



WORKFORCE DEVELOPMENT BOARD OF SOLANO COUNTY

Board of Director's Meeting

Friday, June 24, 2022

8:30 a.m. – 9:30 a.m.



via Zoom

Meeting ID 880 1040 4429

Password 785231



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

BOARD OF DIRECTORS MEETING
Friday, June 24, 2022, 8:30 – 9:30 a.m.

via Zoom

<https://us02web.zoom.us/j/88010404429?pwd=SXJocnJZSG1NYUpBQVdrWFdDdS9NQTO9>

Meeting ID: 880 1040 4429

Passcode: 785231

AGENDA

- | | | |
|-------------|---|-------------|
| I. | Call to Order | |
| II. | Introductions | |
| III. | Agenda Changes/Deletions | |
| IV. | Public Comment - <i>Public comments on agenda items and items under the jurisdiction of the Committee shall be made at this time. Written comments submitted by the public will also be read. Please note: Instructions to submitted written comments are outlined in the Public Announcement of this meeting.</i> | |
| V. | Action Items | PAGE |
| | A. Consider Adoption of Resolution 2022-04 to Continue Remote Meetings Pursuant to AB361 | 1 |
| | B. Review and Approval of the Proposed Preliminary Budget for Fiscal Year (FY) 2022-23 | 5 |
| | C. Review and Approval of the American Rescue Plan Act of 2021 (ARPA) Eligibility Policy | 15 |
| | D. Review and Approval of the Lower Living Standard Income Level (LLSIL) and Poverty Guidelines Policy | 40 |
| VI. | Informational Updates | |
| | A. ARPA Informational Updates | |
| VII. | Adjournment | |

Note: The next Board of Director's meeting is scheduled for Friday, July 22, 2022

ACTION ITEMS





WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

AGENDA SUBMITTAL

SUBJECT: Consider Adoption of Resolution 2022-04 to Continue Remote Meetings Pursuant to AB361	MEETING DATE June 24, 2022	AGENDA ITEM V.A
FROM: Heather Henry President/Executive Director	ACTION REQUIRED YES ✓ NO	ATTACHMENTS A

RECOMMENDATION

It is recommended that the Board of Directors consider adopting a Resolution to continue remote meetings for the next 30 days from the date of the initial adoption as result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom, and that holding the Board of Director's and Committee meetings, that are subject to the Brown Act, in person would present imminent risks to the health or safety of attendees.

SUMMARY

On March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic. That proclamation remains in effect. As a result of the state of emergency, the Governor issued executive orders that waived the normally strict provisions of the Brown Act relating to holding and participating in meetings via teleconferencing. Executive Order N-29-20 allowed bodies subject to the Brown Act to meet without a physical meeting location, so long as various requirements were met, including providing the public the opportunity to observe and participate in the meeting telephonically or electronically. Executive Order N-08-21 extended the suspension of the Brown Act's normal teleconferencing rules through September 30, 2021.

On September 16, the Governor signed AB 361, urgency legislation which took effect immediately. AB 361 amended Government Code section 54953 to address holding meetings subject to the Brown Act via teleconferencing during a declared state of emergency. The amended section 54953 takes the place of the provisions of the prior executive orders related to teleconferencing, except that Governor Newsom has subsequently clarified that requirements related to public meetings of local legislative bodies set forth in Executive Order N-08-21 would continue to govern through September 30, 2021, so long as notice of the public meeting is provided, and the public has the opportunity to observe and participate in the meeting as required by AB 361. AB 361 allows a board, commission, or committee subject to the Brown Act, called "legislative bodies" under the Brown Act, to meet via teleconference without following the normal Brown Act teleconference rules if any of the following circumstances exist:

"A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees. [or]

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.”
(Gov’t Code §54953(e)(1) [AB 361, p. 9].)

If the meeting is held via teleconference under these provisions, the meeting body must meet certain requirements under AB 361, including providing public access to the meeting and opportunity for the public to address the members of the legislative body. AB 361 also requires periodic review of the determination to continue to meet via teleconference. If the state of emergency is still active, or if “state or local officials have imposed or recommended measures to promote social distancing,” then no later than 30 days after meeting via teleconference for the first time pursuant to AB 361, the body must make a finding that the body “has reconsidered the circumstances of the state of emergency” and further find that “[a]ny of the following circumstances exist: (i) The state of emergency continues to directly impact the ability of the members to meet safely in person. (ii) State or local officials continue to impose or recommend measures to promote social distancing.” (Gov’t Code §54953(e)(3) [AB 361, p. 11].)

Based on the CDC established Community Transmission metric, Solano County is considered “high” on the 3-tier metric designed to reflect a community’s COVID-19 case rate and percent positivity. Meeting in person can potentially present imminent risks to the health and safety of attendees. Having met the conditions described above, staff has prepared a resolution for the Board of Director’s consideration. Adoption of the resolution will enable the Board of Director’s and it’s standing committees to continue to meet remotely pursuant to AB 361. If the resolution is adopted, no later than 30 days after the Board first meets via teleconference, the Board will be required to adopt the requisite findings to continue to meet remotely if the Board desired to do so and conditions warranted making the required findings.

ALTERNATIVES

Should the Board of Directors choose not to adopt this resolution, the items on the agenda cannot be heard and must be postponed to the regular scheduled Board meeting in July. This would not be ideal due to the nature of the item on the agenda.

AGENCY BUDGET IMPACT: This action has no financial impact.

REPORT PREPARED BY: Tammy Gallentine, Executive & Board Support Specialist. Please contact Tammy at 707-863-3552 if you have any questions regarding the information in this report.



Heather Henry, President/Executive Director

Resolution No. 2022-4

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WORKFORCE
DEVELOPMENT BOARD OF SOLANO COUNTY ADOPTING A RESOLUTION
REGARDING THE RALPH M BROWN ACT AND FINDING OF IMMINENT RISK TO
HEALTH AND SAFETY OF IN-PERSON MEETINGS AS A RESULT OF THE CONTINUING
COVID-19 PANDEMIC STATE OF EMERGENCY DECLARED BY GAVIN NEWSOM,
GOVERNOR OF THE STATE OF CALIFORNIA**

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and,

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government code Section 54950 et seq. (the “Brown Act”), provided certain requirements were met and followed; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and,

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 that provides that a legislative body subject to the Brown Act may continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and further requires that certain findings be made by the legislative body every thirty (30) days; and,

WHEREAS, AB 361 amends the Brown Act (Government Code section 54953) to add the following provision: (e)(1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances: (B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, AB 361 amends the Brown Act (Government Code section 54953) to add the following provision: (e)(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote: (A) The legislative body has reconsidered the circumstances of the state of emergency. (B) Any of the following circumstances exist: (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

WHEREAS, the Board of Directors for the Workforce Development Board of Solano County (WDB) is empowered to take actions necessary to protect public, health, welfare and safety within the region; and,

WHEREAS, WDB has an important governmental interest in protecting the health, safety and welfare of those who participate in meetings of WDB’s various legislative bodies subject to the Brown Act; and,

WHEREAS, all teleconferenced meetings of the WDB Board of Directors, WDB Executive Committee, as well as all subcommittees of the Board of Directors shall comply with the requirements to provide the public with access to meetings as prescribed in paragraph (2) of subdivision (e) of Government Code section 54953;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Workforce Development Board of Solano County finds that the Governor's March 4, 2020 declaration of a state of emergency due to the COVID-19 pandemic remains active.

BE IT FUTHER RESOLVED, the Board of Directors of the Workforce Development Board of Solano County finds that due to the state of emergency, meeting in person would present imminent risks to the health or safety of attendees and/or the state of emergency continues to directly impact the ability of the members to meet safely in person due to the prevalence of the COVID-19 virus, the indoor setting of meeting facilities, the potential presence of unvaccinated individuals attending meetings, the potential for noncompliance with mask wearing requirements, and desire to protect the health of immuno-compromised members, staff, and the public.

PASSED AND ADOPTED this 24th day of June 2022.

Fadi Halabi, WDB Board of Directors/Executive Committee Chair

Heather Henry, WDB President/Executive Director



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

AGENDA SUBMITTAL

SUBJECT: Review and Approval of the Proposed Projected Budget for Fiscal Year (FY) 2022-23	MEETING DATE June 24, 2022	AGENDA ITEM V.B
FROM: Heather Henry President/Executive Director	ACTION REQUIRED YES ✓ NO	ATTACHMENTS A, B

RECOMMENDATION:

Attached is the proposed projected budget for FY 2022-23, reviewed and approved at the June 10, 2022 Budget Committee meeting. WDB staff recommends that the Board of Directors review and approve the proposed preliminary budget for FY2022-23 based on the Budget Committee's recommendation.

Relative to last year's final approved budget, this budget accounts for the reduction of non-COVID-related revenue and expenditures from state discretionary grants that ended March 31, 2022. It also accounts for new revenue and expenditures related to COVID recovery.

SUMMARY:

Allocations for Workforce Innovation & Opportunity Act (WIOA) Title I formula funds have not yet been finalized from the State of California-EDD for FY2022-23. As such, prior year figures were used as estimates in this preliminary budget at a level funding. This budget includes conservative carryover estimates from FY2021-22. Final carryover figures, and other standard budget adjustments, will be presented at the September 2022 WDB Board Meeting.

This proposed preliminary budget for FY2022-23 of **\$9,730,784** represents an overall increase of \$3,404,932, or 54%, from FY2021-22. This increase is primarily due to additional funding received in support of the COVID-19 environment.

DISCUSSION:

Format and Presentation Changes

The format of the budget has been changed to better align with financial accounting standards and the County of Solano budget categories. This includes consolidation of revenue streams into four major categories:

1. Grant Revenue – includes any grants funded by the California Employment Development Department as part of the standard sub-grant agreements used for Workforce Innovation and Opportunity Act (WIOA) formula allocations.
2. Other Government Grants/Contracts – includes any grants or contracts funded by a federal, state, or local government entity other than the California Employment Development Department.
3. Other Revenue – includes grants and contracts with philanthropic or corporate funding that are received with restrictions on revenues.
4. Donations and Contributions – includes individual, business, or philanthropic donations and contributions that are unrestricted.

Expense line items have been reorganized to better meet accounting standards and provide an overview of organizational expenses. In addition, a new column has been added to provide year-end projections for current fiscal year as a comparison.

A more detailed budget by funding stream is now provided showing revenue and expenditure impact on the overall organizational budget. In addition, total program and administrative costs have been added per grant.

Opportunities and Challenges for the Agency Budget:

COVID-19 remains a big challenge and unknown. New funding streams are available for COVID recovery for both workforce and small business supports that may impact the budget. In addition, COVID-19 and the negative economic impacts continues to cause reevaluation of expenditures, including training, America's Job Centers of California (AJCC) delivery, supportive services, and business service delivery, which may have significant budget impacts.

We are again unlikely to hit the 30% training expenditure for FY2020-21 WIOA Adult and Dislocated Worker requirements. The budget continues to experience strain in WIOA funding streams. Of the WIOA formula funds (Adult, Dislocated Worker, and Youth), 60% of expenditures are attributed to personnel and 17% of expenditures are attributed to operating costs. However, additional training funds from other sources continue to be added to the overall budget.

