

Northwest TN Workforce Board

Executive Committee

March 20, 2020 – 10:00 a.m.

Conference Call – 1-877-216-1555, Passcode #845157

Committee Members via Conference Call: Ted Piazza, Ben Marks, Jimmy Williamson

Staff Members Present: Jennifer Bane, Ginger Powell, LeAnn Lundberg, Lana Burchfiel, Gina Johnson, Laura Speer

Welcome: Ted Piazza welcomed everyone and confirmed that a quorum was present.

Review and Approval of Minutes: Minutes for the February 5, 2020 Executive Committee Meeting were reviewed.

- **MOTION:** Ben Marks moved to approve the February 5, 2020 Executive Committee minutes as presented and Jimmy Williamson seconded the motion. All were in favor and the motion carried.

Relocation of the Crockett County American Job Center (AJC): Jennifer Bane explained that a new business located next to the current AJC in Crockett County has approached us to see if we would be interested in moving in with them. Although we would rather have someone move in with us, we have been unable to identify a potential tenant so far. The office space is a bit larger than our current space and has walled-off offices. Although the rent is higher than ours, since we would be splitting everything, we anticipate a savings of at least \$5,400 per year. Mayor Reasons has been informed and agreed to proceeding with the move.

- **MOTION:** Jimmy Williamson moved to approve the relocation of the Crockett County AJC and Ben Marks seconded the motion. All were in favor and the motion carried.

Work Based Training Policy Changes: Jennifer Bane reviewed the attached handout detailing proposed changes to the Work Experience section of the Work Based Training Policy. While the Youth work experience program continues to be a focus for our programs, we are still facing difficulties in recruiting and maintaining participants. Rather than paying 80% of the starting wage of a work experience position, we would like to propose we pay 100% what that position would pay. The participants are aware they are making less than everyone else, and this might help. Since Adult funding is limited, staff recommend leaving the 80% wage rate for Adult work experience participants, which is in line with the Transitional Jobs policy. The other change was a result of the recent Federal Youth Audit and strives to ensure we are properly documenting the required educational components of the Youth work experience by requiring each participant to have a training plan, similar to those required from the employer for On-the-Job Training participants.

- **MOTION:** Jimmy Williams moved to approve the changes to the Work Based Training Policy as presented. Ben Marks seconded the motion. All were in favor and the motion carried.

Youth Incentives Discussion: Jennifer Bane explained that in the interest of further enhancing our Youth program, particularly work experience, she polled other local areas to see what type of incentives, if any, they offering. The attached summary shows the incentives for each area that responded and stated they are offering them. We are most interested in a policy to incentive completion and retention of work experience participants, and also possibly National Career Readiness Certificate (NCRC) completion. The TN Department of Labor and Workforce Development (TDLWD) recently released a \$10,000 funding opportunity for NCRC testing that we proposed to use to assist in reaching our goals to maintain our ACT Work Ready Communities status. We hope that our current and future youth participants would be interested in earning an NCRC and / or increasing their certificate level. Staff requested feedback from the committee in regards to moving forward with the development of a policy. Ted Piazza shared that he would like to see some performance and return data from other areas. Jimmy Williamson also agreed to exploring this more and Jennifer stated she will request data from the other areas.

AJC operations: Jennifer Bane updated the committee on the current status of AJC Operations during the COVID-19 pandemic. As of yesterday, all our AJCs have been closed to the public except for a case by case basis, but as of the 23rd, all AJCs across the state will be closed to the public. Staff are still on-site to assist customers by phone or email. Per the Governor's direction, the State is working towards moving all staff to working at home and asked that no more than 10 staff be in an AJC at one time. Title I staff are continuing to work on-site at this time, but they do have laptops and calls

can be transferred to cell phones for all AJCs with Vonage phones, which is all of them but the Carroll County AJC. We are assessing what additional equipment may be needed for people to work from home and looking into webinars and web conferences as alternatives to conference call. All but two board staff already work from home. Additionally, state merit staff in the AJCs will be receiving training to process unemployment insurance (UI) claims to respond to the increased need and adjusting work requirements given the current situation. AJC staff from other programs may be asked to assist with other state programs as state staff transition to helping with UI.

