

**Meeting of Northwest TN Workforce Board
and Local Elected Officials for LWDA 12
Elks Club, Trenton, TN
February 27, 2018**

Board Members Present: Rita Alexander; Kristie Bennett; John Bucy; Ian Cochran; Jon Dougherty; Landy Fuqua; Brad Hurley; Mary Jones; John Killen; Ben Marks; Kristy Mercer; Charlie Moore; Ted Piazza; John Penn Ridgeway; Cliff Sturdivant; Jimmy Williamson; Sandra Woods

Board Members via Conference Call: Lindsey Frilling; Douglas Matthews

Committee Members Present: Ronnie Gunnels; Janna Hellums;

Committee Members via Conference Call: Karen Bowyer; Robin Sealy; Sherry Fowler; Alvin Smothers

Local Elected Officials: Gary Reason; Kenny McBride; Denny Johnson; Benny McGuire

Local Elected Officials via Conference Call: Jake Bynum

Staff Members Present: Jennifer Bane; LeAnn Lundberg; Margaret Prater; Kim Simpson; Laura Speer

Guests: Mark Chandler; Tim Climer; Justin Crice; Rolisa Ethridge; Kimberly McDaniel; Susan Newbill; Judy Lofton; Lana Wood; Marla Rye

WELCOME: Mayor Gary Reasons, Chief Local Elected Official welcomed all members and guests. Brad Hurley gave the invocation. All members joined in the Pledge of Allegiance.

PRESENTATION: Marla Rye, Workforce Essentials/TANF (Temporary Assistance for Needy Families), spoke regarding Family Empowerment for the TANF program. (Handout attached) She stated that the government allows welfare assistance for 5 years. They offer various types of help including sending people to college and to universities. Their general approach is to provide Health and Well- Being, while working to remove barriers for participants. Since Marla started with the program about 10 years ago the number of people being served has dropped significantly, from a total of approximately 1,250 in 2007 to 250 in 2017.

BUSINESS MEETING: Chairman, Jimmy Williamson called the business meeting to order. Chairman Williamson acknowledged that a quorum was present and issued a reminder of the Conflict of Interest Policy.

Approval of Minutes: (attached) Chairman Williamson asked everyone to review the November 28, 2018 Board Meeting Minutes.

- **MOTION:** A Motion to approve the November 28, 2018 Board Meeting Minutes as presented was made by Brad Hurley and seconded by Sandra Woods. All were in favor and the Motion carried.

Meeting Reports: Executive Committee (December 11, 2017 and January 17, 2018):

December 11, 2017- Ted Piazza, Executive Committee Chairman, updated everyone on the meetings. He stated that the committee reviewed and voted funding of an application from AADG, Inc. (dba Ceco Doors) in Milan for Incumbent Worker Training funding from Adult/Dislocated Worker formula funding in the amount of \$25,000. Chairman Piazza presented the motion for ratification of the Executive Committee action by the full board.

- **MOTION:** Ted Piazza made a motion to approve the formula funding of the application from AADG, Inc. (dba Ceco Doors) in Milan for Incumbent Worker Training funding in the amount of

\$25,000. Rita Alexander seconded the motion. All were in favor and the Motion carried. (Kristy Mercer abstained from voting.)

January 17, 2018 - The Committee reviewed and voted approval of the Participant Program Policies and Administrative Policies as amended on page 15 with regard to Veteran eligibility to read “discharged or released under conditions other than dishonorable”. Chairman Piazza presented the motion for ratification of the Executive Committee action by the full board.

- **MOTION: Ted Piazza made a motion to approve the Participant Program Policies and Administrative Policies as amended on page 15 with regard to Veteran eligibility to read “discharged or released under conditions other than dishonorable.” Mayor Denny Johnson seconded the motion. All were in favor and the Motion carried.**

Executive Committee Chair Piazza stated the committee also discussed per TDLWD the Board should not monitor eligibility performed by DSCC prior to enrollment and the Board should not be involved in the day-to-day activities of the American Job Center function. To minimize liability and communication/involvement with DSCC, the Board plans to transfer direct training funds to DSCC and monitor after enrollment. The Board announced they would lay off a Fiscal Coordinator and part-time Quality Monitor position and transfer the funds to DSCC to take on the additional responsibilities. It was also announced that a full-time IT staff position was eliminated from the Board office and a portion of funds will be utilized to hire a part-time One-Stop Assistant and to maintain the part-time Public Information Specialist.

He further reported that the Committee also began the discussion of reducing the number of days at AJCs to meet the increased Minimum Participant Cost Rate. Margaret also gave an update on the DSCC UI Reserve Account amendment and the limitations on using the National Career Readiness Certificate.

American Job Center Committee Meeting: Committee Chairman, Rita Alexander, gave an update on the American Job Center Committee meeting which took place on January 30, 2018 in Trenton. The Committee heard updates on the One-Stop Operator, Business Services and Career Services. The One-Stop Operator is providing reports and updates to the Board as required. Business Services is providing rapid response activities to Futurist Group (formerly Kongsberg) and Caterpillar. Job Fairs and Job Orders are continuing and 33 OJT participants have been placed. Career Services has increased with enrollments up in all programs.

The Committee reviewed the AJC Cost/Services for Reduction of Center due to the increase from 40% to 50% Minimum Participant Cost Rate. After much discussion, the Committee approved a motion to have:

1. Margaret get a final definition on Access Points
2. Meet with area mayors
3. Get input from Outreach and Opportunities Committee
4. As about waiver/exception to allow part-time affiliates
5. If mayors are in agreement, request we be able to have structured schedule for each county.

Margaret reported on the organizational update regarding staff layoffs and also asked for volunteers to review Incumbent Worker grants due February 16.

The Review Committee discussed the Incumbent Worker grant applications for Firestone and Colonial Rubber DDP. After reviewing both applications the Review Committee recommends both applications be approved from Adult/Dislocated Worker formula funds.

MOTION: Ted Piazza made a motion to approve Firestone Industrial Products for \$23,600 and Colonial Rubber, DDP for \$24,400, subject to line item and match requirement adjustments by the Staff from formula funds. Brad Hurley seconded the motion. All were in favor and the Motion carried.

Outreach and Opportunities Committee Meeting - January 30, 2018. Committee Chair Ben Marks reported the first order of business was to elect a Vice Chair to replace Brad Hurley (elected Secretary of the Board). Will Douglas was nominated and elected with all in favor.

The Committee also reviewed and voted to approve the DSCC Associate of Applied Science Paramedic to RN Program for renewal on the WIOA Eligible Training Provider list. Chairman Marks presented the recommendation of the committee.

- **MOTION: A motion to approve the DSCC Associate of Applied Science Paramedic to RN Program for renewal on the WIOA Eligible Training Provide List was made by Ted Piazza and seconded by Sandra Woods. All were in favor and the Motion carried.**

Margaret updated the committee on special grants and services to special populations, including the new transitional work experience program referred to as “Ready, Set, Hire” which provides paid work experience for adults with barriers. The committee also reviewed the American Job Center Cost/Services for Reduction of Centers and heard the organizational structure update as already given.

Regional Planning Committee (1-23-2018) Margaret Prater stated that the meeting was well represented by partner organizations. Each organization gave a brief update on their organization. On-going projects included:

- Common Application to streamline services
- Aligning Support Service Policies
- Reciprocal Agreements for OJT Contracts

The committee also discussed the Megasite and training needs and efforts through the community colleges and TCATs, training individual with substantial barriers (offenders) and preparation for AJC Certification.

WIOA AJC Partner Meeting (1-23-2018): Jennifer Bane stated that the partners reviewed the Infrastructure Funding Agreement for quarterly updates. The Budget consists of the shared costs between all partners. After discussion, there was about a \$5,000 increase to the overall budget with various partners having increases or decreases.

Local Elected Official Consortium Meeting (2-7-2018) Mayor Gary Reasons stated that during the meeting, Margaret updated the Mayors on the anticipated loss of \$266,000 in operations budget with the increase from 40% to 50% Minimum Participant Cost Rate. She shared that both the AJC and Outreach and Opportunities Committees would like to ask TDLWD for an exception to have part-time centers and requested the mayors consider sending a letter to the Commissioner.

Mayors Maurice Gaines, Denny Johnson, Barry Barnett, spoke of the great need their counties have for the American Job Centers. A motion was made and passed to send a letter to the TDLWD Commissioner asking for consideration for a part-time regular schedule for some of the American Job Centers.

As an update, Chairman Williamson stated he delivered a letter to Deniece Thomas, State Commissioner regarding the mayors request for an exception or wavier regarding the ability to have part-time AJCs. Both Ms. Prater and Chairman Williamson were hopeful after speaking with Ms. Thomas and her suggesting they would consider designation as a “specialized center” to include part-time staffing on a regular basis. Margaret Prater and Kristie Bennett were asked by Deniece Thomas to submit an overall plan for LWDA 12 to include comprehensive, affiliates and specialized centers.

Executive Committee Chair, Ted Piazza updated the Board on this issue from the Executive Committee Meeting held on February 15, 2018. After consultation with the committees, One-Stop Operator and Career Service Provider, Margaret Prater and Kristie Bennett, TDLWD Regional Director, submitted two proposals to the Executive Committee. The Executive Committee submitted the attached proposal (cost estimates added) to the Local Elected Officials for review and comment. The proposal includes five part-time specialized centers, three full-time affiliate centers and three full-time comprehensive (with multiple partners) centers. Under this proposal, services would still be provided on a routine basis in every county. In the case of specialized centers, the services would be compressed into 2-3 days per week based on the last 6 months traffic flow. Cost savings are projected at ½ at the part-time centers, with plans to either relocate to less expensive locations or partner with another agency for free or minimal space cost. The projected savings for facilities under this proposal is \$92,690. To meet the new 50% Minimum Participant Cost Rate, 10% of funds will need to be moved from Operations (facilities and staffing) to Direct Participant Cost. The amount is approximately \$266,000. The proposal includes reducing the Board Program Staff budget and Career Service Provider budget by 10% each, which will bring the total projected savings to approximately \$260,000. This does not take into account use of carryover funds and/or the actual allocations, which could increase or decrease. We can definitely adjust as factors change.

MOTION: John Bucy made a motion to approve the attached map, which consists of locations and types of center for all eleven counties in our area. Mayor Gary Reasons seconded the motion. All were in favor and the motion carried.

State Workforce Board Meeting Report (February 9, 2018): Chairman Williamson stated that we received updates from TDLWD Administrators and Unemployment, Adult Ed, and TN Reconnect partners, and an Economic Impact Report from University of Memphis.

The TDLWD advised that a Zero Tolerance Reporting Notice has been issued to LWDA's to provide sanctions and remedies for any inaccurate and untimely reporting.

The SWB passed an amendment to the Minimum Participant Cost Rate policy to include Statewide funds, which will bring our current rate from 35% to the 40% minimum.

The SWB passed the Work Readiness Policy, which includes National Career Readiness Certificates. The policy does not allow the NCRC to continue to be a free employer service. Job applicants must either qualify for WIOA and be enrolled prior to the test, or the Employer or participant will have to pay for the test and staff time for administering the test.

A Fiscal update was provided (handouts sent this morning and provided at this meeting) that indicate in most measures, our area is doing well. On the Minimum Participant Cost Rate, the reports show we are at 36.05% of the 40% goal; however, a change to the policy will allow other funds to be counted which raises our rate at/above the 40% as of December. Also, note that we are ranked fourth in the State for number of participants (below Memphis, Nashville and Clarksville). We are exceeding both the 75% out of school youth measure and 20% work experience measure. Our second year funds (16/17) are almost 100% expended. For our current year funds (17/18), which must be 80% obligated by June 30, we are at 80.5% for Youth, 70.6% for Adult and 27.9% for Dislocated. Due to low enrollments in the Dislocated Worker program (high employment), the Staff requested a transfer of \$300,000 in DW funds to Adult. They also released another Incumbent Worker grant bid that we will vote on today that will be funded from Dislocated Worker funds. We expect to be at the 80% or above level by June 30 on all funds.

An update was provided on One-Stop Procurement from the Central Procurement Office review. They are recommending that all areas, except one re-bid services based on their review coupled with the USDOL review. Our area will be required to re-bid.

Chairman Williamson shared that the State Workforce Board also passed a policy in which a county may request to move from one Local Area to another. Included in the policy is a provision that the Governor may re-align Areas to coincide with economic development lines. After much discussion it was determined the Executive Committee of the SWB will conduct an analysis and report back to the State Workforce Board on May 11. If the lines change to coincide with ECD lines, Tipton and Lauderdale will move to LWDA 13 (Memphis) resulting in a loss of over \$800,000 in funding. Mayor Gaines expressed concerns about Lauderdale County being aligned with Memphis. Mary Jones, Children and Family Services, from Tipton County also reported she had been involved in alliances with Memphis/Shelby County, where her program was underserved. Several other members expressed general concerns regarding the proposed changes in addition to the changes our area has experienced in the past year, including that the constant change can effect services to our customers.

Executive Committee (February 15, 2018) – Ted Piazza also gave the remainder of the update on the February 15, 2018 Executive Committee meeting. The committee reviewed Road Runner Driving School application. The committee approved the program be added to the WIOA Eligible Training Provider List. The program cost is \$2500 per participant. The Labor market information support Truck Driving as an in-demand occupation.

- **MOTION: Ted Piazza made a motion to approve Road Runner Driving School for the WIOA Eligible Training Provider List. Rita Alexander seconded the motion. All were in favor and the motion carried.**

Margaret also advised the Committee that the USDOL review of One-Stop Operator Procurement will require rebidding of the contract by July 1, 2018. No details were available, but further information was included in the supplemental materials received for this meeting to add Uniform Guidance and Internal Control documents to the Procurement Policy.

- **MOTION FOR AMENDMENT:** Mayor Denny Johnson made a motion to approve the (attached) amendment to the Uniform Procurement and Uniform Guidance Policy, which will strengthen the policy for Area 12. Ted Piazza seconded the Motion for the Amendment. All were in favor and the motion carried.

There was no further business, and the meeting adjourned.

Respectfully submitted,

Kimberly Simpson

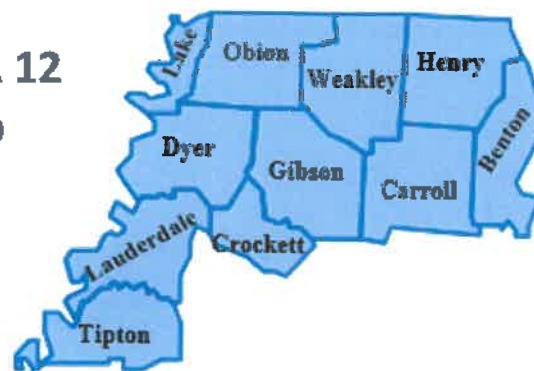
**Local Workforce Development Area 12
Consortium of Local Elected Officials and
Northwest TN Workforce Board, Inc.
Elks Lodge - 2025 US Highway 45 Bypass S, Trenton, TN
Conference Call 1-877-26-1555 # 845157
Tuesday, February 27 – 11:30 (lunch) 12:00 Business Meeting**

Agenda

| | |
|--|---------------------------------|
| Welcome | Mayor Reasons, Chair CEO |
| Partner Program Highlight | Marla Rye, Workforce Essentials |
| Business Meeting- Call to order & Acknowledge Quorum/Conflict of Interest | Jimmy Williamson, Chair, NTWB |
| Approval of Minutes of November 28, 2017 Meeting | |
| Meeting Reports: | |
| Executive Committee (December 11, 2017 and January 17, 2018) Vote: Ratification of Incumbent Worker Grant for AADG, Inc. (dba Ceko Doors) Vote: Ratification of Program Policies and Monitoring & Oversight Policy | Ted Piazza |
| American Job Center Committee Meeting (January 30, 2018) AJC Incumbent Workforce Training Review Committee Report Vote: Incumbent Worker Training Grant Application Approval (Applications due February 16) | Rita Alexander/John Killen |
| Outreach and Opportunities Committee Meeting (January 30, 2018) Vote: Eligible Training Provider List Renewals DSCC Associate of Applied Science – Paramedic to RN | Ben Marks/Will Douglas |
| Regional Planning Committee (January 23, 2018) | Margaret Prater |
| WIOA AJC Partner Meeting (January 23, 2018) | Jennifer Bane |
| Local Elected Official Consortium Meeting (February 7, 2018) | Mayor Gary Reasons |
| State Workforce Board Meeting Report (February 9, 2018): | Jimmy Williamson/Sandra Woods |
| Executive Committee (February 15, 2018) Vote: Approval of New Training Provider Road Runner Truck Driving | Ted Piazza |
| Other business | |

Future Meeting Dates: 2018 - May 22, August 28 and November 27

TANF & LWDA 12 Partnership



| January Caseload | |
|------------------|----------|
| County | Caseload |
| BENTON | 7 |
| CARROLL | 19 |
| CROCKETT | 5 |
| DYER | 44 |
| GIBSON | 37 |
| HENRY | 32 |
| LAKE | 10 |
| LAUDERDALE | 21 |
| OBION | 24 |
| TIPTON | 32 |
| WEAKLEY | 19 |
| Total | 250 |

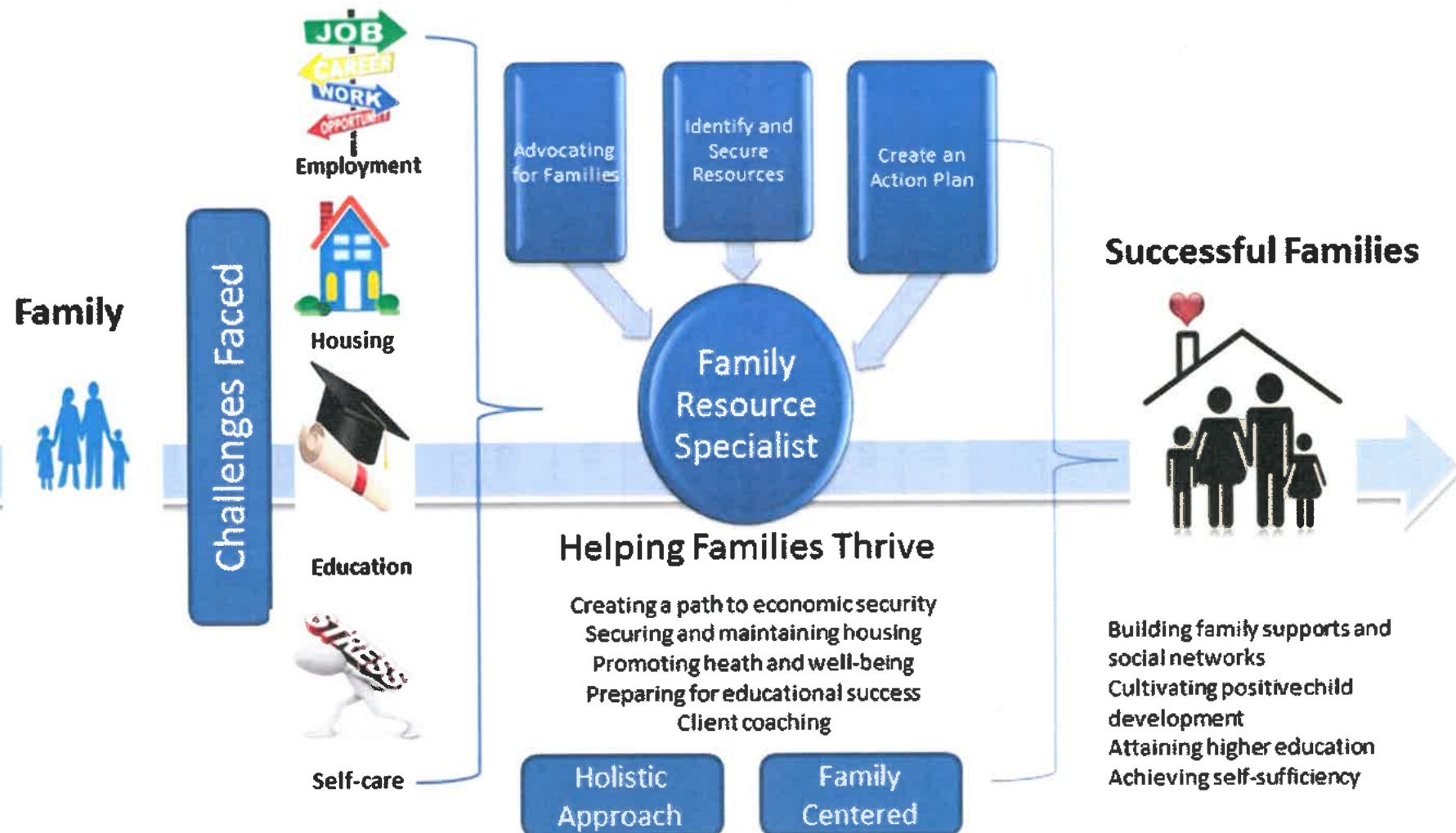
Caseload includes all cases open and closed in January.