FY2021-22 Year End Projections

Highlights of FY2021-22 expenditure projections are below:

Revenue

- WIOA Dislocated Worker expenditures have been less than anticipated to date due to low enrollments and complications with identifying individuals as eligible for Unemployment Insurance benefits. Those individuals have been served under the WIOA Adult program.
- WIOA Youth expenditures have been less than anticipated due to the Youth Contractor and lower than anticipated enrollments and Work Experience placements.
- WIOA Administrative expenditures are overbudget and currently under reconciliation.
- The Disability Employment Accelerator (DEA), Veterans Employment-Related Assistance (VEAP), and AB1111 grants were underspent at grant close and represent \$280,857 in funds unavailable for expenditure, particularly in vocational training and supportive services.
- Some grants have been received since the last budget modification and due to timing, have already begun expenditures. In addition, Fairfield-Suisun Unified School District augmented the funding for the Restaurant Resiliency program, and as such expenditures exceed the budgeted amount.

Expenses

- Salaries and Benefits will end less than originally projected by an estimated \$500,000. Numerous variables have contributed to this under expenditure. The Board provided a 2% retirement bonus, creating a 3% cost savings. Five (5) FTEs are currently vacant, leading to a salary lapse. In addition, three (3) staff members were on Family Medical Leave Act (FMLA) for at least three months, leading to salary savings. It is important to note that although we have a cost savings in programmatic staff salaries and benefits, there will be no cost savings in administrative salaries and benefits.

- Other Costs are being realigned and redefined to more closely align to accounting standards and the County of Solano chart of accounts. As such, some items are significantly under or over budget. However, all costs are within grant allowabilities and within the overall budget category subtotal.

Revenue and Expenditure Detail:

- **Attachment A:** FY2022-23 Projected Budget
- **Attachment B:** FY2022-23 Projected Budget by Project

Revenue – FY2022-23

Unknowns

- WIOA allocations have not yet been finalized for FY2022-23. Estimates are based on current year allocations.
- Grant applications are in the pipeline that will positively impact revenue in FY2022-23:
 - California Workforce Development Board (CWDB) Regional Equity Partnership: \$1,300,000 over 2.75 years. Solano is submitting as the regional fiscal agent for the North Bay workforce region.
 - Solano County ARPA Workforce Funding: \$4,898,000 over two years
- Regional Equity and Solano County ARPA workforce funding is estimated based on ARPA Board approval, but line items may change following final county contract negotiations.
- The Solano-Napa SBDC grant year is January – December. Funding levels for 2023 are currently unknown and are anticipated at level funding.

Changes from FY2021-22 to FY2022-23:

This discussion focuses on changes that are +/-10% or more

Revenue Ending FY2021-22:

- California Employment Development Department (EDD) - Disability Employment Accelerator (DEA VI)
- California Workforce Development Board (CWDB) – AB1111
- CARES Act - SBDC enhancement
- CWDB Regional Funds through Sonoma Workforce Investment Board – Prison to Employment
- CWDB Regional Funds through Sonoma Workforce Investment Board – Regional Plan Implementation 3.0
- EDD – Veterans-Employment Related Assistance (VEAP)
- EDD National Dislocated Worker – COVID ER – although this grant has a time extension into FY2022-23, the WDB expects to fully expend this funding in FY2021-22.
- Fairfield-Suisun Unified School District – Restaurant Resiliency Fairfield
- Solano Community Foundation – COVID Basic Needs
- WellsFargo Foundation – COVID-19 Business Assistance
- WellsFargo Foundation – Restaurant Resiliency

New Revenue Sources in FY2022-23:

- City of Vallejo ARPA – Small Business Assistance – total grant award of \$500,000
- County of Napa – Microenterprise Small Business Grants – total grant award of \$173,499

- County of Solano ARPA – Funding Option #1: Sustain Service Delivery – total grant award of \$736,455
- CWDB Accelerator 10.0 – CNA Upskilling Program – total grant award of \$250,000
- WellsFargo Foundation Dream Incubator Support: \$50,000

Changes in Revenue:

- WIOA Dislocated Worker funding is anticipated to increase due to higher-than-anticipated prior year carryover.
- WIOA Administration as a revenue source is being dissolved internally and reintegrated into each WIOA funding stream. Administrative costs will be allocated to Adult, Dislocated Worker, and Youth funding streams moving forward. Although Adult, DW, and Youth funds do not see a significant decrease, these funding streams now need to absorb administrative costs.
- WIOA Rapid Response & Layoff Aversion funding is anticipated to increase due to higher-than-anticipated prior year carryover.
- Small Business Development Center was previously combined into one revenue category. Beginning in FY2022-23, the funding streams will be broken out into five categories that represent SBDC funding.
- City of Vacaville Manufacturing Retention & Kaiser Restaurant Resiliency funding spans FY2021-23 to FY2022-23 and the remaining funds are budgeted for FY2022-23.

Expenditures - 2020-21:

Unknowns:

- It is unknown what continued changes will occur in service delivery, and hence, expenditures due to the COVID-19 environment.
- Upcoming labor negotiations in summer 2022 will also have an impact on personnel costs.
- It is unknown what change in costs for healthcare benefits will be applied beginning December 1, 2022. Final healthcare costs will be represented in the September 2022 budget modification.
- The WDB fiscal department is in the process of updating its Chart of Accounts, which will impact expenditure totals within each line item, as costs become more appropriately attributed to new types of expenditures and to more closely align with County and fiscal standards.
- Final year-end reconciliations of grants are currently underway and may impact final FY21-22 expenditures.

Changes from FY2021-22 to FY2022-23:

This discussion focuses on changes that are +/-10% or more

Changes in Expenditures:

- Salaries and Benefits are increased due to new positions as a result of Solano ARPA funding.
- Vocational Training is increased due to new revenue specifically attributed to vocational training in FY2022-23.
- Supportive Services are decreased. In FY2021-22, the WDB had a supportive services grant that provided additional funding. In addition, it was anticipated in FY2021-22 that COVID-related supportive service needs would be higher than it was. FY2022-23 costs are based on expenditure trends of FY2022-23.

- Business Advisors & Small Business Payments are expenditure line items added due to increasing use of these services during COVID and as a result of hosting the SBDC. Expenditures are increased due to Solano ARPA funding.
- Outreach costs have been realigned, with some expenditures moved to software. Total expenditure line is increased due to Solano ARPA funding.
- Program Contracts are increased due to Solano ARPA funding.
- Communications / IT is increased due to Solano ARPA funding, with some expenditures moved to software.
- Employee Professional Development is reduced due to the ending of discretionary grants with specific professional development costs.
- Memberships are an expenditure line added to aid in better fiscal tracking.
- Mileage is reduced due to the continued virtual environment of COVID and the increasing use of videoconferencing.
- Supplies / Equipment / Software is increased due to expenditure realignment of software and Solano ARPA funding.
- Other Operating Costs are reduced due to decreases in cost and renegotiation of liability insurance, netting a \$12,000 saving.

Budget Modifications:

It is typical for the agency budget to be modified at times throughout a program year:

- A first modification is generally submitted, which includes final grant allotments, finalization of funds carried over from the prior year, recalculated line-item expenditure amounts to replace estimates, and changes in service delivery strategies.
- Any subsequent modifications will be the result of changes in available grant funding, program design, and/or cost of goods and services.

The WDB's budget responsibility to the County has been satisfied by the submission of a budget for program year 2021-22. The County budget cycle is timed differently than the WDB cycle and allows for changes to be made to the County budget for new grant awards to align it with the WDB-approved program operation budgets.

ALTERNATIVES:

Alternatively, the Board could choose not to approve and recommend this preliminary budget. However, the WDB would then begin the new fiscal year without a working budget.

REPORT PREPARED BY: Heather Henry, President / Executive Director. Please contact Heather at 707-863-3501 should you have any questions regarding the information outlined in this report.



Heather Henry, President/Executive Director

WDB SOLANO

FY2022-23 Projected Budget

Presented to the WDB Board of Directors 6.24.22

	BUDGET 2021-22 <i>Mod #2</i>	2021-22 Year End Projection	BUDGET 2022-23 <i>Projected</i>	\$ Increase / Decrease	% Increase / Decrease
REVENUE:					
Grant Revenue					
WIOA Adult	\$961,231	\$938,095	\$939,885	-\$21,346	-2%
WIOA Dislocated Worker	\$1,038,929	\$837,015	\$1,158,527	\$119,598	12%
WIOA Youth	\$1,049,906	\$749,815	\$1,085,373	\$35,467	3%
WIOA Administration	\$301,732	\$335,347	\$0	-\$301,732	-100%
WIOA Rapid Response	\$116,402	\$80,979	\$130,994	\$14,592	13%
WIOA Layoff Aversion	\$49,802	\$24,861	\$59,233	\$9,431	19%
EDD Disability Employment Accelerator (DEA VI)	\$145,968	\$68,462	\$0	-\$145,968	-100%
EDD National Dislocated Worker - COVID ER	\$110,652	\$110,652	\$0	-\$110,652	-100%
EDD Veterans Employment-Related Assistance (VEAP)	\$347,522	\$173,311	\$0	-\$347,522	-100%
Grant Revenue Total	\$4,122,144	\$3,318,536	\$3,374,012	-\$748,132	-18%
Other Government Grants/Contracts					
City of Vacaville - Manufacturing Retention	\$23,000	\$6,895	\$15,748	-\$7,252	-32%
City of Vacaville - Shop Local	\$21,000	\$11,055	\$0	-\$21,000	-100%
City of Vallejo - ARPA Small Bus Assistance	\$0	\$16,979	\$483,021	\$483,021	100%
County of Napa - Microbusiness Grants	\$0	\$6,214	\$167,285	\$167,285	100%
County of Solano - ARPA: Sustain Service Delivery	\$0	\$32,316	\$704,139	\$704,139	200%
County of Solano - ARPA: Community Workforce	\$0	\$0	\$845,500	\$845,500	100%
County of Solano - ARPA: Industry Training	\$0	\$0	\$1,143,508	\$1,143,508	100%
County of Solano - ARPA: Community Engagement	\$0	\$0	\$422,000	\$422,000	100%
County of Solano - ARPA: Small Business	\$0	\$0	\$599,500	\$599,500	100%
County of Solano - Microbusiness Grants	\$52,814	\$23,052	\$529,734	\$476,920	903%
CWDB - AB1111	\$222,619	\$193,479	\$0	-\$222,619	-100%
CWDB - CNA Upskilling Program	\$0	\$0	\$141,580	\$141,580	100%
CWDB / Sonoma WIB - Prison to Employment	\$101,433	\$124,008	\$0	-\$101,433	-100%
CWDB / Sonoma WIB - Regional Implementation 3.0	\$134,473	\$52,076	\$0	-\$134,473	-100%
CWDB / Sonoma WIB - Regional Implementation 4.0	\$73,816	\$36,050	\$69,348	-\$4,468	-6%
CWDB - Regional Equity	\$0	\$0	\$199,971	\$199,971	100%
FSUSD - Restaurant Resiliency	\$15,881	\$26,775	\$0	-\$15,881	-100%
H&SS - Job Skills Program	\$250,000	\$238,835	\$250,000	\$0	0%
H&SS - Success Track	\$726,639	\$550,028	\$181,660	-\$544,979	-75%
NorCal SBDC - Capital Improvement Program	\$0	\$0	\$42,425	\$42,425	100%
NorCal SBDC - SBA	\$0	\$0	\$190,000	\$190,000	100%
NorCal SBDC - TA Expansion Program	\$0	\$0	\$138,575	\$138,575	100%
SBDC CARES Act	\$34,441	\$34,441	\$0	-\$34,441	-100%
SBDC Cash Match	\$0	\$0	\$104,800	\$104,800	100%
Small Business Development Center (SBDC)	\$412,809	\$397,471	\$0	-\$412,809	-100%
Other Government Revenue Total	\$2,068,925	\$1,749,673	\$6,228,794	\$4,159,869	201%
Other Revenue					
Kaiser - Restaurant Resiliency	\$14,750	\$6,000	\$8,750	-\$6,000	-41%
Program Income	\$0	\$325	\$500	\$500	100%
Solano Community Foundation - COVID Basic Needs	\$19,858	\$19,858	\$0	-\$19,858	-100%
Travis Credit Union - Food Incubator	\$0	\$10,000	\$0	\$0	100%
WellsFargo - COVID-19 Business Assistance	\$9,700	\$9,700	\$0	-\$9,700	-100%
WellsFargo - Restaurant Resiliency	\$90,475	\$90,475	\$0	-\$90,475	-100%
WellsFargo - Dream Incubator	\$0	\$0	\$50,000	\$50,000	100%
Other Revenue Total	\$134,783	\$136,358	\$59,250	-\$75,533	-56%