Future Meeting Dates & Upcoming Events

- TN Workforce Leaders Summit, March 23rd at the Renaissance Nashville Hotel (postponed)
- Remaining 2020 Committee Meeting Dates: April 29 (may have to make plans to make this a potential conference call), July 29, and October 28, all at 10:00 am
- Next Board Meeting: May 19th (lunch at 11:30 am) (this also may be a webinar)
- State Board Meeting: June 5th
- Regional Planning Council meeting: April 16, 10:00 am, Trenton
 - Local and Plans were originally supposed to be due this month but will now be posted for public comment in mid-June and submitted in mid-July.

As there was no other business, the meeting was adjourned.

Respectfully Submitted,

Lana Burchfiel

**Northwest TN Workforce Board
Executive Committee**

March 20, 2020 – 10:00 a.m.

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Agenda

Welcome and Call to Order	Ted Piazza, Chair
Review and Approval of Minutes of 2-5-20 Meeting (Vote Required)	
Relocation of the Crockett County American Job Center (Vote Required)	Jennifer Bane
Work Based Training Policy Changes (Vote Required)	Jennifer Bane
Other	Jennifer Bane
<ul style="list-style-type: none">Youth Incentives Discussion	
Future Meeting Dates & Upcoming Events	
<ul style="list-style-type: none">TN Workforce Leaders Summit, March 23rd at the Renaissance Nashville HotelRemaining 2020 Committee Meeting Dates:<ul style="list-style-type: none">Wednesday, April 29, 10:00 amWednesday, July 29, 10:00 amWednesday, October 28, 10:00 amNext Board Meeting: May 19th (lunch at 11:30 am)State Board Meeting: June 5th	

Northwest TN Workforce Board

Executive Committee

February 5, 2020 – 8:30 a.m.

313 West Cedar St., Dyersburg, TN

Conference Call – 1-877-216-1555, Passcode #845157

Committee Members Present: Ted Piazza, Jimmy Williamson

Committee Members via Conference Call: Rita Alexander, Brad Hurley, Mayor Gary Reasons, Ben Marks

Staff Members Present: Jennifer Bane, Ginger Powell, Laura Speer, LeAnn Lundberg, Gina Johnson

Welcome: Ted Piazza welcomed everyone and confirmed that a quorum was present.

Review and Approval of Minutes: Minutes for the December 5, 2019 Executive Committee Meeting were reviewed.

- **MOTION: Mayor Gary Reasons moved to approve the December 5, 2019 Executive Committee minutes as presented and Ben Marks seconded the motion. All were in favor and the motion carried.**

Facilities and Technology Update:

- **Re-Designation / Certification of American Job Centers:**
 - Carroll County AJC Certification / ADA Results
 - Vocational Rehabilitation Program preformed an Accessibility and Accommodation review (12/9/2019) of the American Job Center at Huntingdon. Areas reviewed for compliance included parking, entrance, reception, public areas, accessible restrooms, resource room, communication, signage, fire alarms, and emergency egress planning. All areas were in order and no formal recommendations were made.
 - One-Stop Certification (12/9/2019)- Jennifer noted suggestions for improvement which include: update signage to reflect current branding. An electronic American Job Center sign would be preferred. The budget does not currently support the purchase of new signage. The AJC would benefit from additional partners to best utilize space and be more cost effective. The AJC at Huntingdon will remain a Comprehensive center. One-Stop Certification Checklist attached.
 - Henry County AJC Certification / ADA Results
 - One-Stop Certification (12/17/2019): suggestions for improvement include: updated signage to American Job Center. The budget does not currently support the purchase of new signage. Staff recommends the AJC transition from a fulltime affiliate center to a part-time specialized center. The center will open Monday – Thursday with established access points on Fridays. TNLWD Specialized Center One-Stop Certification Checklist attached.
 - Weakley County American Job Center Certification
 - One-Stop Certification (12/17/2019): suggestions for improvement include: the addition of two yard signs for extra entrances, permanent signage, and add to the directory in the lobby. Staff recommends the AJC transition from a fulltime affiliate center to a part-time specialized center. The center will open Monday – Thursday with established access points on Fridays. TNLWD Specialized Center One-Stop Certification Checklist attached.
- **MOTION: Jimmy Williams moved to approve Carroll, Henry, and Weakley County Certifications as presented and Mayor Gary Reasons seconded the motion. All were in favor and the motion carried.**
 - Dyer, Obion, and Gibson will complete One-Stop Certification prior to June 30, 2020.
- **Other Facilities & ADA Review Updates:** LeAnn Lundberg reported that she is currently updating resource room computers.