Key Performance Measures

| Educational Success | |
|---|--|
| 75% | Clients shall obtain a GED or HS Equivalency Diploma within 12 months of enrollment |
| 50% | Pre-school aged children of clients will be engaged in quality early childhood experiences |
| Workforce Development & Economic Assets | |
| 40% | Clients shall obtain an accredited postsecondary certification with 18 months of enrollment |
| 40% | Clients shall obtain accredited postsecondary degree with 2 years of enrollment |
| 40% | Clients shall obtain accredited postsecondary degree with 4 years of enrollment |
| 40% | Clients who receive a postsecondary certification or degree shall obtain employment related to their field of study within three months. |
| 30% | Clients will obtain full time employment of 30 or more hours and earned income that closes the FF case within the contract year. |
| Health and Well Being | |
| 40% | Clients having barriers to employment that referred for addition support will be activity engaged in addressing the needs and issues |
| Social Capital | |
| 30% | Families will participate in community support networking and empowerment opportunities held by WEI |



Family Empowerment



**Meeting of Northwest TN Workforce Board
and Local Elected Officials for LWDA 12
NWTN Development District Office- 124 Weldon Dr., Martin, TN
November 28, 2017**

Board Members Present: Ted Piazza; Jimmy Williamson; Ben Marks; John Killen; Brad Hurley; Lindsay Frilling; Charlie Moore; Gwyn Fisher; John Penn Ridgeway; David Parrish; Keith Cursey; Bedford Dunavant

Board Members via Conference Call: Kristle Bennett; Karla Carpenter; Jon Dougherty; Will Douglas; Cynthia Whitaker

Local Elected Officials: Gary Reasons; Jake Bynum; Brent Breer; Kenny McBride; Denny Johnson; Benny McGulre

Staff Members Present: Jennifer Bane; LeAnn Lundberg; Margaret Prater; Kim Simpson; Laura Speer

Guests: Blake Swaggart; Justin Crew; Ronnie Gunnels; Sherry Fowler; Robin Sealy; Judy Lofton; Lana Wood

WELCOME: Mayor Gary Reasons, Chief Local Elected Official welcomed all members and guests. Mayor Jake Bynum gave the invocation.

PRESENTATION: Gwyn Fisher, Economic Community Development, board member representative shared a presentation on the ECD Metrics Dashboard. She showed how to view the dashboard and all the different uses for the system.

BUSINESS MEETING: Chairman, Jimmy Williamson called the business meeting to order. Chairman Williamson acknowledged that a quorum was present and issued a reminder of the Conflict of Interest Policy.

Approval of Minutes: **(attached)** Chairman Williamson asked everyone to review the August 22, 2017 Board Meeting Minutes.

- **MOTION:** A Motion to approve the August 22, 2017 Board Meeting Minutes as presented was made by Mayor Denny Johnson and seconded by Ted Piazza. All were in favor and the Motion carried.

Meeting Reports:

American Job Center Committee Meeting: Committee member, John Killen stated that the AJC Committee met on October 17, 2017. The committee ratified the Executive Committee's emergency approval of the Greenfield Products Incumbent Worker Training Grant for \$5720. Some highlights of the meeting included the following:

- One Stop Operator- Functional team partner meetings are taking place to address operational issues;
- AJC Traffic counts were down for September in comparison to July and August, but up overall from last year for the month and quarter.
- Business Services coordinated several job fair/hiring events.
- Career Services has 135 new school enrollments for the first quarter with 49% enrolling in TCATs, 21% community colleges, 15% universities, and 15% private providers. Eight (80) of the 135 were enrolled in the Healthcare sector.

- Youth Work experience reported a significant decrease in enrollment, which has resulted in increased marketing efforts.
- Facilities/Technology report includes a list of cost savings and \$8343 income from the sale of surplus items.
- Organizational structure update included that Congressman Kustoff's office was helping with the 501(c)3 status (which we now have received) and the Board started receiving money from the State the first week in October.

Margaret Prater shared the new State policy on the Minimum Participant Cost Rate, which required the local area to establish a local policy. The State policy, approved May 12, established a 40% benchmark rate for June 30, 2018. She stated that we closed the year June 30, 2017 at approximately 35%.

- **MOTION:** John Killen made the motion for the adoption of the Workforce Services Policy- Minimum Participant Cost Rate TN-WIOA (17-11) as the local performance accountability measure and in accordance with the policy, the LWDB 12 shall ensure a minimum of 40% of WIOA Title 1 formula allocation are expended on allowable participant costs by the end of the Base Program year, June 2018. Ted Piazza seconded the motion. All were in favor and the motion carried.

Outreach and Opportunities Committee Meeting (October 17) Brad Hurley stated that Ben Marks, Chair, will appoint a nominating committee to elect a vice chair at the next committee meeting. The committee reviewed and heard several updates as follows:

- AJC Accessibility Report & Recommendations which reflected minor issues that have been resolved;
- Branding: We are still waiting for State funding for signage;
- Grant Updates: Staff continues to work with Gibson County and Bongards Creamery on an advanced manufacturing mobile training unit.
- Special Populations: Jail2Jobs grant has ended, but staff continues to work with the Sheriff to offer services.
- Youth enrollments have decreased resulting in increased marketing efforts;
- Organizational Structure: Margaret reported hiring an additional Fiscal Coordinator and working with a local accountant to review our systems. Staff is still developing policies and procedures.

The committee reviewed a list of programs on the Eligible Training Provider List that were up for two-year renewal.

MOTION: Brad Hurley made a Motion to approve the two-year renewal of the schools/programs presented with job growth labor market information of the Eligible Training Provider List. Mayor Denny Johnson seconded the motion. All were in favor and the motion carried.

The committee reviewed a new program for the Eligible Training Provider List for Dyersburg State Community College- Associate of Applied Science- Health Sciences.

MOTION: Mayor Brent Greer made a Motion to approve the two-year program for Dyersburg State Community College- Associate of Applied Science- Health Sciences, for the Eligible Training Provider list. Mayor Jake Bynum seconded the motion. All were in favor and the motion carried.

Regional Planning Committee (October 24): Margaret Prater stated that there were various speakers including, Sterling Van Der Spuy and Denise Thomas from the State. Denise spoke on the Role of the Board versus the One-Stop Operator. She stated the Board is primarily responsible for Strategic Planning and Oversight. James Robinson spoke on the forty percent required spending and the need to cut duplicate spending. The Spring SETA Conference will be held in Memphis, Tennessee in March 2018.

State Workforce Board Meeting Report (November 17): Chairman Williamson stated that a major topic of the meeting was Realignment. This is due to a small East TN county wanting to move to a larger area. The State is trying to come up in a new Policy for realignment. Chairman Williamson does not feel that realignment would be good for our area. He said that the State said the One-Stop Procurement efforts were not good. The State indicated only one area submitted everything correctly, but has not said which area was correct.

Executive Committee (prior to meeting, October 28): Ted Piazza stated that Jimmy Williamson and Mayor Gary Reasons updated the committee on the recent TDLWD conference call. He stated that the Organizational Structure is continuing to be changed. The State has made it clear that the Board is only to provide Oversight and Strategic Planning. The Board Staff can no longer monitor or approve eligibility before enrollment. DSCC will be responsible for eligibility, if they choose to continue as the contractor. The Organization has received the 501(c) 3 tax status and is now officially tax exempt. Ted stated that the recent Board monitoring report of the DSCC contract had some findings, which may be due to too few staff and not enough training.

There was no further business, and the meeting adjourned.

Respectfully submitted,
Kimberly Simpson

Minutes
Northwest TN Workforce Board, Inc.
Executive Committee
December 11, 2017 2:00
Conference Call

Members present:

| | | | |
|-------------------|-------------------------|---------------------|--------------------|
| Ted Piazza | Jimmy Williamson | Gary Reasons | Brad Hurley |
| Ben Marks | Rita Alexander | | |

Staff present:

Margaret Prater

The Executive Committee of the Northwest TN Workforce Board met on December 11, 2017 via [conference call to consider the recommendation of the Incumbent Worker Review Committee](#). The following application information and recommendation was sent to the Executive Committee prior to the meeting:

The only application received was from AADG, Inc. (d/b/a Ceco Doors) in Milan, TN. It was sent to the Review Committee Members on December 4, 2017. Margaret Prater, Executive Director reviewed the grant application stating it was for \$25,000 to train 30 employees in coursework - TeamWork Builders and Blockers (building trust and respect, communication and conflict, accountability, creating a vision and culture and execution). Each employee will participate in 30 hours of training during the month of January. The training is to be conducted by Executive Impact, a State of TN Certified Women Business Enterprise with the Office of Diversity, Ms. Alissa DeWitt, Founder/CEO/Executive Coach of Friendship, TN. Executive Impact has provided training for area companies over the past several years.

Prater reported that after initial submission, staff notified Ceco Doors of an error on the State website that would not allow companies to key employee wages as match. When Ceco realized they could count the wages as match, they resubmitted requesting additional funds (originally counted toward match) for the training. DSCC Business Service Coordinator, Lisa Bradford worked with the company and has reviewed the application and scored it 100 or a possible 115. Prater further reviewed the application as Staff to the Northwest TN Workforce Board and found no concerns.

A motion was made by Ted Piazza to recommend funding of the Incumbent Worker Training application submitted by AADG, Inc. (d/b/a Ceco Doors) for \$25,000. A second was made by Bedford Dunavant. The motion carried unanimously. The recommendation will be presented to the Executive Committee on Monday, December 11.

Ted Piazza, Executive Committee Chair presented the Review Committee report and asked for any questions or concerns with the information provided. Jimmy Williamson made a motion to approve the Ceco Doors application for \$25,000 as recommended by the Review Committee. Ben Marks seconded the motion. The motion passed unanimously.

There being no further business, the meeting adjourned.

Northwest TN Workforce Board
Executive Committee
January 17, 2018- 2:00 pm
Conference Call

Attendees: Rita Alexander, Brad Hurley, John Killen, Ben Marks, Ted Piazza, Mayor Gary Reasons, Jimmy Williamson

Staff: Margaret Prater, LeAnn Lundberg, Kim Simpson, Jennifer Bane, Laura Speer

Welcome- NWTN WB Executive Director, Margaret Prater welcomed everyone, called the roll, acknowledged there was a quorum present, and turned the meeting over to Chairman, Ted Piazza.

Approval of Minutes of December 11, 2017 Meeting: The committee reviewed the December 11, 2017 minutes.

- **MOTION:** Jimmy Williamson made a motion to approve the minutes as presented. Mayor Gary Reasons seconded the motion. All were in favor and the motion carried.

Review of Policies: (handouts attached) Margaret stated the TDLWD has requested a directory of policies approved by the Board. The DRAFT policies were emailed to committee members prior to the meeting. She shared that the program has always had very detailed procedures in place, but they were not formally approved policies and were not in the same format as requested by the TDLWD. Margaret converted the procedures to less detailed policies, with no fundamental changes. She stated that once enrollments and budgets are finalized, the committees may want to review policy limitations on ITAs, OJTs, etc. Jimmy Williamson, Board Chairman, received an email that the policies are due tomorrow, January 18, 2018. Ted Piazza stated that the Board needs to look into the E-Verify Process for employees.

MOTION: Mayor Chris Young made the motion to approve the policies as written (handouts attached) with an Amendment to page 15 – Veteran - the description of a veteran will be changed to discharged or released under conditions other than dishonorable. Jimmy Williamson seconded the motion. All were in favor and the motion carried.

Ted Piazza asked if we were using the E-Verify system for our administrative procedures. We are not at this point but will be checking into this further and will make adjustments as needed.

Organization Updates:

Transfer of Direct Training and Related Staff Funding to DSCC- The State has advised LWDA 12 that the Board cannot monitor eligibility performed by DSCC prior to enrollment and the Board should not be involved in day-to-day activities of the American Job Center functions. To minimize liability and communication/involvement with the provider, the Board will transfer direct training funds to DSCC and only monitor after enrollment and payment to vendors and subcontractors. DSCC will be responsible for self-monitoring, as well as, monitoring of their subcontracts. Jimmy Williamson and Mayor Reasons said the initial liability should be DSCC since they will be the provider, stating that we cannot contract and be liable without communication and daily involvement. Margaret is reviewing the budget and has a meeting with DSCC to discuss the transition of funds. Due to the transfer of direct training fund responsibility, a full time Fiscal and part-time monitoring Board staff positions were eliminated and staff laid off. Funds will be moved to DSCC to hire a full-time Fiscal Coordinator and part-time Monitor. It is hopeful that the laid off staff will be hired by DSCC. Additionally, a full time IT staff position was eliminated

to provide funds for a part-time One-Stop Operator Assistant and maintain the part-time Public Information position at the Board.

Statewide Technical Assistance Meeting TDLWD- Margaret Prater, Jennifer Bane, Connie Stewart and Lana Wood attended this meeting. Sterling Van Der Spuy stated that WIOA is a target at the Congressional Level for funding cuts. In the meeting, there was a lot of talk about inaccurate reporting. The TDLWD Commissioner was very concerned and expressed the need to get the reporting right or there would be consequences. Margaret stated LWDA 12 is at about 35% on 40% Direct Participant rate which was good compared to several other areas. She also indicated our fiscal reporting was accurate and on time. There was also discussion on the following:

- Pre-Audit Reporting before the monitors come out – this will tell them what to look for;
- Role of the One Stop Operator- Board is to stay out of day-to-day business
- Comprehensive centers – must have Title I present and available at all times (8-4:30 M-F)
- Affiliate centers – the question regarding “posted hours” was not addressed. The state will follow-up.

Based on the number of centers and number of staff, the One-Stop Operator has expressed concern that we may need to reduce days/hours at some centers to meet the Title I requirement in the comprehensive centers. Margaret stated the TDLWD has implied on more than one occasion that we have too many centers in our area. She shared that her understanding was any offices that are open less than full-time (example - 3 days a week) would be considered Access Points and no infrastructure funds can be spent (rent, utilities, etc.) Margaret will prepare data for the Board committees to review to see if it is feasible to continue operating all eleven AJCs. She will also ask the One-Stop Operator for a recommendation.

Amendment to UI Reserve Agreement with DSCC – DSCC has requested an amendment to the agreement with DSCC for the transferred the Unemployment Insurance Reserve account, in the event the Northwest TN Workforce Board ceases to exist, that remaining funds be transferred back. Margaret has prepared the amendment as agreed to by Chairman Williamson and Mayor Reasons. DSCC will be responsible for appropriate disposition of any funds not utilized for UI for WIOA staff.

Other: SETA will be in Memphis in March. Due to budget restraints, Margaret and Gina Johnson- Financial Coordinator will attend as staff and County Executive Jeff Huffman on behalf of the Board and Local Elected Officials. No staff or board member are attending NAWB from our area.

Other: The February 2018, Board meeting will be held at the Elk’s Club in Trenton. The rent will be \$50. It was suggested to see if the facility could be donated.

Other: Brad Hurley asked where we are on the NCRC. Margaret said that we are only giving it on a limited basis for job orders requiring it, but WIOA funds cannot be utilized to pay for the test. Rita Alexander wrote a letter to the State about the NCRC and how valuable it is to employers. She has not heard back. Margaret said there is a group of Superintendents that are trying to get the NCRC in the High Schools.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Kimberly Simpson
Executive Secretary

Co-Enrollment of Customers

Purpose: This policy establishes guidelines for the provision of participant co-enrollment, according to program eligibility, and the Memorandum of Understanding, as a method to provide effective services by combining WIOA core programs and other resources, as appropriate.

Policy: WIOA includes the following core programs – Adult, Dislocated Worker, Youth (Title I); Adult Education and Literacy Activities (Title II); Wagner-Peyser (Title III); Vocational Rehabilitation Services (Title V); and Temporary Assistance for Needy Families (TANF). In addition, there are additional resources available through American Job Center partnerships. Co-enrollment of participants is necessary in order to leverage funding and provide services.

