



WORKFORCE DEVELOPMENT BOARD OF SOLANO COUNTY

Board of Director's Meeting

Friday, March 18, 2022

8:00 a.m. – 10:00 a.m.



via Zoom

Meeting ID 870 6562 4983 Password 939888



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

PUBLIC MEETING ANNOUNCEMENT
Workforce Development Board of Solano County Board Meeting
Date: Friday, March 18, 2022
Time: 8:00 a.m. - Open Session

Location: Via Zoom

On September 16, 2021, Assembly Bill No. 361 was approved by Governor Newsom and filed with Secretary of State the same day. Given that the State of California is considered to still be in a state of emergency pursuant to the California Emergency Act (CA GOV § 8625), due to the current pandemic, meetings held by the Workforce Development Board of Solano County (WDB) that fall under Brown Act requirements will continue to be held virtually as meeting in person may present imminent risks to the health or safety of attendees.

The WDB has taken steps to utilize technology to encourage full public participation during its upcoming meeting. The above scheduled meeting will be accessible through the following option:

Join Zoom Meeting

<https://us02web.zoom.us/j/87065624983?pwd=aVp4OXVJbWlabE9aM2cxMVd5cDFhQT09>

Meeting ID: 870 6562 4983

Passcode: 939888

Call in via Zoom: 669-900-6833

You can join the Zoom meeting from a computer, mobile device, or tablet. The Zoom meeting information will be provided in every meeting agenda. Members of the public will be given the opportunity to provide public comment remotely during the public comment period or may provide public comment in advance by email to: tgallentine@solanowdb.org not later than 24 hours in advance of the scheduled meeting. All such written comments that are related to employment and training in Solano County will be read aloud at the meeting.

For more information about Assembly Bill No. 361, visit [California Legislative Information](#) or contact Tammy Gallentine at tgallentine@solanowdb.org or by calling 707-863-3552.

Items Distributed to the Board less than 72 hours prior to meeting – Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Committee less than seventy-two (72) hours prior to the meeting will be available to the public inspection by contacting Tammy Gallentine at tgallentine@solanowdb.org or by calling 707-863-3552 during regular business hours. When practical, these public records will also be made available on WDB's website at <https://solanoemployment.org/board-of-directors>.

The Workforce Development Board of Solano County thanks you for your cooperation in advance. Our community's health and safety is our highest priority.



WORKFORCE DEVELOPMENT BOARD

OF SOLANO COUNTY

BOARD OF DIRECTORS MEETING Friday, March 18, 2022, 8:00 – 10:00 a.m.

via Zoom

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Meeting ID: 870 6562 4983 Passcode: 939888

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. | Closed Session | |
| | A. Pursuant to §54957.6(b)(1) Review of Upcoming Collective Bargaining Agreement Negotiations | |
| | B. Pursuant to §54957.6(a) Review of Proposed Employee Retirement Plan – 2021 Employer Contribution | |
| VI. | Reconvene Open Session | |
| | A. Pursuant to §54957.6(b)(1) Report on any Action Resulting from Closed Session | |
| | B. Pursuant to §54957.6(a) Report on any Action Resulting from Closed Session | |
| VII. | Presentations | |
| | A. WIOA Youth Contractor, Solano County Office of Education, Contract Update | |
| VIII. | Informational Reports | Page |
| | A. Board Chair (Verbal) | |
| | B. Committee Chairs (Verbal) | |
| | C. President/Executive Director (Verbal) | |
| | D. Reports (Written) | 1 |
| IX. | Consent Calendar | |
| | A. Approval of January 21, 2022 Meeting Minutes | 22 |
| | B. Approval for a 3 rd Year Contract Renewal for Managed IT Systems Services Provider, NetXperts Inc., Not to Exceed an Additional Contract Amount of \$56,400 | 25 |
| | C. Review and Approval of Adult/Dislocated Worker Service Delivery Policy, as Recommended by the Executive Committee | 37 |
| X. | Action Items | |
| | A. Review and Approval of the Federal Monitoring and Compliance Oversight Policy, as Recommended by the Executive Committee | 59 |
| | B. Review and Approval of the Second Modification to the Program Year 2021-2022 Budget, as Recommended by the Budget Committee | 76 |
| XI. | Discussion | |
| | A. Form 700 – Statement of Economic Interest and Conflict of Interest Form Requirements | |
| | B. Upcoming Board Approval and Discussion Items | |
| XII. | Adjournment | |

Note: The next Board of Director's meeting is scheduled for Friday, May 20, 2022

REPORTS





WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

AGENDA SUBMITTAL

SUBJECT: Reports	MEETING DATE March 22, 2022	AGENDA ITEM VIII.D
FROM: Heather Henry, President/Executive Director	ACTION REQUIRED YES NO ✓	ATTACHMENTS A - D

SUMMARY: Staff has provided written updates on the following attached reports. Highlights will be summarized verbally.

ATTACHMENT:

- Attachment A: Compliance & Operational Reports – monitoring, personnel, and expenditures
- Attachment B: Fiscal Report
- Attachment C: Programmatic Highlights
- Attachment D: Programmatic Performance Reports
 - AJCC Service Summary
 - Job Seeker Services Grant Metrics
 - WIOA 3-Year Trends
 - SBDC Performance Report

REPORT PREPARED BY:

Heather Henry, President/Executive Director

Compliance and Operational Report

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The Compliance and Operational Report provides an overview of monitoring and personnel updates occurring since the last board meeting.

Monitoring Report

This report updates the Workforce Development Board (WDB) of Solano County on the outcomes of the Federal, State, and County audit and monitoring reviews of the agency operations. Open and prior audit and monitoring reports are available on request.

Definitions for the types of outcomes are:

- 1) Finding is an instance of noncompliance with grant rules that must be resolved through corrective action – findings that could lead to a disallowed cost will be noted as such; and
- 2) Concern is a condition that may become a compliance issue if not addressed.

Recent/Open Monitoring Activity:

- The State of California Employment Development Department (EDD) Compliance Review Unit conducted a desk review of the WDB's **Fiscal and Procurement** activities funded by WIOA in December 2021. *EDD has not yet issued a draft report.*
- The State of California Employment Development Department (EDD) Compliance Review Unit conducted a desk review of the WDB's **programmatic** activities funded by WIOA in August 2021. *EDD has not yet issued a draft report.*
- The State of California Employment Development Department (EDD) Compliance Review Unit conducted a desk review of the WDB's **Equal Employment Opportunities (EEO)** activities funded by WIOA in February 2021. *EDD issued a final report on April 29, 2021 and determined one finding.*

Finding 1: EDD found medically related information that revealed a disability on the printout of an older version of the CalJOBS application. During an interview it was revealed that older CalJOBS applications that were printed out were stored in the general participant files. As such, disability and medically related data is not being maintained in separate files.

WDB Response: Although disability information for new applications and current program files had been removed or redacted, retention hard files were not adjusted with the new requirements. Staff have been instructed to redact disability-related information sections of the application.

EDD accepted the WDB's corrective action plan. However, the finding cannot be closed until a future on-site visit verifies successful implementation of the corrective action.

- The Department of Health and Social Services, Solano County conducted a review of the **Pathway to Success programs** the week of October 26, 2020. *H&SS issued a final report on March 2, 2021 with two issues:*

Issue 1: The WDB does not provide annual refresher privacy and security awareness training and reminders. Exhibit D Section II (C) requires adherence to the same restrictions and conditions set forth in the CDSS Privacy/Security Agreement (CDSS PSA). The County requires WDB to develop processes to comply with this requirement.

Issue 2: The WDB has no policy in place for maintaining the physical security of Personal Identifiable Information (PII) during transport.

The WDB presented a revised PII policy to the Board of Directors at its May 2021 board meeting and conducted its' first annual privacy refresher training during our General Staff meeting on July 7, 2021.

The WDB sent a corrective action plan to H&SS on April 3, 2021. H&SS accepted the corrective action plan and the issues will be closed upon completion of action plan.

- The State of California Employment Development Department (EDD) Compliance Review Unit conducted a review of the WDB's **WIOA Youth program** activities funded by WIOA the week of October 7, 2019. *EDD issued a draft report on May 19, 2021 and determined four findings:*

Finding 1: The WDB Grievance and Complaint policy is missing the required federal appeal information. EDD observed the policy is missing the required federal appeal information. While the policy contains the local and state appeal information, the federal information is missing; therefore, the policy is not in compliance.

WDB Response: The WDB revised its Grievance and Complaint policy per information given by EDD during the monitoring visit and the 2019-4 WIOA Participants Grievance and Complaints Policy, Change 1 was approved by the Board of Directors on November 15, 2019. Staff were informed of the change in policy and AJCC references and forms were updated to include the federal appeals information.

Finding Two: The WDB does not have a formal policy and procedures reporting any fraud, abuse, or other criminal activity. EDD observed that the WDB does not have a formal policy and procedures reporting any fraud, abuse, or other criminal activity. WDBSC only has procedures to report any fraud, abuse, or other criminal activity but no formal policy in place.

WDB Response: The WDB has been working to create and revise all WIOA policies over the past four years to ensure compliance with WIOA requirements. As such, 2019-10 Incident Reporting Policy was developed and approved by the Board at their November 15, 2019 board

meeting. Training was provided to staff at a policy training and all staff signed acknowledgement of the policy.

Finding 3: Three of the youth case files reviewed had more incentive gift cards given out than documented. EDD observed that three of the ten case files reviewed had more incentive gift cards (eight) than the number of certifications (seven) in them. Per 20 CFR 681.640, every incentive given need to be tied back to an achievement or recognition. The three case files are missing the proper documentation for one gift card incentive. Per EDD conversation with the case manager, some participants went on a field trip, which counted as a leadership activity and received an incentive; however, there were no documents in the participants' case files to support that.

WDB Response: The WDB was able to secure documentation showing attendance on the field trip in the form of the field trip ("Laborer's Training Tour and Success Talk with Union Leaders") held on July 19, 2019 and provided the attendance check-in for the leadership event.

Finding 4: Several case files were missing proper back-up documentation for the supportive services provided to the participants. EDD observed that two of the ten case files reviewed were missing back up documentation for the supportive services given to participants. Specifically, two case files were missing receipts for gas cards and a gift card from JCPenney.

WDB Response: The WDB disagrees with this finding, as it did on a similar finding for PY2018-19 adult program monitoring. The corrective action is also in contradiction to the program monitoring finding in PY2018-2019, where the requirement for receipts to show gift cards purchases was identified as an internal policy requirement only. Since the PY2018-19 monitoring, the WDB has since updated its supportive service policy to reflect the concerns identified by EDD. However, given the final monitoring letter from PY2018-19 program review and the denial of the reversal of the finding, the WDB has reimbursed the total amount from a non-WIOA grant. The journal entry showing the reversal is attached.

On June 23, 2021, the WDBSC submitted a comprehensive response which resolved the disallowed cost finding of \$475 paid through non-WIOA funds. The WDB is currently awaiting final resolution and acceptance letter from EDD on the corrective action submitted.

- The State of California Employment Development Department (EDD) Compliance Review Unit conducted a **programmatic review** of the WDB's program activities funded by WIOA, during the week of October 1, 2018. *EDD issued a final report January 13, 2020 with two finding:*

Finding 1: The WDB's bylaws do not address the alternative designee process that will be used when a WDB member is unable to attend a meeting and assigns a designee, or the use of technology, such as phone and web-based meetings that will be used to promote WDB member participation.

Status: The WDB has submitted an approved revision of the bylaws and this finding is closed.

Finding 2: The WDB issued ARCO Pump Pass gas cards not according to their policy and had inadequate documentation to substantiate gas purchases. EDD was unable to determine how these supportive services were necessary and reasonable for the performance of the WIOA program.

EDD Response: EDD cannot resolve this issue at this time. The WDBSC did not provide its *Job Connect Standard Operating Procedures* to the monitor prior to, nor during the on-site monitoring review...In providing the above participants multiple gas cards, WDBSC did not follow its own supportive service policy...Therefore, the WDBSC must reimburse the WIOA grant program the \$475 in disallowed supportive services using a non-federal funding source and provide documentation of the reimbursement.

On June 23, 2021, the WDBSC submitted a comprehensive response which resolved the disallowed cost finding of \$475 paid through non-WIOA funds. The WDB is currently awaiting final resolution and acceptance letter from EDD on the corrective action submitted.

Personnel Report

The Personnel Report provides the Board with information regarding recruitments, promotions, and departures of WDB employees. Below are the staffing changes during the reporting period.

New Hire: *Sonam Rajbhandary*
Effective Date: March 7, 2022
Classification: Specialist II
Position: Performance & Compliance Analyst

Nicole Spurr
Effective Date: March 7, 2022
Classification: Specialist II
Position: Business Services Consultant

Terminated: *Matthew Moon-Bailey (Voluntary Termination)*
Effective Date: March 9, 2022
Classification: Specialist II
Position: Industry & Community Engagement Specialist

Executive Summary

The Workforce Development Board (WDB) of Solano County reported total Grant revenues of \$6,242,405, and expenditures for the 2021-22 program year through February 2022. With eight (8) months of the program year elapsed, the expenditures and obligations compared to the plan are 51.9%. The revenue and the expenditure reported are based on Budget modification approved by the WDB Board in September 2021. WDB has a pipeline of potential grants from local, and regional partners totaling \$3.3 *million*.

The COVID-19 environment continues and is well past its anticipated end-date. The up-coming Mid-Year Budget Amendment will reflect any anticipated changes. Most non-COVID grants continue to be under-budget due to a delay in program activities and/or a reduction in anticipated client activity.

Grants Revenue

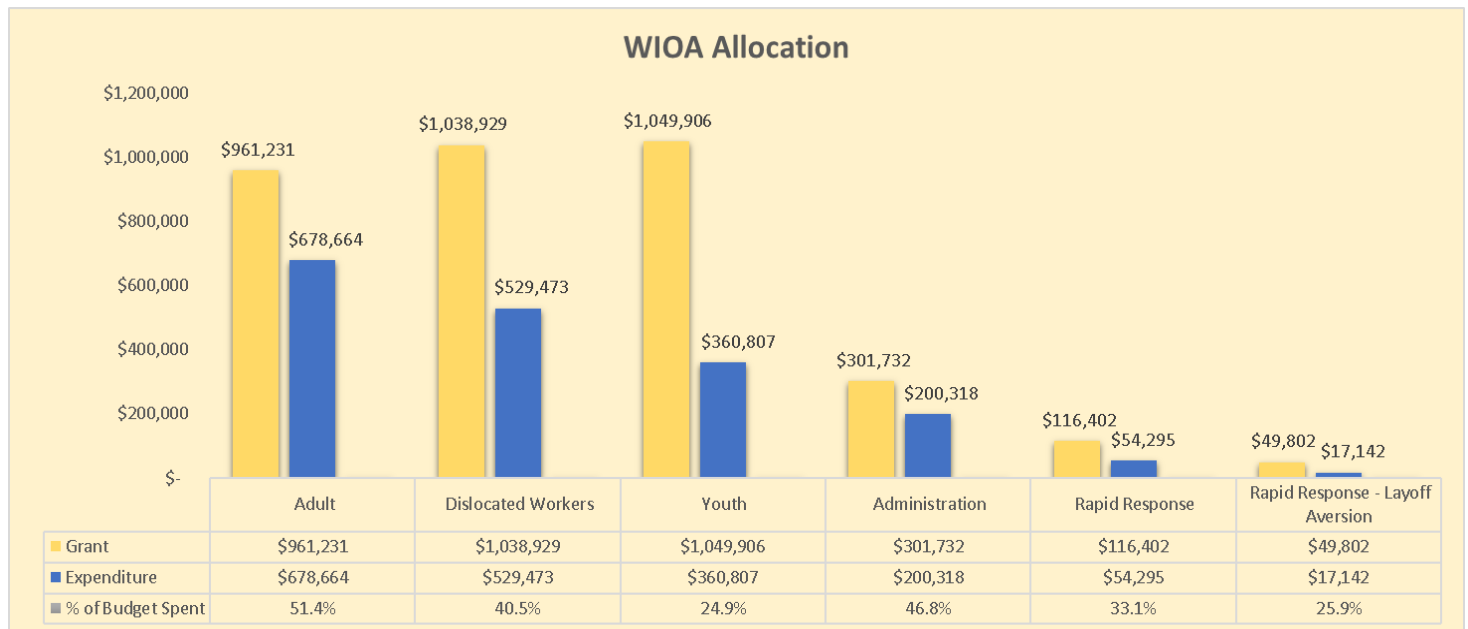
The WDB budgeted grants funding totals are \$6,242,405, of which \$3,518,002 are funded by Workforce Innovation and Opportunity Act (WIOA), \$1,334,956 funded by various discretionary grants, and \$1,389,447 funded by other contract grants.