Performance and Program Oversight: Laura Speer reported that Quarterly Complaint Logs have been submitted and there were none to report. The Career Service Provider report indicated 16 findings and 36 observations of the total 52 participants reviewed as shown below.

Summary:	OCT	%	NOV	%	DEC	%	TOTAL	TOTAL %
Number of Participants Reviewed:	14		23		15		52	
Number / Percentage of Participants with Findings:	6	43%	6	26%	4	27%	16	31%

Number / Percentage of Participants with:								
1. Eligibility Findings:	0	0%	0	0%	1	25%	1	6%
2. Data Validation Findings:	2	33%	4	67%	2	50%	8	50%
3. Data Entry Findings:	4	67%	0	0%	0	0%	4	25%
4. Case Management Findings:	0	0%	2	33%	2	50%	4	25%
Number / Percentage of Participants with Observations:	5	36%	21	91%	10	67%	36	69%
Number / Percentage of Participants with No Monitoring Issues:	6	43%	1	4%	4	27%	11	21%

- RESEA Monitoring – October through December 2019, there were 146 RESEA participants. The monitoring sample consisted of 17 participants (12%) based on sample size / method direction provided by state staff. Three of the monitored participants were missing items. Missing items collected as of 2/4/2020.
- Data Validation occurred January 2020 and we are awaiting results.

Budget & Administration Update: Gina Johnson provided an overview of the attached Financial Status Report as of December 31, 2019, which showed the minimum participant cost rate (MPCR) was 44.16 %, which is 4.16% higher than the required 40% minimum. Out-of-School Youth expenditures exceed the required 75% at over 95%, and Work Experience expenditures exceeded the required 20% at over 43%. Jennifer Bane also provided an update on the budget. Expenditures decreased between October and December, making year-to-date expenditures on track for the program year. We have expended 50% of our participant budget and 51% of our operating budget for the program year. We have expended 30% of our RESEA budget which began in October 2019 and is effective through September 2020. The Title I share of the IFA costs increased slightly due to January IFA changes. It is not yet reflected in the budget, but a savings of at least \$18,000 is expected by June due to a position being eliminated from the Board staff.

Other:

- Conflict of Interest Forms** – please complete and submit to Lana Burchfiel.
- Dyer, Gibson, and Obion County AJC Certifications** – Staff recommends the centers maintain current designation. Certifications will be conducted and completed prior to June 30, 2020.
- Proposed Targets for Key Performance Indicators (KPIs):** Jennifer Bane reviewed NW Proposed Targets for KPIs. The goals will be finalized at the upcoming State Workforce Board meeting February 21, 2020. Local Area Directors provided KPI Targets in which Jennifer considered historical enrollment data as well as current budgets for NW projections. State staff adjusted proposed targets and has encouraged staff to request additional funding if necessary, to reach the new, increased targets. Adult and Dislocated Worker New Enrollment is 380 and Youth is 107. Without additional funding, our budget will not support 380 new Adult and Dislocated Worker enrollments. Re-entry New Enrollments is 309. TAA Co-Enrollments was 34.8% but we have since been notified by the state this will be increased to 50%. See attachment – West TN & NW Proposed Targets for KPIs.

Future Meeting Dates & Upcoming Events

- Next Board Meeting: February 25th – Discovery Park of America, 12:00 pm (lunch at 11:30 am)
- State Board Meeting: February 21st
- Remaining 2020 Committee Meeting Dates:
 - Wednesday, April 29, 10:00 am
 - Wednesday, July 29, 10:00 am
 - Wednesday, October 28, 10:00 am

Federal Youth Monitoring Results:

August – September, 2019, the US Department of Labor, Employment and Training Administration conducted on-site compliance review for the Title I-Youth Program. The review covered policies, guidance, procedures, and knowledge of staff in three local areas to include NW. In total there were 15 findings, 10 of which applied to the NW area, six concerns, and one promising practice (Findings and State Responses attached). Synopsis of NW action items:

- Finding 4 & 5: LWDA MOUs Missing Required Information – NW will list the 14 elements individually to indicate which element will be referred and to what provider. A separate MOU will be developed to include all other non-mandated referral partners.
- Finding 7: State has Not Defined Basic Skills Deficient – The State has since defined basic skills deficiency within the state youth eligibility policy. The policy was approved by the State Workforce Development Board on November 8, 2019. NW adopted the State’s definition.
- Finding 8: Local Area Requires Additional Assistance Policy Inconsistent with State Policy – NW local area definition was acceptable and matched the State youth eligibility policy, which was updated at the November State Workforce Board meeting. In the new State Plan, the State is declining to provide a definition and is allowing local areas to develop a definition of requires additional assistance. Supporting information will need to be submitted to the State before the local Board can adopt a new definition.
- Finding 9: Insufficient Monitoring for Youth Program Requirements – locally, NW will begin monitoring the 5% report for In-School Youth eligibility. Further corrections will be made at the State level.
- Finding 10: Local Areas Not Addressing Individuals Deemed Ineligible – NW will report using the referral tracking process currently in place.
- Finding 11: Local Areas Determining Youth Participation Based on Age – NW will ensure our written procedures indicate participant eligibility determination based on service need first.
- Finding 12: Work Experience Activities Do Not Include Occupational and Academic Components – A training plan will be developed for work experience participants similar to those used by On-the-Job Training participants and will document the academic components included in the work experience.
- Finding 13: Lack of Alignment Between Needs Assessment, ISS, Career Pathways, and Services Provided – NW sector studies and pathways are complete and available. NW will clearly define the pathway in the ISS.
- Finding 14: LWDB Missing Parent and Youth Involvement in Program Design – NW utilizes Board and Committee members to co-serve as parents and electronic surveys are used to capture input for both populations. NW encouraged by state staff to gather, in-person parent and youth stakeholders to gain input into program design.
- Finding 15: Lack of AJC and EO Signage (Northern Middle local area) – NW needs new signage to reflect current branding. Funding does not currently allow for purchasing signage. We are hoping to receive funding from the State to make updates to signage.

As there was no other business, the meeting was adjourned.

Respectfully Submitted,
Ginger Powell

Work Experience

WIOA and 20 CFR § 681.590(a) require that a minimum of 20 percent of local area funds for the Title I Youth program be spent on work experience. As explained in 20 CFR § 681.590(b), local area administrative costs are not subject to the 20 percent minimum work experience expenditure requirement. Work experience is defined as paid (subsidized) or unpaid work experience that is a planned, structured learning experience in a workplace for a limited period of time. This experience provides participants with opportunities for career exploration and skill development. Work experience must include academic and occupational education (20 CFR 681.600[a-b]). Paid Work Experiences will be paid through the program at the higher of ~~80%~~ 100% of the starting rate of the position being performed or a minimum of \$8.00 per hour wage. ~~For instance, a participant working in a Production position which pays \$10 per hour would be paid \$8.00 per hour for the duration of the work experience (\$10.00 X 0.8 = \$8.00 per hour). (Examples: Starting wage = \$9; \$9 x 0.8 = \$7.20; pay = \$8.00; or starting wage = \$11; \$11 x 0.8 = \$8.80; pay = \$8.80).~~

WIOA identifies four categories of work experience: (1) summer employment opportunities and other employment opportunities available throughout the school year; (2) pre-apprenticeship programs; (3) internships and job shadowing; and (4) on-the-job training (OJT) opportunities as defined in WIOA Section 3(44) and in 20 CFR § 680.700. Eligible WIOA youth program participants may participate in more than one work experience program (i.e. summer employment, job shadowing, pre-apprenticeship) over the duration of their program participation (20 CFR 681.600[c]). Job shadowing is a work experience option where youth learn about a job by “walking through the work day as a shadow” to become competent workers. The job shadowing work experience is temporary, unpaid exposure to the workplace in an occupational area of interest to the youth.