The initial assessment and case management will provide the basis for co-enrollment to meet individualized development plans for education, training and/or support service needs. If it is determined that an individual can benefit from co-enrollment in multiple programs, referral and joint case management should be conducted. Co-enrollment will normally be facilitated through enrollment in specific activities in the technology-enabled intake and case management system, Virtual One Stop (VOS); however, if the resource is not available to be captured via VOS as an enrollment activity, co-enrollment should be covered in case notes and/or funding agreements.

The One-Stop Operator will be responsible for providing specific procedures for co-enrollment between all partner programs.

Reference: 20 CFR 679.560(b)(2)(ii); WIOA Section 108(b)(21)

Related TDLWD Policy: Co-Enrollment of AJC Customers Policy (pages 3 and 5)

Conflict of Interest (Service Delivery)

Purpose: To ensure that individuals or representatives of organizations entrusted with public funds will not personally or professionally benefit from the award or expenditure of such funds. This policy is established to provide direction for sub-recipients, contractors, staff and board members of LWDA 12 Northwest TN Workforce Board to prevent actual, potential or questionable conflicts of interest.

Policy: The Workforce Innovation and Opportunity Act (WIOA) eligibility/intake forms must include the following disclosure statement for the customer and the certifying individual to sign:

Customer - My signature is a declaration that I am not related to, nor have a close personal acquaintance to the workforce staff member (Local elected officials, LWDB members, LWDB subcommittee members, WIOA executive staff and supervisor, WIOA employees, job center partner staff and WIOA sub-recipients and / or contractors) determining my eligibility for Workforce Innovation and Opportunity Act funding.

Certifying Individual - I understand my signature on this form is a declaration that I am a member of workforce staff (Local elected officials, LWDB members, LWDB subcommittee members, WIOA executive staff and supervisor, WIOA employees, job center partner staff and WIOA sub-recipients and/or contractors) and the customer I am determining eligibility and /or services for is not a relative or close personal acquaintance.

For the purpose of this policy, relative will be considered a parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, or other family member who resides in the same household. A close personal acquaintance is defined as a personal friend, personal friend's spouse or children, boyfriend / girlfriend and their children, and church or neighbors with whom you have a close relationship.

Reference: Title I of WIOA, Pub. L. 113-128; WIOA Section 107(c)(3)(A)(i); 20 CFR 683.400(c); 20 CFR 679.430; 20 CFR 679.410(a)(3) and 20 CFR 679.410(c); 20CFR 684.630(b)-(c); 29 CFR 97.36(b)(3); 20 CFR 683.200(c)(5)(i-iii) reference to 2 CFR 200.318.

Related TDLWD Policy: Workforce Services Policy – Conflict of Interest TN-WIOA (17-2)

Electronic Case Files

Purpose: To provide guidance regarding maintenance of records for a period of five (5) years and utilization of electronic records to reduce/keep paperwork to a minimum. (TDLWD effective 11-30-17)

Policy: The Jobs4TN electronic record system must be utilized to maintain all participant records, including creating participant applications, recording provided services, uploading supporting documentation to verify eligibility, and providing case notes regarding interaction with participants. All forms currently used during an individual's registration within an American Job Center, specifically following the Initial assessment, will be replaced by the use of Jobs4TN, whenever possible. All documents, with the exception of medical records containing protected health information (PHI) under the HIPAA Act of 1996, are required to be uploaded into VOS to validate data entered. Medical records should be maintained in a secure area and in paper format.

No images may be deleted from VOS without permission granted by the TDLWD. All records, electronic and paper, necessary to prepare reports and permit tracing of funds, must be maintained for five (5) years per TDLWD (3 years prior to 11-30-17). Data or information acquired for statistical purposes, shall not be disclosed in identifiable form for any other use, except with the informed consent of the respondent. Release forms, including release of educational records in compliance with the Family Educational Rights and Privacy Act, should signed and dated by the participant and case manager and uploaded into VOS. In accordance with Public Law 105-277 Title XVII Section 1707, Electronic records submitted or maintained in accordance with procedures developed under this title, or electronic signatures or other forms of electronic authentication, shall not be denied legal effect, validity, or enforceability because such records are in electronic form.

Reference: 20 CFR 37.39; WIOA Section 308(c)(2)(F)(ii)

Related TDLWD Policy: Electronic Case Files Guidance (pages 3 and 4)

Grievance and Complaint Resolution

Purpose: To establish a complaint and grievance policy for participants and other interested parties to address alleged violations of the requirements of Title I of WIOA.

Policy: The Northwest Tennessee Workforce Board Grievance and Complaint resolution is as follows:

NON-DISCRIMINATORY COMPLAINTS

This complaint procedure is limited to complaints and/or grievances that are non-discriminatory in nature. This procedure applies to LWDA 12's program participants, applicants, and service/training providers. In cases where discrimination is alleged, a different process is used, and the LWDA's Equal Opportunity Officer handles the complaint. Employee complaints will be addressed through procedures prescribed by the Employer of Record for Staff to the Board, Partners and Providers.

- 1) All complaints must be submitted in writing to the Executive Director at the Northwest Tennessee Workforce Board in the form of a letter via certified U.S. Mail to: Executive Director, 708 E. Court St., Dyersburg, TN 38024.
- 2) All complaints must include:
 - Name and address of complainant;
 - A description of the allegations, including any supporting documentation;
 - Settlement or corrective action desired by complainant;
 - If there are any witnesses, their names are included; and
 - Date of the incident (or time frame, if there is an occurrence over a period of time), and date of filing;
 - Describe attempts to resolve the issue of complaint;
 - Complaints must be submitted within 180 days of the date of the incident.
- 3) The Executive Director will provide written acknowledgement of receipt of complaint to complainant.
- 4) The Executive Director will launch an investigation.
- 5) The Executive Director will hold a formal verbal discussion with complainant within fifteen (15) working days of receipt of complaint.
- 6) The Executive Director will communicate a written decision to the complainant within ten (10) working days of the verbal discussion.
- 7) Should the complainant not be satisfied, the complainant may file a written appeal, prepared consistent with item #2 above, with the Board Chairman.
- 8) Upon receipt of an appeal, the Chairman will convene an ad hoc committee to review the appeal. The hearing will be limited to the original complaint and the complainant can choose to be represented by another individual, including legal counsel.
- 9) The committee will render a written decision to the complainant within five (5) working days of the hearing. If more time is required to reach a decision, the complainant will be notified in writing of the time by which a decision will be made.
- 10) For issues covered under this procedure, the decision of this committee may be appealed to the Tennessee Department of Labor and Workforce Development.
- 11) Copies of all appeals will be forwarded to the Employment and Training Administrator at the Tennessee Department of Labor and Workforce Development.
- 12) All files pertaining to complaints will be maintained not less than five (5) years, and will be available to all federal and state monitors.

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DISCRIMINATORY COMPLAINTS

The Workforce Innovation and Opportunity Act must comply with Title VI and VII of Civil rights Act of 1964, Title IX of the Education Amendment of 1972, section 504 of the Rehabilitation Act of 1973, Executive Order 11, 246 and the related regulations to each. The Northwest Tennessee Workforce Board assures that it will not discriminate against any individual because of race, religion, creed, color, sex, age, disability, national origin, political affiliation, or belief.

Further, the Northwest Tennessee Workforce Board agrees to take affirmative action to ensure that applicants are employed and the employees are treated equally during their employment without regard to race, religion, creed, color, sex, disability, or national origin and that such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection available to employees and applicants for employment.

Applicants/participants who feel that they have received unequal treatment should contact the Northwest Tennessee Workforce Board, LWDA 12 Equal Opportunity Officer, 731-286-3585, TDD 731-286-8383. Informal procedures will be initiated to resolve the applicant/participant's complaint. If these procedures do not resolve the issue to the applicant/partisan's satisfaction, the Equal Opportunity Officer will advise the applicant/participant of the formal complaint procedure as follows:

- It is against the law for the LWDA 12 - Workforce Board Office, a recipient of Federal financial assistance, to discriminate on the following basis;
- Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and
- Against any beneficiary of programs financially assisted under Title I of the Workforce Innovation and Opportunity Act (WIOA) on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his/her participation in any WIOA Title I - financially assisted program or activity.

The LWDA 12 - Workforce Board must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIOA Title I financially assisted program or activity;
- Providing opportunities in, or treating any person with regard to, such a program or activity; or
- Making employment decisions in the administration of, or in connection with such a program or activity.

If you think you have been subjected to discrimination under WIOA Title I – financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

U.S. Department of Labor

Director, Civil Rights Center
U.S. Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, D.C. 20210
202-693-6500
(TTY) 202-693-6516

Tennessee Department of Labor & Workforce

Development
Equal Opportunity Officer
220 French Landing Drive
Nashville, TN 37243
615-253-1331
(TDD) 615-532-2879

**Northwest Tennessee Workforce
Board**

Equal Opportunity Officer
708 E. Court Street
Dyersburg, TN 38024
731-286-3585
(TDD) 731-286-8383

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If you file your complaint with the LWDA 12 – Northwest Tennessee Workforce Board, you must wait either until the Workforce Board issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).

If the LWDA 12 - Workforce Board does not give you written Notice of Final Actions within 90 days of the day on which you filed your complaint, you do not have to wait for the Workforce Board to issue that Notice before filing a complaint with the CRC. However, you must file CRC complaint within 30 days of the 90-day deadline.

If the LWDA 12 - Workforce Board does give you written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

The LWDA 12 - Workforce Board is an Equal Opportunity Employer/Program; Auxiliary Aides are services are available upon request to individuals with disabilities.

Reference: 20 CFR 683.600(b)(1); 20 CFR 683.600(c); 29 CFR 38.1

Related TDLWD Policy: Grievance Policy (pages 3 and 7)

Individual Training Account

Purpose: To establish a policy for use of Individual Training Accounts (ITAs) for in-demand occupations.

Policy: An Individual Training Account (ITA) voucher may be available to provide funding for WIOA eligible adults, dislocated workers and out of school youth, observing Priority of Service policies, who have completed an assessment and been determined to need in-demand occupational skills training to become gainfully employed.

The Northwest Tennessee Workforce Board limits ITAs to programs on the WIOA Eligible Training Provider List that lead to a credential in a period of 2 years or less, including Challenge/CLEP tests, when appropriate. ITA funding is for unmet need for training and/or support services costs not covered by other federal or State financial aid. WIOA funds are considered "last dollar". ITA funding is authorized per training term (quarter, semester, trimester, etc.), with subsequent terms authorized after successful completion of the previous term. The ITA is limited to \$3,000 per year, for two years, with total cost limited to \$6,000 during participation in the WIOA program (approved effective 11-13-12).

The One-Stop Operator may file an appeal with the NWTNWB Executive Director for additional time/funding for the participant for extenuating circumstances that prohibit successful completion.

A Needs Assessment/Financial Aid Worksheet, identifying costs and financial aid information, and staff authorizing the ITA, must be completed prior to authorizing funding. The AJC staff should provide career guidance; however, the participant's choice for a training provider must be observed.

Reference: 20 CFR 680.320(a)(3); 20 CFR 680.340(f); WIOA Section 122(d)

Related TDLWD Policy: AJC Individual Training Account Use Guidance (pages 1 and 2-3)

Initial Assessment

Purpose: To establish guidance for effective initial assessment of American Job Center job seeker customer.

Policy: All individuals seeking American Job Center services, beyond self-service, are required to have an initial assessment. An initial assessment identifies a participant's knowledge, skills, abilities, and barriers to employment in support of an employment goal. A thorough initial assessment will provide sufficient information about the participant's current situation which staff will use to create a service plan, including making appropriate referrals to partners and service providers. The initial assessment will include, at a minimum, the determination of:

- If the participant is job ready or not
- Any barriers to employment the participant may have
- Participant's skills, abilities, and interests
- Participant's goals – employment and/or pursuit of training or education
- Next steps, which may include comprehensive assessments and development of an individual employment plan
- Appropriate referrals to partner agencies for education, training and supportive service needs
- The need for co-enrollment in multiple programs

The initial assessment should be conducted as a part of the welcome function on the day a participant receives their first service from staff. All AJC participants should receive an initial assessment, utilizing the Evaluation of Service Need form, unless the staff member determines that it is appropriate to use a recent interview, evaluation or assessment of the participant conducted pursuant to another education or training program. Assessments should be uploaded into the participant's Jobs4TN file if possible, or case noted when a paper assessment is not utilized.

The One-Stop Operator will ensure that all partner programs and staff in the American Job Center adhere to the initial assessment policy/process.

Reference: WIOA Section 129(c)(1)(A); WIOA Section 124 (c)(2)(A)(iii)

Related TDLWD Policy: AJC Initial Assessment Guidance (pages 2-3 and 4)

Priority of Service

Purpose: To provide guidance to the One-Stop Operator and American Job Center Service Providers for implementation of a priority of service for WIOA Title I Adult program participants that focuses on serving “individuals with barriers to employment” and seeks to ensure access to quality services for these populations, including individuals both underemployed and low-income.

Policy: Per TEGL 19-16, Section 134(c)(3)(E) of WIOA, with respect to funds allocated to a local area for Adult employment and training activities, priority must be given to recipients of public assistance, other low income individuals, and individuals who are basic skills deficient for receipt of Individualized Career Services and Training Services. Also per TEGL 19-16, Veterans and eligible spouses continue to receive priority of service for all DOL-funded job training programs, which include WIOA programs. However, as described in TEGL 10-09, when programs are statutorily required to provide priority for a particular group of individuals, such as the WIOA priority described above, priority must be provided in the below manner:

1. Priority Group # 1 - Veterans and eligible spouses who are also recipients of public assistance, low income, or basic skill deficient.
2. Priority Group # 2 - Non-Veterans who are recipients of public assistance, low income, or basic skill deficient.
3. Priority Group # 3 - Veterans and eligible spouses who are not also recipients of public assistance, low income, or basic skill deficient.
4. Priority Group # 4 – Priority groups established by the Governor and/or Local Board. Per TN Department of Labor and Workforce Development (TDLWD) Workforce Services Guidance – WIOA Memorandum of Understanding (MOU) / One-Stop Service Delivery and Infrastructure Funding Agreement (IFA), the following demographics experiencing barriers to employment are specifically targeted for services and must be provided priority for training activities as Priority Group # 4:
 - Individuals with significant barriers to employment
 - Displaced homemakers
 - Eligible migrant and seasonal farmworkers
 - Re-entry services
 - Homeless individuals
 - Individuals facing substantial cultural barriers
 - Individuals with disabilities, including youth with disabilities
 - Individuals within two years of exhausting lifetime eligibility under Part A of the Social Security Act 13
 - Individuals who are English language learners
 - Individuals who are unemployed, including the long-term unemployed individuals who have low levels of literacy
 - Individuals without a high school diploma
 - Low Income individuals (including TANF and Supplemental Nutrition Assistance Program [SNAP] recipients)
 - Native Americans, Alaskan Natives, and Native Hawaiians
 - Older individuals
 - Single parents (including single pregnant women and non-custodial parents)
 - Veterans
 - Youth who are in, or have aged out of, the foster care system
5. Priority Group # 5 - Non-covered persons outside the groups given priority under WIOA or TDLWD policy.

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In order to appropriately serve priority populations as described above, LWDA12 will provide appointments accordingly within the timeframes described below:

Priority Group # 1 - the first available appointment, but no longer than three (3) working days.

Priority Group # 2 - the first available appointment, but no longer than four (4) working days.

Priority Group # 3 - the first available appointment, but no longer than five (5) working days.

Priority Group # 4 - the first available appointment, but no longer than six (6) working days.

Non-covered persons outside the groups given priority under WIOA or TDLWD policy will be scheduled at the first available appointment, subject to currently scheduled PRIORITY appointments.

The One-Stop Operator will be responsible for assuring that the AJC staff are aware of, promote, and comply with the Priority of Service policy.

Reference: WIOA Section 134(c)(3)(E); 20 CFR 680.640; TEGL 19-16; WIOA Section 134(d)(4)(E); WIOA Section 3(24); WIOA Section 3(5)(B); WIOA Section 3(36); WIOA Section 134(c)(3)(E);

Related TDLWD Policy: Workforce Services - Adult Priority of Services Guidance (pages 1,4, and 5); Workforce Services Guidance - Income Guidelines for Persons Defined as Low-Income Individuals; Workforce Services Policy – Veterans and Eligible Spouse Priority of Services (17-05).

Supportive Services

Purpose: To provide policy for providing supportive services for eligible participants.

Policy: The Northwest TN Workforce Board, through the regional planning process and in compliance with TDLWD policy, recognizes that Supportive Services are limited and must be leveraged with other local and state resources. Supportive services should only be provided when the services are not available elsewhere, since WIOA is considered funding of last resort. Supportive Services are not entitlements and must be supported by demonstration of financial need. The participant's need for services will be documented in the case file; participants enrolled in individualized career or training services and must demonstrate need in the Individual Employment Plan or Individual Service Strategy. When multiple options are available for receiving supportive services, documentation must show a reasonable effort was made to determine and choose the lowest, competitively priced service available. The One-Stop Operator and Service Providers shall ensure procedures are in place to coordinate support services through community partner referral to avoid duplication for the following:

- linkages to community services;
- assistance with childcare and dependent care;
- assistance with housing;
- reasonable accommodations for youth with disabilities;
- legal aid services;
- referrals to healthcare;

The following support services will be paid through the Individual Training Account on behalf of the participant, directly by the service provider, or as a reimbursement to the participant, depending on the needs of the participant. Duration is limited to approved terms of participation in occupational skill training. Amounts are limited to actual cost, subject to maximum limitations set out in policy.

- assistance with uniforms or other appropriate work attire and work-related tools, including such items as eye glasses and protective eye gear;
- assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes;
- assistance with educational testing;
- payments and fees for employment and training-related applications, tests and certifications.
- Work related support service up to \$300 one time only payment for uniforms, drug screens, background checks, supplies, etc. needed to be successful in work experience activities.

The following support services will be paid directly to the participant. Duration is limited to approved terms of participation in occupational skill training or first 30 days of employment related activities.