Workforce Innovation and Opportunity Act (WIOA)

The Workforce Innovation and Opportunity Act (WIOA) grants total \$3,518,002, representing 56.4% of the total grants funding with total expenditures of \$1,840,700.

Funding	Grant	Expenditure	% Of Budget Spent
Adult	\$ 961,231	\$ 678,664	51.4%
Dislocated Workers	\$ 1,038,929	\$ 529,473	40.5%
Youth	\$ 1,049,906	\$ 360,807	24.9%
Administration	\$ 301,732	\$ 200,318	46.8%
Rapid Response	\$ 116,402	\$ 54,295	33.1%
Rapid Response - Layoff Aversion	\$ 49,802	\$ 17,142	25.9%

WIOA grants funding vs. WIOA grants expenditures.

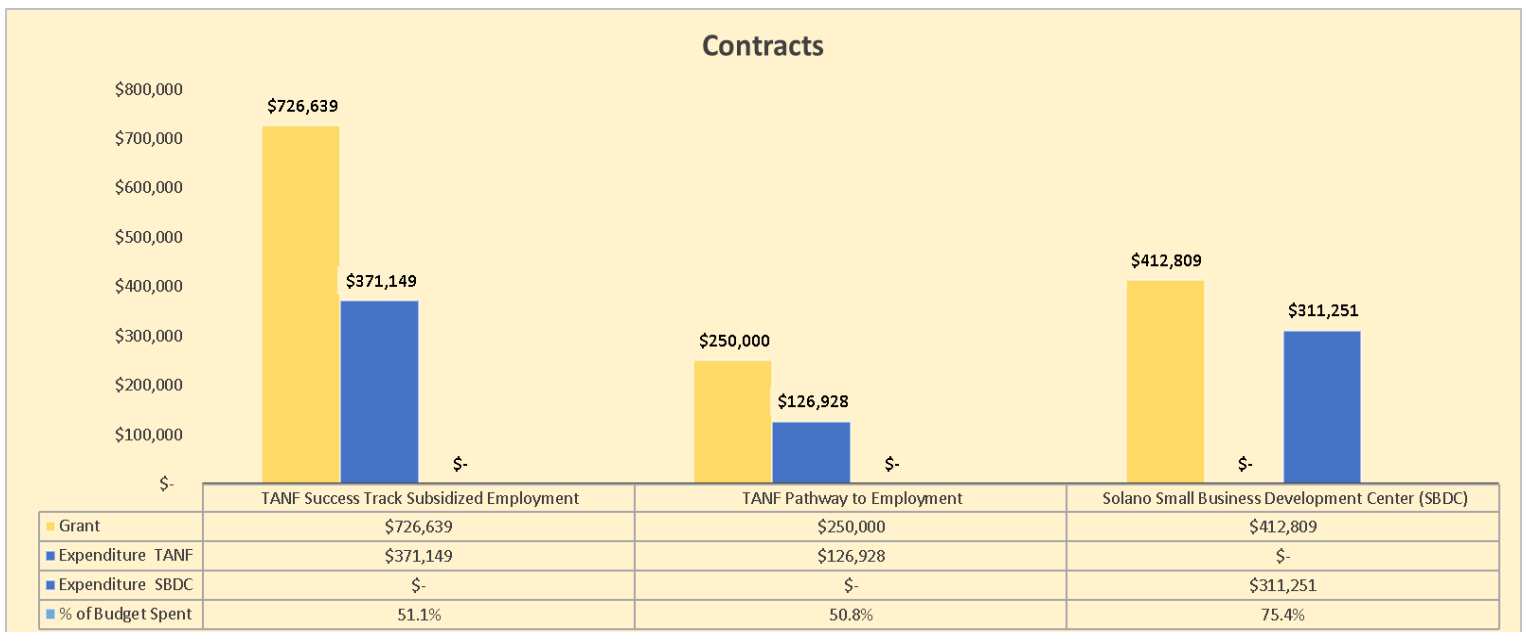


Contract Grants:

The Contract grants total \$1,389,448, representing 22.3% of the total grants funding, with total expenditure of \$809,328.

Funding	Grant	Expenditure		% Of Budget Spent
		TANF	SBDC	
TANF Success Track Subsidized Employment	\$ 726,639	\$ 371,149	\$ -	51.1%
TANF Pathway to Employment	\$ 250,000	\$ 126,928	\$ -	50.8%
Solano Small Business Development Center (SBDC)	\$ 412,809	\$ -	\$ 311,251	75.4%

Contracts grants funding vs. Contracts grants expenditures.



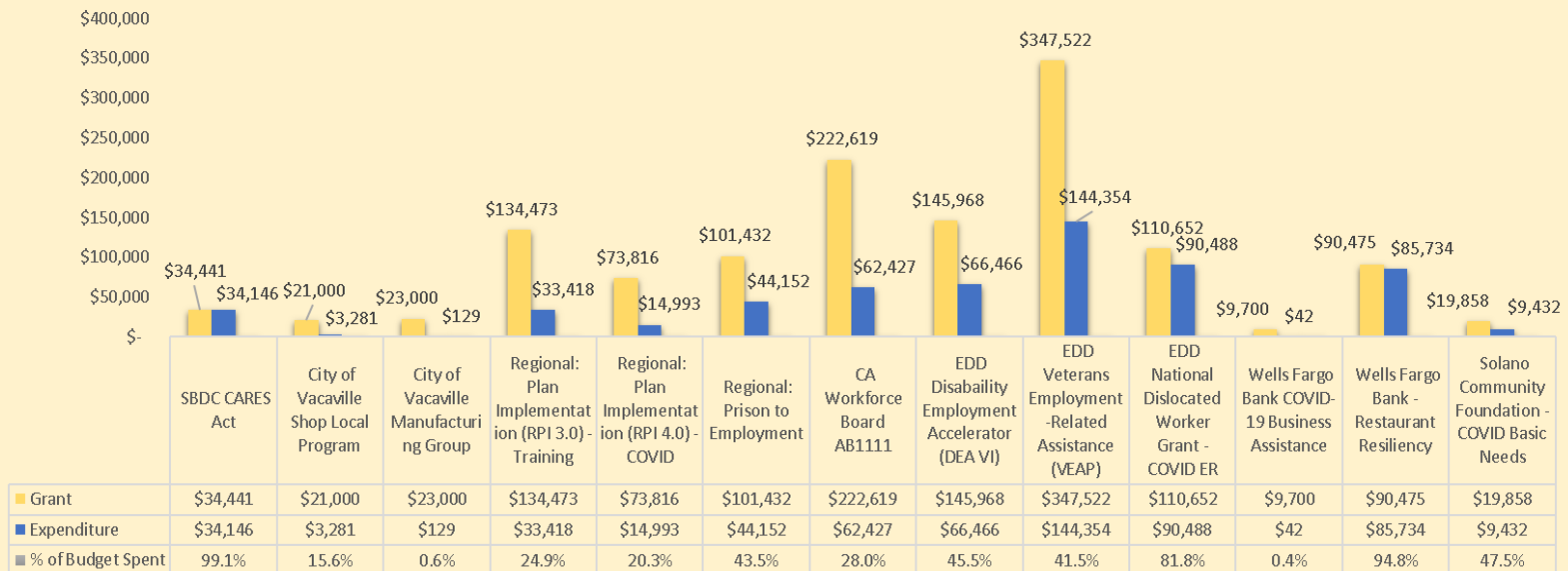
Discretionary Grants:

The Discretionary grants total \$1,334,956, representing 21.4% of the total grants funding with total expenditures of \$ 589,063.

Funding	Grant	Expenditure	% of Budget Spent
SBDC CARES Act	\$ 34,441	\$ 34,146	99.1%
City of Vacaville Shop Local Program	\$ 21,000	\$ 3,281	15.6%
City of Vacaville Manufacturing Group	\$ 23,000	\$ 129	0.6%
Regional: Plan Implementation (RPI 3.0) - Training	\$ 134,473	\$ 33,418	24.9%
Regional: Plan Implementation (RPI 4.0) - COVID	\$ 73,816	\$ 14,993	20.3%
Regional: Prison to Employment	\$ 101,432	\$ 44,152	43.5%
CA Workforce Board AB1111	\$ 222,619	\$ 62,427	28.0%
EDD Disability Employment Accelerator (DEA VI)	\$ 145,968	\$ 66,466	45.5%
EDD Veterans Employment-Related Assistance (VEAP)	\$ 347,522	\$ 144,354	41.5%
EDD National Dislocated Worker Grant - COVID ER	\$ 110,652	\$ 90,488	81.8%
Wells Fargo Bank COVID-19 Business Assistance	\$ 9,700	\$ 42	0.4%
Wells Fargo Bank - Restaurant Resiliency	\$ 90,475	\$ 85,734	94.8%
Solano Community Foundation - COVID Basic Needs	\$ 19,858	\$ 9,432	47.5%

Discretionary grants funding vs. Discretionary grants expenditures.

Discretionary Grants



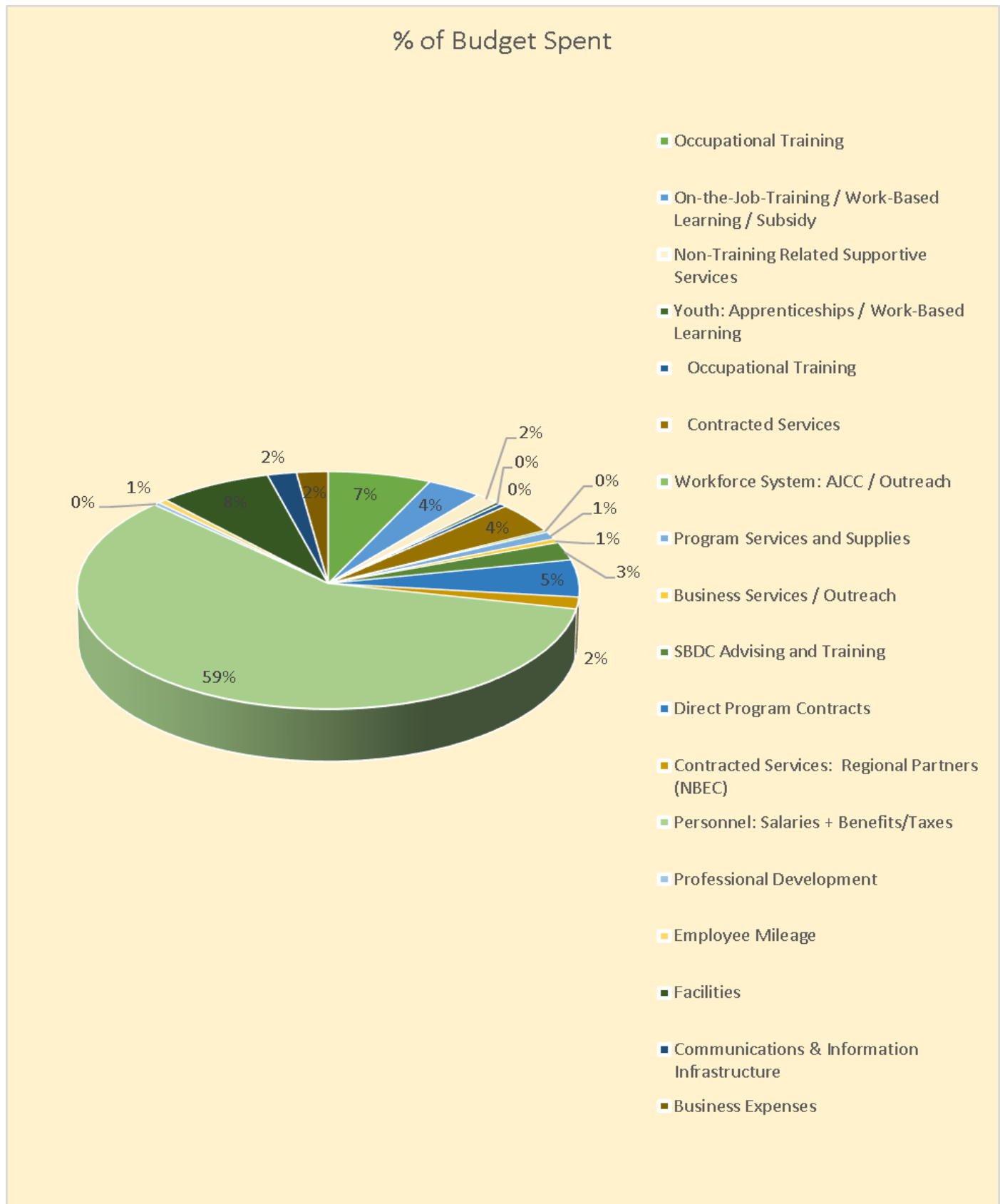
Expenditures

During the initial seven (7) month of the fiscal year, expenditures of \$3,239,090 represent 51.9% of the total budget allocated, with an unspent balance of \$3,003,314, representing 48.1% as yet to incur in the upcoming periods.

Program Costs:

Programs	Grant	% of Budget Spent
Occupational Training	\$ 436,918	40.0%
On-the-Job-Training / Work-Based Learning / Subsidy	\$ 232,500	84.4%
Non-Training Related Supportive Services	\$ 98,431	13.6%
Youth: Apprenticeships / Work-Based Learning	\$ 22,000	0.0%
Occupational Training	\$ 30,000	0.0%
Contracted Services	\$ 265,000	0.0%
Workforce System: AJCC / Outreach	\$ 17,100	13.5%
Program Services and Supplies	\$ 64,338	29.4%
Business Services / Outreach	\$ 35,734	17.6%
SBDC Advising and Training	\$ 156,271	73.4%
Direct Program Contracts	\$ 316,962	36.2%
Contracted Services: Regional Partners (NBEC)	\$ 99,963	25.8%
Personnel: Salaries + Benefits/Taxes	\$ 3,667,098	59.3%
Professional Development	\$ 26,173	17.4%
Employee Mileage	\$ 37,236	1.4%
Facilities	\$ 479,810	58.4%
Communications & Information Infrastructure	\$ 123,174	67.6%
Business Expenses	\$ 133,696	22.0%

The Activity wise spending shows the expenses consumed and expended by each activity.