~~Per TEGL 21-16, Operating Guidance for the Workforce Innovation and Opportunity Act, the academic and occupational education component refers to contextual learning that accompanies a work experience. It includes the information necessary to understand and work in specific industries and/or occupations. For example, if a youth is in a work experience in a hospital, the occupational education could be learning about the duties of different types of hospital occupations such as a phlebotomist, radiology tech, or physical therapist. Whereas, the academic education could be learning some of the information individuals in those occupations need to know such as why blood type matters, the name of a specific bone in the body, or the function of a specific ligament. The educational component may occur concurrently or sequentially with the work experience. The academic and occupational education component may occur inside or outside the work site. The work experience employer can provide the academic and occupational component or such components may be provided separately in the classroom or through other means. The Career Service Provider must document the academic and occupational education components of the work experience on a training plan to maintained in the participant’s electronic file in Jobs4TN / VOS.~~

Per WIOA sec. 134(c)(2)(A)(xii)(VII), Adults and Dislocated Workers may receive Individualized Career Services, if determined to be appropriate in order for an individual to obtain or retain employment, that may consist of internships and work experience that are linked to careers. According to 20 CFR § 680.180, for the purposes of WIOA sec. 134(c)(2)(A)(xii)(VII), an internship or work experience is a planned, structured learning experience that takes place in a workplace for a limited period of time. Internships and other work experience may be paid or unpaid, as appropriate and consistent with other laws, such as the Fair Labor Standards Act. An internship or other work experience may be arranged within the private for profit sector, the non-profit sector, or the public sector. Labor standards apply in any work experience setting where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists. Transitional jobs are a type of work experience, as described in §§ 680.190 and 680.195. In the event that an individual between the ages of 18 and 24 does not qualify as a Youth to be able to participate in a Youth Work Experience position, the individual may be enrolled in the Work Experience position as an Adult or Dislocated Worker as described above. **Adults and Dislocated Workers**

participating in Paid Work Experiences will be paid through the program at the higher of 80% of the starting rate of the position being performed or a minimum of \$8.00 per hour wage. For instance, a participant working in a Production position which pays \$10 per hour would be paid \$8.00 per hour for the duration of the work experience ($\$10.00 \times 0.8 = \8.00 per hour). (Examples: Starting wage = \$9; $\$9 \times 0.8 = \7.20 ; pay = \$8.00; or starting wage = \$11; $\$11 \times 0.8 = \8.80 ; pay = \$8.80).

Work experience expenditures are recorded in the NWTNWB accounting system of record and tracked monthly, both on internal documents and required State reports.

Reference: 20 CFR 680.700(b); 20 CFR 680.840; Federal Register Vol. 81, No. 161, Page 56117; TEGL 03-15 (specifically "Training Contracts" on pages 9-10); **TEGL 21-16**; WIOA Section 181(b)(2)(A); WIOA Section (d)(2); WIOA Section 188(a)(3); WIOA sec. 134(c)(2)(A)(xii)(VII); 20 CFR § 680.180.

Related TDLWD Policy: Incumbent Worker Training Grants Policy; Work-Based Training Guidance (pages 3 & 10)

Vetted and Approved by the Northwest Tennessee Workforce Board: **March 20, 2020**

~~Jennifer Bane, Executive Director~~ Jimmy Williamson, Chair
Northwest Tennessee Workforce Board

Incentives

20 CFR § 681.640 states that “incentive payments to youth participants are permitted for recognition and achievement directly tied to training activities and work experiences. The local program must have written policies and procedures in place governing the award of incentives and must ensure that such incentive payments are tied to the goals of the specific program; outlined in writing before the commencement of the program that may provide incentive payments; align with the local program’s organizational policies; and are in accordance with the requirements contained in 2 CFR part 200.”

DOL included the reference to the Uniform Guidance at 2 CFR part 200 to emphasize that while incentive payments are allowable under WIOA, the incentives must be in compliance with the Cost Principles in 2 CFR part 200. For example, Federal funds must not be spent on entertainment costs. Therefore, incentives must not include entertainment, such as movie or sporting event tickets or gift cards to movie theaters or other venues whose sole purpose is entertainment. Additionally, there are requirements related to internal controls to safeguard cash, which also apply to safeguarding of gift cards, which are essentially cash.

While DOL recognizes that incentives could be used as motivators for various activities such as recruitment, submitting eligibility documentation, and participation in the program, incentives paid for with WIOA funds must be connected to recognition of achievement of milestones in the program tied to work experience, education, or training. Such incentives for achievement could include improvements marked by acquisition of a credential or other successful outcomes. Local areas may leverage private funds for incentives that WIOA cannot fund. Incentive payments may be provided to both ISY and OSY as long as they comply with the requirements of 20 CFR § 681.640.