- Transportation assistance

LWDA 12 will provide transportation assistance for an eligible WIOA participant attending an LWDA 12 approved training provider and program for occupational skills training or for Out-of-School youth to the worksite for the first 30 days of employment. The transportation assistance will be paid through a stipend payment paid at intervals consistent with the training provider terms or a one-time only

payment for Out-of-School youth in work experience. Out of School Youth who transitioned from an In-School Youth Program and choose a University Parallel program of study may receive support services, including transportation assistance, in order to complete the goals established in the individual service strategy. Subsequent ITA funding will require the participant, program and provider to meet all local/state criteria.

The payment will be based on \$.10 per mile one-way unit per day (converted to roundtrip). Participants receiving transportation assistance from another organization (i.e. Workforce Essentials) are not eligible to receive a full transportation stipend from WIOA. As last dollar funds, all other programs must pay first before WIOA funds can be authorized.

In the event that a participant is receiving travel funding from another program, the total amount anticipated to be received in transportation assistance from the other agency must be deducted from the transportation assistance amount WIOA expects to pay.

To be eligible for this stipend, one must be in good standing and making satisfactory progress, be a fulltime student with no more than 1/2 of the credit hours being for remedial / developmental classes (Adults and Dislocated Workers ONLY - does not apply to Youth), must not drop or be removed from a course without notifying and providing needed information to the WIOA staff member regarding this action, etc.

Participants may receive a travel stipend for the first 30 days of a work experience activity to offset their gas expenses until they have received one month of pay, at which time, they should have been able to budget money out of their paychecks to pay for their own gas expenses.

- Needs-related payments (currently suspended due to funding limitations)

Needs-related payments provide financial assistance to participants for the purpose of enabling them to participate in training and are a supportive service authorized by WIOA sec. 134(d)(3). Unlike other supportive services, in order to qualify for needs-related payments a participant must be enrolled in training. Needs-related payments may be paid while a participant is waiting to start training classes if the participant has been accepted in a training program that will begin within 30 calendar days. The Governor may authorize local areas to extend the 30-day period to address appropriate circumstances.

Eligibility Criteria In order to be eligible for needs-related payments:

Adults must:

- (a) Be unemployed;
- (b) Not qualify for, or have ceased qualifying for, unemployment compensation; and (c) Be enrolled in a program of training services under WIOA sec. 134(c)(3).

Dislocated Workers must:

- (a) Be unemployed, and:
 - (1) Have ceased to qualify for unemployment compensation or trade readjustment allowance under TAA; and
 - (2) Be enrolled in a program of training services under WIOA sec. 134(c)(3) by the end of the 13th 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 8th week after the worker is informed that a short-term layoff will exceed 6 months; or

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(b) Be unemployed and did not qualify for unemployment compensation or trade readjustment assistance under TAA and be enrolled in a program of training services under WIOA sec. 134(c)(3).

Level of Needs-Related Payments Per § 680.970, the level of needs-related payments is determined as follows:

- (a) The payment level for Adults must be established by the Local WDB.
- (b) For Dislocated Workers, payments must not exceed the greater of either of the following levels:
 - (1) The applicable weekly level of the unemployment compensation benefit, for participants who were eligible for unemployment compensation as a result of the qualifying dislocation; or
 - (2) The poverty level for an equivalent period, for participants who did not qualify for unemployment compensation as a result of the qualifying layoff. The weekly payment level must be adjusted to reflect changes in total family income, as determined by Local WDB policies.

Methodology - The Northwest TN Workforce Board has authorized weekly needs-based payments for Adults and Dislocated Workers based on the amount needed for the participant and his / her family to reach the poverty level for the family size, to be adjusted as family income changes, and not to exceed:

- (a) The maximum weekly unemployment compensation benefit amount of \$275 for individuals who have not been determined eligible to receive unemployment benefits.
- (b) The applicable weekly level of the unemployment compensation benefit, for participants who were eligible for unemployment compensation as a result of the qualifying dislocation.

Example: An applicant is made eligible as an Adult participant as part of a family of four in accordance with the guidelines set forth in the Eligibility Manual. The participant's total family income is \$15,575 per year. The family income is deducted from the poverty level for the family size and converted to weekly rate for needs-related payments as shown below.
\$24,300 per year (Poverty Level for a Family of 4) - \$15,575 per year (Total Annual Family Income) \$8,725 per year (Amount Needed per Year)

$\$8,725 \text{ per year} / 52 \text{ Weeks per Year} = \$167.79 \text{ Needed per Week}$

The participant is eligible to receive the full \$167.79 per week since it is less than the maximum weekly unemployment benefit of \$275, and the individual has not drawn unemployment.

The One-Stop Operator may grant exceptions to the limits established for supportive services by submitting a written request and documentation to the Executive Director of the Northwest TN Workforce Board.

Reference: 20 CFR 680.900; 20 CFR 680.970; 20 CFR 681.570; WIOA Section 106(c)(1)(F)

Related TDLWD Policy: LWDA Supportive Services Guidance 5-8-17 (pages 2 and 4)

Verifying Identity and Employment Eligibility

Purpose: To establish the requirement for verification of employment eligibility for citizens and non-citizens employed with Workforce Innovation and Opportunity Act funds.

Policy: Prior to enrollment in WIOA employment services, such as work experience, a citizen or non-citizen must provide documentation to the employer of record that he/she is allowed to work in the United States. The Employment Eligibility Verification form, commonly referred to as the I-9 Form, must be completed prior to beginning employment. The I-9 form is a United States Citizenship and Immigration Services document used by employers to verify an employee's identity and establish that the worker is eligible to accept employment in the United States. The I-9 form may be accessed at <https://www.uscis.gov/i-9>. Instructions for completion of the form and required documentation can be found at <http://www.justice.gov/crt/file/798276/download> - "Guidance for Employers Conducting Internal Employment Eligibility Verification Form I-9". Required documentation to verify employment eligibility must be uploaded to the participant's Virtual One-Stop (VOS) file for monitoring and audit purposes.

Reference: 20 CFR 681.210(a); WIOA Section 188(a)(5) These Federal References demonstrate any individual is eligible to receive American Job Center services if they: are at least 16 years of age, and are able to legally work in the United States

Related TDLWD Policy: Verifying Identity & Employment Eligibility Guidance (pages 2 and 3)

Veterans and Eligible Spouse Priority of Services

Purpose: To establish policy and guidelines to ensure that veterans and eligible spouses are identified at the “point of entry” and informed of their entitlement to priority of AJC services.

Policy: American Job Centers, under the direction of the One-Stop Operator, must ensure that veterans and eligible spouses are identified at the “point of entry” (reception area, resource area, web-sites, Self-Services and Informational bulletin boards, etc.), and informed of their entitlement to priority of services.

Procedure to ensuring the priority of service

- Displaying signs that clearly describe the priority of services and the registration process. This information must also be conveyed when veteran and eligible spouse access services electronically or by telephone
- If a person self identifies as a veteran, or other eligible person, immediate priority of service is required.
- Identifying veterans and other covered persons using Military Service Form LB-1118 (April 2016) when they visit service delivery points
- It is neither necessary nor appropriate to require verification of the status of a veteran or other eligibility at the point of entry.
- Coordinating employer outreach development activities with related responsibilities of the Local Veterans Employment Representative (LVER) staff
- Identifying employers who are interested in hiring veterans
- Promoting job fairs for veterans and eligible spouses
- Monitoring the priority of services will be done at the point of entry and during training and employment services.

The LWDA 12 Priority of Services Policy identifies veterans and eligible spouses as category #1 and #3 for priority of services in accordance with the following definitions (TDLWD 17-5):

- A Veteran is a person who has served at least one day of active duty in the military, naval or air service, and who was discharged or released from such service with other than a dishonorable discharge.
- An Eligible Spouse (must meet one qualification):
 - A spouse of any veteran who died of a service connected disability
 - A spouse of 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:
 - Missing in action
 - Captured in the line of duty by a hostile force, or
 - Forcibly detained or interned in the line of duty by a foreign government or power

A spouse of a veteran who has a total disability resulting from a service connected disability, as evaluated by the department of Veterans Affairs

A spouse of any veteran who died while a disability was in existence.

NOTE: A spouse will lose eligibility if it is derived from a living veteran, or a service member, who loses their status which made them eligible. Such a situation would be: if a veteran, with a total service-connected disability, were to receive a revised-disability rating at a lower level. Similarly, a spouse whose eligibility is derived from a living veteran or service member, would lose that eligibility upon a divorce from that veteran or service member. To further clarify, the spouse of a veteran who died of a

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service-connected disability, or died while a disability was in existence, would not lose covered status through subsequent remarriage.

Reference: 20 CFR 680.650

Related TDLWD Policy: Veterans and Eligible Spouse Priority of Service Policy 17-5 (pages 3 and 4)

Work-Based Training

Purpose: To establish policy and guidance for the offering of work-based learning activities with WIOA funding.

Policy: The Northwest TN Workforce Board offers various opportunities for Work-Based Learning, including On-the-Job Training, Work Experience, Transitional Jobs, Apprenticeships and Incumbent Worker Training.

CONTRACTS AND AGREEMENTS

Work-based opportunities will include an agreement (contract) with the employer and a training plan for the employee. The contract must include the requirements of WIOA rules and regulations, the type of occupation and skills, the competencies to be learned, and the length of training that will be provided. All contracts/agreements for work-based learning will be in an approved format in accordance with Northwest TN Workforce Board guidance and include the following:

- Basic Program description
- Cost Per Participant (varies by activity; subject to Northwest TN Workforce Board policy)
- Appropriate goals for the participant and/or employer.
- The contract awarded will be cost reimbursement. No expenses are reimbursable until a contract has been fully executed (signed by all parties) and, all participant data has been submitted and deemed eligible.

Additionally, work-based learning activities will comply with the following:

- All necessary information about a work-based participant and employer must be properly recorded in the Jobs4TN (VOS) system. Work-based training expenses must be reported by Service Providers on a timely basis to ensure the Northwest TN Workforce Board can properly report the expenditures in the Grants4TN system.
- Contracts for Work-based training must be monitored at least once by the Service Provider as the contracting authority. Monitoring will be based on the contract agreement and may be performed by the contract manager or another position. If the Work-based training is for reimbursement of wages, the employer must submit the following for review:
 - Invoice form;
 - Payroll records showing the gross wages paid to the trainee;
 - Time records showing actual hours worked;

Onsite monitoring visits should be conducted by the Service Provider shortly after the trainee begins work, and include additional visits at appropriate intervals (determined by the length of the training plan). Effective monitoring also includes desk review of correspondence from the employer, including payment invoices and required documentation to support those invoices. The Service Provider must regularly review each trainee's progress in meeting program and service strategy objectives. Such strategies should include the trainee's acquisition of basic/occupational skills and the adequacy of supportive services provided as related to work-based training. Any deviation from the work-based training contract should be dealt with and documented promptly.

Monitoring at the Northwest TN Workforce Board, State, and Federal level will include a review of the Service Provider's monitoring and oversight of participant training and corresponding employer payroll records, as well, as a review of how work-based activities align with and are facilitating the progress of career pathway strategies outlined in the local plan.

BUSINESS ELIGIBILITY CRITERIA

Businesses classified as a Tennessee for-profit business or, not-for-profit business with a presence in accordance with Federal, State and Local law, and in business for at least 120 days. Further, the employer must meet the following requirements:

- Be registered with Internal Revenue Service (IRS), have an account with Unemployment Insurance, and carry workers' compensation insurance (Federal Register Vol. 81, No. 161, Page 56117) and be current on all local, state and federal tax obligations.
- Be financially solvent and have an adequate payroll recordkeeping system that tracks hours worked, gross pay, deductions, and net pay.
- Must not appear on any federal suspension or debarment list.
- Agreements will not displace any currently employed worker (WIOA Section 181[b][2][A]).
- Agreements will not be made with an employer who has terminated any regular employee, or otherwise reduced the workforce, in order to hire an OJT employee.
- No contract may be written with a company that has relocated (for the first 120 days after beginning operations) if the move has resulted in any employee job losses at the original location (WIOA Section 181[d][2]).
- To verify that the relocation has not resulted in a loss of employment, WIOA program staff and the OJT employer must complete a Standardized Pre-Award Review.
- The employer must not currently be involved in a labor dispute or have workers currently in a layoff status. (20 CFR 680.840)
- Employees may not work on construction, maintenance, or operation of any facility that is used for sectarian activities. (WIOA Section 188[a][3])
- The prospective employers must not meet the existing "pattern of failing to provide OJT participants with continued long-term employment as regular employees with wages and employment benefits". (20 CFR 680.700[b])
- The Employer must not illegally discriminate in training or hiring practices because of race, color, sex, national origin, religion, disability, political beliefs or affiliation, or age
- Training for employees must be in an in-demand industry as determined by the Northwest Tennessee Workforce Board and/or its' Service Provider
- Training will benefit employees by increasing opportunity for learning new skills, gaining experience, retention, advancement, credentials or wages.
- Training will benefit the employer by providing assistance with training employees, which may result in saving jobs or preventing layoffs, enhance process improvement, or improve the overall competitiveness of the employer.

GENERAL PARTICIPANT ELIGIBILITY

Work-based training opportunities must be identified as an appropriate activity for program participants on the Individual Employment Plan (IEP) or Individual Service Strategy (ISS). IEPs or ISSs, and/or case notes, will specify goals of the work-based training activity by identifying the purpose of the activity and expected outcomes. The Local Workforce Development Area 12 Priority of Service Policy will be adhered to in determining participants eligible to participate in work-based training. In addition, the participant must be:

- A U.S. citizen or individual legally entitled to work in the U.S.
- Age 18 or older* (exception may be made for Eligible WIOA Youth)
- Registered for the Selective Service unless an exception is justified (Selective Service requires registration of all males who are 18 or older and born on or after January 1, 1960)

INCUMBENT WORKER TRAINING

The term “incumbent worker training” (IWT) means training that is — 1. Designed to meet the specific requirements of an employer (including a group of employers); and 2. Conducted with a commitment by the employer to continue to employ an individual upon successful completion of training. IWT may be used to help avert potential layoffs, or to increase the skill levels of employees so they can be promoted within the company and create backfill opportunities for the employers. Under WIOA Section 134(d)(4)(A)(i) of WIOA, LWDBs can use up to twenty percent (20%) of their adult and dislocated worker formula funds to provide for the Federal share of the cost of providing incumbent worker training. To be eligible a participant must be employed the employer receiving the grant. The Employer is required to match requested training costs. Percentage of match is based on the size of the company, in accordance with Tennessee Department of Labor and Workforce Development policy.

ON-THE-JOB TRAINING

On-the-job Training (OJT) is a form of work-based training provided to an eligible WIOA participant upon entry into employment and while engaged in paid work. OJTs address specific gaps in the trainee’s knowledge or skills that are inhibiting their ability to perform assigned duties fully and adequately and provides reimbursement to the employer of up to 50 percent of the wage rate of the participant for the extraordinary costs of providing the training and additional supervision related to the training. In order to participate in OJT, a participant must be a new hire in the employer position.

The Employer will be reimbursed up to 50% of participant wages upon completion of a designated training period not to exceed the Specific Vocational Preparation (SVP) level, taking in to account the prior education, training, work experience and the service strategy of the participant, as appropriate. Further, the Employer must not have exhibited a “pattern of failing to provide OJT participants with continued long-term employment as regular employees with wages and employment benefits”.

REGISTERED APPRENTICESHIP

A Registered Apprenticeship (RA) is an “earn and learn” training model that combines structured learning with on-the-job training from an assigned mentor. The goal is to provide workers with advanced sets of skills that meet the specific needs of employers. Upon completion of a RA program, participants receive an industry issued, postsecondary credential that certifies occupational proficiency. This credential is also portable (see WIOA Section 122[a][2][A]). Local areas may also include support services, in coordination with career and or training services, to participants in an RA program in accordance with supportive services consistent with WIOA Section 134(d)(2), TEGL 19-16, and local policies. To be eligible a participant must be selected by the employer to participate in a Registered Apprenticeship program (included on the WIOA Eligible Training Provider List), which may include participation in a pre-apprenticeship program.

- A Pre-apprenticeship is a program or set of strategies designed to prepare individuals to enter, and succeed in, registered apprenticeship programs. These programs have a documented partnership with at least one registered apprenticeship program sponsor. Pre-apprenticeship programs expand the participant’s career pathway opportunities by combining industry-based training and classroom instruction.

TRANSITIONAL JOBS

The local area may use up to 10% of their combined total of Adult and Dislocated Worker allotments for transitional jobs as described in WIOA Sec. 134(d)(5). A transitional job is one that provides a time-limited work experience, that is subsidized in the public, private, or non-profit sectors for those individuals with barriers to employment who are chronically unemployed or have an inconsistent work history. Transitional jobs must be combined with comprehensive career and support services and are designed to enable an individual to establish a work history, demonstrate work success in an employee-employer relationship, and develop the skills that lead to entry into and retention in unsubsidized employment. Unlike an On-the-Job Training (OJT) contract, there is no expectation that the individual will continue his or her hire with the employer after the work experience is complete; however, employers are encouraged to consider establishing an OJT contract and ultimately employment for individuals participating in transitional jobs as part of a *Ready, Set, Hire* approach to hiring job seekers to fulfill their human resource needs.

The *Ready, Set, Hire* approach allows a job seeker and employer to mutually benefit from the combined offerings of:

- **Ready - Transitional Job** Up to 320 hours of subsidized employment through a transitional job based on the job seeker's needs as documented on the Individual Service Strategy (ISS). The job seeker's employment is subsidized through the WIOA Adult or Dislocated Worker program at no cost to the employer. The job seeker will be paid through the program at the higher of 80% of the starting rate of the position being performed or minimum 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 transitional job ($\$10.00 \times 0.8 = \8.00 per hour).

Note: The Director may approve work experience through a transitional job beyond 320 hours on a case-by-case basis as needed based on the job seeker's need as documented on the ISS.

- **Set - OJT Position** Up to 320 hours of employment through an OJT grant, based on the job seeker's needs as documented on the ISS and the training needs of the position as demonstrated by the Specific Vocational Preparation (SVP) level of the position. Employers may be reimbursed up to 50% of an eligible OJT participant's wages for the completion of the specified training period in accordance with the guidelines set forth in the Business Services Manual, OJT Assurances, and OJT Needs Assessment.
- **Hire!** Employers are encouraged to consider hiring participants who successfully complete a Transitional Job, with or without an OJT contract. Participants on an OJT contract are employees of the business and are expected to be retained upon the successful completion of the training period. Employers may qualify for a Work Opportunity Tax Credit ranging from \$1,200 to \$9,600 for hiring individuals with barriers who are considered a member of a qualified targeted group.