	BUDGET 2021-22 <i>Mod #2</i>	2021-22 Year End Projection	BUDGET 2022-23 <i>Projected</i>	\$ Increase / Decrease	% Increase / Decrease
<i>Donations and Contributions</i>					
SBDC Donations and Sponsorships	\$0	\$0	\$63,500	\$63,500	100%
Donations and Contributions Total	\$0	\$0	\$63,500	\$63,500	100%
TOTAL REVENUE	\$6,325,852	\$5,204,567	\$9,725,556	\$3,399,704	54%
EXPENSES:					
Salaries and Benefits	\$3,715,121	\$3,172,287	\$3,718,127	\$3,006	0%
Personnel Expenses	\$3,715,121	\$3,172,287	\$3,718,127	\$3,006	0%
Vocational Training	\$466,918	\$182,668	\$773,628	\$306,710	66%
Work-Based Training	\$254,500	\$210,394	\$202,000	-\$52,500	-21%
Supportive Services	\$98,434	\$28,856	\$28,000	-\$70,434	-72%
Business Advisors	\$156,271	\$0	\$469,119	\$312,848	200%
Small Business Grants / Payments	\$0	\$0	\$1,747,750	\$1,747,750	100%
Outreach	\$55,834	\$96,508	\$375,922	\$320,088	573%
Program Contracts	\$714,347	\$704,125	\$1,505,971	\$791,624	111%
Direct Program Costs	\$1,746,304	\$1,222,550	\$5,102,390	\$3,356,086	192%
Communications / IT	\$123,174	\$224,639	\$117,387	-\$5,787	-5%
Employee / WDB Professional Dev	\$26,173	\$10,848	\$7,000	-\$19,173	-73%
Facilities	\$479,810	\$483,009	\$483,182	\$3,372	1%
Memberships	\$0	\$5,145	\$8,000	\$8,000	100%
Mileage / Travel	\$37,236	\$1,400	\$11,051	-\$26,186	-70%
Supplies / Equipment / Software	\$64,338	\$33,601	\$194,860	\$130,522	203%
Other Operating Costs	\$133,696	\$51,088	\$83,561	-\$50,136	-37%
Other Costs	\$864,427	\$809,731	\$905,040	\$40,613	4%
TOTAL EXPENSES	\$6,325,852	\$5,204,567	\$9,725,556	\$3,399,704	54%

Revenue Over / (Under) Expenses

\$0	\$0	-\$1
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WDB SOLANO
FY2022-23 Projected Budget Detail

	TOTAL BUDGET	WIOA Adult	WIOA Dislocated Worker	WIOA Youth	WIOA Rapid Response	WIOA Layoff Aversion	VACAVILLE Manufacture	VALLEJO ARPA Small Biz	NAPA CO. Microgrants	SOLANO ARPA - Sustain Svcs	SOLANO ARPA - Community Workforce
REVENUE STREAMS:											
EDD Grants	\$3,374,012	\$939,885	\$1,158,527	\$1,085,373	\$130,994	\$59,233	\$15,748	\$483,021	\$167,285	\$704,139	\$845,500
Other Government Grants	\$6,228,794										
Other Revenue	\$59,250										
Donations and Contributions	\$63,500										
TOTAL REVENUE	\$9,725,556	\$939,885	\$1,158,527	\$1,085,373	\$130,994	\$59,233	\$15,748	\$483,021	\$167,285	\$704,139	\$845,500
EXPENSES:											
Salaries and Benefits	\$3,718,127	\$612,851	\$734,463	\$585,955	\$112,058	\$35,971	\$15,748	\$33,021	\$17,710	\$225,881	\$90,000
Personnel Expenses	\$3,718,127	\$612,851	\$734,463	\$585,955	\$112,058	\$35,971	\$15,748	\$33,021	\$17,710	\$225,881	\$90,000
Vocational Training	\$773,628	\$76,413	\$172,215			\$15,000				\$300,000	
Work-Based Training	\$202,000	\$40,000	\$40,000	\$22,000						\$50,000	
Supportive Services	\$28,000	\$6,000	\$6,000	\$6,000						\$10,000	
Business Advisors	\$469,119									\$92,758	
Small Business Grants / Payments	\$1,747,750										
Outreach	\$375,922	\$2,250	\$2,250	\$0	\$1,000	\$500		\$450,000	\$140,000	\$500	\$700,000
Program Contracts	\$1,505,971	\$12,500	\$12,500	\$312,500					\$6,000		\$40,000
Direct Program Costs	\$5,102,390	\$137,163	\$232,965	\$340,500	\$1,000	\$15,500	\$0	\$450,000	\$146,500	\$452,758	\$740,000
Communications / IT	\$117,387	\$29,596	\$30,823	\$20,662	\$1,402	\$385					\$5,000
Employee / WDB Professional Dev	\$7,000	\$3,500	\$3,500								
Facilities	\$483,182	\$118,947	\$118,947	\$105,121	\$6,000					\$18,500	\$5,000
Memberships	\$8,000					\$4,000					
Mileage / Travel	\$11,051	\$1,500	\$1,500	\$800	\$500						
Supplies / Equipment / Software	\$194,860	\$25,000	\$25,000	\$22,000	\$7,000	\$2,392			\$3,075	\$4,500	\$5,500
Other Operating Costs	\$83,561	\$11,329	\$11,329	\$10,335	\$3,034	\$985				\$2,500	
Other Costs	\$905,040	\$189,872	\$191,099	\$158,918	\$17,936	\$7,762	\$0	\$0	\$3,075	\$25,500	\$15,500
Total program costs		\$845,897	\$1,042,674	\$976,835	\$117,895	\$53,310		\$434,719	\$150,557	\$633,725	\$816,100
Allocation of admin costs		\$93,989	\$115,853	\$108,537	\$13,099	\$5,923		\$48,302	\$16,729	\$70,414	\$29,400
TOTAL EXPENSES	\$9,725,556	\$939,885	\$1,158,527	\$1,085,373	\$130,994	\$59,233	\$15,748	\$483,021	\$167,285	\$704,139	\$845,500
Revenue Over / (Under) Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

WDB SOLANO
FY2022-23 Projected Budget Detail

	TOTAL BUDGET	SOLANO ARPA - Industry Training	SOLANO ARPA - Community Engagement	SOLANO ARPA - Small Business	SOLANO CO. Microgrants	CWDB CNA	CWDB RPI 4.0	CWDB RERP	H&SS Job Skills	H&SS Success Track	SBA CIP	SBDC SBA
REVENUE STREAMS:												
EDD Grants	\$3,374,012											
Other Government Grants	\$6,228,794											
Other Revenue	\$59,250											
Donations and Contributions	\$63,500											
TOTAL REVENUE	\$9,725,556	\$1,143,508	\$422,000	\$599,500	\$529,734	\$141,580	\$69,348	\$199,971	\$250,000	\$181,660	\$42,425	\$190,000
EXPENSES:												
Salaries and Benefits	\$3,718,127	\$218,508	\$260,000	\$40,500	\$75,841	\$11,665	\$27,155	\$12,500	\$190,925	\$105,275	\$11,590	\$155,823
Personnel Expenses	\$3,718,127	\$218,508	\$260,000	\$40,500	\$75,841	\$11,665	\$27,155	\$12,500	\$190,925	\$105,275	\$11,590	\$155,823
Vocational Training	\$773,628	\$150,000						\$60,000		\$50,000		
Work-Based Training	\$202,000											
Supportive Services	\$28,000											
Business Advisors	\$469,119			\$204,000							\$30,835	\$14,870
Small Business Grants / Payments	\$1,747,750				\$450,000							
Outreach	\$375,922	\$350,000			\$1,000	\$4,422						
Program Contracts	\$1,505,971	\$400,000	\$95,000	\$315,000		\$123,000	\$40,000	\$119,471				
Direct Program Costs	\$5,102,390	\$900,000	\$95,000	\$519,000	\$451,000	\$127,422	\$40,000	\$179,471	\$0	\$50,000	\$30,835	\$14,870
Communications / IT	\$117,387	\$5,000	\$3,000	\$9,000		\$421	\$421		\$1,000	\$4,523		\$854
Employee / WDB Professional Dev	\$7,000											
Facilities	\$483,182	\$10,000	\$4,000	\$9,000		\$1,772	\$1,772	\$3,000	\$46,914	\$18,921		\$12,288
Memberships	\$8,000											
Mileage / Travel	\$11,051								\$800	\$386		\$4,165
Supplies / Equipment / Software	\$194,860	\$5,000	\$60,000	\$22,000	\$2,893				\$1,000	\$500		\$2,000
Other Operating Costs	\$83,561	\$5,000				\$300		\$5,000	\$9,361	\$2,056		
Other Costs	\$905,040	\$25,000	\$67,000	\$40,000	\$2,893	\$2,493	\$2,193	\$8,000	\$59,075	\$26,386	\$0	\$19,307
Total program costs		\$1,029,157	\$414,775	\$549,142	\$476,761	\$127,422	\$62,413	\$179,974				
Allocation of admin costs		\$114,351	\$7,225	\$50,358	\$52,973	\$14,158	\$6,935	\$20,500				
TOTAL EXPENSES	\$9,725,556	\$1,143,508	\$422,000	\$599,500	\$529,734	\$141,580	\$69,348	\$199,971	\$250,000	\$181,660	\$42,425	\$190,000
Revenue Over / (Under) Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