Remarks:

The current labor market is volatile, and challenges continue in enrolling new individuals to the level needed to meet expenditure goals, particularly in Discretionary Grant programs. This has primarily impacted direct client cost expenditures. In addition, operational costs were anticipated to increase as the economy reopened, but continued virtual engagement has some negated planned expenditures such as employee mileage. For the direct program contracts, the Solano County Office of Education youth contract was recently revised to meet changing demand and funding, and will be reflected in future fiscal reports.

The Mid-Year Budget Modification will include recommendations to modify expenditure focal points based on the current labor market and operational landscape. In addition, the upcoming Mid-Year Budget will reflect new funding sources and expenditure categories.

Potential Grants Pipeline:

The Workforce Development Board of Solano County has a pipeline of potential grants from local, and regional partners totaling \$3.3 million, of which \$592,785.83 has been awarded, and \$5,123,499 are still pending decision.

FY 2021-22 Grant Pipeline Report

Workforce Development Board of Solano County

Funding Source	Project/Program	Funding Request	Dates	Notes
<i>In Progress</i>				
County of Solano	ARPA Workforce and Economic Recovery	\$736,455	March 22, 2022	Workforce and economic development
Social Security Administration	Ticket to Work	n/a	n/a	Pay for performance for SSI/SSDI recipients securing and retaining employment above SGA
<i>Pending</i>				
CWDB – Accelerator 10.0	CNA Upskilling Program	\$250,000	Submitted Dec 20, 2021	Includes contractors
City of Vallejo	ARPA Small Business Support	\$500,000	Anticipated Apr 2022	Small business grants (\$400k) and Restaurant Resiliency in Vallejo
California Employment Training Panel (ETP)	Social Entrepreneurs for Economic Development (SEED) 2	\$1,000,000	Submitted Feb 15, 2022	ESL and immigrant small business training, assistance, and microgrants
County of Napa	Microbusiness Grant Program	\$173,499	Submitted March 10, 2022	Administer small business grants in Napa
<i>Awarded</i>				
Kaiser Permanente	Restaurant Resiliency - SBDC	\$20,000	Received Dec 7, 2021	Continue Restaurant Resiliency in Vallejo
CalOSBA Microbusiness Grant Program	Solano Microbusiness COVID-19 Relief Grant Program	\$552,785.83	Submitted Nov 30, 2021	Subcontract with the County to administer small business grants
Fairfield Suisun Unified School District	Restaurant Resiliency Program	\$20,000	Jan 2022	Fund meals for Restaurant Resiliency in Fairfield
<i>Declined</i>				
SBA Community Navigator Program	AIERS Project	\$1,000,000	Submitted July 2021	Support businesses impacted by COVID and build entrepreneurship network
California EDD – Equity and Special Populations	Youth Program	\$500,000	Submitted Nov 1, 2021	Includes 2 subrecipients and one contractor; \$58,154 to be kept internally
Kaiser Permanente	Implement Career Coach Platform	\$13,500	Submitted Feb 1, 2022	Purchase and implement Career Coach from EMSI / Burning Glass

Programmatic Highlights



The Programmatic Highlights Report provides a narrative of key activities for America's Job Center of CA (AJCC) activities; Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker, Youth, and Rapid Response Grants; CalWORKS Pathway to Success contracts; discretionary grants; and the Solano Small Business Development Center (SBDC) occurring since the last board meeting.

America's Job Center of California (AJCC)

This report updates the Workforce Development Board (WDB) of Solano County on the activities conducted at the America's Job Center of California (AJCC) and other community locations. This report is for the period of October to November 2021.

Reporting period highlights include:

- CA Workforce and Corrections Summit (Prison to Employment): For the previous five years the AJCC and WDB have been involved in a variety of job seeker activities designed for those reentering society beyond incarceration. This month marks the first online, all CA Prison to Employment Initiative Summit cohosted by the California Workforce Development and the CA Department of Corrections and Rehabilitation (CDCR) groups. A Hollywood producer has been hired and has produced two 90-second videos which are designed to have a positive psychological impact on participants, and to entice them to visit their local AJCC upon release. There is a new tool from CalJobs to support activities pre-release that will be shared and received directly by Workforce Development Board staff.

WIOA Programs

The Workforce Services Division is responsible for outreach and recruitment, assessment, enrollment and exit of eligible WIOA Adult, Dislocated Worker, and Youth participants. A significant percentage of the organization's participants participate in WIOA programs.

Job Seeker Services:

- Training Funds – WIOA Adult training funds were expended faster than anticipated and are now exhausted. Staff are connecting participants to trainings and financial aid opportunities, as well as maximizing grant funds for training that will expire March 31, 2022.

Business Services:

- Talent Pipeline Strategies – The Business Services team continues to develop pilot programs to address Solano County business talent challenges. To support the talent

pipeline strategy, our team has been in the planning stages with the Vallejo Regional Adult School to develop a new Culinary Cohort training. This training will be offered to job seekers interested in entering a culinary career. The training will focus on getting all the necessary entry level skills needed for that industry. We then will present these students to local restaurants/catering services interested in hiring them. We hope to have this training offered by April 2022.

Another strategy that we are currently strengthening is our approach with Industry roundtables. We will be holding another town hall session to promote more interest in the Vacaville Hospitality and Tourism roundtable group on March 16, 2022. We will be holding the first Roundtable in May 2022. Also, the Business Services team continues to support SBDC Manufacturer roundtable by hosting the Manufactory Talent subgroup by next quarter. Our goal through this subgroup is to allow participating business to come together to start the conversation about new hiring strategies to strengthen the availability of skilled workers within the Solano County region.

Discretionary Grants

The WDB currently implements six (6) discretionary grant programs for job seekers:

- Prison to Employment (funded through the California Workforce Development Board)
- Workforce Inclusion Initiative (funded by AB1111 through the California Workforce Development Board)
- Disability Employment Accelerator VI (funded through the Employment Development Department)
- Veteran Employment Assistance Program (funded through the Employment Development Department)
- National Dislocated Worker Grant – COVID Emergency Services (funded by Employment Development Department as a pass-through for the U.S. Department of Labor)
- Regional Plan Implementation 3.0 (funded by California Workforce Development Board, contracted through Sonoma Workforce Investment Board)

Reporting period highlights include:

- National Dislocated Worker Grant – There has been activity on the COVID-19 grant during the reporting period, as can be seen in the metrics. EDD received a one-year extension from the Department of Labor for grant activities.
- Regional Plan Implementation 3.0 – This grant includes conducting a training cohort. Staff is working with the Vallejo Regional Educational Center and a group of Vallejo-based businesses to launch a culinary cohort training. The training was originally scheduled for February 2022, but due to HR timelines at the Vallejo Regional Education Center, the training won't begin until after the grant period. The funds will not be able to be utilized

by the state's timeframe, but the Vallejo Regional Educational Center is able to pay for the training and continue the ability to provide this training. The training is now targeted to begin in April 2022.

Small Business Development Center (SBDC)

The WDB is the host for the Solano Small Business Development Center (SBDC). Services for small businesses include one-on-one business advising through expert consultants and seminars and events for small businesses throughout the county.

Reporting period highlights include:

- Microbusiness Grants – The SBDC, in partnership with the WDB and ethnic chambers, will be administering the County of Solano's grant from the California Office of Small Business Advocate for microenterprise businesses. Businesses must have been in operation in December 2019, have made less than \$50,000 gross revenue in 2019, and have five (5) or fewer employees. The County of Solano's grant process will open for applications April 2022. In addition, the SBDC, in partnership with the WDB and Napa-based community partners, have applied to administer Napa County's microbusiness grants as well. The award decision should be made by mid-April 2022.
- Restaurant Resiliency funding has been secured from the City of Vallejo, the Fairfield-Suisun Unified School District, and Kaiser to continue funding the program. As such, the SBDC relaunched the Restaurant Resiliency program in Fairfield in March and intends to relaunch in Vallejo in late spring.
- Food Incubator Program – The SBDC, in partnership with the NorCal SBDC Restaurant team and Solano College are launching a food incubator program. The SBDC will use the commercial kitchen at Solano College and instructors from NorCal SBDC Restaurant team to host a business incubator training program for food entrepreneurs.

Programmatic Highlights



The Programmatic Highlights Report provides a narrative of key activities for America's Job Center of CA (AJCC) activities; Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker, Youth, and Rapid Response Grants; CalWORKS Pathway to Success contracts; discretionary grants; and the Solano Small Business Development Center (SBDC) occurring since the last board meeting.

America's Job Center of CA

This report updates the Workforce Development Board (WDB) of Solano County on the activities conducted at the America's Job Center of California (AJCC) and other community locations. This report is for the period of January to February 2022.

Reporting period highlights include:

- CA Workforce and Corrections Summit (Prison to Employment)

For the previous five years the AJCC and WDB have been involved in a variety of job seeker activities designed for those reentering society beyond incarceration. There has been justice involved and system impacted information sharing activities on a regular basis that the WDB and the AJCC are continuously supporting. Which include the monthly Parolees and Community Team (PACT) virtual sessions and providing up to date PACT Resources information packets for job seeking in our AJCC. This month marks the first online, all CA Prison to Employment Initiative Summit cohosted by the California Workforce Development and the CA Department of Corrections and Rehabilitation (CDCR) groups. This virtual summit was a four hour motivational and informational sharing of the best practices and success stories to highlight this important collaboration. Close to 800 participants listened to several panels on many relevant topics covering a brief history, new insights, and what to look for soon.

There are two major goals of this work including providing the tools, and focused information to change a participants' thought process regarding returning successfully to employment and home life, and to guide the WDB's into gentle hand-offs from corrections. A Hollywood producer has been hired and has produced two 90-second videos which are designed to have a positive psychological impact on participants, and to entice them to visit their local AJCC upon release.

There is a new tool is a new product from CalJobs labor exchange software. It will be limited to the necessary uploading of documents and case notes for inmates and will be received directly by Workforce Development Board staff members. This new shared case management tool is

currently in Beta testing stages for the CDCR's participants and staff to use pre-release for a seamless handoff to reach the local WDB's of each job seeker referral.

Also attending this all-CA summit was staff from MTS Training Academy, Drug Courts of Solano County, and a supportive mention of Reentry Training seminars from Larry Robbins. Mr. Robbins explained how helpful these seminars have been in both planning and executing the programs. There were multiple mentions of best practices, including the need for regional programmatic planning, regular and ongoing meetings, additional staff development trainings, consolidating local hubs for reentry services versus having services provided at all AJCC access points, having both local and regional real-time data to fine tune programmatic spending. The entire summit was recorded on Zoom and will be available to all over the next few weeks.

PY 21/22 Job Seeker Services Deliverables by Grant Funded Program

Reporting Period: July 2021 - December 2021

58%

WIOA Adult/DW	Goal	July	August	September	October	November	December	January	February	March	April	May	June	YTD	On Target
Applications	156	23	21	21	13	30	14	13	5					140	90%
Newly Enrolled	104	6	7	16	7	16	12	14	12					90	87%
Occupational Training	45	6	2	9	8	3	2	3	1					34	76%
Employer-Based	23	0	1	1	2	1	1	0	0					6	26%
Credentials	15	2	3	3	5	1	4	0	3					21	140%
Employed	60	4	8	14	6	5	5	4	4					50	83%

WIOA Youth	Goal	July	August	September	October	November	December	January	February	March	April	May	June	YTD	On Target
Application	-	0	2	1	0	0	1	1	3					8	-
Enrolled*	40	37	1	1	1	1	0	0	2					43	108%
Occupational Training	6	0	0	0	0	0	1	0	0					1	17%
Employer-Based	24	0	1	2	1	0	0	0	0					4	17%
Credentials	-	1	1	1	0	1	2	0	0					-	-
Employed	32	3	7	1	2	0	2	2	4					21	66%

* Youth Contract is based off of a total enrolled/served of 40 youth, rather than newly enrolled individuals. July includes Youth contractor's carry-over numbers from PY2021-2022 of 37 participants

VEAP	Goal	July	August	September	October	November	December	January	February	March	April	May	June	YTD	On Target
Enrolled	71	2	1	2	1	1	1	3	3					14	20%
Occupational Training	46	0	1	0	0	1	0	2	5					9	20%
Employer-Based	5	2	0	1	0	0	0	0	0					3	60%
Credentials	20	1	2	0	1	1	1	0	1					7	35%
Employed	66	1	0	0	0	0	1	0	0					2	3%

DEA	Goal	July	August	September	October	November	December	January	February	March	April	May	June	YTD	On Target
Enrolled	19	2	4	1	0	7	4	0	0					18	95%
Occupational Training	2	0	0	0	0	0	0	0	0					0	0%
Employer-Based	23	0	0	0	0	0	0	0	0					0	0%
Credentials	-	1	1	0	1	0	2	0	0					5	-
Employed	21	0	0	0	0	1	0	2	2					5	24%

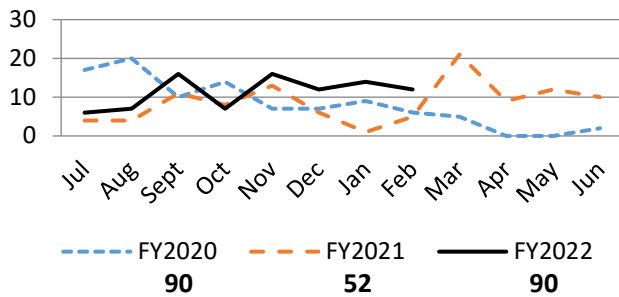
AB1111	Goal	July	August	September	October	November	December	January	February	March	April	May	June	YTD	On Target
Enrolled	32	1	3	1	1	4	3	2	0					15	47%
Occupational Training	3	0	2	0	0	1	1	1	0					5	167%
Employer-Based	14	0	0	0	1	0	0	0	0					1	7%
Credentials	-	1	1	1	1	0	2	0	0					6	-
Employed	30	0	1	0	1	1	0	1	2					6	20%

NDWG COVID	Goal	July	August	September	October	November	December	January	February	March	April	May	June	YTD	On Target
Enrolled	21	2	1	2	1	2	2	0	0					10	48%
Occupational Training	9	1	0	1	2	0	1	1	0					6	67%
Employer-Based	-	0	0	0	0	0	0	0	0					-	-
Credentials	-	0	1	0	0	0	0	0	0					-	-
Employed	40	3	4	3	1	0	1	0	0					12	30%

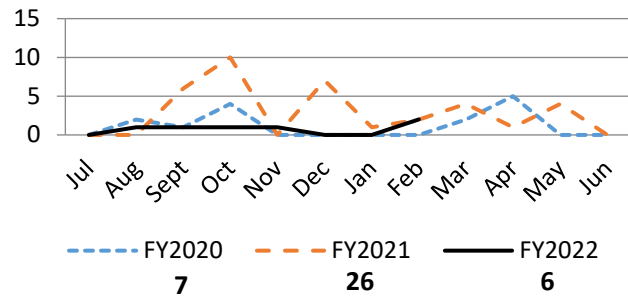
Prison to Employment	Goal	July	August	September	October	November	December	January	February	March	April	May	June	YTD	On Target
Enrolled	8	0	0	1	4	2	1	0	0					8	100%
Employer-Based	8	0	0	0	5	3	0	0	0					8	100%
Employed	10	0	0	0	0	0	1	1	0					2	20%