Eligibility Criteria - In order to be eligible for a transitional job, applicants must:

- Be determined eligible as an Adult or Dislocated Worker in accordance with the guidelines set forth in the Eligibility Manual.
- Have a barrier(s) to employment as documented by being a member of 1 or more of the following populations in accordance with the guidelines set forth in the Eligibility Manual:
 - Displaced homemakers.
 - Low-income individuals.

- Indians, Alaska Natives, and Native Hawaiians, as such terms are defined in section 166.
- Individuals with disabilities, including youth who are individuals with disabilities.
- Older individuals.
- Ex-offenders.
- Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), or homeless children and youths (as H. R. 803–10 defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))).
- Youth who are in or have aged out of the foster care system.
- Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers.
- Eligible migrant and seasonal farmworkers, as defined in section 167(i).
- Individuals within 2 years of exhausting lifetime eligibility under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).
- Single parents (including single pregnant women).
- Long-term unemployed individuals (i.e. individuals who have been unemployed 27 weeks or longer).
- Such other groups as the Governor involved determines to have barriers to employment.
- Be chronically unemployed or have an inconsistent work history, as defined by the LWDB in accordance with § 680.190, and documented in the work history section of the Application and Eligibility Form. Taking into consideration an individual's labor market history, unemployment status, durations of unemployment, and long-term unemployment status, the Northwest TN Workforce Board has determined individuals to be chronically unemployed or to have an inconsistent work history if they meet one or more of the following items:
 - Currently unemployed and have been unemployed for 27 weeks or longer (long-term unemployed).
 - Currently unemployed for less than 27 weeks but have had at least one period of unemployment for 27 weeks or longer within the last 5 years.
 - Two or more significant (13 weeks or longer) gaps in employment within the last five years.
 - Five or more position changes within the last three years.
 - Three or more gaps in employment within the last three years.
 - Have been incarcerated within the last 10 years.
- Receive appropriate Basic and / or Individualized Career Services to prepare for a successful entry into and retention in a transitional job and ultimately unsubsidized employment as documented on the ISS.
- Receive support services in order to be able to participate in a transitional job and ultimately unsubsidized employment. Support services for transitional jobs include:
- A one-time only payment, up to \$300.00, for work-related items such as appropriate work attire, uniforms, tools, medical physicals, back ground checks, drug screens, industry certifications if not covered by an ITA, driver's license, etc. The items will be purchased by a program staff person on behalf of the participant in accordance with applicable purchasing policies.
- Transportation assistance to the worksite for the first 30 days of employment. The transportation assistance will be paid as a one-time only payment based on the participant's work schedule and mileage from home to the worksite, just as a Youth in Work Experience in accordance with the guidelines set forth in the Youth Services Contracting Manual.

WORK EXPERIENCE

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]). 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.

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); WIOA Section 181(b)(2)(A); WIOA Section (d)(2); WIOA Section 188(a)(3)

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

Youth Eligibility – Special Eligibility Definition

Purpose: To establish policy to define “requires additional assistance to enter or complete an educational program, or to secure or hold employment” and Youth Self-Sufficiency.

Policy: The Northwest TN Workforce Board, in consultation with the Chief Local Elected Officials, has adopted the TDLWD criterion for Youth- “requires additional assistance to enter or complete an educational program, or to secure or hold employment” as follows:

REQUIRES ADDITIONAL ASSISTANCE for Out-of-School Youth:

- a. Has dropped out of post-secondary educational program during the past calendar months; or
- b. Has a poor work history, to include no work history, or has been fired from a job in the last 6 calendar months; or
- c. Has previously been placed in out of home care (foster care, been suspended from school at least within the last 12 calendar months); or
- d. Has below average grades; or
- e. Has been previously placed in out-of-home care (foster care, group home, or kinship care) for more than 6 months between the ages of 14-21; or
- f. Has currently incarcerated parent(s) or guardians

REQUIRES ADDITIONAL ASSISTANCE for In-School Youth:

- a. Has poor attendance patterns in an educational program during the last 12 months; or
- b. Has been expelled from school within the last 12 calendar months; or
- c. Has been suspended from school at least within the last 12 calendar months; or
- d. Has below average grades; or
- e. Has been previously placed in out-of-home care (foster care, group home or kinship care) for more than 6 months between the ages of 14-21; or
- f. Currently incarcerated parent(s) guardian

SELF-SUFFICIENCY:

The term “below self-sufficiency”, is used with respect to –

(A) An Adult, Youth or Dislocated Worker (age 18 or older) whose own income is less than 200% of the poverty level or lower living standard income level; or,

(B) An Adult, Youth or Dislocated Worker (age 18 or older) whose own income is more than 200% of the poverty level; however, in relationship to family size, his/her family income is less than 175% of poverty level or lower living standard income level.

(C) An Adult, Youth or Dislocated Worker (age 18 or older) who meets the definition of unemployed.

(D) An Adult, Youth or Dislocated Worker (age 18 or older) who meets the definition of low income.

The Northwest TN Workforce Board will provide an updated Self-Sufficiency Chart upon receipt of TDLWD issuance of Poverty Guidelines. The chart utilized for determination of eligibility should be uploaded into VOS for criteria (A) and (B).

NORTHWEST TENNESSEE WORKFORCE BOARD PROGRAM POLICY

| PROPOSED SELF-SUFFICIENCY CHART | | | | Effective as of 07/01/2017 | |
|--|--|---------|-------------------|-----------------------------------|-------------|
| | | | | | |
| | Non-Metro | | | | |
| Family | Higher of Poverty | | | | |
| Size | or LLSIL | Percent | Annualized Income | Weekly Earnings | Hourly Wage |
| 1 | \$ 12,060.00 | 200% | \$ 24,120.00 | \$ 463.85 | \$ 11.60 |
| 2 | \$ 16,240.00 | 175% | \$ 28,420.00 | \$ 546.54 | \$ 13.66 |
| 3 | \$ 20,420.00 | 175% | \$ 35,735.00 | \$ 687.21 | \$ 17.18 |
| 4 | \$ 25,197.00 | 175% | \$ 44,094.75 | \$ 847.98 | \$ 21.20 |
| 5 | \$ 29,734.00 | 175% | \$ 52,034.50 | \$ 1,000.66 | \$ 25.02 |
| 6 | \$ 34,773.00 | 175% | \$ 60,852.75 | \$ 1,170.25 | \$ 29.26 |
| 7 | \$ 39,812.00 | 175% | \$ 69,671.00 | \$ 1,339.83 | \$ 33.50 |
| 8 | \$ 44,851.00 | 175% | \$ 78,489.25 | \$ 1,509.41 | \$ 37.74 |
| 9 | \$ 49,890.00 | 175% | \$ 87,307.50 | \$ 1,678.99 | \$ 41.97 |
| 10 | \$ 54,929.00 | 175% | \$ 96,125.75 | \$ 1,848.57 | \$ 46.21 |
| 11 | \$ 59,968.00 | 175% | \$ 104,944.00 | \$ 2,018.15 | \$ 50.45 |
| 12 | \$ 65,007.00 | 175% | \$ 113,762.25 | \$ 2,187.74 | \$ 54.69 |
| | | | | | |
| | Metro - Crockett and Tipton County Only | | | | |
| Size | or LLSIL | Percent | Annualized Income | Weekly Earnings | Hourly Wage |
| 1 | \$ 12,060.00 | 200% | \$ 24,120.00 | \$ 463.85 | \$ 11.60 |
| 2 | \$ 16,240.00 | 175% | \$ 28,420.00 | \$ 546.54 | \$ 13.66 |
| 3 | \$ 20,727.00 | 175% | \$ 36,272.25 | \$ 697.54 | \$ 17.44 |
| 4 | \$ 25,588.00 | 175% | \$ 44,779.00 | \$ 861.13 | \$ 21.53 |
| 5 | \$ 30,201.00 | 175% | \$ 52,851.75 | \$ 1,016.38 | \$ 25.41 |
| 6 | \$ 35,321.00 | 175% | \$ 61,811.75 | \$ 1,188.69 | \$ 29.72 |
| 7 | \$ 40,441.00 | 175% | \$ 70,771.75 | \$ 1,361.00 | \$ 34.02 |
| 8 | \$ 45,561.00 | 175% | \$ 79,731.75 | \$ 1,533.30 | \$ 38.33 |
| 9 | \$ 50,681.00 | 175% | \$ 88,691.75 | \$ 1,705.61 | \$ 42.64 |
| 10 | \$ 55,801.00 | 175% | \$ 97,651.75 | \$ 1,877.92 | \$ 46.95 |
| 11 | \$ 60,921.00 | 175% | \$ 106,611.75 | \$ 2,050.23 | \$ 51.26 |
| 12 | \$ 66,041.00 | 175% | \$ 115,571.75 | \$ 2,222.53 | \$ 55.56 |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Reference: WIOA Section 107(d)(5)

Related TDLWD Policy: Youth Eligibility Policy (page 1)

Policy - Property Management

Purpose: To establish a Property Management Policy.

Policy: The Northwest TN Workforce Board has established Property Management policies for Procurement, Contract Administration, Conflict of Interest – Code of Conduct, and Property Inventory Systems as follows:

PROCUREMENT

The Northwest Tennessee Workforce Board (NWTNWB), the fiscal agent for Local Workforce Development Area (LWDA) 12 follows the below guidelines to procure goods and/or services:

- (1) Small Dollar Purchases - Non-recurring purchases totaling less than \$10,000, cumulatively in expense or revenue, may be made without documenting any quotes or proposals from multiple vendors.
- (2) Informal Solicitations - Purchases totaling less than \$50,000 in expense or revenue may be made based upon written, telephone or electronic bids. For purchases totaling \$10,000-\$49,999.99, bids must be solicited from at least three (3) Responsive/Responsible Bidders/Proposers.
- (3) Formal Solicitations - A formal solicitation process shall be used when the estimated aggregate total of the expense or revenue is \$50,000 or more, including renewal terms of multi-year awards. The types of formal solicitations include 1) Request for Information (RFI); (2) Invitation to Bid (ITB)/Request for Quotation (RFQ); and (3) Request for Proposals (RFP). For competitive procurement of goods, an ITB/RFQ is appropriate, and in general, a purchase order may be used to finalize the purchase. For competitive procurement of services, an RFP is more appropriate, and a purchase order is generally not sufficient to serve as the written contract for the services.
- (4) Non-Competitive Procurements - (A) Contracting with Another State/Governmental Entity. Personal, professional and consultant service contracts may be obtained by non-competitive negotiation when the contractor is a State Agency, a political subdivision of the state, or any other public entity in Tennessee, or an entity of the federal government. (B) Sole Source and Proprietary Purchases. Whenever specifications are not so worded or designed to provide for competitive bidding, a Sole Source or Proprietary Purchase may be allowed. A Sole Source Purchase is available only from a single Supplier; a Proprietary Purchase allows for a competitive procurement process to be used that specifies a particular good or service. Written justification for Sole Source or Proprietary Purchases must be submitted in writing for approval by the Executive Director and additional documentation may also be required as a part of the request.
- (5) Federal and State Guidelines - All procurement policies follow Federal and State guidelines and fiscal staff are trained on allowable and unallowable costs. All purchases are made in accordance with Workforce Services Policy- WIOA (Allowable and Disallowed Costs, Including Food) and Workforce Services Policy- Workforce Services (Property Management)
– WIOA.

When making purchases for the American Job Centers (AJCs), fiscal staff review the request to determine if the item will be shared amongst partners in order to properly allocate the cost. Duties are properly segregated between employees responsible for purchasing, accounts payable, and cash disbursements. There are always two signatures on each purchase prior to submitting the information to the Chief Officer and Executive Director for payment. Once entered into the system for payment, the Chief Operating Officer reviews the invoice for proper coding before approving it for payment.

Furthermore, each partner is required to contribute to the operating costs as described in the Infrastructure Funding Agreements. Shared costs are identified and agreed upon at partner meetings and are proportionately distributed based on full-time equivalent, FTE, (communication, advertising, supplies, etc.) or square footage (utilities, building maintenance, lease, etc.). Proportionate share, cost allocation methodologies, and any additional considerations are determined and costs are billed to partners on a monthly basis. Actual costs are billed rather than estimates or budgeted amounts. Periodically, space, FTE, and any other contributing factors are reviewed to determine if the IFA needs to be modified. Fiscal staff also attend appropriate trainings, as offered, in order to ensure compliance with the Uniform guidance.

The NWTNWB may contract with various agencies, in accordance with WIOA Legislation and Tennessee Department of Labor and Workforce Development (TDLWD) policies, in order to select a One-Stop Operator, provider(s) of Title I services, and / or employers for programs such as On-the-Job Training (OJT) Grants, Incumbent Worker Training (IWT) Grants, and “Buy-out” classes. When awarding contracts through a competitive process, such as IWT grants and Title I sub-contracts, the NWTNWB researches potential bidders, issues a Request for Proposal, receives proposals, reviews, and then awards competitive grants to providers based on identified scoring criteria. Once it is determined that funds can be allocated for OJT/IWT grants or Buy-out classes, the NWTNWB has authorized administrative staff to initiate agreements or contracts with employers or appropriate community organizations.

Consistent with WIOA Sections 107(d)(10) and 121(d) and the Workforce Services Policy regarding One- Stop Delivery and Design System, paragraph (D) of the Local Board Responsibilities section, and in accordance with the Regional Planning Council, the NWTNWB, with the agreement of the chief elected officials for the local area, shall designate or certify one-stop operators as described in section 121(d)(2)(A). In order to conduct a competitive process for the selection of a one-stop operator in accordance with 121(d)(2)(A), the Board, with the agreement of the CEOs, shall issue a Request for Proposals for a designated time period, with public notice being provided through print media and / or electronic means, and with potential bidders being notified of the release by email. Proposals received shall be reviewed by a committee approved by the Board and CEOs. The review committee shall make a recommendation to the Board for selection of the Operator. The selected Operator shall enter into a contract with the Board and CEOs as developed by the fiscal agent.

CONTRACT ADMINISTRATION SYSTEMS

The Northwest TN Workforce Board has an opportunity to contract with various entities for services. This includes both competitive and non-competitive awards using standard contracts, leases and purchase orders in accordance with WIOA and related guidance. The Contract Administration System is established to ensure contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

All contracts, leases and purchase orders will:

1. be procured according to WIOA and related guidance
2. be in written form, utilizing standard language that coincides with the funding source grant language.
3. be reviewed by at least two individuals prior to approval
4. be assigned an identifying number
5. be maintained for a period of 5 years (effective July 1, 2017)

Further, all contracts will:

1. require timely invoices and progress reports
2. be reviewed periodically by contract manager for progress toward contract goals
3. be monitored annually for compliance requirements

CONFLICT OF INTEREST – CODE OF CONDUCT

The purpose of this policy is to define and provide guidance to all workforce entities providing WIOA services, what would be considered a conflict of interest and how to conduct business while preventing any actual, potential, or questionable conflict of interest.

Individuals:

The WIOA is not an entitlement program. Still, it should be accessible to any individual, in any local area, who is eligible and suitable for available services subject to Local Workforce Development Board (LWDB) policies and procedures. However, when applicants have a close relationship with WIOA staff members, management, and other specific stakeholders of the Workforce Development System, access to program services should not be based on such relationships or based on political influence. It is possible that, even without any intention of misuse of WIOA funds, that a decision to enroll an individual in the program could be perceived as improper. Such a perception could cause non-compliance with state and / or federal law.

For the purpose of this policy, a conflict of interest “relative” will be considered a parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, or other family member who resides in the same household. A “close personal acquaintance” is defined as a personal friend, personal friend’s spouse or children, boyfriend / girlfriend and their children, and church or neighbors with whom you have a close relationship.

- If a relative or close personal acquaintance of a staff member is to be enrolled in any WIOA program, the employee will notify his/her supervisor and the Executive Director.
- Staff members will not determine eligibility for a relative or close personal acquaintance for any WIOA program.

- Staff members will not authorize or approve funds for a relative or close personal acquaintance enrolled in any WIOA program.
- Staff members will not serve as Career Advisor for a relative or close personal acquaintance.
- Staff members will not make approval of payments when a relative or close personal acquaintance is involved.
- Staff members will not accept gifts from participants in any WIOA program.

A disclosure statement for both the participant and staff member determining eligibility and providing services has been included on the intake eligibility form.

Contractors/Vendors:

WIOA includes opportunities to contract with various organization, including non-profits, educational institutions, private employers, vendors, etc. Staff members with the responsibility to select, award and or administer contracts or payments must avoid any potential conflict of interest.

No employee, officer or agent of the NWTNWB shall participate in any way (including discussion, review and/or voting) in the selection, or in the awarding of, or administration of a contract supported by Federal or State funds if a conflict of interest, real or apparent, would be involved. Such conflicts arise when:

- The employee, officer (for the purpose of this policy, workforce board members shall be considered as officers), or agent,
- Any member of immediate family,
- His or her partner, close personal relationship, or
- An organization which employs, or is about to employ any of the above, has a financial or other interest in the firm selected for the award.
- The NWTNWB officers, employees, or agents will neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub agreements

For the purpose of this policy, a conflict of interest “immediate family” will be considered a parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, or other family member who resides in the same household and is in an ownership and/or management position with the Contractor/Vendor entity. A “close personal acquaintance” is defined as a personal friend, personal friend’s spouse or children, boyfriend / girlfriend and their children, and church or neighbors with whom you have a close relationship and is in an ownership and/or management position with the Contractor/Vendor entity.

Officers, employees or agents of the NWTNWB will not:

- solicit bids from a potential Contractor/Vendor of immediate family member or close personal acquaintance.
- award a bid to a Contractor/Vendor of an immediate family member or close personal acquaintance.
- serve as contract officer for a Contractor/Vendor of an immediate family member or close personal acquaintance.

- approve payments for a Contractor/Vendor of an immediate family member or close personal acquaintance is involved.
- monitor contracts/payments for a Contractor/Vendor of an immediate family member or close personal acquaintance.

