons' feedback in these areas.

Monitoring and evaluation of the Workforce Development System for compliance with Civil Rights legislation will be incorporated in the regular monitoring processes.

The City's evaluation of the Workforce Development System's efforts in serving LEP customers will be measured through the DOL 4-factor analysis and through the following activities:

- ❑ Outreach and enrollment activities
- ❑ Surveys of customers, clients, and advocates to determine customer satisfaction
- ❑ Periodic assessment of current data and local demographics
- ❑ Review of the effectiveness of agency policies and practices describing services to LEP individuals
- ❑ Review staff capacity by determining in-house linguistic resources, recruiting and hiring bilingual or multi-lingual employees and promote continuing education to enhance staff ability to serve LEP clients
- ❑ Review of the agency's protocol in receiving and responding to complaints by customers.

### References:

- ❑ Section 188 of the Workforce Investment Act of 1998
- ❑ Federal Register Part IV (Volume 68, Number 103) Civil Rights Center; Enforcement of Title VI of the Civil Rights Act of 1964; Policy Guidance on the Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons; Notice (May 29, 2003)
- ❑ Dymally-Alatorre Bilingual Services Act, California Government Code Section 7290-7299.8
- ❑ Employment Development Department WIA Directive, Subject: Limited English Proficiency (May 12, 2005)
- ❑ Department of Labor Training and Employment Guidance Letter 26-02
- ❑ Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency"

(Revised 09-10)

## **Sector Initiative Policy**

### **Policy Statement**

The Workforce Investment Board (WIB) recognizes that sector-based approaches are key to economic and workforce prosperity over the long run. The WIB is currently investing in several priority sectors regionally in Los Angeles. These sectors include: Healthcare, Logistics, Hospitality, Security, Financial Services, Construction, Green Technology and Utilities.

Determining the economic trends of critical industries and creating opportunities to meet the employment needs of businesses are keys to better employment outcomes. The goal of sectoral initiatives is to help meet employer workforce needs while expand employment opportunities for job seekers while promoting their workplace advancement in high skill and high wage opportunities. These strategies should take the current WIA systems and structures to the next level by implementing employment efforts that are industry and employer driven.

These targeted sectoral initiatives are particularly beneficial in this current economic climate as many sectors are static or are in contraction. As such, the WIB may recommend additional sectors to support as long as it can be demonstrated that new initiatives meet the criteria for sector initiatives.

Assessments for Evaluating currently funded sector initiatives and exploring new sector initiatives should include the following:

- 1) **Employer Commitment:** Require co-investment from employers committed to hiring trainees and a partnership with business, labor, education, and worker advocates
- 2) **Workforce Needs are Critical:** Industry should have current and/or emerging job growth or vacancies that offer living wage jobs and career paths.
- 3) **Leveraged Funding:** sustainable through co-investment from employers or additional partners, and through additional grant revenues
- 4) **Intermediary Organization:** Implemented by, or in conjunction with, an intermediary with deep knowledge and relationships with industry employers, labor and other critical partners
- 5) **Demand:** Improve the capacity of business to grow and add jobs, while developing a pipeline to reduce or avoid future labor supply gaps and address demand skills (occupations) that may cross several sectors.
- 6) **Wage Progression:** Assist low-income, unemployed or underemployed City residents obtain living-wage jobs and career-ladder opportunities by removing barriers to training and employment and ensuring higher earnings within the industry.

- 7) **Education and Training:** Improve the capacity and focus of education and training providers to respond to employer need with a goal to meet training related placements.
- 8) **Strategic Plan:** Implemented through a strategic plan that addresses the workforce needs of a business or industry.

(Revised PY 09-10)

## **Workforce Investment Board (WIB) Self-Sufficiency Policy**

### **City of Los Angeles Self-Sufficiency Policy**

Pursuant to the Workforce Investment Act (WIA), intensive services and training services are available to those adults and dislocated workers who are unemployed or who are in need of such services in order to retain or obtain employment that provides an income whereby they are self-sufficient.

The self-sufficiency income base is set at the local level by local WIBs.

### **Considerations for Setting Self-Sufficiency Income Bases**

1. That sufficient training funds be available for those who are most in need.
2. That the self-sufficiency income base be set at such a level that workers are encouraged to upgrade their skills through training, and thereby achieve a self-sufficient income.
3. That consideration be given to a dislocated worker's pre-dislocation standard of living (including such fixed expenses as mortgage payments, etc.).

### **Self-Sufficiency Income Bases History**

In previous years, the City had set its self-sufficiency income bases (SSIB) at different levels for adults versus dislocated workers, and employed a formula that included the Federal Poverty Line. That had been found not to be an accurate measure of working families' actual income needs, and therefore, for PY 2005-2006, 2006-2007 and 2007-2008, the City had set the SSIB at the same levels for adults and dislocated workers and had employed the SSIB set forth in the <sup>4</sup>*Self-Sufficiency Standard for Los Angeles County, CA 2003* by Dr. Diana Pearce, University of Washington, Wider Opportunities for Women and the National Economic Development and Law Center.

The City retained certain rights vis à vis the new SSIB: a) to reassess them on an as-needed basis for industry-driven customized training, and b) to review any waivers to them on an as-needed basis. This allowed the City to serve a larger number of persons and to increase the amount of training that it was able to deliver, especially industry-driven training and incumbent worker upgrade training.

### **Current Self-Sufficiency Income Bases**

Beginning with Program Year 2008-2009 the City of Los Angeles WorkSource system employs a calculator to set the SSIB. The county-specific calculator is available from the Insight Center for Community Economic Development at the Internet site <http://insightccd.org/>. (Revised 09-10)

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<sup>4</sup> Its primary sponsors include Californians for Family Economic Self-Sufficiency, a project of The National Economic Development and Law Center; Center for Women's Welfare of the University of Washington; Wider Opportunities for Women; California Hunger Action Coalition; United Way of the Bay Area.