Key 3-Year WIOA Indicator Trends PY2021/22 - July 2021 - December 2021

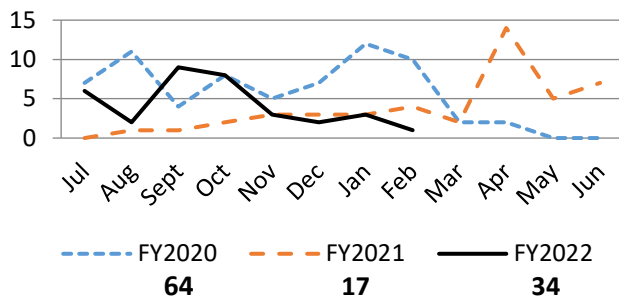
WIOA Adult/DW Enrollments



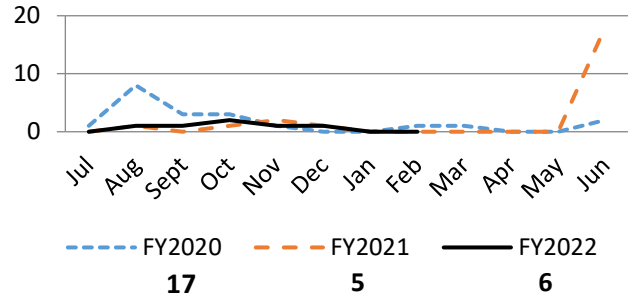
WIOA Youth Enrollments



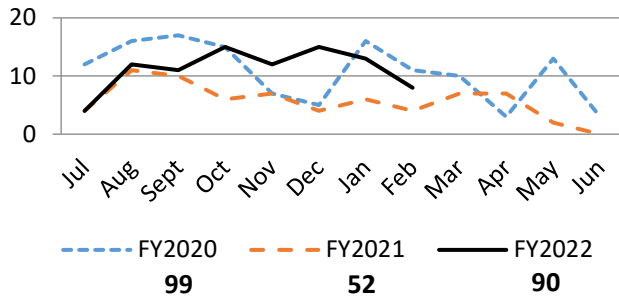
WIOA Adult/DW in Training



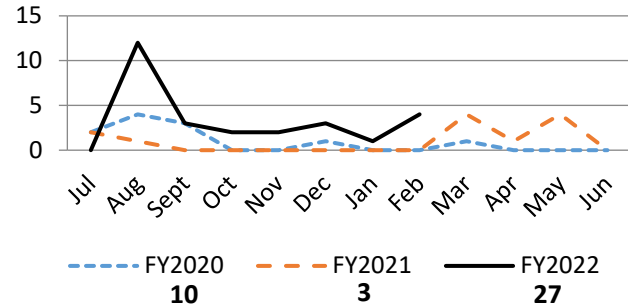
WIOA Adult/DW Earn & Learns



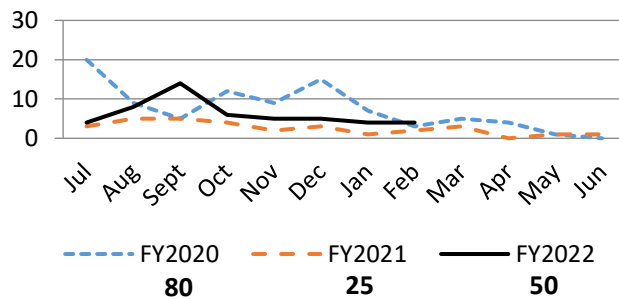
WIOA Adult/DW Completions



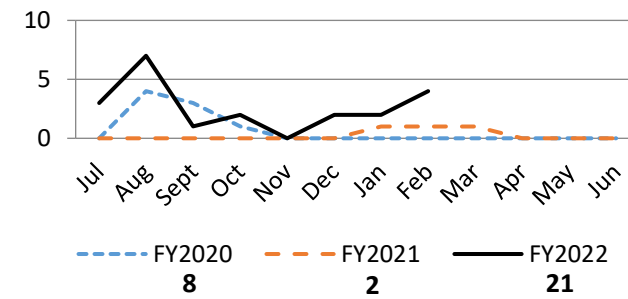
WIOA Youth Completions



WIOA Adult/DW Employment



WIOA Youth Employment



SBDC Monthly Report															Feb-22				
Key Performance Indicators		Annual Goal	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	%Goal			
Total client sessions 2022 YTD		2,200	220	303											523	24%			
Total Client Hours YTD		1,700	205	316											521	31%			
Total Active Clients (Napa)		700	740	733											733	105%			
Total Active Clients (Solano)		1,500	1334	1428											2762	184%			
Total Active Clients (Center)		2,200	2074	2161											2161	98%			
Jobs Created		70	0	21											21	30%			
New Business Starts		20	0	6											6	30%			
Change in Sales		\$ 7,000,000.00	\$0.00	\$ 3,891,101.00											\$ 3,891,101.00	56%			
Dollar amt of loans/equity		\$ 8,000,000.00	\$1,763,600.00	\$ 14,000.00											\$ 1,777,600.00	22%			
Training Sessions held		60	10	10											20	33%			
# of attendees		600	85	179											264	44%			
Focus Areas:																			
Solano Microbusiness Grant																			
Napa Microbusiness Grant																			
Restaurant Resiliency Fairfield																			
Vallejo ARPA projects upcoming																			
Food Incubator Program- SCC																			

CONSENT CALENDAR



**MINUTES
BOARD OF DIRECTORS MEETING
January 21, 2022**

I. Call to Order

Board Chair, Fadi Halabi, called the meeting to order at 8:01 a.m. Quorum was established.

Members Present: Paul Adler, Danny Bernardini, Paul Castro, Chris Churchill, Mark DeWeerd, Shannon Dodds, Mary Dugbartey, Mario Giuliani, Fadi Halabi, Gerald Huber, Melvinia King, Viola Lujan, Jon Riley, and David Tam

Members Absent: Suzanne Castano, Tiffany Donahue, Celia Esposito-Noy, Tim Healer, Sabrina Martin, Rosa Phillips, Stephen Reese, Scott Reynolds, and Jasmine Taylor

Staff Present: Heather Henry, Mike Al-Ahmad, Lauren Bender, Tammy Gallentine, Marion Aiken, Tim Murrill, Sheryl Cutler, Rachelle Franko, Brianna Boyd, Antoinette Smith, April Ziomek-Portillo, Matt Moon-Bailey, Cynthia Roper, Stephanie Hovda, Nel Sweet-Davis and Joyce Ugweje

Guests/General Public: Nancy Nelson, Shrayas Jatker, Asif Lalani, Chris Ricco, Monika Weiss, Jayant Kumar, Justine Jennings, Liz Navarrete, Rhuenette Alums, Jodi Genshaft, Clayton Walton, Keith Gallon, Mike Malone, Viraj Puri

II. Introductions

Mr. Chris Ricco, new President and CEO of Solano Economic Development Corporation, introduced himself. Mr. Ricco gave a brief background about himself.

III. Agenda Changes/Deletions

There were no additions and/or deletions from the agenda.

IV. Public Comment

There were no public comments.

V. Consent Calendar

A. Approval of November 19, 2021 Meeting Minutes

B. Approval to Adopt Resolution 2022-01 to Continue Remote Meetings Pursuant to AB361

C. Approval of Incident Reporting Policy, Change 1

MOTION #1

A motion was made and seconded to approve the Consent Calendar.

(Huber/Churchill) MOTION PASSED UNANIMOUSLY

VI. Presentation

A. Climate Transition and Workforce Implications

Ms. Henry announced WDB has been doing a lot of work understanding what our emerging industries are. Climate transition is one of the industry groups that are seeing a lot of changes. Mr. Shrayas Jatkar, California Workforce Development Board, has been doing a lot of work around the just transition plan and on what climate transition means. Mr. Jatkar

explained that he covers the intersection of climate policy, workforce, and labor policy. The goal is to make sure as the state, and sister state agencies, move ahead with climate change mitigation and climate adaptation measure, that the investments they make in those programs are creating good quality jobs and creating better access to these good jobs for targeted populations around that state. Ms. Henry added that staff has been working on what climate change and climate sector pieces look like in Solano County. Four areas that have been identified to be important in the county includes sustainable agriculture and conservation, alternative energy sources, carbon reduction, and disaster mitigation. The five businesses, who are part of the presentation, are involved in many of the innovated pieces within Solano County that are part of the four areas identified earlier.

Guest speakers from Ergsol (solar geothermal technology), Gotham Greens (sustainable indoor farming), Valero (carbon reduction), Napa-Solano Building Trades Council (construction of climate sector industry), and L&T Construction (infrastructure and engineering solutions) gave presentations.

VII. Informational Reports

A. Board Chair

Board Chair, Mr. Halabi, thanked the presenters.

B. Committee Chairs

There were no updates as no committee meetings were held since the November 2021 Board meeting.

C. President/Executive Director Report

With respect to time, Ms. Henry announced she would forgo the report normally given but noted staff have been working on operational improvements, including the employee handbook and looking at new ways to conduct fiscal operations. The fiscal report included in the VII.D Reports section of the agenda packet reflects some of those changes. Ms. Henry added staff is moving more into sector strategies and doing work with WDB industry partners to develop hospitality cohort with culinary, hospitality roundtable, and manufacturing roundtable to help build a stronger talent pipeline.

D. Reports

There was no discussion on this item.

VIII. Informational Updates

A. Upcoming Board Approval and Discussion Items

Ms. Henry gave a detailed overview of agenda item **VIII.A Upcoming Board Approval and Discussion Items** found on page 35 of the agenda packet, noting the items listed is a snapshot of the content for each Board meeting through July.

IX. Discussion

A. Consideration of Holding a Board Retreat for 2022

This discussion was postponed until the March Board meeting.

B. ARPA Workforce and Economic Investment Recommendations

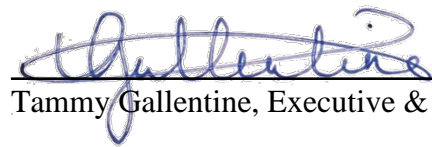
Ms. Henry announced Solano County has about \$43 million they will be investing currently out of the \$83 million allocation for ARPA with \$10 million is for the Negative Economic

Impacts section. The WDB was asked to lead that subject matter expert team. The expert team include the WDB, Solano-Napa SBDC, and Solano EDC. Ultimately, the team has a recommendation to invest the funds towards seven categories. A report was submitted to Solano County. Ms. Henry noted she will be presenting at the Board of Supervisors meeting in early February. Some of the categories will be led by the WDB, some by the Solano-Napa SBDC, and some by Solano EDC. More information will be available at the March Board meeting.

X. Adjournment

The meeting was adjourned at 10:02 a.m.

Respectfully submitted by:

A handwritten signature in blue ink, appearing to read "T. Gallentine", is written over a horizontal line.

Tammy Gallentine, Executive & Board Support Specialist



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

AGENDA SUBMITTAL

SUBJECT: Approval for a 3 rd Year Contract Renewal with Managed IT Systems Services Provider, NetXperts Inc., Not to Exceed an Additional Contract Amount of \$56,400	MEETING DATE March 18, 2022	AGENDA ITEM IX.B
FROM: Heather Henry President/Executive Director	ACTION REQUIRED YES ✓ NO	ATTACHMENTS A

RECOMMENDATION

It is recommended that the Board approve a second renewal of NetXperts, Inc. contract as the Managed IT Systems vendor. The total of the third-year contract, which began in April 2020, will not exceed an additional contract period amount of \$56,400. The accumulative total for the original contract and its renewals will not exceed \$169,200. The renewal will begin April 1, 2022 through March 31, 2023.

It is also recommended that the Board authorize the President/Executive Director to sign this contract after it has been reviewed by County Counsel and ratified by the County Board of Supervisors. As required by the County of Solano's Procurement Policy and the Board's current Memorandum of Understanding with the County, since this contract amount will be above \$75,000 and must be reviewed and approved by the Board of Supervisors.

This is the second and final contract renewal for this vendor. During the 2022-23 year staff will release a new procurement solicitation for Managed IT Services.

DISCUSSION

RFQ Process

On October 28, 2019, the Workforce Development Board (WDB) of Solano County published and distributed the Managed IT Systems Provider Request for Quote (RFQ) to twelve (12) local and regional firms that provide IT services; as well as posted the RFQ on Solano County's Public Purchasing website and the WDB website. On November 7, 2019, staff held a Site Visit, which was attended by (ten) 10 providers. The deadline for proposal submissions was November 22, 2019 by 5:00pm.

Staff received 10 proposals with 8 proposals meeting the minimum qualifications for consideration. On December 12, 2019, staff met to discuss each proposal and make a recommendation for a Managed IT Systems Provider.

Based on the proposals, scores and experience, staff selected the two highest ranked providers to move forward with the second phase of evaluations. Each vendor met with staff to provide an oral presentation during the last week of December. The reviewers selected NetXperts, Inc. as the winning bidder.


Services

NetXperts has provided the services per requirements for the first two years. Due to service price increases, this third and final year of the contract shows a reduction in on-call and emergency service hours to four days a week. This allows the WDB to maintain the same price of the service contract.

ALTERNATIVES: The Board could choose not to approve the contract and instead provide staff with direction to issue another procurement or to reengage in contract negotiations. However, this would cause a significant agency impact and delay in services as the WDB would need to procure an alternative Managed IT Systems vendor.

AGENCY BUDGET IMPACT: The FY2021-22 budget includes the necessary funding to cover the cost of this contract for the first three months of the contract and the cost of the contract is included in budget and expenditure projections for FY2022-23.

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
500 Chadbourne Road – Suite A, Fairfield CA, 94534

SERVICE AGREEMENT
2nd Amendment

This Agreement is made and entered into on this day of **April 1, 2022** by and between the **Workforce Development Board of Solano County (WDB)** and **NETXPERS, INC.** herein known as (VENDOR).

1. TERM OF AGREEMENT

The term of this Agreement is twelve (12) months. Services shall commence on **April 1, 2022** through **March 31, 2023** after completion of all signatures. The Agreement will remain in full force and effect until the completion of the Scope of Work as described in Exhibit A of this Agreement.

2. SCOPE OF SERVICES

The VENDOR shall provide the specified deliverables as described in the scope of work which shall be incorporated as Exhibit A-Scope of Work of this Agreement.

3. COMPENSATION

3.1. Rate: VENDOR will be compensated at a rate of **\$4,700.00** per month.

3.2. Amount: VENDOR will be compensated not to exceed **\$56,400.00**

3.3. Invoicing and Timing of Payment: Payment will be made according to the following terms:

3.3.1. VENDOR shall submit monthly invoices detailing work performed for each deliverable detailed in the Scope of Work and amount payable to the WDB's One Stop Senior Manager. The payment shall be made only after the services required under this contract have been performed to the satisfaction of the Executive Director/President, and the deliverables described in Exhibit A have been accepted in writing by the Executive Director/President OR his/her designee.

3.3.2. The VENDOR may be asked to perform special tasks or projects separate from the Scope of Work. Prior written approval by WDB will be required if any services are performed by the VENDOR that are not specified in Exhibit A – Scope of Work and a separate invoice will be submitted by the VENDOR.

3.3.3. The VENDOR shall provide any additional documentation as required by WDB at any time in order to substantiate VENDOR claims for payment. WDB may elect to withhold payment for failure by VENDOR to provide such documentation required by WDB.

3.3.4. The VENDOR agrees that the total maximum compensation for the services performed will not exceed the amount individually assigned in each Scope of Work Order (task order). The VENDOR agrees that any work performed above and beyond this amount will be gratis and will not be billed to the WDB.

3.3.5. Tax Withholding: Payment to non-California resident or nonresident alien VENDOR performing services in California may be reduced by any required state tax withholding or federal tax withholding or both.