Officers, employees or agents of the NWTNWB will:

- conduct all business with honesty, fairness, integrity and loyalty, consistently practicing ethical behavior and processes
- conduct themselves in such a manner as to merit the respect of their employer, co-workers and peers
- exercise skill and good judgement to obtain the maximum value for each dollar of expenditure.
- treat with discretion all information obtained in confidence.
- strive for standardization to reduce cost and further the development and methods of products that emphasize high quality, safety and effectiveness of services.

Staff members are required to adhere to the Northwest TN Workforce Board policy, as well as, the TN Department of Labor and Workforce Development Conflict of Interest Policy.

PROPERTY INVENTORY SYSTEMS

In accordance with 2 CFR 200.313(d)(1)-(5) the Northwest TN Workforce Board will, at a minimum, meet the following requirements:

(1) Property records must be maintained that include a description of the property, a serial number or other identification number, the source of funding for the property (including the FAIN), who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the project costs for the Federal award under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.

(2) A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.

(3) A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.

(4) Adequate maintenance procedures must be developed to keep the property in good condition.

(5) If the non-Federal entity is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

Reference: 2 CFR 200; 2 CFR 200.311-312; 2 CFR 200.313(d)(1)-(d)(5); 2 CFR 200.333(c)-(d)

Related TDLWD Policy: Property Management Policy (2-3)

**Northwest TN Workforce Board
American Job Center Committee**
Tuesday, January 30, 2018
2211 US 45 Bypass, Trenton, TN 38382

Attending Members:

Rita Alexander; Kristie Bennett; Sherry Fowler; Melinda Goode; John Killen; Kristy Mercer; Ted Piazza; Sandra Woods

Via Conference Call:

Jake Bynum Janna Hellums Gwyn Fisher Jimmy Williamson

Attending Staff:

Jennifer Bane LeAnn Lundberg Margaret Prater Kim Simpson Laura Speer

Provider:

Connie Stewart

Welcome and Announcements: Rita Alexander, *Committee Chair*, called the meeting to order and welcomed everyone.

Approval of Minutes – October 17, 2017: Members reviewed the October 17, 2017 minutes that were previously emailed and distributed at the meeting.

- **Motion:** Ted Piazza made a Motion to Approve the minutes as presented and Melinda Goode seconded the motion. All were in favor and the motion carried.

American Job Center Updates: One-Stop Operator: Margaret Prater stated that Lana Wood, *One-Stop Operator* was unable to attend the meeting due to previously scheduled appointment. Lana sends monthly reports, which include monthly progress and daily interaction in the center; information on numbers served; Business Services Meetings; Job Fair information; Rapid Response plans, and changes to staff or centers, etc. Margaret, Connie Stewart, *DSCC Executive Director of Workforce*, and Kristie Bennett *LWDA Regional Director* agree that Lana is doing a good job. Margaret said that Lana provides reports that are very helpful, but stated that a standard format between partners is needed. This will make for a consistency of information from all centers and cause all necessary information to be submitted. Margaret stated that due to increased duties for the OSO, the contract will be modified to include funding for a OSO Assistant. The position will be funded with savings resulting from the layoff of a NWTN Workforce Board IT Support staff person. At this time, it has not been decided if the position will be part-time or full-time.

Business Services: Margaret Prater provided updates on Business Services, stating that the Rapid Response teams have been working with Futurist Group (formerly Kongsberg) and Caterpillar. Caterpillar will lay off in the third quarter of this year. They applied for Trade Adjustment Act (TAA) assistance and were approved in 3 weeks. This provides for additional benefits to dislocated employees beyond Title I and unemployment insurance services. Job Fairs and Job Orders are continuing to do well, with 33 OJTs since October. We have \$100,000 to award for Incumbent Workers. MIA has asked for an extension on the grant. We will be accepting applications for this grant.

Career Services: The number of customers served has improved. From July to December Adults went from 34-220; Dislocated Workers went from 50-64; and Youth went from 85 to 98. The number of Youth Work Experience has been in the thirties for the last several weeks. Connie Stewart stated that they are redoing the Workforce Board Brochure to include all partners. Melinda Goode asked if anything had changed with the decision by the State that we could no longer offer NCRC testing in our centers. Margaret said nothing had changed and that the applicants would have to pay for their test unless an employer offered to pay the \$40 per test fee. Rita Alexander has written a letter to the State in this regard, stating how important this test is as tool

for hiring. She has not heard back from the letter. Margaret has been working with a team of School Superintendents who would like to get the NCRC testing in their schools.

Review of American Job Center Cost/Services for Reduction of Centers: The State has set 40% of funding to go toward participants, with this number changing to 50% in July 1, 2018. Because this percentage is so high, the budget for staff and overhead will have to be cut. Margaret had discussed the possibility of opening Access Points in some of the areas LWDA Regional Director, Kristie Bennett. After this discussion, Kristie found out that an Access Point could not have a full or part-time staff member present and would consist of a computer in a community access building, for the public to use for job searching. If someone scheduled an appointment, then a staff person could go to that area and meet with him or her, but no normally scheduled hours would be allowed. A handout of 10 options was prepared by Margaret and given to all committee members for their review. She said that are other options and she asked for any recommendations. Jimmy Williamson said the area mayors are responsible for the organization and they need to meet first before any recommendations are received. John Killen asked if buildings could be donated to the Board, and Margaret said the Board is allowed to own buildings. Melinda Goode said there was not a clear understanding of Access Points.

- **MOTION:** Ted Piazza made a motion to take the following initial actions:
 1. Margaret get a final definition of Access Points;
 2. Meet with area mayors;
 3. Get input from Outreach and Opportunities Committee;
 4. Ask about waiver/exception to allow part-time affiliates;
 5. After talking to the mayors, request that we be able to have a structured outreach schedule for each county.

Sandra Woods seconded the motion. All were in favor and the motion carried.

Organizational Structure Update: Margaret Prater stated that, due partially to transferring money to DSCC, three staff (one fiscal, one IT and one Part-time Monitor) were given notice that they would be laid off. Connie Stewart will hire a staff member for Fiscal and one for Monitoring. Funding will be transferred to DSCC by March 5, 2018.

OTHER: The following members were appointed as Review Committee for Incumbent Worker Training Grant. The applications for the grant are due February 16th. These members will be approved at the February 27th Board Meeting.

1. Kristie Mercer
2. Ted Piazza
3. John Killen
4. Melinda Goode
5. Sandra Woods

OTHER: Policies were approved by the Executive Committee on January 17th and were due to the State on the 18th. These policies are primarily procedures that were placed in different order and worded as policies. The committee will be emailed a copy that will be approved by the Board.

There being no further business to discuss, Ted Piazza made a motion for the meeting to adjourn and Melinda Goode seconded the motion. All were in favor and the motion carried.

Respectfully submitted,

Kimberly Simpson

The Review Committee (Ted Piazza, Kristy Mercer, John Killen, Melinda Goode, Sandra Woods makes the following recommendation: **Subject to line item and match requirement adjustments, the Staff to the Board recommends the Assistance Requested Amount of \$24,400 for Colonial Diversified Polymer Products, LLC and \$23,600 for Firestone Industrial Products.**

Colonial Diversified Polymer Products, LLC – Dyersburg, TN - Automotive Supplier (rubber) – Train 82 Fulltime Employees – Match Met – Assistance Requested \$24,400

Component #1

- Training Course – IATF Overview, Auditor Training and Risk Assessment
- Training Provider – University of TN Center for Industrial Services
- Number Employee to train – 5
- Number of hours - 24
- Amount Requested - \$4450

Component #2

- Training Course – Gap Analysis, Problem Solving, Process Control, Train the Trainers
- Training Provider – University of TN Center for Industrial Services
- Number Employee to train – 7
- Number of hours - 112
- Amount Requested – \$17,150

Component #3

- Training Course – Shop Floor Training of New Procedures
- Training Provider – University of TN Center for Industrial Services
- Number Employee to train – 70
- Number of hours - 2
- Amount Requested - \$2,800

Business Service Coordinator Review Score - 90

Firestone Industrial Products - Dyersburg, TN – Automotive Supplier (air springs) – Train 90 Fulltime Employees – Match Met – Assistance Requested \$23,600

Component #1

- Training Course – SMART Goal Training – to prepare managers, supervisors, and schedulers to hold themselves accountable for goals, including improving quality and on-time delivery.
- Training Provider – Executive Impact
- Number Employees to train – 8
- Number of hours - 5
- Amount Requested - \$3,550.00

Component # 2

- Training Course – Leadership & Time Management – help managers and supervisors with time management to better meet the demands of the company and the employees.
- Training Provider – Executive Impact
- Number Employees to train – 6
- Number of hours – 16
- Amount Requested - \$5,000

Component #3

- Training Course – Production Teammate Development – to foster teamwork in order to increase productivity and safety, and improve communications to improve quality of products.
- Training Provider – Executive Impact
- Number Employees to train – 90
- Number of hours – 2
- Amount Requested - \$13,050.00

Component #4

- Training Course – Access Data Base – to learn to capture valuable company information to improve processes.
- Training Provider – JONROG
- Number Employees to train – 4
- Number of hours – 16
- Amount requested - \$2,000

Business Service Coordinator Review Score – 95

**Outreach and Opportunities
Northwest TN Workforce Board Committee Meeting
January 30, 2017**

Attending Members: John Bucy Jon Dougherty Ronnie Gunnels Ben Marks

Via Conference Call: John Castellaw; Will Douglas; Lindsey Frilling; Landy Fuqua; Brad Hurley; Alvin Smothers; Robyn Sealy

Attending Staff: Jennifer Bane LeAnn Lundberg Margaret Prater Kim Simpson Laura Speer

Welcome and Announcements: Ben Marks, *Committee Chair*, opened the meeting and welcomed everyone.

Approval of Minutes – October 17, 2017: Members reviewed the October 17, 2017 minutes that were previously emailed and distributed at the meeting.

- **Motion:** Ronnie Gunnels made a Motion to Approve the minutes as presented and Jon Dougherty seconded the motion. All were in favor and the motion carried.

Election of Vice Chairman (to replace Brad Hurley elected Secretary for the Board - Committee Chair, Ben Marks spoke with Will Douglas and he accepted to position as Vice Chair to Outreach and Opportunities Committee.

- **Motion:** Brad Hurley made a Motion to Approve, Will Douglas as the new Vice-Chair to the Outreach and Opportunities Committee. John Bucy seconded the motion. All were in favor and the motion carried.

Eligible Training Provider List-

Program Renewal – DSCC- Associate of Applied Science- Paramedic to RN Program: Jennifer Bane, NWTN CCO, reviewed the handout of the Eligible Training Provider List. (Handout attached). She stated that the DSCC- Associate of Applied Science- Paramedic to RN Program is due for renewal in May 2018 and that the labor market information provided showing that there is a demand for jobs in the field.

- **MOTION:** John Bucy made a Motion to Approve DSCC – Associate of Applied Science – Paramedic to RN Program to remain on the Eligible Training Provider List. Ronnie Gunnels seconded the motion. All were in favor and the motion carried.

Special Grant Updates: Bongards Creamery Community Grant: Margaret Prater stated that mobile training unit is still in progress. It was decided that TCAT Jackson will own the truck and trailer which will help with insurance and upkeep, etc. Our position is to be a convener and supporter. It has been decided that to help keep costs down, a used trailer may be purchased from a truck driving school.

DSCC Delta Community Health Services Grant: Dr. Karen Bower informed Margaret earlier that Dyersburg State Community College has been awarded economic software, EMSI, which will be used a career coach for students to log into for job searching. The grant also includes access to EMSI's Developer feature for Northwest TN Workforce Board staff.

LEAP Grant: Margaret said that LEAP was turned over to DSCC and that we no longer administer this grant. She still keeps tabs on the program which is doing very well.

Strengthening Working Families: Margaret reported numbers are low which is partially due to the lack of childcare that was the original intent of the grant. This is a 4-year grant which is now at the end of 2 years. There are still new enrollments, but not a very vibrant program by Memphis Bioworks.

Special Populations:

Youth Services: Margaret stated that the Youth Work Experience numbers are back up to about 30 participants per week.

Other Target Groups: *Exploring Certified Production Technician programs for Jail.* Margaret recently spoke to Sheriff Boxx about moving the Certified Production Technician part of the program to the general jail population where the inmates will be for a longer time so they can complete the program.

Ready, Set, Hire program: This program for Adults and Dislocated Workers is designed to help those who may have obstacles such as: being a felon, a single parent, disabilities, etc., get placed in a job. The "Ready" portion of the program pays the entire first three months' of the participant's salary under the transitional job program, which is similar to the Youth Work Experience program. The "Set" portion of the program reimburses employers one-half of the participant's salary for the next couple of months as part of an On-the-Job Training position. At the "Hire" stage of the program, the participant will hopefully be retained by the employer in a full-time position. Jon Dougherty with Amteck expressed interest in participating in the program.

Review of American Job Center Cost/Services for Reduction of Centers: The State has set 40% of funding to go toward participants, with this number changing to 50% in July 1, 2018. We are hoping that the jail participants will help get the percentages up. Because this percentage is so high for participants, the budget for staff and overhead will have to be decreased. The normal percentage spent on participants was about 35%. Margaret had discussed the possibility of opening Access Points in place of some centers. After this discussion, LWDA Regional Director, Kristie Bennett found out that an Access Point could not have a full or part-time staff member present and would consist of a computer in a community access building, for the public to use for job searching. If someone scheduled an appointment, then a staff person could go to that area and meet with him or her, but no normally scheduled hours would be allowed. Concern was expressed as to how a person would schedule an appointment. The committee feels that many services would go unused because many people would not drive to another county to for assistance. Margaret prepared a handout of 10 options for reducing costs, which was reviewed by all committee members. Margaret read the group the recommendation of the AJC Committee as follows, which was also approved by the Outreach and Opportunities committee:

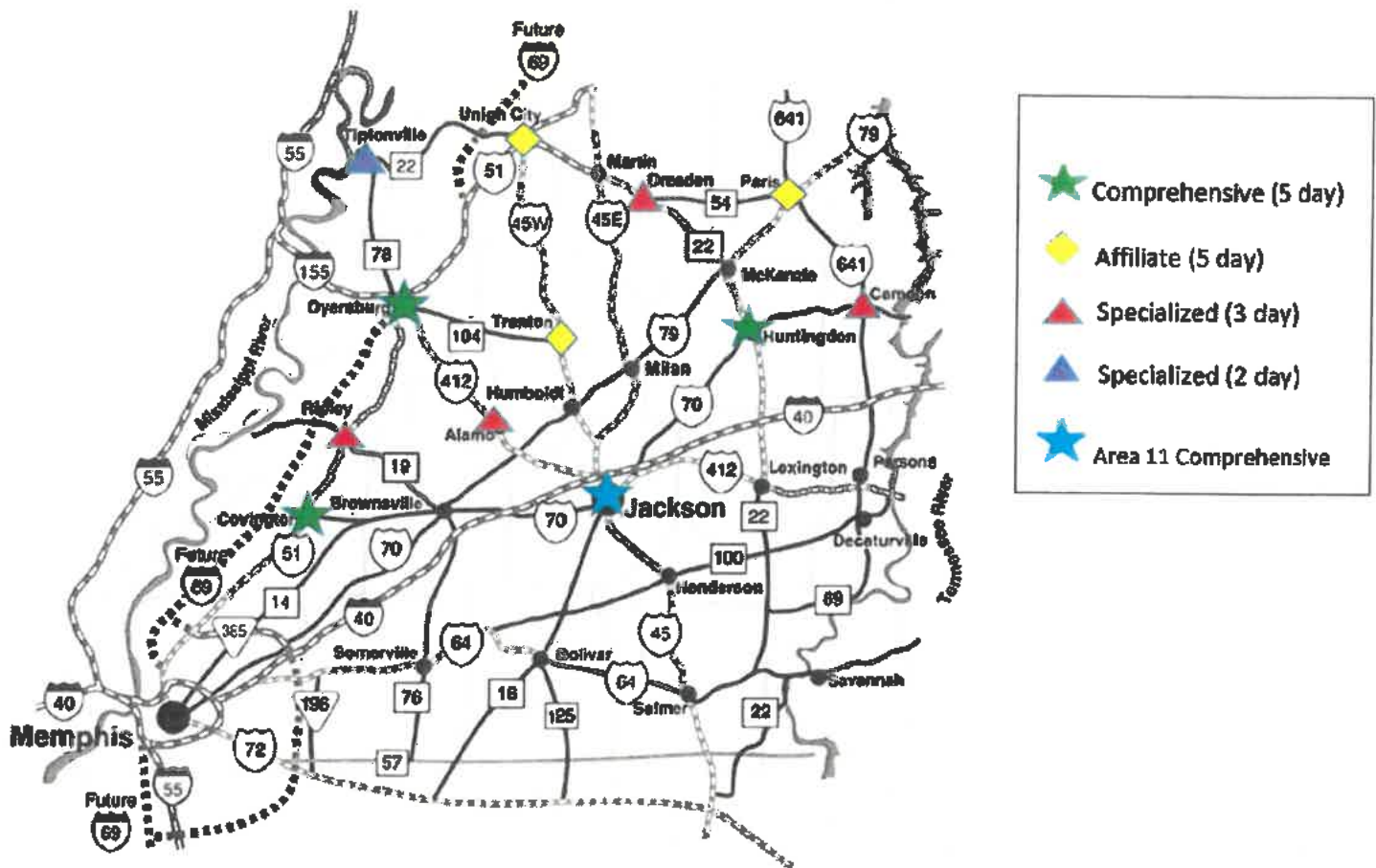
1. Margaret get a final definition of Access Points;
2. Meet with area mayors;
3. Get input from Outreach and Opportunities Committee;
4. Ask about waiver/exception to allow part-time affiliates;
5. After talking to the mayors, request that we be able to have a structured outreach schedule for each county.

Organizational Structure Update: Margaret stated that the transfer of participant funds to DSCC is scheduled to take place by March 5th. This will include switching over work experience payrolls, OJT's, etc. Dyersburg State Community College has a very watchful attitude about their concerns over the liability. The contract with DSCC ends June 30th but they have the option to continue as contractor for three years.

There being no further business to discuss, Ronnie Gunnels made a motion for the meeting to adjourn and John Bucy seconded the motion. All were in favor and the motion carried.