WDB SOLANO
FY2022-23 Projected Budget Detail

	TOTAL BUDGET	SBDC TAEP	SBDC Cash Match	KAISER Restaurant	WellsFargo Dream Incubator	SBDC Contributions	REQ. COUNTY BUDGET
REVENUE STREAMS:							
EDD Grants	\$3,374,012						\$3,527,574
Other Government Grants	\$6,228,794	\$138,575	\$104,800				\$2,669,446
Other Revenue	\$59,250			\$8,750	\$50,000	\$500	\$173,911
Donations and Contributions	\$63,500					\$63,500	\$44,800
TOTAL REVENUE	\$9,725,556	\$138,575	\$104,800	\$8,750	\$50,000	\$64,000	\$6,415,731
EXPENSES:							
Salaries and Benefits	\$3,718,127	\$74,919	\$65,769	\$1,000	\$3,000	\$0	\$3,838,764
Personnel Expenses	\$3,718,127	\$74,919	\$65,769	\$1,000	\$3,000	\$0	\$ 3,838,764
Vocational Training	\$773,628						\$529,953
Work-Based Training	\$202,000						\$548,108
Supportive Services	\$28,000						\$14,000
Business Advisors	\$469,119	\$53,656	\$10,000		\$15,000	\$48,000	\$532,660
Small Business Grants / Payments	\$1,747,750			\$7,750		\$5,500	\$52,575
Outreach	\$375,922	\$6,000	\$2,500				\$0
Program Contracts	\$1,505,971				\$30,000		\$0
Direct Program Costs	\$5,102,390	\$59,656	\$12,500	\$7,750	\$45,000	\$53,500	\$1,677,296
Communications / IT	\$117,387		\$3,000		\$800	\$1,500	\$126,000
Employee / WDB Professional Dev	\$7,000						\$11,448
Facilities	\$483,182				\$1,000	\$2,000	\$493,826
Memberships	\$8,000	\$4,000					\$9,000
Mileage / Travel	\$11,051		\$1,400				\$6,500
Supplies / Equipment / Software	\$194,860					\$7,000	\$147,425
Other Operating Costs	\$83,561		\$22,132		\$200		\$105,973
Other Costs	\$905,040	\$4,000	\$26,532	\$0	\$2,000	\$10,500	\$914,871
Total program costs							
Allocation of admin costs							
TOTAL EXPENSES	\$9,725,556	\$138,575	\$104,800	\$8,750	\$50,000	\$64,000	\$6,430,931
Revenue Over / (Under) Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

AGENDA SUBMITTAL

SUBJECT: Review and Approval of the ARPA Eligibility and Enrollment Policy	MEETING DATE June 24, 2022	AGENDA ITEM V.C
FROM: Heather Henry President/Executive Director	ACTION REQUIRED YES ✓ NO	ATTACHMENTS A

RECOMMENDATION: Staff is recommending the Board review and provide preliminary approval of the American Rescue Plan Act (ARPA) Eligibility and Enrollment Policy. It is also recommended that the Board provide authorization to the President/Executive Director to make administrative changes to the policy before finalization after it has been reviewed by the Office of the County Administrator, who is the recipient of Solano County ARPA funds.

DISCUSSION:

The Workforce Development Board (WDB) of Solano County and the Napa-Solano Small Business Development Center (SBDC) received ARPA funds from the County of Solano to administer workforce, small business, and nonprofit assistance programs in Solano County. In order to remain compliant with ARPA regulations governing programmatic and administrative policies outlined in the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) Final Rule, the Workforce Development Board (WDB) of Solano County developed the ARPA Eligibility and Enrollment Policy to guide enrollment of individuals, small businesses, and nonprofit organizations into ARPA services.

Below are highlight of content for this policy:

ARPA Eligibility and Enrollment Policy

The policy on ARPA Eligibility and Enrollment provides guidelines to WDB and SBDC staff, as well as its subrecipients, on requirements and guidelines for eligibility of services. This is a new policy.

Overview of Policy

The policy provides information on eligibility and enrollment requirements into ARPA programs and services, in accordance with ARPA law, the federal SLFRF Final Rule, and applicable federal and state regulations.

To be eligible to receive ARPA services, a beneficiary (individual, small business, or nonprofit organization) must have experienced a negative economic impact or an economic harm that resulted from the COVID-19 public health emergency.

The policy identifies two categories of beneficiaries for eligibility purposes: negatively impacted and disproportionately impacted. The Treasury presumes certain populations or classes experienced negative or disproportionate impact as a result of the COVID-19 pandemic, outlined in the policy.

Key Policy Elements

- Eligibility requirements for impacted and disproportionately impacted individuals
- Eligibility requirements for impacted and disproportionately impacted small businesses and nonprofit organizations
- Requirements for verifying eligibility documentation
- Requirements for Veteran Priority of Service
- Military Selective Service requirements for males over 18
- Co-Enrollment guidance
- Attachments with the required documentation sources for each potential eligibility data element
- Definition of key terms

ALTERNATIVES: The Board could choose not to approve this policy and request further investigation or changes prior to review by the County Administrator's Office.

REPORT PREPARED BY: Heather Henry, President/Executive Director. Please contact Heather at 707-863-3501 if you have any questions regarding the information in this report.

A handwritten signature in blue ink that reads "Heather Henry". The signature is written in a cursive, flowing style.

Heather Henry, President/Executive Director



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

POLICY ISSUANCE

Date: July XX, 2022 Number: 2022-03

ARPA ELIGIBILITY AND ENROLLMENT POLICY

INTRODUCTION

This policy on eligibility ensures that every beneficiary of American Rescue Plan Act of 2021 (ARPA) funded services is eligible and registered to receive those services.

ARPA established the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to provide state, local, and Tribal governments with the resources needed to respond to the pandemic and its economic effects and to build a stronger, more equitable economy during the recovery.

ARPA provides that SLFRF funds may be used to respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality. The purpose of SLFRF funds is to respond to the public health emergency with respect to its negative impacts, including current and delayed negative economic impacts.

QUESTIONS

Questions relating to this policy should be directed to the Tracy White, One-Stop Manager, at twhite@solanowdb.org or at 707.863.3520.

ATTACHMENTS

- Attachment A: Required Documentation for ARPA Individuals
- Attachment B: Allowable ARPA Eligibility Documentation Sources
- Attachment C: Eligibility Checklist for ARPA Individuals
- Attachment D: Map of Solano County Qualified Census Tracts
- Attachment E: Definitions of Key Terms

ARPA ELIGIBLE BENEFICIARIES

To be eligible to receive ARPA services as a response to negative economic impacts of the COVID-19 public health emergency through the Workforce Development Board (WDB) of Solano County, the Solano-Napa Small Business Development Center (SBDC), or their subrecipients, a beneficiary must have experienced a negative economic impact or an economic harm (such as loss of earnings or revenue) that resulted from the COVID-19 public health emergency and meet one of the following eligibility criteria:

1. **Individuals** (economic impacts may be immediate or delayed),
2. **Small Businesses and Specific Industries**, or
3. **Non-Profit Organizations**

The SLFRF Final Rule defines that only “impacted” and “disproportionately impacted” individuals, small businesses, or non-profits are eligible to receive services under ARPA. The SLFRF final rule allows recipients to demonstrate a negative or disproportionate economic impact on a population or class. In such cases, staff and subrecipients need only demonstrate that an individual household, business, or nonprofit is within the class that experienced a negative or disproportionate economic impact, rather than requiring that each individual household or small business experienced a negative or disproportionate economic impact.

The Treasury presumes that the general public experienced public health impacts from the pandemic for the purposes of providing services for COVID-19 mitigation and behavioral health, as the stress of the pandemic and resulting recession have affected nearly all Americans. As such, staff and subrecipients may provide COVID-19 mitigation and prevention, as well as behavioral health services without the requirement of determining eligibility of the beneficiaries.

The WDB and SBDC may provide services to beneficiaries through subrecipients that did not experience a negative economic impact in order to implement a program or provide a service to beneficiaries on its behalf.

ARPA ELIGIBLE INDIVIDUALS

Solano County residents receive priority for enrollment into WIOA programs, with the exception of individuals whose enrollment may be based on the location of the business. Non-Solano County residents may be enrolled on a case-by-case if approved by a WDB Program Manager.

Impacted Individuals

Certain populations have been presumed to be economically impacted by the Treasury and are thus eligible for ARPA services. Households that experienced unemployment, increased food or housing insecurity, or are low- or moderate-income are presumed to have experienced a negative economic impact from the pandemic.

Individuals who experienced unemployment, per the SLFRF Final Rule, include three (3) eligible populations:

1. **Unemployed** – individuals who want and are available to work, who lost their job during the pandemic and resulting recession, as well as individuals who were unemployed when the pandemic began and saw further deterioration of their economic options due to the pandemic; including
2. **Underemployed** – individuals who have looked for work sometime in the past twelve (12) months or who are employed part-time that want and are available to work full-time; and those

3. **Seeking Economic Advancement** – individuals who are currently employed but are seeking to move to a job that provides better opportunities for economic advancement.

In addition, the Treasury allows categorical eligibility of impacted individuals based on their eligibility for other programs with similar income tests. Therefore, if an individual qualifies for the following programs, they will be recognized as an impacted household:

- Children’s Health Insurance Program (CHIP)
- Childcare Subsidies through the Child Care and Development Fund (CCDF)
- Medicaid

Disproportionately Impacted Individuals

Disproportionately impacted households are those that experienced a disproportionate, or meaningfully more severe, impact from the pandemic. The SLFRF final rule recognizes that disproportionate health or negative economic impacts during the pandemic have been amplified for certain populations with pre-existing disparities in their communities. Those households, communities, small businesses, and nonprofits that experienced disproportionate public health or negative economic impacts of the pandemic are considered “disproportionately impacted.”

The Treasury notes that households presumed to be disproportionately impacted would also be presumptively impacted, as these households have not only experienced pandemic impacts but have experienced disproportionate pandemic impacts; as a result, these households are presumptively eligible for responsive services for both impacted and disproportionately impacted households.

Certain populations have been presumed to be economically disproportionately impacted by the Treasury and are thus eligible for ARPA services. Households that reside in Qualified Census Tracts (QCTs) or are receiving services provided by Tribal governments were disproportionately impacted by the pandemic. The Treasury also identifies that economic disparities existing prior to the pandemic amplified the impact of the pandemic specifically among low-income and minority groups. The Treasury additionally identifies that rate of unemployment was particularly severe among workers of color, low-wage workers, and workers with lower levels of educational attainment. Finally, the Treasury identifies that those who have experienced longer periods of unemployment earn lower wages over the long term once rehired, leading to longer-term economic challenges.

The WDB and County of Solano have additionally identified individuals under the age of 35 experienced meaningfully more severe impacts than the general population, based on Unemployment Insurance claims data provided by the California Employment Development Department. Labor market information shows that individuals under 35 represented half of the unemployed individuals in Solano County at the height of the pandemic.

Staff and sub-recipients can, therefore, consider the following populations who meet the unemployment eligibility as disproportionately impacted:

- Households that reside in Qualified Census Tracts (QCTs) within Vallejo and Fairfield (See Attachment D for Solano County QCTs);
- Individuals under the age of 35 at time of enrollment;
- Individuals who have experienced long-term unemployment;
- Individuals whose current or last employment was considered low-wage;
- Individuals with lower levels of educational attainment;
- Individuals within minority groups; and
- Low-income households.

In addition, the Treasury allows categorical eligibility of disproportionately impacted beneficiaries based on their eligibility of other programs with similar income tests. If an individual qualifies for any of the following programs, they will be recognized as a disproportionately impacted household:

- Temporary Assistance for Needy Families (TANF)
- Supplemental Nutrition Assistance Program (SNAP)
- Free and Reduced-Price Lunch (NSLP) and/or School Breakfast (SBP) programs
- Medicare Part D Low-income Subsidies
- Supplemental Security Income (SSI)
- Head Start and/or Early Head Start
- Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
- Section 8 Vouchers
- Low-Income Home Energy Assistance Program (LIHEAP)
- Pell Grants

ARPA ELIGIBLE SMALL BUSINESSES AND NONPROFITS

Impacted Businesses and Nonprofits

Recipients may not provide assistance to small businesses, impacted industries, or nonprofits that did not experience a negative economic impact, although recipients can identify negative economic impacts for classes, rather than individual businesses or nonprofits, and may also presume that small businesses in certain areas experienced impacts.

Small businesses that face financial insecurity, substantial declines in gross receipts, or other economic harm due to the pandemic, such as challenges covering payroll, mortgage or rent are considered impacted small businesses. Businesses with less capacity to weather financial hardship, such as the smallest businesses, those with less access to credit, or those serving underserved communities are also presumed to have experienced a negative economic impact from the pandemic.