4. REPRESENTATIONS

- 4.1.** WDB relies upon **VENDOR**'s professional ability and training as a material inducement to enter into this Contract. **VENDOR** represents that **VENDOR** will perform the work according to generally accepted professional practices and standards and the requirements of applicable federal, state and local laws. WDB's acceptance of **VENDOR**'s work shall not constitute a waiver or release of **VENDOR** from professional responsibility.
- 4.2.** **VENDOR** further represents that **VENDOR** possesses current valid appropriate licensure, including, but not limited to driver's license, professional license, certificate of tax-exempt status, or permits, required to perform the work under this Contract.

5. INSURANCE

- 5.1.** Workers' Compensation: The **VENDOR** assumes full responsibility for maintaining adequate workers' compensation and disability insurance coverage for the **VENDOR** or any agents or employees performing services for the **VENDOR** under the terms of this Agreement, if applicable.
- 5.2.** Without limiting **VENDOR**'s obligation to indemnify WDB, **VENDOR** must procure and maintain for the duration of the Contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work under this Contract and the results of that work by **VENDOR**, **VENDOR**'s agents, representatives, employees or subcontractors.

5.2.1. Minimum Scope of Insurance: Coverage must be at least as broad as: Insurance Services Office Commercial General Liability coverage (occurrence Form CG 00 01)

- Insurance Services Office Form Number CA 00 01 covering Automobile Liability, code 1 (any auto)
- Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.

5.2.2. Minimum Limits of Insurance: **VENDOR** must maintain limits no less than

1. General Liability: (Including operations, products and completed operations.)	\$1,000,000	per occurrence for bodily injury, personal injury and property damage, or the full per occurrence limits of the policy, whichever is greater. If Commercial General Liability insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: Aggregate	\$1,000,000 \$2,000,000	per accident for bodily injury and property damage
3. Workers' Compensation		as required by the State of California
4. Employers Liability Aggregate	\$1,000,000 \$2,000,000	per accident for bodily injury of disease.

Additional Insurance Coverage: To the extent coverage is applicable to VENDOR's services under this VENDOR, VENDOR must maintain the following insurance coverage:

1. Cyber Liability:	\$1,000,000	per incident with the aggregate limit of twice the required limit
2. Professional Liability: Aggregate	\$1,000,000 \$2,000,000	combined single limit per claim and in the aggregate. The policy shall remain in full force and effect for no less than 3 years following the completion of work under this Contract.

5.3. Minimum Limits of Insurance: VENDOR must maintain limits no less than

5.4. If VENDOR maintains higher limits than the minimums shown above, WDB is entitled to coverage for the higher limits by VENDOR.

5.5. Deductibles and Self-Insured Retentions: Any deductibles or self-insured relations must be declared to and approved by the WDB. At the option of the WDB, either:

5.5.1. The insurer will reduce or eliminate such deductibles or self-insured retentions with respect to WDB, its officers, officials, agents, employees and volunteers; or;

5.5.2. VENDOR must provide a financial guarantee satisfactory to WDB guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

5.6. Other Insurance provisions: The general liability and automobile liability policies must contain, or be endorsed to contain, the following provisions:

5.6.1. The WDB of Solano County, its officers, officials, agents, employees, and volunteers must be included as additional insured with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of VENDOR; and with respect to liability arising out of work or operations performed by or on behalf of VENDOR including materials, parts or equipment furnished in connection with such work or operations. General Liability coverage shall be provided in the form of an Additional Insured endorsement. The insurance afforded to the additional insured shall be at least as broad as that afforded to the first named insured.

5.6.2. For any claims related to work performed under this Contract, VENDOR's insurance coverage must be primary insurance with respect to the WDB of Solano County, its officers, agents, employees, or volunteers is excess of VENDOR's insurance and shall not contribute to it.

5.6.3. Should any of the above described policies be cancelled prior to the policies' expiration date, VENDOR agrees that notice of cancellation will be delivered in accordance with the policy provisions.

6. WAIVER OF SUBROGATION

6.1. VENDOR agrees to waive subrogation which any insurer of VENDOR may acquire from VENDOR by virtue of the payment of any loss. VENDOR agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation.

6.2. The Workers' Compensation policy must be endorsed with a waiver of subrogation in favor of the WDB for all work performed by VENDOR, its employees, agents and

subcontractors.

7. ACCEPTABILITY OF INSURERS

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII unless otherwise acceptable to the WDB.

8. VERIFICATION OF COVERAGE

8.1. Contractor must furnish WDB with original certificates and endorsements effecting coverage required by this Contract. The endorsements should be on forms provided that conform to the WDB's requirements and acceptable to the WDB.

8.2. WDB must receive and approve all certificates and endorsements before work commences.

8.3. However, failure to do so shall not operate as a waiver of these insurance requirements.

8.4. WDB reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.

9. INDEPENDENT VENDOR

9.1. VENDOR is an independent vendor and not an agent, officer or employee of the WDB. The parties mutually understand that this Agreement is between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture or association.

9.2. VENDOR shall have no claim against WDB for employee rights or benefits including, but not limited to, seniority, vacation time, vacation pay, sick leave, personal time off, overtime, medical, dental or hospital benefits, retirement benefits, Social Security, disability, Workers' Compensation, unemployment insurance benefits, civil service protection, disability retirement benefits, paid holidays or other paid leaves of absence.

9.3. VENDOR is solely obligated to pay all applicable taxes, withholding, Social Security, unemployment, disability insurance, Worker's Compensation and Medicare payments.

9.4. VENDOR shall indemnify and hold WDB harmless from any liability which WDB may incur because of VENDOR'S failure to pay such obligations, as set forth in this paragraph.

9.5. As an independent contractor, VENDOR is not subject to the direction and control of the WDB except as to the final result contracted for under this Agreement. WDB may not require VENDOR to change VENDOR'S manner of doing business, but may require redirection of efforts to fulfill this Agreement.

9.6. VENDOR may provide services to others during the same period VENDOR provides service to WDB under this Agreement.

9.7. Any third persons employed by VENDOR shall be under VENDOR's exclusive direction, supervision and control. VENDOR shall determine all conditions of employment including hours, wages, working conditions, discipline, hiring and discharging or any other condition of employment.

9.8. As an independent contractor, VENDOR shall indemnify and hold WDB harmless from any claims that may be made against WDB based solely on the contention by a third party that an employer-employee relationship exists under this Agreement. Notwithstanding this provision, to the extent that any claim, as described in this subsection, is based on alleged negligence or willful misconduct of WDB, VENDOR shall have no duty to indemnify and hold WDB harmless for that particular claim.

- 9.9.** VENDOR with full knowledge and understanding of the foregoing, freely, knowingly, willingly and voluntarily waives the right to assert any claim to any right or benefit or term or condition of employment insofar as they may be related to or arise from compensation paid hereunder.

10. CONFIDENTIALITY

- 10.1.** All nonpublic data and information submitted or made available to VENDOR by the WDB, and other work developed by VENDOR under this Agreement, must be utilized by VENDOR in connection with this Agreement only, and must not be made available to any other sources.
- 10.2.** VENDOR shall prevent unauthorized disclosure of names and other client-identifying information, except for statistical information not identifying a particular client receiving services under this Agreement. VENDOR shall not use client specific information for any purpose other than carrying out VENDOR's obligations under this Agreement.
- 10.3.** Except as otherwise permitted by this Agreement or authorized by law, VENDOR shall not disclose any confidential information to anyone other than the State of California without prior written authorization from the WDB.
- 10.4.** For purposes of this section, identity shall include, but not be limited to, name, identifying number, symbol or other client identifying particulars, such as fingerprints, voice print or photograph. Client shall include individuals receiving services pursuant to this Agreement.

11. DISCLOSURE OF DOCUMENTS

VENDOR must not disclose any of WDB's properly marked confidential documents without written authorization, unless disclosure is required by law.

12. BUSINESS OWNERSHIP

The WDB owns the hardware, cloud-based services and subscription services and will maintain full access to it. This means the WDB will have a record of/ access to all current log-on / username and password information. Any changes to system access must be provided to the WDB. Only industry standard hardware and software products are acceptable for use with WDB systems. This contract covers labor only. All hardware / software purchases are generally made by the WDB.

13. OWNERSHIP OF WORK PRODUCT

All documents or other information developed as part of this Agreement or received by VENDOR become the property of WDB and must be made available to WDB upon demand or termination of this Agreement. Should copyrights of any of the products be deemed necessary in this project by mutual Agreement, such copyright shall be held by WDB and made available to the general public. The VENDOR shall be responsible for obtaining all necessary legal releases for use of any third-party proprietary materials.

14. ADVERTISEMENT

VENDOR may not use the name WDB or any variation thereof for advertising or publicity purposes without first obtaining the written consent of WDB.

15. LIMITATIONS UPON SUBCONTRACTING AND ASSIGNMENT

The VENDOR assumes full responsibility for any entity that is procured to perform the specified services in Exhibit A – Scope of Work. This Agreement may not be assigned voluntarily or by operation of law, without the prior written approval of WDB.

16. VENDOR'S PERSONNEL

16.1. VENDOR agrees that all work to be performed under this Agreement will be performed by VENDOR. The VENDOR agrees that no portion of the work to be performed under this Agreement will be subcontracted to a third party or performed by other VENDOR employees not having the required documents and signed Exhibit B - Use and Confidentiality of Participant Personally Identifiable Information policy. In addition, VENDOR shall not subcontract any work under this Agreement nor assign this Agreement or monies due without the prior written consent of the WDB's One Stop Services Manager, applicable Division Manager or his/her designee and the President/Executive Director subject to any required state or federal approval.

16.2. If WDB consents to the use of subcontractors, VENDOR shall require and verify that its subcontractor maintain insurance meeting all of the requirements stated in Section 5, "Insurance" above.

16.3. Assignment by VENDOR of any monies due shall not constitute an assignment of the Agreement.

16.4. Any third persons employed by VENDOR shall be under VENDOR 's exclusive direction, supervision and control. VENDOR shall determine all conditions of employment including hours, wages, working conditions, discipline, hiring and discharging or any other condition of employment.

16.5. Employees of VENDOR must carry out the performance of the services contracted for under this Agreement. VENDOR must, at its own expense, provide all personnel necessary to perform the services. VENDOR warrants that all personnel engaged in the services are qualified to perform the services and must be properly licensed and otherwise authorized to do so under all applicable laws.

17. DEFAULT

17.1. If VENDOR defaults in VENDOR'S performance, WDB shall promptly notify VENDOR in writing. If VENDOR fails to cure a default within 30 days after notification or if the default requires more than 30 days to cure and VENDOR fails to commence to cure the default within 30 days after notification, then VENDOR'S failure shall terminate this Contract.

17.2. If VENDOR fails to cure default within the specified period of time, WDB may elect to cure the default and any expense incurred shall be payable by VENDOR to WDB.

17.3. If WDB serves VENDOR with a notice of default and VENDOR fails to cure the default, VENDOR waives any further notice of termination of this Contract.

17.4. If this Contract is terminated because of VENDOR'S default, WDB shall be entitled to recover from VENDOR all damages allowed by law.

18. INDEMNIFICATION

- 18.1.** VENDOR must release, defend, indemnify, hold harmless and assume the defense of WDB, Solano County, State of California, and the United States Department of Labor (DOL) its officers, employees, agents and board members from all claims, losses, damages, including property damages, personal injury, death and liability of every kind, directly or indirectly arising from VENDOR'S operations or from any persons directly or indirectly employed by, or acting as agency for, VENDOR, excepting the negligence or willful misconduct of the WDB. This indemnification shall extend to claims, losses, damages, injury and liability for injuries occurring after completion of VENDOR's services, as well as during the progress of rendering such services.
- 18.2.** Acceptance of insurance required by this Agreement does not relieve VENDOR from liability under this indemnification clause. This indemnification clause shall apply to all damages or claims for damages suffered by VENDOR's operations regardless if any insurance is applicable or not.

19. CHANGES AND AMENDMENTS

- 19.1.** WDB may request changes in VENDOR'S scope of work. Any mutually agreed upon changes, including any increase or decrease in the amount of VENDOR'S compensation, shall be effective when incorporated in written amendments to this Agreement.
- 19.2.** The party desiring the revision shall request amendments to the terms and conditions of this Agreement in writing. Any adjustment to this Agreement shall be effective only upon the parties' mutual execution of an amendment in writing.
- 19.3.** No verbal agreements or conversations prior to execution of this Agreement or requested amendment shall affect or modify any of the terms or conditions of this Agreement unless reduced to writing according to the applicable provisions of this Contract.

20. ENTIRETY OF AGREEMENT

This service Agreement, including any exhibits referenced, constitutes the entire Agreement between the parties and there are no inducements, promises, terms, conditions or obligations made or entered into by WDB or VENDOR other than those contained in it.

21. INTERPRETATION

This Agreement must be interpreted as though prepared by both parties.

22. PRESERVATION OF AGREEMENT

Should any provision of this Agreement be found invalid or unenforceable, the decision will only affect the provision interpreted, and all remaining provisions will remain enforceable.

23. TERMINATION OF AGREEMENT

This Agreement may be terminated by the WDB or VENDOR, at any time with or without cause, upon 30 days written notice from one to the other. The WDB may terminate this Agreement immediately upon notice of VENDOR's malfeasance. The VENDOR may retain amounts, if any, paid by WDB under this Agreement prior to termination, but explicitly waives any right to additional amounts of any kind. In the event of termination, WDB shall be liable

for payment only for the products delivered and acceptable prior to the effective date of termination.

24. CALIFORNIA LAW

This Agreement must be construed in accordance with the laws of the State of California. Any action commenced about this Agreement must be filed in the Solano County Superior Court.

25. AUTHORITY TO EXECUTE

The persons executing this Agreement on behalf of the parties warrant that they are duly authorized to execute this Agreement and that by executing this Agreement, the parties are formally bound.

26. WAIVER

Any failure of a party to assert any right under this Agreement shall not constitute a waiver or a termination of that right, under this Agreement or any of its provisions.

Exhibit A: Scope of Work

Exhibit B: Use and Confidentiality of Participant Personally Identifiable Information Policy

VENDOR certifies by signing this Agreement that neither it nor its principals are currently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency.

IN WITNESS THEREOF, the parties have executed this Agreement on the day and year shown below.

APPROVED BY THE VENDOR

Signature: _____

(Signature, Contractor's Duly Authorized Representative)

Name: _____

Title: _____

Address: _____

Phone No. _____

Date: _____

APPROVED BY THE WORKFORCE DEVELOPMENT BOARD OF SOLANO COUNTY

Signature: _____

(Signature, Contractor's Duly Authorized Representative)

Name: Heather Henry

Title: President/Executive Director

Date: _____

Approved as to Form: _____

Solano County Counsel

Exhibit A
Scope of Work
2nd Amendment

A. VENDOR RESPONSIBILITIES

1. AVAILABILITY TO PERFORM SERVICES

Vendor will:

- i. Provide and train all qualified staff in order to plan for and administer the contracted services;
- ii. Provide services for duration of contract; and,
- iii. Provide services during scheduled days and/or hours as appropriate.

2. SERVICE ACTIVITIES

Vendor will:

i. On-Boarding

- a. Serve as WDB's Managed IT Systems vendor to provide maintenance and support to WDB's network infrastructure, hardware and software.
- b. Provide ongoing support, necessary training(s), and guidance to WDB and designated staff throughout the duration of the Agreement.
- c. Communicate periodically with the interim IT provider, on an as needed basis.

ii. Software & Equipment

- a. Maintain all cloud-based network services.
- b. Maintain network security, firewall and content filtering systems.
- c. Perform router management.
- d. Maintain virus detection, protection and removal products.
- e. Manage spyware.
- f. Perform software updates and patches.
- g. Perform hardware and software preventative maintenance.
- h. Perform hardware and software troubleshooting.
- i. Maintain the WDB's product of licensing.
- j. Monitor data back-up's and perform data recovery, if needed.
- k. Provide ongoing help desk/technical support Monday through Thursday.
- l. Provide remote support to WDB, as needed.
- m. Maintain physical presence through regular on-site visits; dates to be determined by the Vendor and WDB.
- n. Make recommendations about planning for efficiency and maintaining current products with industry standard products.
- o. Document hardware and/or software changes.
- p. Provide vendor-documented instructions, templates, etc., to use in order to perform select functions which include, but are not limited

- to, creating a new user account to log onto the network, creating a new email account, disabling an email account.
- q. Make disaster recovery planning recommendations.
- r. Provide monthly report on work accomplished, work in progress and work to be completed.