Respectfully submitted,

Kimberly Simpson



LWDA 12 PROPOSAL – JULY 2018

Tiptonville (Lake) move from Affiliate to 2 day Specialized – projected facilities savings - \$7,312

Camden (Benton) move from Affiliate to 3 day Specialized – projected facilities savings - \$6,009

Alamo (Crockett) move from Affiliate to 3 day Specialized – projected facilities savings - \$5,368

Dresden (Weakley) move from Affiliate to 3 day Specialized – projected facilities savings - \$12,470

Ripley (Lauderdale) move from Affiliate to 3 day Specialized – projected facilities savings - \$11,823

Trenton (Gibson) move to less expensive location (Trenton, Milan, Humboldt) – projected facilities savings - \$17,122

Union City (Obion) remain Affiliate (already receive free rent and utilities) – projected facilities savings - \$0

Paris (Henry) remain Affiliate (already receive free rent/partial utilities) – projected facilities savings - \$0

Huntingdon (Carroll) remain Comprehensive – (reduced to current month rent) – projected facilities savings - \$9504

Dyersburg (Dyer) remain Comprehensive – consider move for additional space – projected facilities savings - \$0

Covington (Tipton) move from Affiliate to Comprehensive – add new partners – projected facilities savings - \$23,082

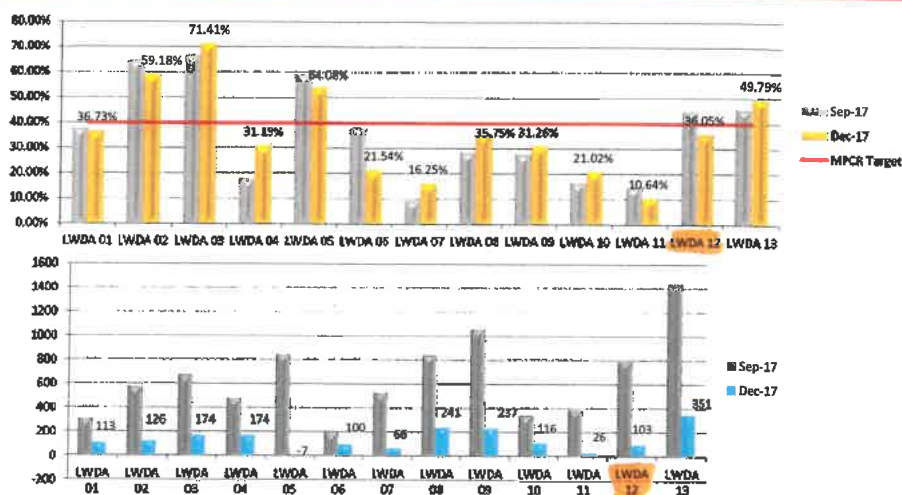
Total Projected Facilities Savings - \$92,690

Board Program Staff (reduce 10%) - \$42,234

Career Service Provider (reduce 10%) - \$125,352

Total Estimated Savings - \$260,276

40% Minimum Participant Cost Rate



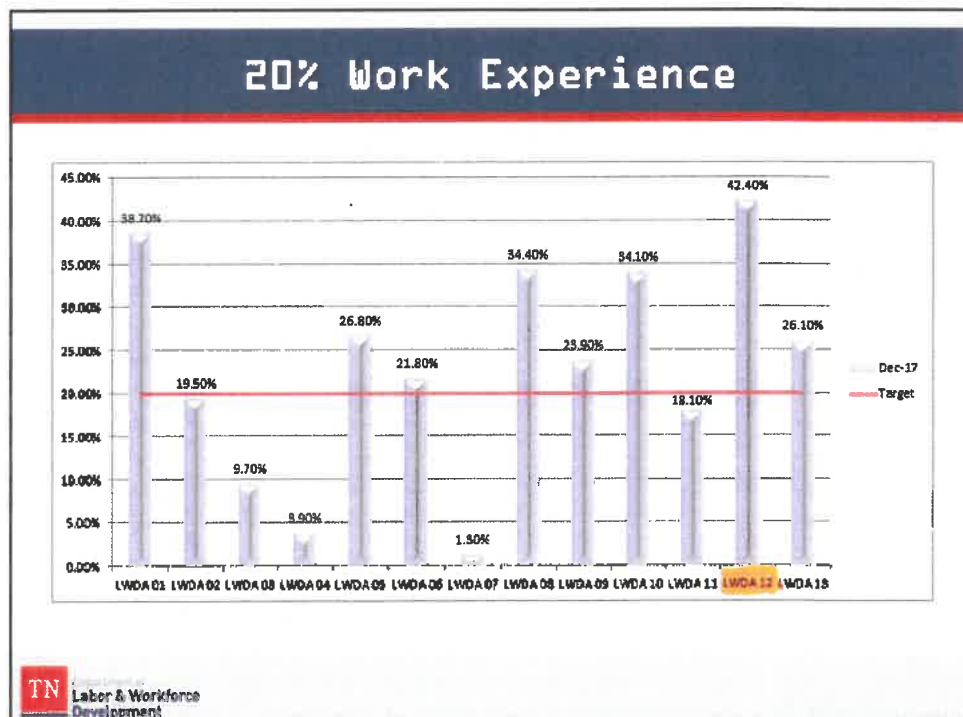
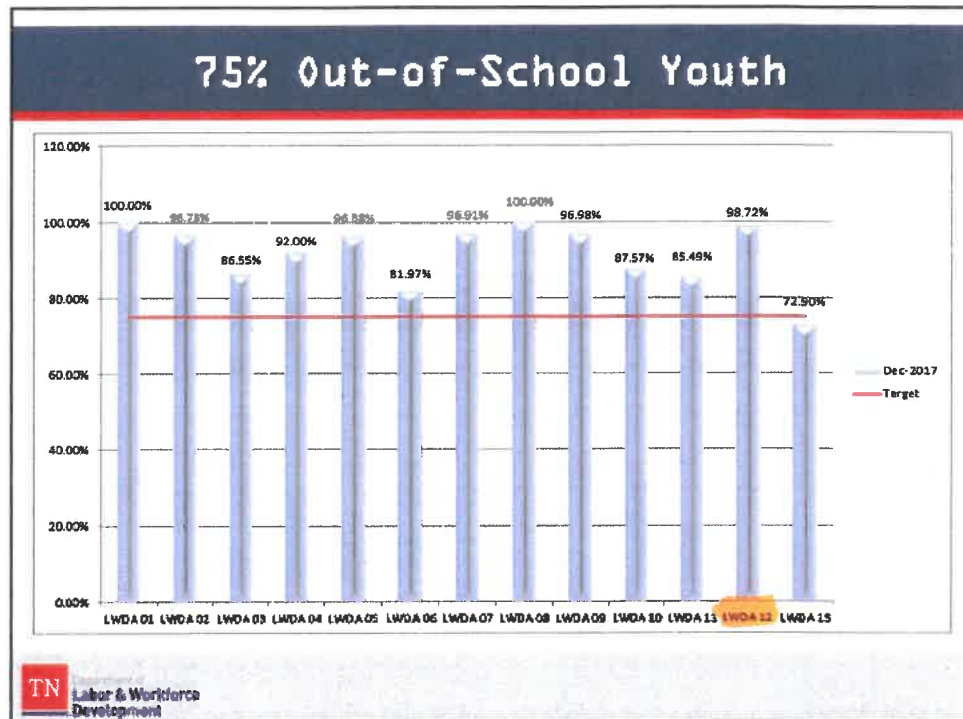
TN
Labor & Workforce
Development

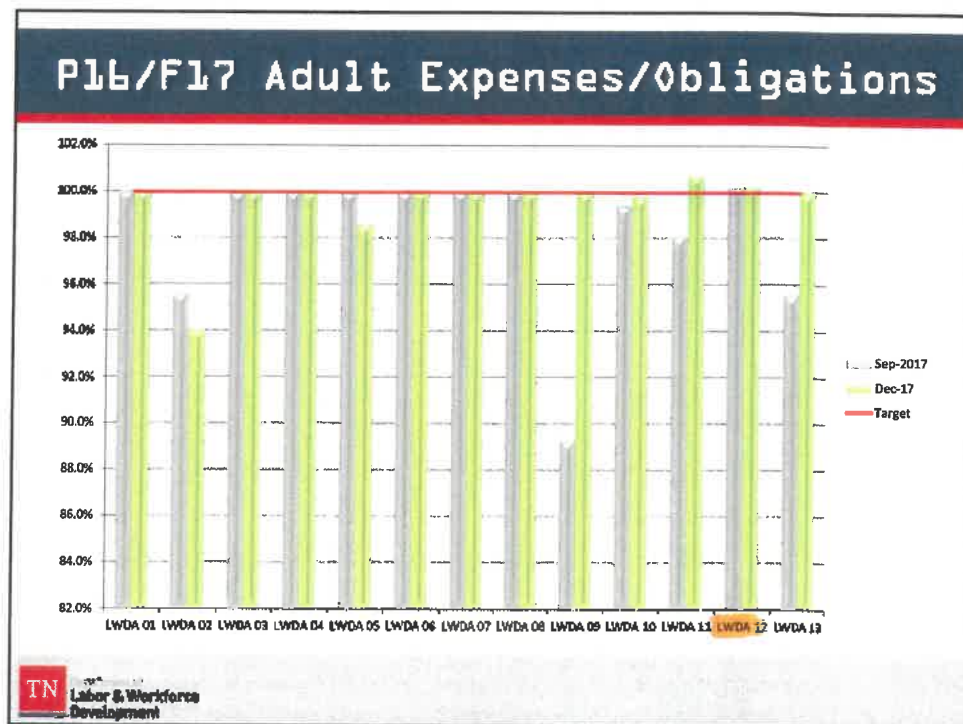
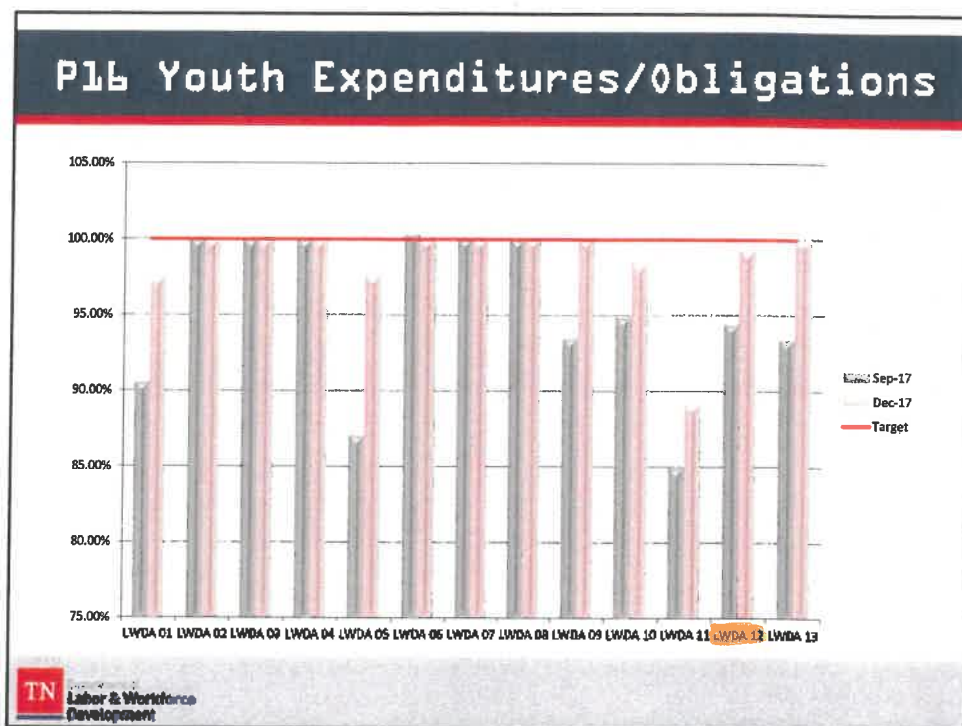
40% Minimum Participant Cost Rate

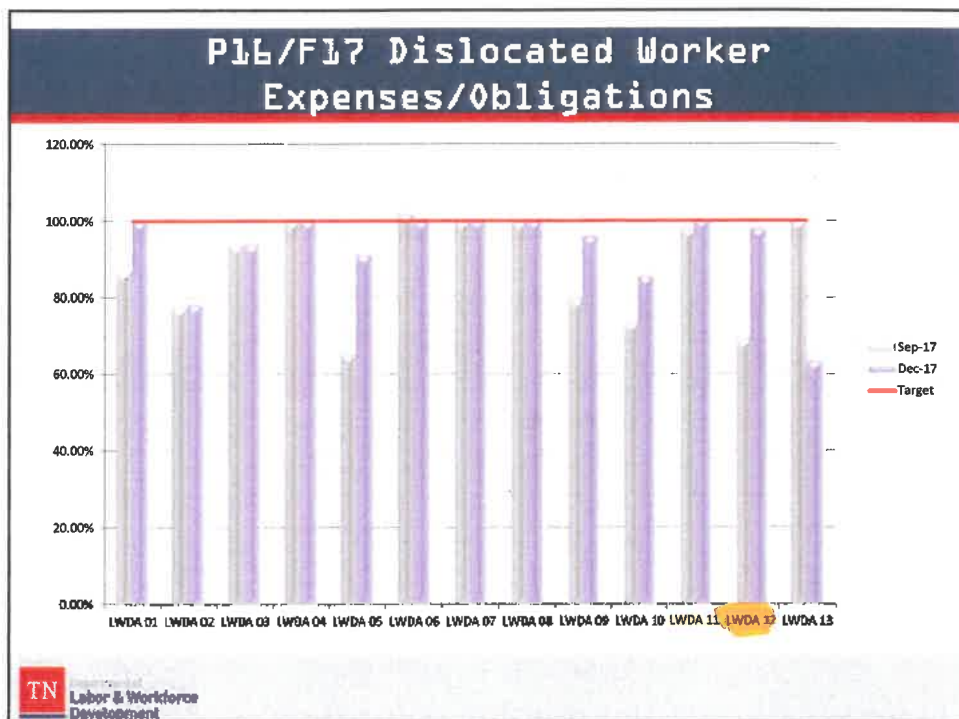
| LWDA | Sep-17 | Dec-17 |
|---------|--------|--------|
| LWDA 01 | 38.14% | 36.73% |
| LWDA 02 | 64.51% | 59.18% |
| LWDA 03 | 66.80% | 71.41% |
| LWDA 04 | 18.01% | 31.19% |
| LWDA 05 | 59.19% | 54.08% |
| LWDA 06 | 38.34% | 21.54% |
| LWDA 07 | 9.57% | 16.25% |
| LWDA 08 | 28.81% | 35.75% |
| LWDA 09 | 28.01% | 31.26% |
| LWDA 10 | 16.78% | 21.02% |
| LWDA 11 | 14.95% | 10.64% |
| LWDA 12 | 44.97% | 36.05% |
| LWDA 13 | 45.79% | 49.79% |

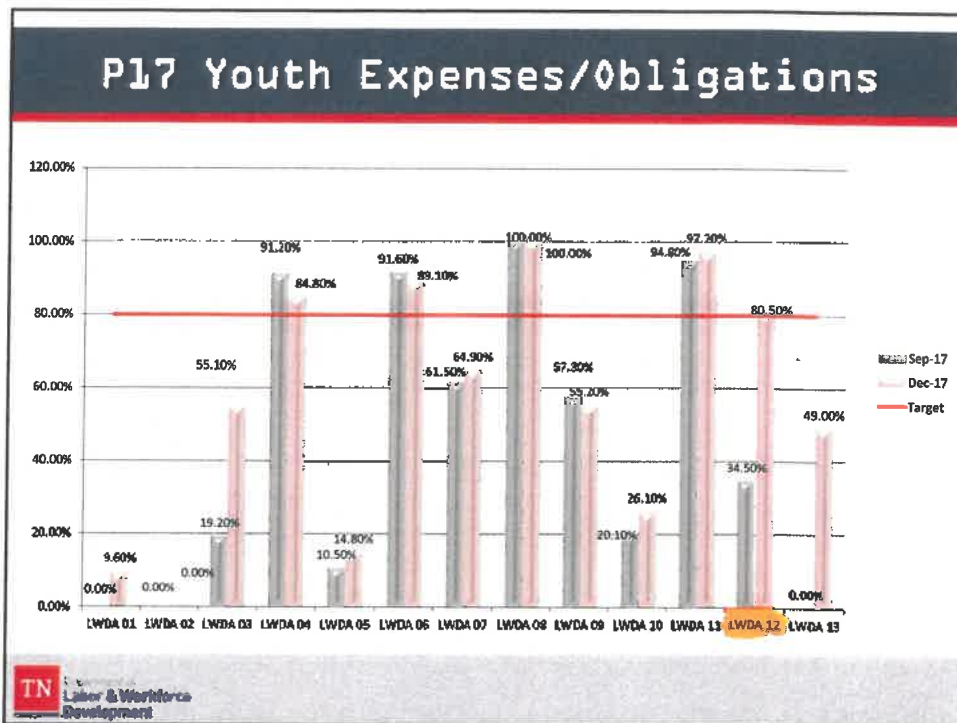
| LWDA | Sep-17 | Dec-17 | YTD Total |
|---------|--------|--------|-----------|
| LWDA 01 | 302 | 113 | 415 |
| LWDA 02 | 572 | 126 | 698 |
| LWDA 03 | 566 | 174 | 840 |
| LWDA 04 | 469 | 174 | 643 |
| LWDA 05 | 839 | -7 | 832 |
| LWDA 06 | 187 | 100 | 287 |
| LWDA 07 | 521 | 66 | 587 |
| LWDA 08 | 837 | 241 | 1078 |
| LWDA 09 | 1033 | 237 | 1292 |
| LWDA 10 | 333 | 116 | 449 |
| LWDA 11 | 386 | 26 | 412 |
| LWDA 12 | 750 | 103 | 893 |
| LWDA 13 | 1433 | 351 | 1784 |

TN
Labor & Workforce
Development









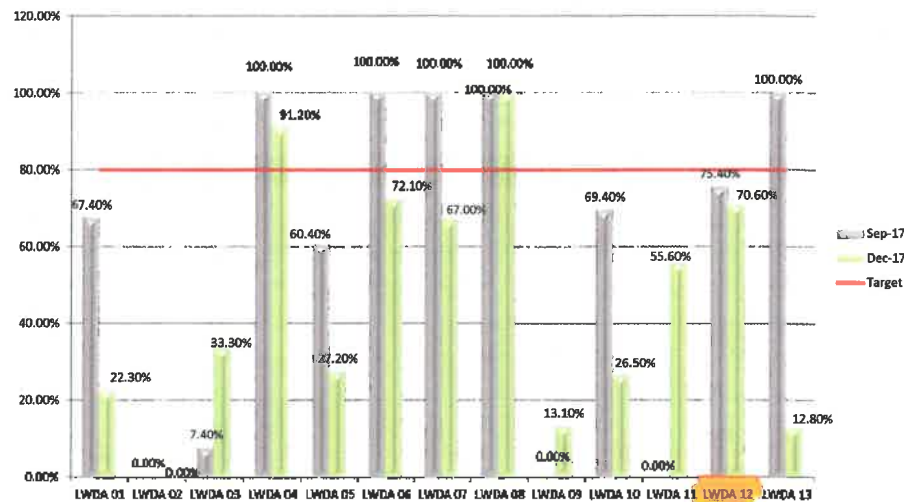
Youth Recapture Potential

| LWDA | Youth | |
|--------------|-------------------------|------------------------|
| | 80% program | Amount of Recapture |
| LWDA 01 | \$ 696,848.00 | \$ 560,156.31 |
| LWDA 02 | \$ 772,583.20 | \$ 772,583.20 |
| LWDA 03 | \$ 633,852.00 | \$ 197,487.32 |
| LWDA 04 | \$ 750,699.20 | \$ - |
| LWDA 05 | \$ 1,003,601.60 | \$ 817,776.34 |
| LWDA 06 | \$ 312,541.60 | \$ - |
| LWDA 07 | \$ 413,580.80 | \$ 78,120.56 |
| LWDA 08 | \$ 743,764.23 | \$ - |
| LWDA 09 | \$ 1,291,855.20 | \$ 400,563.70 |
| LWDA 10 | \$ 374,187.20 | \$ 252,070.74 |
| LWDA 11 | \$ 519,909.60 | \$ - |
| LWDA 12 | \$ 702,354.45 | \$ - |
| LWDA 13 | \$ 2,146,722.40 | \$ 832,092.74 |
| Total | \$ 10,304,479.50 | \$ 3,810,851.11 |

TN Labor & Workforce Development

* Expense/Obligation through December only. Grant end April 30.