Certain classes of small businesses, impacted industries, or nonprofit organizations are presumed to have experienced a negative economic impact and are thus eligible for

ARPA services. The WDB, SBDC, and the County of Solano have identified the following classes of small businesses, impacted industries, and nonprofit organizations:

- Businesses and nonprofits that can demonstrate economic harm due to the pandemic;
- Businesses or nonprofits that were required to be closed more than three (3) consecutive months per California Public Health guidelines;
- Businesses or nonprofits who received Paycheck Protection Program (PPP) funds or small business grants based on economic hardship as a result of COVID-19 and the resulting economic impacts;
- Microbusinesses; and
- Moderate-income small businesses and nonprofits.

Disproportionately Impacted Small Businesses and Nonprofits

Disproportionately impacted small businesses are those that experienced a disproportionate, or meaningfully more severe, impact from the pandemic. The SLFRF final rule recognizes that disproportionate negative economic impacts during the pandemic have been amplified for certain populations of small businesses with pre-existing disparities in their communities and nonprofits providing COVID-related services. Those small businesses and nonprofits that experienced disproportionate negative economic impacts of the pandemic are considered “disproportionately impacted.”

The Treasury notes that small businesses, impacted industries, and nonprofits presumed to be disproportionately impacted would also be presumptively impacted, as these businesses and nonprofits have not only experienced pandemic impacts but have experienced disproportionate pandemic impacts; as a result, these businesses and nonprofits are presumptively eligible for responsive services for both impacted and disproportionately impacted small businesses, impacted industries, and nonprofits.

Certain classes of small businesses, industries, and nonprofits have been presumed to be economically disproportionately impacted by the Treasury and are thus eligible for ARPA services. Small businesses and nonprofits that are operating in Qualified Census Tracts (QCTs) were disproportionately impacted by the pandemic. The Treasury also identifies that economic disparities existing prior to the pandemic amplified the impact of the pandemic specifically among low-income and minority groups. The Treasury additionally identifies that women-owned and very small businesses faced significant challenges during the pandemic.

The Treasury also recognizes that the pandemic has damaged the financial health of nonprofits, with small nonprofits reporting relatively larger declines in donations.

The Treasury recognizes that businesses in the travel, tourism, and hospitality industries were severely negatively impacted by the pandemic. Additional industries that have suffered an employment loss of at least eight (8) percent per the simplified industry test are presumed to be an “impacted industry” under the SLFRF Final Rule. The WDB, SBDC, and the County of Solano have determined through academic research conducted

on behalf of the North Bay Workforce Region that Wholesale Trade, Information, Educational and Health Services, and Other Services industries experienced over 8% employment loss from January 2020 to January 2022.

Staff and sub-recipients can, therefore, consider the following populations who meet the small business or nonprofit organization eligibility as disproportionately impacted:

- Businesses within the travel, hospitality and tourism industries, as well as businesses within the Wholesale Trade, Information, Educational and Health Services, and Other Services industries;
- Low-income small businesses and nonprofits;
- Nonprofit organizations offering educational-based programs due to the in-person, indoors nature of their work;
- Nonprofit organizations reliant on fees received for services, such as attendance fees;
- Nonprofit organizations with less than ten (10) employees prior to the onset of the pandemic;
- Small businesses and nonprofit organizations operating in Qualified Census Tracts (QCTs) within Vallejo and Fairfield (See Attachment D for Solano County QCTs);
- Small businesses owned by, and nonprofits led by, an individual of a minority group; and
- Women-owned small businesses.

ELIGIBILITY VERIFICATION

Required ARPA eligibility documentation must be captured for every beneficiary as applicable, in paper or digital form. Required documentation sources for general ARPA Individual eligibility are included in Attachment A; at least one document from every applicable category must be provided. Documentation sources for all data verification elements that may be used to verify eligibility are included in Attachment B for all beneficiaries. An ARPA Eligibility Checklist for Individuals is included in Attachment C. The applicant must be informed that all information is subject to verification and that false information is grounds for termination and possible prosecution under the law.

The order of priority for methods of verification is:

1. Documentary evidence identified in Attachment B.
2. Self-Attestation, where allowable.

Eligibility verification should be customer friendly and not add to the frustrations already experienced by potential beneficiaries. It is not the intention of ARPA to discourage participation by imposing difficult documentation and verification requirements.

Self-Attestation

Self-attestation is allowed as a viable source for documenting eligibility for certain ARPA data elements. Self-attestation should not be the first avenue for verification of data elements but may be used if documentary evidence is not available or if it cannot be

provided when time is of the essence. The ARPA Intake or Registration Form used by the WDB or SBDC can also count as a self-attestation form as long as the individual, business, or nonprofit identifies their status for the permitted criteria and signs and dates the form attesting to this self-identification.

The ARPA Intake or Registration Form may be used for the following eligibility elements:

Individuals

- Economic advancement
- Education status
- Family size
- Layoff or notice of layoff
- Language spoken at home
- Long-term unemployed
- Underemployed
- Veteran status

Small Businesses and Nonprofit Organizations

- Industry of business
- Employee count
- Closure for more than four (4) months
- Low-income small businesses and nonprofits
- Moderate-income small businesses and nonprofits
- Nonprofit organizations services
- Women-owned or minority-owned small businesses.

To qualify as self-attestation on the ARPA intake and registration, the applicable section must be completed and signed. Documentation through ARPA Intake and Registration/self-attestation should not be overused.

Primary Eligibility Review

It is staff's responsibility to ensure all registration paperwork is complete and accurate prior to ARPA enrollment. Staff must maintain a secured paper or digital file for each program applicant and registrant which contains copies of all documents collected. If individuals are not enrolled in ARPA, files must be maintained for six months.

There is no limit on how much time is allowed between application date and enrollment date, but enrollment should be completed within 90 days. Once the enrollment process is started, it is the responsibility of the sub-recipient to enter the appropriate eligibility data into CalJOBS (for individuals) or NeoSerra (for small businesses) within 30 calendar days.

Determining Low-Income and Moderate-Income Status

The final rule defines a household as low income if it has

- (i) income at or below 185 percent of the Federal Poverty Guidelines (FPG) for the size of its household based on the most recently published poverty guidelines by the Department of Health and Human Services (HHS)
- (ii) income at or below 40 percent of the Area Median Income (AMI) for its county and size of household based on the most recently published data by the Department of Housing and Urban Development (HUD).

The final rule defines a household as moderate income if it has

- (i) income at or below 300 percent of the FPG for the size of its household based on the most recently published poverty guidelines by HHS.
- (ii) income at or below 65 percent of the AMI for its county and size of household based on the most recently published data by HUD.

2022 Federal Poverty Guideline	
Household Size	48 Contiguous States and the District of Columbia
1	\$13,590
2	\$18,310
3	\$23,030
4	\$27,750
5	\$32,470
6	\$37,190

For families/households with more than six (6) persons, add the following amounts for each additional person: \$4,720.

The following income sources should be included in an individual's income calculation:

- Alimony, military family allotments, or other regular support from an absent family member or someone not living in the household;
- Child support payments (including foster care child payments);
- College or university scholarships (not needs-based), grants, fellowships, and assistantships;
- Monetary compensation for services, including wages, tips, salary commissions, or fees before any deductions;
- Net gambling or lottery winnings;
- Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);
- Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expense);

- Private pensions, government employee pensions (including military retirement pay);
- Regular insurance or annuity payments (including state disability insurance);
- Regular payments from railroad retirement, strike benefits from union funds, worker's compensation, and training stipends (e.g., wages from the California Conservation Corp);
- Severance payments;
- Social Security Disability Insurance payments;
- Social Security old age and survivors' insurance benefit payments;
- Terminal leave pay; **and**
- Unemployment insurance compensation.

The following income sources should not be included in an individual's income calculation:

- Need-based public assistance payments (including Temporary Assistance for Needy Families, supplemental security income, emergency assistance money payments, and non-federally-funded general assistance or general relief money payments);
- Financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants;
- Supplemental Educational Opportunity Grants and Federal Work Study;
- Needs-based scholarship assistance;
- Loans;
- Veterans benefits;
- Income earned while the veteran was on active military duty and certain other veterans' benefits, i.e., compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, and education assistance;
- Capital gains;
- Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car;
- Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury;
- Non-cash benefits such as employer paid or union-paid portion of health insurance or other fringe benefits, food or housing received in lieu of wages;
- The value of food and fuel produced and consumed on farms;
- The imputed value of rent from owner occupied nonfarm or farm housing;
- Medicare, Medicaid, food stamps, school meals, and housing assistance; **and**
- Allowances, earnings and payments to individuals participating in programs under WIOA (except on-the-job training wages).

Methods for calculating income must be outlined in procedural documents.

VETERAN PRIORITY OF SERVICE

The Jobs for Veterans Act (JVA) of 2008 and the Veterans' Benefits, Health Care, and Information Technology Act of 2006 provides that covered veterans and eligible spouses receive "Priority of Service." Staff must give first consideration for program participation to covered veterans and eligible spouses who meet the ARPA eligibility criteria.

Veterans' priority is required under federal law; however, it is not intended to displace existing eligibility requirements for ARPA. An individual must first qualify for ARPA before a priority of service can be applied. Staff must use the following guidelines when determining priority for ARPA-funded services:

- If the existing provisions are mandatory, a veteran must meet both the existing provisions and the veterans' provisions to receive priority. A non-veteran receives priority over a veteran who does not meet the mandatory provisions.
- If the existing provisions are optional, a veteran receives priority.

At the point of entry, staff will inform covered persons that by identifying as a veteran or an eligible spouse, they are entitled to Priority of Service. In addition, staff must inform covered persons of the full array of employment training and placement services available, as well as the applicable eligibility requirements for programs and services.

When a veteran does not have verifying documentation of veteran or eligible veteran status, the veteran or eligible spouse should be enrolled (providing other required documentation is provided) and provided immediate priority. They should be permitted to follow-up subsequently with any required verification of covered status. To receive priority training services under ARPA, veteran status must be verified.

SELECTIVE SERVICE REQUIREMENTS

The law requires males born on or after January 1, 1960 and residing in the U.S. to register with Selective Service within 30 days of their 18th birthday. For ARPA eligibility, every applicable male must be registered with the Selective Service.

This includes males who are:

- Citizens of the U.S.;
- Non-citizens, including undocumented individuals, legal permanent residents, seasonal agricultural workers, and refugees, who take up residency in the U.S. before their 26th birthday; **and/or**
- Dual nationals of the U.S. and another country regardless of whether they live in the U.S.

For U.S. citizens, Selective Service registration is not required if the man falls within one of the following categories:

- Men who are serving in the military on full-time active duty;
 - Men attending the service academies;
 - Disabled men who are continually confined to a residence, hospital or institution;
- and/or**

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

For non-U.S. citizens, Selective Service registration is not required if the man falls within one of the following categories:

- Non-U.S. male who came into this country for the first time after his 26th birthday with documentation;
- Non-U.S. male who entered the U.S. illegally after his 26th birthday. He must provide proof that he was not living in the U.S. from age 18 through 25; **and/or**
- Non-U.S. male on a valid non-immigrant visa.

Before being enrolled in ARPA -funded services, all males who have not registered with the Selective Service and have not yet reached their 26th birthday must register through the Selective Service website at www.sss.gov. If a man under the age of 26 refuses to register with the Selective Service, ARPA-funded services must be suspended until he registers.