B. RESPONSE TIME – On Call and Emergency Services

VENDOR shall perform all scheduled work during the normal business hours of Monday through Thursday, as outlined by WDB. All services must be provided in a manner not to disrupt normal business hours.

C. ADMINISTRATION

1. **Maintenance of Effort**

VENDOR assures that services provided, and funds received under this Agreement will not supplant existing services or funds allocated for the same purpose.

2. **Successors**

Should the VENDOR sell or otherwise relinquish all or any portion of the ownership of the VENDOR Corporation during the course of this Agreement, any future owner(s) of the corporation will agree to be bound by the provisions stipulated herein for the length of the contract.

3. **Time is of the Essence of this Agreement**

All services to be performed specified under this Agreement including training must be delivered on or before the ending of date of this Agreement.



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

AGENDA SUBMITTAL

SUBJECT: Review and Approval of the WIOA Adult and Dislocated Worker Service Delivery Policy	MEETING DATE March 18, 2022	AGENDA ITEM IX.C
FROM: Heather Henry President/Executive Director	ACTION REQUIRED YES ✓ NO	ATTACHMENTS A

RECOMMENDATION: Staff is recommending the Board review and approve the WIOA Adult and Dislocated Worker Service Delivery Policy, as recommended by the Executive Committee.

DISCUSSION:

In order to remain compliant with WIOA regulations governing programmatic and administrative policies, the Workforce Development Board (WDB) of Solano County is in the process of writing or revising previous policies. According to WIOA regulations, WIOA policies must be approved by the Board.

Staff presented the above referenced policy to the Executive Committee on March 7, 2022. The policy for review were approved.

Below are highlights of content for this policy:

WIOA Adult and Dislocated Worker Service Delivery Policy

The policy on WIOA Adult and Dislocated Worker Service Delivery provides guidelines to WIOA staff with respect to the required and allowable service delivery requirements for Adult and Dislocated Worker programs. Previously, no policy was in place around WIOA Adult and Dislocated Worker service delivery, rather all guidance was provided through procedural documents. Per WIOA guidelines, certain elements around service delivery must be outlined in local policy.

Overview of Policy

The policy provides information on the distinction between, and description of, basic career services, individualized career services, training services, and follow-up services in accordance with WIOA law, DOL Regulations and State of California Directives.

Key Policy Elements

- WIOA Adult priority populations
- Basic Career Services parameters
- Individualized Career Services parameters
- Follow-up Services parameters
- Required and Permitted Adult and Dislocated Worker services for job seekers, employers, and other services
- Overview of Training Services and references to training policies

- Guidance on coordination with other WIOA programs
- Chart on each WIOA service type and distinction between basic career service, individualized career service, training, and follow-up service
- Attachment of applicable definitions

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: March 18, 2022 Number: 2022-01

WIOA ADULT AND DISLOCATED WORKER SERVICE DELIVERY

INTRODUCTION

This policy provides guidance to the Workforce Development Board (WDB) of Solano County in providing WIOA Adult and Dislocated Workers an array of career and training services. The Workforce Innovation and Opportunity Act (WIOA) offers an integrated and comprehensive range of services consisting of workforce development activities benefiting businesses, job seekers and local communities. Through the America's Job Centers of California (AJCC) system, Adults and Dislocated Workers can access a continuum of services. The goal is to provide a workforce system that is accessible to all job seekers and is customer centered.

The purposes of WIOA service delivery for Adults and Dislocated Workers are to:

- Increase, particularly for individuals with barriers to employment, access to and opportunities for the employment, education, training, and support services needed to succeed in the labor market;
- Increase the prosperity of workers and business; the economic growth of communities, regions, and states; and the global competitiveness of the United States; and
- Provide workforce activities that increases clients' employment, retention, earnings, and attainment of recognized postsecondary credentials; and as a result, improve the quality of the workforce, reduce dependency on public assistance, increase economic self-sufficiency, meet the skills requirements of business, and enhance the productivity and competitiveness of the nation.

QUESTIONS

Questions relating to this policy should be directed to Marion Aiken at (707) 863-3594 or at maiken@solanowdb.org.

ATTACHMENTS

- Attachment A: WIOA Participant Services Chart
- Attachment B: Definitions

POLICY

WIOA services for Adult and Dislocated Workers include basic services, career services, and occupational training. Basic career services are universally accessible and must be

made available to all individuals seeking employment and training services in at least one comprehensive American Job Center per local area. Individualized services require WIOA enrollment and provide more intensive employment and training services. Training services can be critical to the employment success of many adults and dislocated workers and may only be provided to WIOA enrolled individuals. WDB staff may determine training services are appropriate, regardless of whether the individual has received basic or individualized career services first, as there is no sequence of service requirement.

In addition to providing career and training services to individuals who are unemployed, WIOA Adult and Dislocated Worker programs may also serve individuals who are unemployed. Further information is outlined in WDB 2018-06 – WIOA Adult and Dislocated Enrollment and Eligibility Policy.

Adult Priority Populations

WIOA Adult programs focuses on serving individuals with barriers to employment and seeks to ensure access to quality services for these populations. WIOA identifies “individuals with barriers to employment” as follows:

- Displaced homemakers
- Low-income individuals
- Indians, Alaska Natives, and Native Hawaiians;
- Individuals with disabilities;
- Older individuals (age 55 and older);
- Ex-offenders;
- Homeless individuals;
- Youth who are in or have aged out of the foster care system;
- Individuals who are:
 - English language learners;
 - Individuals who have low levels of literacy;
 - Individuals facing substantial cultural barriers;
- Eligible migrant and seasonal farmworkers;
- Individuals within two years of exhausting lifetime TANF eligibility;
- Single parents (including single pregnant women);
- Long-term unemployed individuals (unemployed for 27 or more consecutive weeks); and
- Such other groups as the Governor of California determines to have barriers to employment.

CAREER SERVICES

WIOA Title I formula funds allocated to Solano County for adults and dislocated workers must be used to provide career and training services through the one-stop delivery system. There are three types of career services: basic career services, individualized career services, and follow-up services. Although WIOA distinguishes levels of service, this distinction is not intended to imply that there is a sequence of services. These

services can be provided in any order. Career services under this approach provide flexibility to target services that meet the needs of the customer, while still allowing for tracking of outcomes for reporting purposes. Career Services are defined in 20 CFR 678.430, and rules governing their provision to adults and dislocated workers are discussed in 20 CFR 680.100 through 195. Career services must be made available in each Solano AJCC.

WIOA Title I formula funds allocated to local areas for adults and dislocated workers must be used to provide career and training services through the one-stop delivery system. Local WDBs determine the most appropriate mix of these services, but both types must be available for eligible adults and dislocated workers. Different eligibility criteria apply for each type of services.

Basic Career Services

Basic career services are universally accessible and must be made available to all individuals seeking services offered by the one-stop delivery system. Generally, basic career services include eligibility determinations, initial skill assessments, labor exchange services, provision of information on programs and services, and program referrals. These services may be provided by both the Adult and Dislocated Worker programs, as well as by the Employment Service.

Basic career services include the following services:

- Determinations of whether the individual is eligible to receive assistance from the adult, dislocated worker, or youth programs;
- Outreach, intake (including worker profiling), and orientation to information and other services available through the one-stop delivery system;
- Initial assessment of skill levels including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive service needs;
- Labor exchange services, such as job search and placement assistance, including provision of information on in-demand industry sectors and occupations and provision of information on nontraditional employment;
- Provision of referrals to and coordination of activities with other programs and services, including those within the one-stop delivery system and, when appropriate, other workforce development programs;
- Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including job vacancy listings in labor market areas, information on job skills necessary to obtain the vacant jobs listed, and information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement in those jobs;
- Provision of performance information and program cost information on eligible providers of training services by program and type of providers;

- Provision of information about how the local area is performing on local performance accountability measures, as well as any additional performance information relating to the area's one-stop delivery system;
- Provision of information relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance;
- Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA; and
- Provision of information and assistance regarding filing claims under UI programs, including meaningful assistance to individuals seeking assistance in filing a claim.

Wagner-Peyser staff, employed by the California Employment Development Department (EDD), primarily provide labor exchange services. All basic career services must be made available by Wagner-Peyser staff in coordination with other AJCC partners. Wagner-Peyser staff may also provide individualized career services. Wagner-Peyser staff also have specific obligations in serving UI claimants.

Individualized Career Services

The provision of individualized career services must be based on the employment needs of the individual as determined jointly by the individual and the career planner (case manager) and should be identified through an individual employment plan (IEP). Individualized career services must be provided to participants after AJCC staff determine that such services are required to retain or obtain employment. Generally, these services involve significant staff time and customization to individual's need. Individualized career services include services such as: specialized assessments, developing an individual employment plan, counseling, work experiences, etc. (Enrollment and eligibility details can be found in WDB 2018-06 WIOA Adult and Dislocated Enrollment and Eligibility Policy.) These services generally will be provided by the Adult and Dislocated Worker programs, although it may be appropriate for Wagner-Peyser staff to provide some of these services.

Individualized career services are subject to priority of service and consist of the following:

- Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include diagnostic testing and use of other assessment tools and/or in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;
- Development of an Individual Employment Plan (IEP) to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve his or her employment goals, including the list of (and information about) eligible training providers;
- Group and/or individual counseling and mentoring;
- Career planning (e.g. case management);
- Short-term pre-vocational training services and workforce preparation activities, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare

individuals for unsubsidized employment or training, and in some-instances, pre-apprenticeship programs may be considered;

- Internships and work experiences that are linked to careers;
- Workforce preparation activities that help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of post-secondary education/training or employment;
- Financial literacy services; and
- English language acquisition and integrated education and training programs.

Follow-up Services

WDB staff and contractors must provide follow-up services for adults and dislocated worker participants who are placed in unsubsidized employment for up to 12 months after the first day of employment. Follow-up services do not extend the date of exit in performance reporting.

The WDB considers the following allowable follow-up services, based on individualized employment goals and needs:

- Referral to community resources,
- Referral to medical services,
- Progress tracking on the job, and identification of which, if any, additional follow up services the participant requires to progress further in his or her occupation or employment,
- Work-related peer support groups,
- Assistance securing a better paying job,
- Career development and further education planning,
- Assistance with work-related problems, which may include contacting the participant's employer.

Identification of when to provide follow-up services to participants must be outlined in procedures.

Required and Permitted Services

WIOA Title I funds also may be used to provide additional services but not limited to the following:

- Job Seeker Services
 - Customer support to enable individuals with barriers to employment (including individuals with disabilities) and veterans, to navigate among multiple services and activities
 - Training programs for displaced homemakers and individuals training for non-traditional employment

- Work support for lower wage workers, in coordination with one-stop partners, which will provide opportunities for these workers to retain or enhance employment
- Supportive services as applicable
- Transitional jobs to individuals with barriers to employment, chronically unemployed or inconsistent work history
- Employer Services
 - Customized screening and referral of qualified participants in training services to employers
 - Customized employment-related services to employers, employer associations, or other such organization on a fee-for service basis in addition to labor exchange services
 - Activities to provide business services and strategies that meet the workforce investment needs of area employers, consistent with the local plan
- Other Services
 - Coordination activities
 - Activities to adjust the economic self-sufficiency standards of the local area
 - Implementing promising services to workers and businesses

TRAINING SERVICES

Under WIOA, training services may be provided if AJCC or WDB staff determines after conducting an interview, an evaluation or assessment, and career planning, that training services are needed to obtain occupational skills for employment success.

Consideration for determining if training services are appropriate are as follows if the individual:

- Is unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services alone and is in need of training services to do so;
- Has the skills and qualifications to successfully participate in the selected program of training services;
- Is unable to obtain grant assistance from other sources to pay the costs of such training;
- Is determined eligible with WIOA Adult and Dislocated Worker guidelines; and
- Selected a program of training services that is directly linked to the employment opportunities in the local area or the planning region, or in another area to which the individual is willing to commute or relocate.

WDB policies further outline the parameters for key training services. Training services are subject to priority of services and consist of:

- Occupational Skills Training (Individual Training Account) – [WDB 2018-03](#)
- On-the-Job Training – WDB 2018-07 and [WDB 2018-07 Change 1](#)
- Incumbent Worker Training – [WDB 2018-04](#)
- Programs that combine workplace training with related instruction, which may include cooperative education programs;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Transitional Jobs – [WDB 2019-05](#);
- Job readiness training provided in combination with another training services;
- Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with another training service; and
- Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of training.

PERFORMANCE ACCOUNTABILITY

Wagner-Peyser and AJCC services provides services to all job seekers and does not have an eligibility component. As such, an individual must receive a service other than self-service and information-only services or activities to be considered a “reportable individual.” For Adult and Dislocated Worker program services, individuals must meet all applicable program requirements to receive services and must be determined eligible to become a “participant” (See WDB 2018-06 WIOA Adult and Dislocated Enrollment and Eligibility Policy for further details).

COORDINATION WITH OTHER WORKFORCE PROGRAMS

Role of One-Stop Delivery System

Career services for adults and dislocated workers, which include basic career services, individualized career services and follow-up services for a minimum of 12-months following the first day of employment to participants placed in unsubsidized employment, must be made available in at least one one-stop center in each local area. Services may also be available elsewhere, either at affiliated sites or at specialized centers. For example, specialized centers may be established to serve workers being dislocated from a particular employer or industry, or to serve residents of public housing.

Through the one-stop delivery system, adults and dislocated workers needing training are provided Individual Training Accounts (ITAs) and access to lists of eligible training providers and programs of training. These lists contain quality consumer information, including cost and performance information for each of the providers’ programs, so that participants can make informed choices on where to use their ITAs.

WIOA Youth Program

Individuals aged 18-24 may be eligible for both the WIOA Youth and Adult programs and can be co-enrolled in the two programs to maximize flexibility and service delivery to eligible populations. Staff may determine, for these individuals, the appropriate level and balance of services under the youth and adult programs. Staff must identify and track the funding streams which pay the costs of services provided to individuals who are participating in youth and adult 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 and if the participant is career-ready based on an assessment of their skills, experience, employability, and needs.

Adult Education and Family Literacy Act (WIOA Title II)

Some services are allowable activities under both Adult/Dislocated Workers funds and Title II (adult education) funds, including workforce preparation activities, English language acquisition programs, and integrated education and training programs. Under WIOA, the WDB may provide career services in tandem with WIOA Title II activities. This allows the WDB and local adult education providers to coordinate in the development of career pathways and to co-enroll participants so they receive the full spectrum of services for their education and employment needs.

Vocational Rehabilitation (Title IV)

WIOA provides opportunities for coordination and referrals between the WDB and the local Division of Rehabilitation to partner and enhance service delivery to individuals with disabilities utilizing the strengths of both entities and leveraging funding, as appropriate, for the benefit of the individual.