P17/F18 Adult Expenses/Obligations

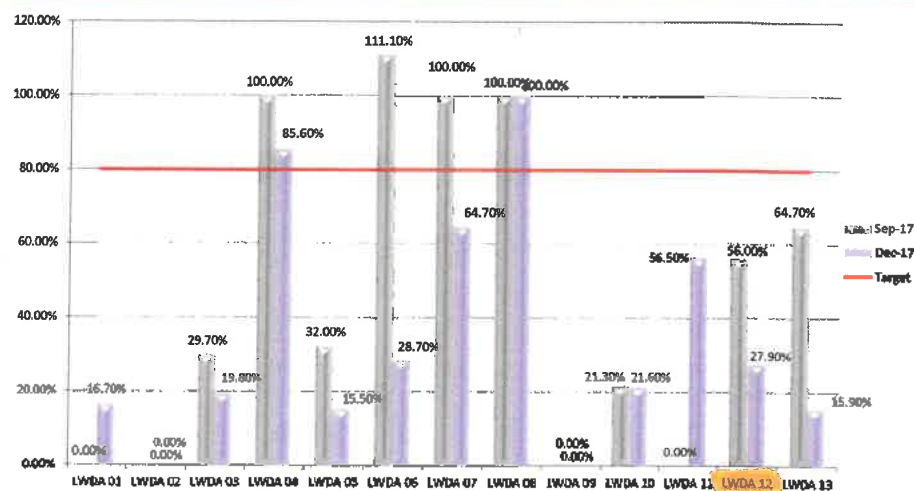


Adult Recapture Potential

| LWDA | Adult | |
|---------|------------------|---------------------|
| | 80% program | Amount of Recapture |
| LWDA 01 | \$ 635,619.20 | \$ 438,770.53 |
| LWDA 02 | \$ 816,963.60 | \$ 816,963.60 |
| LWDA 03 | \$ 521,152.00 | \$ 304,029.55 |
| LWDA 04 | \$ 797,537.60 | \$ - |
| LWDA 05 | \$ 965,038.40 | \$ 633,398.41 |
| LWDA 06 | \$ 325,347.20 | \$ 32,026.03 |
| LWDA 07 | \$ 422,759.20 | \$ 68,480.16 |
| LWDA 08 | \$ 738,445.60 | \$ - |
| LWDA 09 | \$ 1,167,850.40 | \$ 976,375.56 |
| LWDA 10 | \$ 367,123.20 | \$ 245,841.93 |
| LWDA 11 | \$ 524,099.20 | \$ 159,852.11 |
| LWDA 12 | \$ 755,391.20 | \$ 88,995.38 |
| LWDA 13 | \$ 1,974,280.00 | \$ 1,658,117.00 |
| Total | \$ 10,009,608.80 | \$ 5,445,930.58 |

* Expense/Obligation through December only. Grant ends June 30.

PL7 Dislocated Worker Expenses and Obligations



Dislocated Worker Recapture Potential

| LWDA | Dislocated Worker | |
|---------|-------------------|---------------------|
| | 80% program | Amount of Recapture |
| LWDA 01 | \$ 832,638.40 | \$ 500,401.97 |
| LWDA 02 | \$ 769,600.80 | \$ 769,600.80 |
| LWDA 03 | \$ 600,768.00 | \$ 452,418.31 |
| LWDA 04 | \$ 767,868.80 | \$ - |
| LWDA 05 | \$ 1,043,114.40 | \$ 841,162.52 |
| LWDA 06 | \$ 445,624.80 | \$ 285,586.80 |
| LWDA 07 | \$ 346,476.80 | \$ 66,252.52 |
| LWDA 08 | \$ 982,508.00 | \$ - |
| LWDA 09 | \$ 1,460,066.40 | \$ 1,460,066.40 |
| LWDA 10 | \$ 404,310.40 | \$ 293,070.93 |
| LWDA 11 | \$ 463,747.20 | \$ 136,401.64 |
| LWDA 12 | \$ 668,723.60 | \$ 435,571.33 * |
| LWDA 13 | \$ 1,800,926.40 | \$ 1,443,122.40 |
| Total | \$ 10,386,400.00 | \$ 6,885,957.69 |

* Transferred \$300,000 to Adult in January.
Expense/Obligation through December only. Grant
Ends June 30.

§ 200.318 General procurement standards.

(a) The non-Federal entity must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this part.

(b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(c)

(1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

(2) If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

(d) The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

(e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local Intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.

(f) The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

(g) The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

(h) The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also § 200.213 Suspension and debarment.

(i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(j)

(1) The non-Federal entity may use a time and materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to a non-Federal entity is the sum of:

(i) The actual cost of materials; and

(ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

(2) Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

(k) The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014; 80 FR 43309, July 22, 2015]

§ 200.319 Competition.

(a) All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

(1) Placing unreasonable requirements on firms in order for them to qualify to do business;

(2) Requiring unnecessary experience and excessive bonding;

(3) Noncompetitive pricing practices between firms or between affiliated companies;

(4) Noncompetitive contracts to consultants that are on retainer contracts;

(5) Organizational conflicts of interest;

(6) Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and

(7) Any arbitrary action in the procurement process.

(b) The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(c) The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

(1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and

(2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(d) The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014]

§ 200.320 Methods of procurement to be followed.

The non-Federal entity must use one of the following methods of procurement.

(a) Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (§ 200.67 Micro-purchase). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

(b) Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.

(c) Procurement by sealed bids (formal advertising). Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the conditions in paragraph (c)(1) of this section apply.

(1) In order for sealed bidding to be feasible, the following conditions should be present:

(i) A complete, adequate, and realistic specification or purchase description is available;

(ii) Two or more responsible bidders are willing and able to compete effectively for the business; and

(iii) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

(2) If sealed bids are used, the following requirements apply:

(i) Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;

(ii) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

(iii) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;

(iv) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

(v) Any or all bids may be rejected if there is a sound documented reason.

(d) Procurement by competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

(1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;

(2) Proposals must be solicited from an adequate number of qualified sources;

(3) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;

(4) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and

(5) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

(e) [Reserved]

(f) Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

(1) The item is available only from a single source;

(2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;

(3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or

(4) After solicitation of a number of sources, competition is determined inadequate.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014; 80 FR 54409, Sept. 10, 2015]

§ 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

(b) Affirmative steps must include:

(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

(2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

(3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

§ 200.322 Procurement of recovered materials.

A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014]

§ 200.323 Contract cost and price.

(a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of

analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.

(b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

(c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under Subpart E - Cost Principles of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.

(d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

§ 200.324 Federal awarding agency or pass-through entity review.

(a) The non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

(b) The non-Federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

(1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part;

(2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;

(3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;

(4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or

(5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

(c) The non-Federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.

(1) The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system

to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis;

(2) The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

§ 200.325 Bonding requirements.

For construction or facility improvement contracts or sub contracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

200.326 Contract provisions.

The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200 - Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

(A) Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order

11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141- 3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40U.S.C. 3141- 3144) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701- 3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR § 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401- 7671g.) and the Federal Water Pollution Control Act (33 U.S.C. 1251- 1387), as amended - Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401- 7671g) and the

Federal Water Pollution Control Act as amended (33 U.S.C. 1251- 1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689) - A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) - Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See § 200.322 Procurement of recovered materials.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75888, Dec. 19, 2014]

Northwest Tennessee Workforce Board, Inc. Internal Controls & Segregation of Duties

| Task | Other (specify) | Financial Coordinator # 1 | Financial Coordinator # 2 | Financial Coordinator # 3 | Chief Operating Officer | Executive Director |
|--|-------------------|---------------------------|---------------------------|---------------------------|-------------------------|--------------------|
| Accounts Payable | | | | | | |
| Opens mail, stamps date received, and distributes | X (Adm. Asst.) | | | | | |
| Reviews and initials bills, enters in QuickBooks (and VOS if appropriate), and uploads back-up documentation | | X | | | | |
| Reviews bills (2 nd review), initials, reviews bills in QuickBooks, marks as paid, and prints checks | | | X | | | |
| Reviews bills (3 rd review) and checks to ensure amounts match, initials bills, reviews bills in QuickBooks, signs checks | | | | | X | |
| Reviews bills (4 th review) and signs checks | | | | | | X |
| Mails checks | | | X | | | |
| Checks bank accounts for automatic drafts of bills reviewed as described above, initials payment, uploads back-up to QuickBooks, and marks bills as paid | | | | | X | |
| Reviews credit card charges, initials, and enters in QuickBooks | | | X | | | |
| Reviews credit card charges (2 nd review) and QuickBooks entries, initials receipts | | X | | | | |
| Reviews credit card statement, initials, enters reconciliation and bill in QuickBooks, and uploads back-up, prints, and initials | | X | | | | |
| Reviews credit card statement and signs authorizing payment | | | | | | X |
| Reviews credit card statement, individual transactions, and reconciliation, initials, marks bill in QuickBooks as paid, and uploads initialed auto-draft payment back-up | | | | | X | |
| Reviews bank statements, initials, enters reconciliation in QuickBooks, prints, and initials | | | | X | | |
| Staff Payroll | | | | | | |
| Collects New Hire Paperwork and supporting documents, reviews for accuracy and completeness | X (Adm. Asst.) | | | | | |
| Signs Employment Contracts (note: Board Chair signs Executive Director's contract) | | | | | | X |

| | | | | | | |
|---|---------------------------|--|---|--|---|---|
| Enters employee information in QuickBooks | X (payroll contractor) | | | | | |
| Prepares deductions and contributions sections of Staff Payroll Distribution Report | | | | | X | |
| Reviews staff timesheets for accuracy and completeness | X (Supervisors) | | | | | |
| Reviews staff timesheets, checks leave balances, enters needed information into Staff Payroll Distribution Report, prints, and initials | X (Adm. Asst.) | | | | | |
| Reviews timesheets and completed Staff Payroll Distribution Report, completes AL liability sections, and initials report | | | | | X | |
| Keys data from Staff Payroll Distribution Report into QuickBooks, prints payroll summary, submits weekly federal tax payments through EFTPS, and completes quarterly New Hire, FUTA, SUTA reports | X (payroll contractor) | | | | | |
| Signs quarterly reports | | | | | | X |
| Reviews payroll summary and compares to Payroll Distribution Report totals | | | | | X | |
| Reviews EFTPS payment confirmations and compares to / clears QuickBooks liabilities balances | | | X | | | |
| Prepares 401K and 457b worksheets for monthly payments | X (Adm. Asst.) | | | | | |
| Reviews 401k and 457 b worksheets and compares to Payroll Distribution Report totals / QuickBooks liabilities balances, and clears balances after auto-draft | | | | | X | |
| Reviews State benefits report for accuracy | X (Adm. Asst.) | | | | | |
| Reviews State benefits report and QuickBooks liability balances, and clears liability balances after auto-draft | | | | | X | |
| Participant Payroll | | | | | | |
| Collects New Hire Paperwork and supporting documents | X (CBY contractor) | | | | | |
| Reviews New Hire Paperwork for accuracy and completeness | X (Adm. Asst.) | | | | | |
| Signs Temporary Contract | | | | | | X |

| | | | | | | |
|--|-----------------------------|--|---|-----------------------|--------|--|
| Enters employee information in QuickBooks | X (payroll contractor) | | | | | |
| Collects and reviews timesheets for accuracy and completeness | X (CBY contractor) | | | | | |
| Verifies timesheets and enters needed information into Payroll Distribution Report, prints, and initials | X (Adm. Asst.) | | | | | |
| Reviews timesheets and Payroll Distribution Report, initials | X (Compliance Assistant) | | | | | |
| Keys data from Payroll Distribution Report into QuickBooks, prints payroll summary, submits weekly federal tax payments through EFTPS, and completes quarterly New Hire, FUTA, SUTA reports | X (payroll contractor) | | | | | |
| Reviews payroll summary and compares to Payroll Distribution Report totals | X (Adm. Asst.) | | | | | |
| Runs QuickBooks reports for participant pay and contributions to be keyed into VOS | | | X | | | |
| Keys participant payments into VOS | X (Compliance Assistant) | | | | | |
| Journal Entries | | | | | | |
| Prepares and enters journal entries, uploads back-up documentation, prints, and initials <ul style="list-style-type: none"> • Operating Account JE • Cost Pools JEs • AJC Shared / IFA JEs • AJC Shared / SWF JE. • AL Liability JE | | | X | X X X X X | X X | |
| Reviews journal entries and back-up, initials journal entries | | | | X | X | |
| Accounts Receivable | | | | | | |
| Enters IFA and SWF invoices in QuickBooks, uploads back-up documentation, prints and initials invoices | | | X | | | |
| Sends out IFA and SWF invoices, enters payment in QuickBooks once received, and uploads back-up | | | X | | | |
| Enters IFA claims in Grants4TN and uploads back-up | | | X | | | |
| Prepares salary advances for draw summary for TDLWD payments (draws) | | | | | X | |

| | | | | | | |
|---|--|---|---|---|---|---|
| Enters salary advances and YTD expenditures and accruals into draw summary | | | | X | | |
| Enters draws in Grants4TN and uploads back-up | | | | X | | |
| Enters TDWLD draw invoices in QuickBooks, uploads back-up documentation, and prints and initials invoices | | | | X | | |
| Receives payment for TDLWD draw payments in QuickBooks, initials back-up, and uploads to QuickBooks | | | | | | |
| Reviews invoices and back-up, initials invoices | | | | | X | |
| Reviews and signs invoices and TDLWD Signature Authorization Forms | | | | | | X |
| Deposits payments in bank account, initials deposit slips, records in QuickBooks, and uploads back-up | | | | | X | |
| Reviews and initials deposit slips | | | X | | | |
| Monthly Worksheet | | | | | | |
| Reviews transactions by grant (customer job) in QuickBooks and enters into Monthly Worksheet | | | | X | | |
| Identifies non-participant accruals to be keyed into Monthly Worksheet | | | | | X | |
| Runs payroll reports to identify participant accruals and enters into Monthly Worksheet along with non-participant accruals | | | | X | | |
| Runs VOS reports to identify participant obligations to be keyed / to key into Monthly Worksheet | | | | X | X | |
| Identifies and keys cost pool obligations into Monthly Worksheet | | | | X | X | |
| Identifies and keys other obligations into Monthly Worksheet | | | | X | X | |
| Reviews Monthly Worksheet and back-up | | | | | X | |
| TDLWD Reporting | | | | | | |
| Keys data from Monthly Worksheet into Monthly Expenditure Reports | | X | | | | |
| Reviews Monthly Expenditure Reports | | | | | X | |
| Reviews and digitally signs Monthly Expenditure Reports | | | | | | X |
| Submits signed Expenditure Reports via email | | | | | X | |
| Completes General Information, Expenses, and Financial Report sections in Grants4TN using Monthly Worksheet, prints hard copy of Financial Report | | X | | | | |

| | | | | | | |
|---|----------------------------|---|---|---|---|---|
| Reviews General Information, Expenses, and Financial Report sections in Grants4TN and submits for Financial Report signature | | | | | | |
| Signs Financial Report printed from Grants4TN | | | | | | X |
| Uploads signed Expenditure and Financial Reports and uploads to Grants4TN and files hard copies in grants folders | | X | | | X | |
| Enters data from Monthly Worksheet into FAR worksheet and FAR section of Grants4TN Status Report | | | | X | | |
| Reviews FAR worksheet, back-up, and entry in Grants4TN | | | | | X | |
| Uploads Monthly Worksheet to Grants4TN, submits status reports in Grants4TN, and saves electronic copies | | | | | X | |
| Prints approved reports from Grants4TN, files in grants folders, and uploads electronic copies to QuickBooks | | | | | X | |
| Other | | | | | | |
| Conducts monitoring of invoices from subcontractors and issues monitoring report with corrections needed | X (Quality Coordinator) | | | | | |
| Reviews credit card / bank statements and reconciliations, initials, selects a sample of transactions to review, and issues monitoring report with corrections needed | X (Quality Coordinator) | | | | | |
| Transfers funds between bank accounts, prints and initials back-up, records in QuickBooks, and uploads back-up | | | | | X | X |
| Reviews bank accounts transfers back-up and initials | | | X | | | |