If a male over 26 that was required to register failed to register, they must show documentation establishing that their failure to register was not knowing and willful. Documentation may include:

- Service in the Armed Forces – Evidence that a male has served honorably in the U.S. Armed Force, such as a Form DD-214 or Honorable Discharge Certificate.
- Third Party Affidavits – Affidavits concerning reasons for not registering from parents, teachers, employers, doctors and others.
- Self-Attestation that explains why the individual's failure to register was not knowing and willful.

Individuals who are born female and changed their gender to male are not required to register. U.S. citizens or immigrants who are born male and changed their gender to female are still required to register.

CO-ENROLLMENT IN ARPA PROGRAMS

The WDB allows co-enrollment in across multiple workforce programs, including the Workforce Innovation and Opportunity Act (WIOA) Title I programs, in order to leverage resources across programs for the benefit of the participant. Individuals who meet the respective program eligibility requirements may participate in ARPA programs concurrently. (20 CFR 681.430) Such individuals must be eligible under the respective program's eligibility criteria applicable to the services received.

Staff may determine, for these individuals, the appropriate level and balance of services under the ARPA and concurrent programs. Staff must identify and track the funding streams which pay the costs of services provided to individuals who are participating in programs concurrently, and ensure no duplication of services. When determining in which

program(s) to enroll a participant, the decision must be based on the service needs of the participant.

DISCLAIMER

This policy is based on WDB's interpretation of the statute, along with the American Rescue Plan Act (2021), Final Rule released by the U.S. Department of Treasury, and federal and state policies relating to ARPA implementation. This policy will be reviewed and updated based on any additional federal or state guidance.

REFERENCES

Federal Guidance

- [American Rescue Plan Act of 2021](#).
- Department of the Treasury, [Coronavirus State and Local Fiscal Recovery Funds \(SLFRF\) Final Rule](#). 31 CFR Part 35.
- Health and Human Services [Poverty Guidelines for 2021](#).
- Training and Employment Guidance Letter WIOA (TEGL) 05-08 – [Policy for Collection and Use of Workforce System Participants' Social Security Numbers](#).
- TEGL 10-09 – [Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor \(DOL\)](#).
- TEGL 11-11 and Changes 1 and 2 – [Selective Service Registration Requirements for Employment and Training Administration Funded Programs](#).

State Guidance

- Workforce Service Directive (WSD) 08-14 – [Final Rule on Priority of Service for Veterans and Eligible Spouses](#)
- WSD13-11 – [CalJOBS Participant Reporting](#)
- WSD16-18 – [Selective Service Registration](#)

Approved by

Workforce Development Board of Solano County, Napa-Solano Small Business Development Center, and the County of Solano

Individual Documentation Requirements & Sources

Before enrollment, eligibility criteria must be met and documented

Eligibility Category	Common Acceptable Documentation <i>(Only one per category is required, preferred document is highlighted)</i>
Birth Date/Age	<ul style="list-style-type: none"> • Birth Certificate • DD-214, Report of Transfer or Discharge Paper • Driver's License • Federal, State or Local Government Identification Card • Public Assistance/Social Service Records • School Records/Identification Card • U.S. Passport or U.S. Passport Card (unexpired) • Work Permit
Social Security Number <i>(Selected documents must include a full social security number to be accepted as WIOA documentation)</i>	<ul style="list-style-type: none"> • DD-214, Report of Transfer or Discharge Paper • Employment Records • IRS Form Letter 1722 • Military ID • Passport • Pay Stub • Social Security Card or Social Security Benefits • W-2 Form
Selective Service Registration <i>Required for male applicants</i>	<ul style="list-style-type: none"> • DD-214, Report of Separation • Print-Out, Check Status or Register on-line at: www.sss.gov • Selective Service Registration Card
Authorization to Work*	<p>I-9 Form List A Documents:</p> <ul style="list-style-type: none"> • Employment Authorization with Photograph (Form I-766) • Foreign Passport with I-155 or Form I-94 or I-94A • Permanent Resident Card or Alien Receipt Card (Form I-551) • U.S. Passport or U.S. Passport Card <p>OR a Document from I-9 Form List B and C:</p> <ul style="list-style-type: none"> • List B Documents: <ul style="list-style-type: none"> ○ Driver's License ○ Federal, State, or Local Government ID ○ Voter's Registration Card ○ U.S. Military, Merchant Mariner, or Dependent Card • List C Document: <ul style="list-style-type: none"> ○ U.S. Citizen or Resident Citizen ID Card ○ Social Security Account Number Card ○ Valid Birth Certificate
Additional documentation may be needed to determine eligibility or priority of service.	

ALLOWABLE ELIGIBILITY AND DATA VERIFICATION SOURCES
ARPA Programs

Eligibility Criteria	Acceptable Documentation
Authorization to Work	<p>I-9 Form List A Documents:</p> <ul style="list-style-type: none"> • Employment Authorization Document with Photograph (Form I-766) • Foreign Passport and Form I-94 or I-94A with status endorsement and matching names • Foreign Passport with I-551 stamp or notation • Micronesia or Marshall Islands Passport with Form I-94 or I-94A indicating nonimmigrant admission • Permanent Resident Card or Alien Registration Receipt Card (Form I-551) • U.S. Passport or U.S. Passport Card <p>OR a Document from I-9 Form List B and C:</p> <ul style="list-style-type: none"> • List B Documents: <ul style="list-style-type: none"> ○ Driver's License with photograph or identifying information ○ Federal, State, or Local Government ID with photograph or identifying information ○ Military Dependent's ID Card ○ Native American Tribal Document ○ School ID card with photograph ○ Voter's Registration Card ○ U.S. Military Card or Draft Record ○ U.S. Coast Guard Merchant Mariner Card • List C Document: <ul style="list-style-type: none"> ○ Certificate of Report of Birth issued by Department of State ○ Department of Homeland Security Employment Authorization Document ○ Native American Tribal Document ○ Original or Certified Copy of Birth Certificate Issued by a State, County, Municipal Authority or U.S. Territory with official seal ○ Resident Citizen ID Card ○ Social Security Account Number Card with no work restrictions ○ U.S. Citizen ID Card
Birth Date/Age	<ul style="list-style-type: none"> • Baptismal Record • Birth Certificate • Cross-Match with Department of Public Health vital records • DD-214, Report of Transfer or Discharge Paper • Driver's License • Federal, State or Local Government Identification Card • Hospital Record of Birth • Public Assistance/Social Service Records • School Records/Identification Card • Tribal Records

ATTACHMENT B: Allowable ARPA Eligibility Documentation Sources

Eligibility Criteria	Acceptable Documentation
	<ul style="list-style-type: none"> • U.S. Passport or U.S. Passport Card (unexpired) • Work Permit
Economic Harm to Business or Nonprofit	<ul style="list-style-type: none"> • Bank Statements • Quarterly Estimated Tax for Self-Employed Persons • Staff Verification that Business is in Impacted Industry • Staff Verification that Business is within an Industry required to close for more than three (3) months • Staff Verification that Business received Paycheck Protection Program funds or small business grants • Tax Statements
Education Status	<ul style="list-style-type: none"> • School records • Self-Attestation Statement
Employment Status/Wage	<ul style="list-style-type: none"> • Case Notes Showing Information Collected from Participant • Pay Stub
Layoff or Notice of Layoff	<ul style="list-style-type: none"> • DE 8406 Personalized Job Search Assistant (PJSA) Appointment Notice Form • DE 8530 Reemployment Eligibility Assistance (REA) Letter • DE 1106/Z Appointment Notice to an Initial Assistance Workshops (IAW) • Invitation Letter to Self-Employment Assistance (SEA) Orientation • Layoff Letter/Statement from Employer or Union Representative • Media Article or Announcement Describing Layoff with name and date of publication • Reemployment Plan Generated from IAW • Screen Print of IAW Schedule • Self-Attestation Statement • WARN Notice <p><i>* Dislocation date must be on the documentation</i></p>
Low Income	<ul style="list-style-type: none"> • Alimony Agreement • Award Letter from Veterans Administration • Bank Statements • Compensation Awards Letter • Court Award Letter • Employer Statement/Contact • Family or Business Financial Records • Pay Stubs • Pension Statement • Quarterly Estimated Tax for Self-Employed Persons • Refugee Assistance Records • Self-Attestation Statement • UI Documents and/or Printout • Authorization to obtain, or documents showing receipt of: <ul style="list-style-type: none"> ○ Temporary Assistance for Needy Families (TANF) ○ Supplemental Nutrition Assistance Program (SNAP) ○ Free and Reduced-Price Lunch (NSLP) and/or School Breakfast (SBP) programs

ATTACHMENT B: Allowable ARPA Eligibility Documentation Sources

Eligibility Criteria	Acceptable Documentation
	<ul style="list-style-type: none"> ○ Medicare Part D Low-income Subsidies ○ Supplemental Security Income (SSI) ○ Head Start and/or Early Head Start ○ Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) ○ Section 8 Vouchers ○ Low-Income Home Energy Assistance Program (LIHEAP) ○ Pell Grants
Member of Minority Group	<ul style="list-style-type: none"> • Self-Attestation Statement
Moderate Income	<ul style="list-style-type: none"> • Alimony Agreement • Award Letter from Veterans Administration • Bank Statements • Compensation Awards Letter • Court Award Letter • Employer Statement/Contact • Family or Business Financial Records • Pay Stubs • Pension Statement • Quarterly Estimated Tax for Self-Employed Persons • Refugee Assistance Records • Self-Attestation Statement • UI Documents and/or Printout • Authorization to obtain, or documents showing receipt of: <ul style="list-style-type: none"> ○ Children's Health Insurance Program (CHIP) ○ Childcare Subsidies through the Child Care and Development Fund (CCDF) Program ○ Medicaid
Recipient of Public Assistance Program (used for categorical eligibility)	<ul style="list-style-type: none"> • Card showing case grant status • Copy of authorization to receive cash public assistance • Copy of public assistance check • Cross-match with public assistance database • Public assistance records • Signed Statement from Public Assistance Office
Residence in Qualified Census Tract	<ul style="list-style-type: none"> • Staff verification of address within Qualified Census Tract boundaries
Selective Service Registration <i>Required for male applicants</i>	<ul style="list-style-type: none"> • DD-214, Report of Separation • Screen Print-Out of the Selective Service Verification Site: http://www.sss.gov/RegVer/wfVerification.aspx • Selective Service Acknowledgement Letter • Selective Service Registration Card • Selective Service Verification Form (Form 3A) • Stamped Post Office Receipt of Registration <p><i>(See staff if not registered and no exemption exists)</i></p>

ATTACHMENT B: Allowable ARPA Eligibility Documentation Sources

Eligibility Criteria	Acceptable Documentation
Social Security Number (SSN) <i>(Staff should request a SSN from all applicants, but services cannot be denied to anyone refusing to provide their SSN when status can be documented via other means)</i>	<ul style="list-style-type: none"> • Cross-match with UI Records • DD-214, Report of Transfer or Discharge (if SSN is listed) • Employment Records (if full SSN is listed) • Federal or State ID (if full SSN is listed) • IRS Form Letter 1722 • Military Identification • Passport • Pay Stub (if full SSN is listed) • Social Security Card • W-2 Form
Unemployed	<ul style="list-style-type: none"> • Case Notes Showing Information Collected from Participant
Veteran Status	<ul style="list-style-type: none"> • Cross-Match with Veterans Data • DD-214 Copy 4, "Veteran's Certificate of Release or Discharge from Active Duty" • Letter from the Veterans' Administration Certifying Veteran Status