Other coordination with programs as part of adult and dislocated worker service delivery could include the following:

- Employment and training activities in coordination with Trade Adjustment Assistance (TAA);
- Employment and training activities in coordination with child support enforcement activities, as well as child support services and assistance activities;
- Employment and training activities in coordination with cooperative extension programs carried out by the Department of Agriculture;
- Employment and training activities in coordination with activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology;
- Improving coordination between workforce investment activities and economic development activities carried out within Solano County and to promote entrepreneurial skills training and microenterprise services;
- Improving services and linkages between the WDB (including the local one-stop delivery system) and employers, including small employers;
- Strengthening linkages between the one-stop delivery system and the unemployment insurance programs;

- Improving coordination between employment and training activities and programs carried out in Solano for individuals with disabilities, including programs carried out by California relating to intellectual and developmental disabilities.

DISCLAIMER

This policy is based on WDB's interpretation of the statute, along with the Workforce Investment and Opportunity Act; Final Rule released by the U.S. Department of Labor and federal and state policies relating to WIOA implementation. This policy will be reviewed and updated based on any additional federal or state guidance.

REFERENCES

Law

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

Federal Guidance

- [Workforce Innovation and Opportunity Act Labor Only Final Rule](#): Title 20 CFR Section 680
- TEGL 03-15 – [Operating Guidance for the Workforce Innovation and Opportunity Act](#)
- TEGL 19-16 – [Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act \(WIOA\) and the Wagner-Peyser Act Employment Services \(ES\)](#)

State Guidance

- WSD14-4 – [WIA Title I Eligibility](#)
- WSD15-14 – [WIOA Adult Program Priority of Service](#)

Approved by

Workforce Development Board of Solano County

WIOA Participant Services Chart

Service Type	Triggers inclusion in AD/DW participation?	Category of Service
Eligibility Determination	No	Basic Career Service
Outreach, Intake, Orientation	No	Basic Career Service
Initial assessment of skill levels and supportive service needs	Yes	Basic Career Service
Job search assistance (Self-directed)	No	Basic Career Service
Job search assistance (Staff-assisted)	Yes	Basic Career Service
Placement assistance (Staff-assisted)	Yes	Basic Career Service
Career counseling	Yes	Basic Career Service
Provide info on in-demand sectors, occupations, or nontraditional employment	No	Basic Career Service
Provision of referrals and associated coordination of activities with other programs and services	No	Basic Career Service
Provision of workforce and labor market employment statistics information	No	Basic Career Service
Provision of info on job vacancies	No	Basic Career Service
Provision of info on job skills necessary to fill vacancies	No	Basic Career Service
Provision of info on local demand occupations, with earnings, skill requirements, and opportunities for advancement for those jobs	No	Basic Career Service
Provision on performance and program cost info for providers of education and training	No	Basic Career Service
Provision of info on local performance	No	Basic Career Service
Provision of info on availability of supportive services or assistance	No	Basic Career Service
Referral to supportive services	No	Basic Career Service
Provision of info and meaningful assistance filing for UI	Yes	Basic Career Service
Assistance establishing eligibility for financial aid	Yes	Basic Career Service
Comprehensive and specialized assessments	Yes	Individualized Career Service
Development of IEP	Yes	Individualized Career Service

Attachment A: WIOA Participant Services Chart

Group Counseling	Yes	Individualized Career Service
Individual Counseling	Yes	Individualized Career Service
Career Planning	Yes	Individualized Career Service
Short-term prevocational services	Yes	Individualized Career Service
Internships and work experiences	Yes	Individualized Career Service
Workforce preparation activities	Yes	Individualized Career Service
Financial literacy services	Yes	Individualized Career Service
English-language acquisition and integrated education and training programs	Yes	Individualized Career Service
Follow-up services	n/a	Follow Up Service
Training Services (with the exception of Incumbent Worker Training)	Yes	Training
Incumbent Worker Training	No	Training

Definitions

Adult Education and Literacy Activities – as defined in TEGL 19-16 – means programs, activities, and services that include:

- Adult education,
- Literacy,
- Workplace adult education and literacy activities,
- Family literacy activities,
- English language acquisition activities,
- Integrated English literacy and civics education,
- Workforce preparation activities, or
- Integrated education and training

Barriers to Employment – as defined by WIOA Sec 3(24) – populations included in the “individuals with barriers to employment” include:

- Displaced homemakers,
- Low-income individuals,
- Indians, Alaska Natives, and Native Hawaiians,
- Individuals with disabilities,
- Older individuals,
- Ex-offenders,
- Homeless individuals,
- Youth who have aged out of the foster care system,
- Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers,
- Eligible migrant and seasonal farmworkers,
- Individuals within two years of exhausting lifetime TANF eligibility,
- Single parents (including single pregnant women), and
- Long-term unemployed individuals

Basic Skills Deficient – as defined by WIOA Sect. 3(5) and WSD15-14 – with respect to an adult who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society. Criteria used to determine whether an individual is basic skills deficient includes the following:

- Lacks a high school diploma or high school equivalency and is not enrolled in post-secondary education,
- Enrolled in a Title II Adult Education/Literacy program,
- English, reading, writing, or computing skills at an 8.9 or below grade level, or
- Determined to be Limited English Skills proficient through staff-documented observations.

Career Pathway – as defined in WIOA Sec 3(7) – means a combination of rigorous and high-quality education, training, and other services that

- Aligns with the skill needs of industries in the economy of the State or regional economy involved,

- Prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including registered apprenticeships,
- Includes counseling to support an individual in achieving the individual's education and career goals,
- Includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster,
- Organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable,
- Enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential, and
- Helps an individual enter or advance within a specific occupation or occupational cluster.

Career Planning – as defined in WIOA Sec 3(8) – means the provision of a client-centered approach in the delivery of services, designed

- To prepare and coordinate comprehensive employment plans, such as service strategies, for participants to ensure access to necessary workforce investment activities and supportive services, using, where feasible, computer-based technologies, and
- To provide job, education, and career counseling, as appropriate during program participation and after job placement.

Cross Match – as defined by TEGL 22-15, Attachment A – a cross-match requires validators to find detailed supporting evidence for the data element in a database. An indicator or presence of a Social Security Number in a non-WIOA database is not sufficient evidence, validators must also find supporting information such as dates of participation and services rendered.

Cultural Barriers – as defined by the Federal Register 2015-007 Participant Individual Record Layout (PIRL) – barriers that exist when a participant perceives him or herself as possessing attitudes, beliefs, customs or practices that influence a way of thinking, acting or working that may serve as a hindrance to employment.

Disability – as defined by the American with Disabilities Act of 1990 Sect. 12192(1-3) – with respect to an individual, the term disability means:

- (A) A physical or mental impairment that substantially limits one or more major life activities of such individual;
- (B) A record of such an impairment; or
- (C) Being regarded as having such an impairment where the individual established that he or she has been subjected to an action prohibited under the Americans with Disabilities Act of 1990 because of an actual or perceived physical or mental impairment whether the impairment limits or is perceived to limit a major life activity. Major life activities include but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing,

lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. The term disability shall not apply to impairments that are transitory and minor. A transitory impairment is impairment with an actual or expected duration of 6 months or less.

English Language Acquisition Program – as defined in 34 CRF 463.31 – is a program of instruction that

- Is designed to help eligible individuals who are English language learners achieve competence in reading, writing, speaking, and comprehension of the English language, and
- Leads to
 1. Attainment of a secondary school diploma or its recognized equivalent and transition to postsecondary education, or
 2. Employment

English Language Learner – as defined by WIOA Sect. 3(21) and WIOA Sect 203(6) – an individual who has limited ability in reading, writing, speaking, or comprehending the English language, and:

- Whose native language is a language other than English; or
- Who lives in a family or community environment where a language other than English is the dominant language.

Ex-Offender / Offender – As defined by WIOA Section 3(39) – an adult or juvenile
(A) who is or has been subject to any stage of the criminal justice process, and for whom services under this Act may be beneficial; or
(B) who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction for committing delinquent acts, such as crimes against persons, crimes against property, statue offences, or other crimes.

Exit – as defined in 20 CFR 677.150

Homeless Individual – as defined in sec. 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6)),

- (A) means an individual who lacks a fixed, regular, and adequate nighttime residence; and
- (B) Includes –
- a. an individual who—
 - i. is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 - ii. is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;
 - iii. is living in an emergency or transitional shelter;
 - iv. is abandoned in a hospital; or
 - v. is awaiting foster care placement;

- b. an individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or
- c. migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965; 20 U.S.C. 6399) who qualify as homeless under this section because the children are living in circumstances described in this paragraph;

Homeless Child or Youth – as defined in sec. 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)),

(A) means individuals who lack a fixed, regular, and adequate nighttime residence; and

(B) includes —

- a. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- b. children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- c. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- d. migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

Indians, Native Alaskans, and Hawaiians – as defined in WIOA Sec 166(b) – includes:

- Indian as defined in 25 USC 450b means a person who is a member of an Indian tribe, which means any Indian tribe, band, nation, or other organized group recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians
- Alaska Native as defined by 43 USC 1602(b) (r) includes a citizen of the United States who is a person of one-fourth degree or more Alaskan Indian Eskimo or Aleut blood, or combination thereof or any lineal descendant of a Native.
- Native Hawaiian as defined in 20 USC 7517 (2) means any individual who is a citizen of the United States who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now comprises the state of Hawaii as shown by genealogical records, Kupuna or Kamaaina verification, or certified birth records.

Individual Employment Plan – as defined in 20 CFR 680.170 – is an individualized career service that is developed jointly by the participant and career planner when

determined appropriate by the one-stop operator or one-stop partner. This plan is an ongoing strategy to identify employment goals, achievement objectives, and an appropriate combination of services for the participant to achieve the employment goals.

Individual with a Disability as defined in the Americans with Disabilities Act Sect. 12012 (1) and in WIOA Sect. 3(25) is one with

- (A) a physical or mental impairment that substantially limits one or more major life activities of such individual;
- (B) a record of such an impairment; or
- (C) being regarded as having such an impairment (as described in the Americans with Disabilities Act § 12102 (3))

Integrated Education and Training – as defined in 34 CFR 463.35 – refers to a service approach that provides adult education and literacy activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement.

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 by WIOA Sec. 3(36) means an individual who:

- receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received
 - assistance through the Supplemental Nutrition Assistance Program (SNAP) established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
 - the program of block grants to States for Temporary Assistance for Needy Families program (TANF) under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.),
 - the Supplemental Security Income program (SSI) established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or
 - State or local income-based public assistance;
- is in a family with total family income that does not exceed the higher of
 - the poverty line; or
 - 70% of the lower living standard income level (LLSIL);
- is a homeless individual; or
- is an individual with a disability whose own income meets the income requirement of clause, but who is a member of a family whose income does not meet this requirement.

Low Levels of Literacy – as defined in the Federal Register 2015-007 PIRL – when a participant is unable to read, write, and speak in English; compute and solve problems at levels of proficiency necessary to function on the job, in the family of the participant, or in society.

Non-Custodial Parent – as defined by 45 CFR 260.30 – a parent of a minor child how:

- lives in the state; and
- does not live in the same household as the minor child.

Nontraditional Employment – as defined in WIOA Sec 3(37) – refers to occupations or fields of work, for which individuals from the gender involved comprise less than 25 percent of the individuals employed in each such occupation or field of work.

Older Individual – as defined in WIOA Sect. 3(39) – an individual age 55 or older.

Participant – as defined in 20 CFR 677.150 – is a reportable individuals who has received services after satisfying all applicable programmatic requirements for the provision of services, such as eligibility determination. The following individuals are not participants:

- individuals in an Adult Education and Family Literacy Act (AEFLA) program who have not completed at least 12 contact hours,
- individuals who only use the self-service system, which occurs when individuals independently access any workforce development system program's information and activities in either a physical location, such as a one-stop center resource room or partner agency, or remotely via the use of electronic technology.
- Individuals who receive information-only services or activities, which provide readily available information that does not require an assessment by a staff member of the individual's skills, education, or career objectives.

Public Assistance Recipient – as defined in WIOA Sect. 3(50) – an individual that receives federal, state, or local government cash payments for which eligibility is determined by a needs or income test.

Reportable Individual – as defined in 20 CFR 677.150 – is an individual who has taken action that demonstrates an intent to use program services and who meets specific reporting criteria of the program, including

- individuals who provide identifying information,
- individuals who only use the self-service system, or
- individuals who only receive information-only services or activities.

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 under Title I of WIOA is true and accurate. The form and signature can be on paper or in the Local Area management information system with an electronic signature.

Single Parent – as defined in WSD14-4 – includes single parents, single pregnant individuals, or non-custodial parents.

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.

Transitional Job – as defined in 20 CFR 680.190 – is a time limited work experience that is wage-paid and subsidized, and is in the public, private or non-profit sectors for those individuals with barriers to employment who are chronically unemployed or have inconsistent work history, as determined by the WDB. These jobs are designed to enable an individual to establish a work history, demonstrate work success in an employee-employer relationship, and develop the skills that lead to unsubsidized employment.

Underemployed – as defined in 20 C.F.R. Sect. 668.150 and TEGL 03-15 – an individual who is:

- employed less than full-time who desires full time employment,
- working in employment not commensurate with the individual's demonstrated level of educational and/or skill achievement,
- employed who meets the definition of a low-income individual under WIOA, **or**
- employed but whose current job's earnings are less than 80% of their previous job earnings.

Unemployed – as defined in WIOA Sect. 3(61) – an individual who is without a job and who wants and is available for work. The determination of whether an individual is without a job, shall be made in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining individuals as unemployed.

“Unlikely to return to previous industry or occupation” – as defined locally – a dislocated worker who was laid off from a position and meets at least one (1) of the requirements below:

- Number of opportunities in previous industry/occupation is declining based on labor market information;
- Supply of candidates in previous industry/occupation exceeds the number of opportunities in the county;
- Projected annual employment increase for industry or occupation is less than 100 jobs;
- The individual has engaged in an unsuccessful job search in their previous industry/occupation for over 3 months;
- Individual can no longer meet the minimum requirements for positions available in their occupation;
- Lacks skills or certification needed to compete in the open job market for that same occupation or industry
- Wage variable for positions no longer matches with individual's level of skills and experience; and/or
- Individual is unable to perform the duties of the previous industry/occupation due to age, ability, illness/injury, disability, or other barriers.

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.

Work Experience (or Internship) – as defined in 20 CFR 680.180 – is a planned, structured learning experience that takes place in a workplace for a limited period of time. Internships and other work experiences may be paid or unpaid, as appropriate and consistent with other laws, such as the Fair Labor Standards Act. An internship or other work experience may be arranged within the private for profit sector, the non-profit sector, or the public sector. Labor standards apply in any work experience setting where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists. Transitional Jobs are a type of work experience.

Workforce Preparation Activities – as defined in 34 CFR 463.34 – include activities, programs, or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in:

- Utilizing resources,
- Using information,
- Working with others,
- Understanding systems,
- Skills necessary for successful transition into and completion of postsecondary education or training, or employment, and
- Other employability skills that increase an individual's preparation for the workforce.



WORKFORCE DEVELOPMENT BOARD

OF SOLANO COUNTY

EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING FOR: WIOA ADULT AND DISLOCATED WORKER SERVICE DELIVERY

(Issued March 18, 2022)

The Workforce Development Board (WDB) of Solano County's WIOA Adult and Dislocated Worker Service Delivery 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 WIOA Adult and Dislocated Worker Service Delivery 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: _____

ACTION ITEMS





WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

AGENDA SUBMITTAL

SUBJECT: Review and Approval of the Federal Monitoring and Compliance Oversight Policy	MEETING DATE March 18, 2022	AGENDA ITEM X.A
FROM: Heather Henry President/Executive Director	ACTION REQUIRED YES ✓ NO	ATTACHMENTS A

RECOMMENDATION: Staff is recommending the Board review and approve the Federal Monitoring and Compliance Policy, as recommended by the Executive Committee.