ELIGIBILITY CHECKLIST FOR ARPA INDIVIDUALS

ARPA General Eligibility	
Requirement	Verified
Authorized to Work in the U.S.	<input type="checkbox"/>
Meets Military Selective Service Registration Requirements	<input type="checkbox"/>

AND Be One of the Following

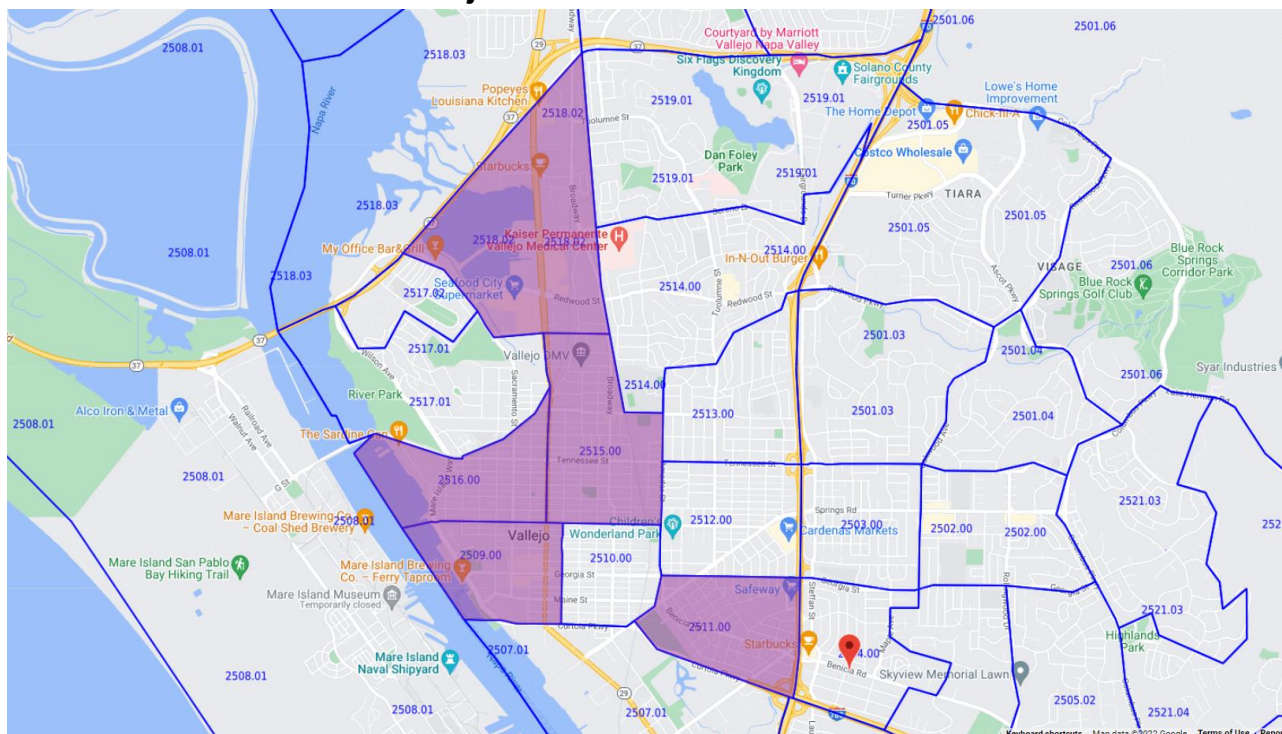
ARPA Eligibility Populations	
Requirement for Workforce Programs	Verified
Unemployed	<input type="checkbox"/>
Underemployed	<input type="checkbox"/>
Seeking Economic Advancement	<input type="checkbox"/>

AND Be One of the Following

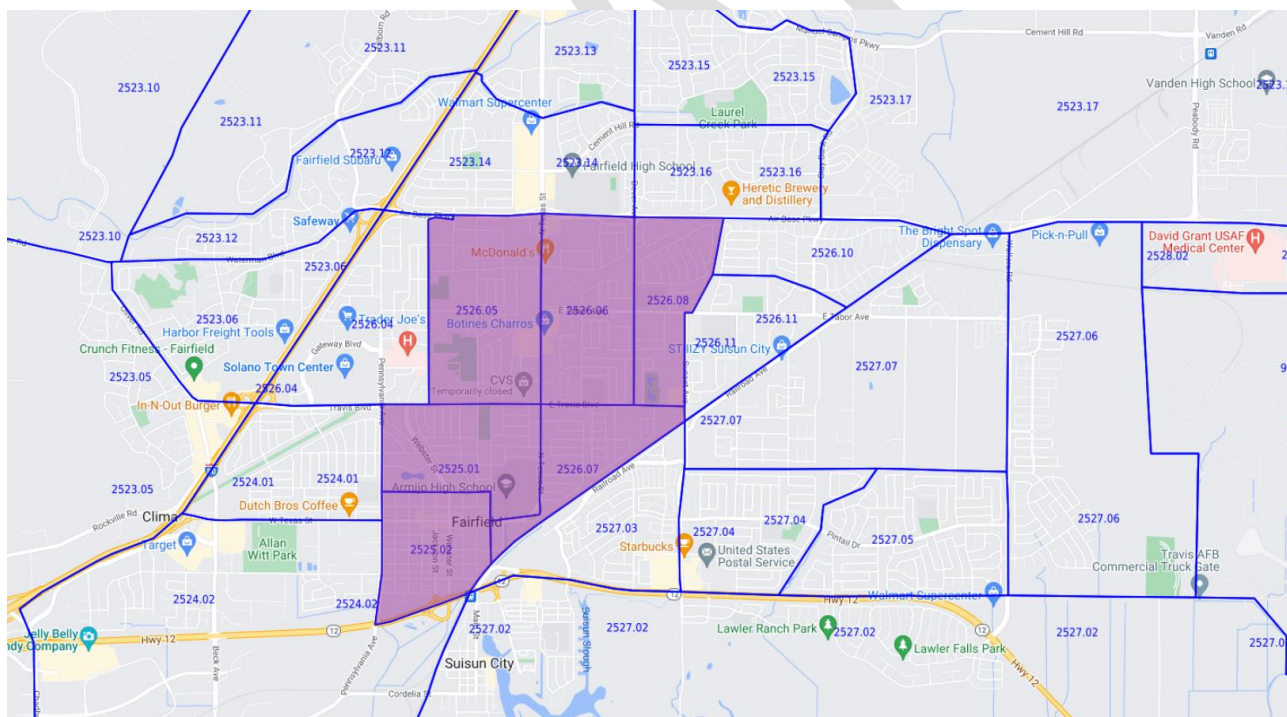
ARPA Eligibility Populations	
Impacted	Verified
Experienced unemployment or continued unemployment as a result of COVID-19 and its negative economic impacts	<input type="checkbox"/>
Experienced increased food or housing insecurity	<input type="checkbox"/>
Moderate-income household	<input type="checkbox"/>
Disproportionately Impacted	Verified
High-School level education or less	<input type="checkbox"/>
An individual belonging to a minority race or ethnicity	<input type="checkbox"/>
Living in Qualified Census Tract	<input type="checkbox"/>
Low-Income Household	<input type="checkbox"/>
Under the age of 35	<input type="checkbox"/>

ATTACHMENT D: Map of Solano County Qualified Census Tracts

Vallejo Qualified Census Tracts



Fairfield Qualified Census Tracts



DEFINITION OF KEY TERMS

Beneficiary – as defined in SLFRF Final Rule 210 – an individual or entity (small business or nonprofit organization) experiencing a public health impact or negative economic impact of the pandemic.

Class – as defined in SLFRF Final Rule 21 – a population or group of individuals experiencing a public health impact or negative economic impact of the pandemic.

Disproportionately Impacted – as defined in SLFRF Final Rule 17 – those households, communities, small businesses, and nonprofits that experienced disproportionate public health or negative economic impacts of the pandemic due to pre-existing disparities in their communities as “disproportionately impacted.”

Eligible Spouse of a Veteran – as defined in 38 U.S.C. 4215(a) and TEGL 10-09 – an eligible spouse of purposes of job counseling, training, and placement services for veterans pursuant to Title 38, Chapter 41 of the United States Code means the spouse of any of the following:

- (A) any veteran who died of a service-connected disability,
- (B) any member of the Armed Forces serving on active duty who, at the time of application for WIOA assistance is listed for a total of more than ninety days:
 - i. missing in action,
 - ii. captured in the line of duty by a hostile force, or
 - iii. forcible detained or interned in the line of duty by a foreign government or power,
- (C) any veteran who has a total disability permanent resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs, or
- (D) any veteran who died while a disability so evaluated was in existence.

The spouse whose eligibility is derived from a living veteran or service member (i.e., categories b or c above) would lose his or her eligibility if the veteran or service member were to lose the status that is the basis for the eligibility (e.g. if a veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, for a spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member.

Impacted – as defined in SLFRF Final Rule 16 – households, communities, small businesses, nonprofits, and industries that experienced public health or negative economic impacts of the pandemic as “impacted.”

Impacted Industries – as defined in SLFRF and locally-defined – impacted industries include the travel, hospitality and tourism industries, as well as businesses within the Wholesale Trade, Information, Educational and Health Services, and Other Services industries.

ATTACHMENT E: DEFINITION OF KEY TERMS

Long-term Unemployed – as defined in the Federal Register 2015-007 PIRL – an individual who has been unemployed for 27 or more consecutive weeks.

Low-income Individual – as defined in SLFRF Final Rule – means an individual who:

- (i) income at or below 185 percent of the Federal Poverty Guidelines (FPG) for the size of its household based on the most recently published poverty guidelines by the Department of Health and Human Services (HHS)
- (ii) income at or below 40 percent of the Area Median Income (AMI) for its county and size of household based on the most recently published data by the Department of Housing and Urban Development (HUD).

Lower Levels of Educational Attainment – as defined locally – means an individual with an educational attainment equal to, or less than, a high school diploma or equivalency.

Low Wage Worker – as defined locally – means an individual whose wage in their current or last employment was less than the self-sufficiency wage as defined by the Massachusetts Institute of Technology's (MIT) [Living Wage Calculator](#) for Solano County.

Minority Groups – as defined locally – means an individual who identifies as a member of a race or ethnicity that is a minority in Solano County. Minority race/ethnicity groups include African-American, American Indian/Alaskan, Asian, and Hawaiian/Other Pacific Islander.

Moderate-income Individual – as defined in SLFRF Final Rule – means an individual who:

- (i) income at or below 300 percent of the FPG for the size of its household based on the most recently published poverty guidelines by HHS.
- (ii) income at or below 65 percent of the AMI for its county and size of household based on the most recently published data by HUD.

Non-Profit Organization – as defined in SLFRF Final Rule 154 – a tax-exempt organization under Section 501(c)(3) and 501(c)(19) of the U.S. Internal Revenue Code.

Qualified Census Tracts (QCTs) – as defined in SLFRF Final Rule 38 – a designation of geographic areas by U.S. Department of Housing and Urban Development (HUD) that are based on low incomes or high poverty rates of households in the community, used by recipients providing geographically targeted services. [Low-Income Housing Tax Credit Qualified Census Tracts](#) must have 50 percent of households with incomes below 60 percent of the Area Median Gross Income (AMGI) or have a poverty rate of 25 percent or more.

Seeking Economic Advancement – as defined in SLFRF Final Rule – individuals who are currently employed but are seeking to move to a job that provides better opportunities for economic advancement.

ATTACHMENT E: DEFINITION OF KEY TERMS

Self-attestation – as defined by TEGL 06-14, Attachment A – occurs when an individual states his or her status for a particular data element and then signs and dates a form acknowledging this status. Self-attestation must include a statement that the information submitted to demonstrate eligibility for a program is true and accurate. The form and signature can be on paper or in the Local Area management information system with an electronic signature.

Small Business – as defined by SLFRF Final Rule 148, using the Small Business Administration's (SBA) definition – a business with fewer than 500 employees, or per the standard for that industry, as defined by SBA. This definition includes businesses with very few employees, self-employed individuals, and Tribally owned businesses.

State MIS – as defined in TEGL 22-15, Attachment A – refers to specific, detailed information that is stored in the state's information system that supports an element. An indicator, such as a checkmark on a computer screen, is not acceptable source documentation in and of itself. For example, State MIS is an acceptable source of documentation for date of training service, but should have information about the type of training and the organization providing that training.

Unemployed – as defined in SLFRF Final Rule 116 – individuals who want and are available to work, who lost their job during the pandemic and resulting recession, as well as individuals who were unemployed when the pandemic began and saw further deterioration of their economic options due to the pandemic. Unemployed includes those considered **underemployed**, or those who have looked for work sometime in the past 12 months or who are employed part time but who want and are available for full-time work.

Veteran – as defined in WIOA Sect. 3(63), 38 U.S.C. Sect. 101, and TEGL 10-09 – an individual who served as least one day in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable. Active service includes full-time federal service in the National Guard or a Reserve component. This definition of "active service" does not include full-time duty performed strictly for training purposes (i.e., that which is often referred to as "weekend" or "annual" training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by state rather than by federal authorities.



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

**EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING FOR:
ARPA ELIGIBILITY AND ENROLLMENT POLICY
(Issued July 2022)**

The Workforce Development Board (WDB) of Solano County's ARPA Eligibility and Enrollment Policy contains important information pertaining to my employment and duties at the WDB.

A copy of this policy has been given to me to retain for future reference, and I have been provided with the location on the Shared Drive for the policy where I can obtain an electronic copy.

Since the information and policies described in the policy are necessarily subject to change, I acknowledge that revisions to the policy may occur. All such changes will be communicated through official notices. I understand that revised information may supersede, modify, or eliminate existing policies.

I have received the ARPA Eligibility Policy and I understand that it is my responsibility to read and comply with the information contained in this policy and any revisions made to it.

I understand that I should consult with my supervisor if I have any questions about the information contained in the policy. I understand that failure to comply with the information contained in the policy could lead to disciplinary action or termination.

Employee's Name (printed): _____

Employee's Signature: _____ Date: _____



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

AGENDA SUBMITTAL

SUBJECT: Review and Approval of the Lower Living Standard Income Level (LLSIL) & Poverty Guidelines for 2022 Policy	MEETING DATE June 24, 2022	AGENDA ITEM V.D
FROM: Heather Henry President/Executive Director	ACTION REQUIRED YES ✓ NO	ATTACHMENTS A

RECOMMENDATION: Staff is recommending the Board review and approve the Lower Living Standard Income Level (LLSIL) & Poverty Guidelines for 2022 Policy.

DISCUSSION:

To remain compliant with WIOA regulations governing programmatic and administrative policies, the Workforce Development Board (WDB) of Solano County revises previous policies, as needed. According to WIOA regulations, WIOA policies must be approved by the Board.

Lower Living Standard Income Level (LLSIL) & Poverty Guidelines Policy

The policy on LLSIL and poverty guidelines is to provide the low-income standard to WIOA staff and contractors for Adult and Youth eligibility. Per WIOA guidelines, the guidelines must be updated annually. The poverty guidelines also provide low-income standards for American Rescue Plan Act (ARPA) programs provided to individuals.

Overview of Policy

The policy provides information on the standards for low-income guidelines under WIOA and other federal eligibility. The U.S. Department of Labor sets the LLSIL, with a special designation for the San Francisco Bay area. The U.S. Department of Health and Human Services sets the federal poverty guidelines that are used by all workforce boards and other programs across the country. Low-income status is determined as an individual meeting the higher of either the LLSIL or poverty guidelines.

Key Policy Elements

- Background on LLSIL and poverty guidelines
- Solano's LLSIL and poverty guideline numbers for 2022-23

ALTERNATIVES: The Board could choose not to approve this policy and request further investigation or changes. However, this policy is updated based on published Federal and State Guidelines and is used by staff for eligibility determination.

REPORT PREPARED BY: Heather Henry, President/Executive Director. Please contact Heather at 707-863-3501 if you have any questions regarding the information in this report.

Heather Henry, President/Executive Director



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

POLICY ISSUANCE

Date: June 24, 2022 Number: 2022-04

LOWER LIVING STANDARD INCOME LEVEL (LLSIL) AND POVERTY GUIDELINES

INTRODUCTION

This policy establishes standards on low-income eligibility guidelines outlined by the Workforce Innovation and Opportunity Act (WIOA) and other federal programs, such as American Rescue Plan Act (ARPA) programs. LLSIL is used for several purposes under the WIOA. Specifically, WIOA section 3(36) defines the term “low-income individual” for eligibility purposes, and sections 127(b)(2)(C) and 132(b)(1)(B)(v)(IV) and 134(d)(1)(A)(x) define the terms “disadvantaged youth” and “disadvantaged adult” in terms of the poverty line or LLSIL for formula allotments.

The U.S. Department of Labor (DOL) establishes annual guidelines for the 70% Lower Living Standard Income Level (LLSIL) and the U.S. Department of Health and Human Services (HHS) establishes annual guidelines for levels of poverty. Both guidelines are required to be considered in WIOA eligibility determinations of low-income status. WIOA requires annual revision to both sets of data. All local Workforce Development Boards use the same federal guidelines, yet income levels for residents are separated by individuals living within Metropolitan Statistical Areas (MSAs) and individuals who live in non-metropolitan areas with populations under 50,000. Additionally, DOL identifies the San Francisco/Oakland/San Jose MSA as having a unique LLSIL.

QUESTIONS

Questions relating to this policy should be directed to the Tracy White, One-Stop Manager, at twhite@solanowdb.org or at 707.863.3520.

SOLANO COUNTY GUIDELINES

LLSIL guidelines are established by DOL. Solano County is located within the DOL-defined San Francisco/Oakland/San Jose MSA. Additional information on the 2022 LLSIL is available at <https://www.dol.gov/agencies/eta/llsil>. Federal poverty guidelines are established by HHS and are standardized across the country. Additional information on the 2022 poverty guidelines can be found at <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>.

Income received during the six-month period immediately prior to the individual’s application for WIOA-funded services is used for income determination, the chart below shows both the annual and the six-month figures.

LLSIL and Poverty Guidelines by Family Size

	1	2	3	4	5	6	Each Add'l add
LLSIL Guidelines							
100% Annual LLSIL	\$19,898	\$32,605	\$44,749	\$55,243	\$65,193	\$76,247	\$11,054
70% Annual Income	\$13,929	\$22,823	\$31,325	\$38,670	\$45,635	\$53,373	\$7,738
70% 6 Month Income	\$6,965	\$11,412	\$15,663	\$19,335	\$22,818	\$26,687	\$3,869
Poverty Guidelines							
Annual Income	\$13,590	\$18,310	\$23,030	\$27,750	\$32,470	\$37,190	\$4,720
6 Month Income	\$6,705	\$9,155	\$11,515	\$13,875	\$16,235	\$18,595	\$2,360

ELIGIBILITY DETERMINATION

Staff must use the higher of either the LLSIL or the poverty guideline for the appropriate family size to determine low-income status for WIOA Adult and Youth enrollment, as well as ARPA enrollment. As such, staff must use the 70% LLSIL guidelines for enrollment low-income eligibility, effective June 14, 2022 until new federal and state income guidelines are released.

DISCLAIMER

This policy is based on WDB's interpretation of the statute, along with the Workforce Innovation and Opportunity Act, Final Rule released by the U.S. Department of Labor, and federal and state policies relating to WIOA implementation, as well as the American Rescue Plan Act and the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) Final Rule. This policy will be revised annually based on federal or state guidance.

REFERENCES

Law

- [Workforce Innovation and Opportunity Act of 2014 \(WIOA\).](#)
- [American Rescue Plan Act of 2021.](#)

Federal Guidance

- Department of the Treasury, [Coronavirus State and Local Fiscal Recovery Funds \(SLFRF\) Final Rule](#). 31 CFR Part 35.
- [Federal Register, Volume 87, Number 66 – “WIOA 2022 LLSIL”](#)
- [Federal Register, Volume 87, Number 14, “Annual Update of the HHS Poverty Guidelines”](#)

State Guidance

- Workforce Service Directive (WSD) 21-06 – [70 Percent LLSIL and Poverty Guidelines for 2021](#)

Approved by

Workforce Development Board of Solano County

DRAFT



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING FOR:
LOWER LIVING STANDARD INCOME LEVEL (LLSIL)
AND POVERTY GUIDELINES POLICY
(Issued June 24, 2022)

The Workforce Development Board (WDB) of Solano County's WIOA Lower Living Standard Income Level (LLSIL) and Poverty Guidelines Policy contains important information pertaining to my employment and duties at the WDB.

A copy of this policy has been given to me to retain for future reference, and I have been provided with the location on the Shared Drive for the policy where I can obtain an electronic copy.

Since the information and policies described in the policy are necessarily subject to change, I acknowledge that revisions to the policy may occur. All such changes will be communicated through official notices. I understand that revised information may supersede, modify, or eliminate existing policies.

I have received the Lower Living Standard Income Level (LLSIL) and Poverty Guidelines Policy and I understand that it is my responsibility to read and comply with the information contained in this policy and any revisions made to it.

I understand that I should consult my supervisor if I have any questions about the information contained in the policy. I understand that failure to comply with the information contained in the policy could lead to disciplinary action or termination.

Employee's Name (printed): _____

Employee's Signature: _____ Date: _____



WORKFORCE DEVELOPMENT BOARD

OF SOLANO COUNTY

Current Committees and Members

Standing Committees

Executive – meets bi-annually

Fadi Halabi (Chair)

Mario Giuliani (Treasurer)

Chris Churchill (Vice-Chair)

Mary Dugbartey (Member-At-Large)

Melvinia King (Secretary)

Nancy Nelson (non-Board Member)

Planning & Oversight - meets 4th Tuesday (non- Board months), 3:00 – 5:00 p.m.

Vacant (Chair)

Fadi Halabi (Ex-Officio)

Dr. Rhuenette Alums (non-Board Member)

Gerald Huber

Jon Riley

Budget - meets quarterly, 8:30 – 10:00 a.m.

Mario Giuliani (Chair)

Dr. Celia Esposito-Noy

Fadi Halabi (Ex-Officio)

Tim Healer

Nancy Nelson (non-Board Member)

Ad-Hoc Committees (meets as needed)

Human Resources

Vacant (Chair)

Fadi Halabi (Ex-Officio)

Mary Dugbartey

Jon Riley

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Duracite
Business Representative

Danny Bernardini
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Solano County Health & Social Services
Welfare-to-Work/Food Stamps/
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President,
Advance Marketing
Business Representative

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Team Manager,
CA State Department of Rehabilitation
Vocational Rehabilitation Representative

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La Clinica de La Raza, Inc.
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Executive Director,
Fighting Back Partnership
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Operating Engineers Local 3
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& Government Affairs,
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First Northern Bank
Business Representative

David Tam
Cluster Manager – EPM III,
Employment Development Department
Wagner-Peyser Representative