DISCUSSION:

In order to remain compliant with WIOA regulations governing programmatic and administrative policies, the Workforce Development Board (WDB) of Solano County is in the process of writing or revising previous policies. According to WIOA regulations, WIOA policies must be approved by the Board.

Staff presented the above referenced policy to the Executive Committee on March 7, 2022. The policy for review were approved.

Below are highlight of content for this policy:

Federal Monitoring and Compliance Policy

The policy on Federal Monitoring and Compliance Oversight provides guidelines to WIOA staff and subrecipients on federal compliance and monitoring requirements. Previously, no policy was in place around monitoring and compliance, rather all guidance was provided through procedural documents. Per WIOA and Uniform Guidance guidelines, certain elements around monitoring and WIOA firewalls must be outlined in local policy.

Overview of Policy

The policy provides information on federal compliance and monitoring requirements, in accordance with WIOA law, federal Uniform Guidance on financial and administrative requirements, DOL regulations, and State of California directives.

The WDB is required to conduct regular oversight and monitoring of its own WIOA Title I activities and those of subrecipients to ensure compliance with:

- Expenditure and financial management requirements
- WIOA law and regulations regarding program and grant management
- Internal financial and administrative control structures
- Nondiscrimination and equal opportunity requirements
- Americans with Disabilities Act (ADA) disability requirements

WIOA requires that any organization performing more than one principal function of the workforce investment system must have firewalls in place between staff providing services, fiscal staff, staff responsible for oversight and monitoring, and the Local Board. The WDB serves fiscal functions, provides WIOA program services, and serves as the staff to the Local Board. The policy outlines the structure of WDB's proposed firewalls.

Key Policy Elements

- Overview of federal compliance requirements
- Board of Supervisors and Local Workforce Board designation of the WDB to conduct required monitoring
- Key areas of monitoring for programs, America's Job Center of California (AJCC) and One-Stop Operator, fiscal and administrative functions
- Internal firewalls to distinguish between fiscal, programmatic, local Board, and oversight functions
- Overview of the compliance monitoring review process for programs and subrecipients
- Compliance documentation requirements
- Attachment showing the firewalls in place for Solano

ALTERNATIVES: The Board could choose not to approve this policy and request further investigation or changes. However, this policy is developed based on published Federal and State Guidelines.

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: March 18, 2022 Number: 2022-02

FEDERAL MONITORING AND COMPLIANCE OVERSIGHT

INTRODUCTION

This policy describes the Solano County Workforce Development Board's, in partnership with the Solano County Board of Supervisors as the chief local elected official, compliance monitoring and oversight of its federally funded subrecipients and contractors, including those funded under the Workforce Innovation and Opportunity Act (WIOA) of 2014.

Any subrecipients receiving federal funding must comply with Office of Management and Budget's Uniform Guidance for applicable uniform cost principles as well as the uniform administrative requirements for grants and agreements applicable for the type of entity receiving the funds as outlined in 2 CFR Part 200 (for non-profit organizations, the applicable requirements are in Title 2 CFR Part 200.70). WIOA Final Rules additionally defines administrative and fiscal requirements in Title 20 CFR Section 683.200. Uniform Guidance also requires subrecipients to ensure that the procurement, receipt, and payment for goods and services received complies with federal and state laws, regulations, and subrecipient policies, as well as the provisions of contractors' contracts and agreements. California Employment Development Department (EDD) additionally requires local boards to conduct oversight and monitoring regarding compliance with nondiscrimination and equal opportunity requirements in contracts, job training plans, and policies and procedures.

Federal guidance and WIOA requires accountability at all levels of the workforce investment system. Monitoring is a process used to measure progress, identify areas of compliance, offer opportunities for technical assistance to help resolve non-compliance issues, and ensure that federal funds are used responsibly. Requirements for the monitoring and oversight of workforce programs are outlined in the Code of Federal Regulations (CFR) and Uniform Guidance, as well as in the WIOA Final Regulations. These provisions require that all recipients and subrecipients of federal funds must conduct regular oversight and monitoring to ensure compliance with applicable federal requirements and performance expectations.

QUESTIONS

Questions relating to this policy should be directed to Heather Henry, President/Executive Director, at hhenry@solanowdb.org or at 707-863-3501.

ATTACHMENTS

- Attachment A: Definitions
- Attachment B: WDB Firewall Organizational Chart

POLICY

Each recipient and subrecipient of funds under Title I of WIOA are required to conduct regular oversight and monitoring of its WIOA programs and those of its subrecipients and contractor to:

- Determine that expenditures have been made against the proper cost categories and within the cost limitations specified in WIOA and the regulations;
- Determine whether there is compliance with other provisions of WIOA, the WIOA regulations, and other applicable laws and regulations;
- Assure compliance with 2 CFR Part 200 regarding federal fiscal and administrative requirements;
- Ensure recipients and subrecipients of WIOA Title I funding have an internal control structure and written policies in place that provide safeguards to protect personally identifiable information (PII), records, contracts, grant funds, equipment, sensitive information, tangible items, and other sensitive information, as well as protect against real or perceived conflicts of interest; and
- Determine compliance with the nondiscrimination, disability, and equal opportunity requirements of Section 188 of WIOA, including the Assistive Technology Act (ADA) of 1998 (29 USC 3003).

Note: Contractors are not subject to the scope of monitoring for subrecipients, but the WDB will ensure compliance regarding contractor transactions and terms and conditions outlined within the contract.

The WDB is committed to fostering a continuous improvement culture through transparency and collaboration that supports the success and accountability of WIOA funded activities, subrecipients, and contractors in maintaining compliance with applicable WIOA law, rules, and guidance. Continuous monitoring supports the early identification and rapid resolution of issues before they become entrenched or expand in scope. Monitors will use available information sources to assess risk for non-compliance or low performance, as well as identify trends that may indicate a need to develop and deliver technical assistance and training to address challenges. Continuous monitoring activities may include performance data review provided through the state's Management Information System (MIS); fiscal data review, such as drawdowns, single audit report, invoices; and qualitative data review, such as meeting minutes, information provided from partners, case notes, etc.

Formal and informal monitoring activities ensure:

- Programs and contractors achieve intended results and quality services;
- Technical assistance is provided on compliance as needed or requested;

- Identification of system-wide issues that require policy or program review and resolution;
- Identification of positive practices and sharing of those practices with others in the workforce development system;
- Impact assessment of workforce programs for customers within the workforce development area; and that
- Resources are efficiently and effectively used for authorized purposes and are protected from waste, fraud, and abuse.

WIOA regulations require the Local Board, in partnership with the Chief Local Elected Official (CLEO), conduct oversight of the WIOA programs and the America's Job Center of California (AJCC) to ensure the appropriate use and management of funds for workforce development activities and to maximize the performance outcomes, as well as to develop a monitoring plan for oversight. The Solano County Board of Supervisors, as the Chief Local Elected Official, and the Local Workforce Board, have delegated this oversight to the WDB. The WDB, on behalf of the Solano County Workforce Development Board, will conduct programmatic, fiscal, and administrative compliance monitoring at least annually.

For subrecipient funds awarded to the Regional Planning Unit (RPU), the WDB will, as applicable:

- Provide oversight and guidance to the region's selected Regional Organizer (RO) and Regional Training Coordinator (RTC); and
- Comply with state and federal regulations to safeguard regional, state, and federal funds allocated to the Local Area through RPU funding.

Subrecipients and contractors are required to permit the WDB, California EDD, DOL, or other authorized representatives to have access to records, financial statements, facilities, and participants.

Program Monitoring

The WDB will examine program participant files and the state's MIS records to:

- Ensure only eligible participants are enrolled and applicable eligibility documentation is collected and properly recorded;
- Ensure proper maintenance and content of participant records to include data validation requirements;
- Confirm appropriate and adequate case notes are documented ensuring continuity from time of application through completion of services;
- Verify all relevant participant data and services have been accurately and timely recorded into the state's MIS;
- Ensure programs and activities are effective in meeting the goals established in the four-year local plan;

- Verify that the training and work environment are for participants and staff members;
- Confirm compliance with the ADA and nondiscrimination and equal opportunity provisions of WIOA and other federal and state nondiscrimination laws;
- Ensure implementation of contractual service delivery model and performance; and
- Ensure that appropriate grant and program management policies and procedures as defined by WIOA are in place.

In addition, the WDB will conduct annual monitoring of Eligible Training Providers and On-the-Job Training (OJT) providers utilized to validate participants' data, ensure WIOA services were received as claimed by subrecipient, and verify compliance with ADA and nondiscrimination and equal opportunity requirements.

One-Stop Operator and AJCC Monitoring

The WDB will examine the AJCC facilities, activities, and the state's MIS records to:

- Ensure the one-stop operator's compliance with the requirements of WIOA, the activities per the SOW, performance reporting requirements, and the terms and conditions of the contract or agreement governing the one-stop operator;
- Facility compliance, including compliance with WIOA guidelines, ADA, and nondiscrimination laws and regulations; and
- Compliance with AJCC Memorandum of Understanding and Infrastructure Funding Agreement regulations.

Fiscal and Administrative Monitoring

Non-Federal entities must have sufficient financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used in accordance to the Federal statutes, regulations, and the terms and conditions of the Federal award.

The WDB will examine administrative and financial management records to:

- Verify accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with reporting requirements. (*Note: Subrecipients are not required to establish an accrual accounting system and are allowed to develop accrual data for its reports on the basis of an analysis of the documentation at hand.*);
- Ensure records contain information pertaining to federal awards, authorizations, financial obligations, unobligated balances, assets, expenditures, income, and interest and are supported by source documentation;
- Ensure internal controls are in compliance with federal, state, and local laws and regulations, including budgeting, cost allocation, accounting and payables, financial reporting, information systems, travel, cash management, procurement

and purchasing, property management, personnel and payroll, participant related payments, adequate separation of duties, and contracting and leasing;

- Ensure that the procurement, receipt, and payment for goods and services received complies with federal and state laws, regulations, and subrecipient policies, as well as the provisions of contractors' contracts;
- Confirm all WIOA-funded activities are reasonable, allowable, and necessary and that contract charges are allocated properly to appropriate cost categories;
- Verify effective control over, and accountability for, all assets and assure that they are used solely for authorized purposes; and
- Ensure appropriate financial and administrative policies and procedures are in place.

Note: Single audit reports cannot take the place of an oversight or monitoring review.

INTERNAL FIREWALLS

According to WIOA regulations, any organization that has been selected or designated to perform more than one principal function within a local workforce investment system must develop a written agreement with the local Workforce Development Board and Chief Local Elected Official(s) to clarify how the organization will carry out its responsibilities while demonstrating compliance with WIOA and corresponding laws and regulations. In addition, any organization who performs more than principal function must have firewalls in place between staff providing services, staff responsible for oversight of service, and the Local Board.

The principal functions of the local workforce investment system and the entity responsible for that function are as follows:

- **Fiscal Agent** - the County of Solano serves as the Fiscal Agent and grant recipient for WIOA services. The County of Solano and the WDB have an agreement in place to delineate fiscal roles and responsibilities. WDB Fiscal Staff develop the budget for the Local Workforce Development Area under direction from the Board and the CLEO.
- **Provider of WIOA Adult and Dislocated Worker career services** – WDB Program Staff serve as the provider of WIOA Adult and Dislocated Worker career services.
- **Provider of WIOA Youth career services** – WDB Program Staff, as well as a contracted subrecipient, serve as the provider of WIOA Youth career services.
- **One-Stop Operation** – WDB AJCC Staff provides daily basic career service activities and contracts one-stop operation to a subrecipient.
- **Local Board Governance** – WDB Staff to the Board provides activities related to the organization of the Board; identification and selection of one-stop operator(s), providers of workforce investment activities, and providers of training services; negotiation of local performance accountability measures; negotiation of the local area MOU among one-stop system partners; development of a budget for the

Local Workforce Development Area; monitoring and oversight of all local WIOA Title I-B subrecipients; and the development of the local and regional plans.

WDB firewalls serve to separate organizational functions and staff reporting relationships between different staff functions that handle governance, policy, coordination, administration, monitoring, oversight, and program services. Firewalls are in place to ensure that monitoring and oversight staff does not have a reporting relationship with the Program or Fiscal staff that it monitors and can be seen in Attachment B.

The Executive Director is executive director of both the WDB program and fiscal activities and Staff to the Board. When overseeing policy, local board governance, and monitoring of subrecipients and program services, the Executive Director is performing functions of Staff to the Board. When overseeing program delivery, fiscal operations, and coordination, the Executive Director is performing functions of the WDB.

The Staff to the Board will annually present summary reports to the Board as follows:

- Programmatic monitoring of the Comprehensive and Affiliate AJCCs and the WDB WIOA Adult, Dislocated Worker, and Youth programs will be presented to the Planning and Oversight Committee.
- Programmatic monitoring of Eligible Training Providers and On-the-Job Training providers will be conducted by Program Staff and presented to the Planning and Oversight Committee.
- Programmatic, fiscal, and administrative monitoring of WIOA Youth subrecipients will be performed in partnership with the Program and Fiscal staff and presented to the Planning and Oversight Committee.
- Fiscal and Administrative monitoring of all internal WIOA Adult, Dislocated Worker, Youth, and AJCC programs will be presented annually to the Budget Committee.

COMPLIANCE MONITORING REVIEW PROCESS

The WDB is required to conduct on-site fiscal and programmatic monitoring of all subrecipients at least annually. Monitoring of subrecipients and the AJCCs shall follow the subsequent standardized review methodology.

The compliance monitoring review process includes the following steps:

Notification of Monitoring

The subrecipient or AJCC/WIOA Title I program shall be notified and confirmed in writing of the scheduled monitoring/review visit at least four (4) weeks prior to the date of the visit. The formal notification letter shall include the following information:

- Date and duration of the review,
- Place of review,
- Purpose of review,
- Areas and materials to be reviewed,

- Documents to be completed and returned to monitoring team prior to visit with a return due date.

The request will also include a copy of the Compliance Monitoring Guide that the WDB will use to conduct the compliance monitoring review. The contract signatory will receive all formal notifications for subrecipients, and the appropriate department head will receive all formation notification for internal monitoring.

Desk Review

Upon receipt of the preliminary information and prior to the onsite compliance monitoring review, the WDB will conduct a desk review. The desk review will help identify potential items to be addressed during the onsite compliance monitoring review.

The desk review may consist of the following:

1. Contract Terms and Conditions
2. Statement of Work and Participant Plan
3. Review of Prior Monitoring Reports
4. Current Financial Data and Program Performance
5. Memorandum of Understanding
6. In-Kind Contributions
7. Organizational policies and procedures for administrative and program administration, procurement, and nondiscrimination and equal opportunity
8. Procurement Practices
9. Supportive Service Internal Controls for Pre-paid Negotiables

Onsite Compliance Monitoring Review

The on-site review will follow a standardized guide designed to assist the monitoring team in accomplishing a comprehensive evaluation. The process will include:

- **Entrance Conference** – To include an introduction of colleagues who may be participating in the monitoring review and give an overview of the scope of the review, as well as discuss any follow-up issues from past monitoring reviews.
- **Facility Review** – To include observation of the facility and activities provided to assess the adequacy as it relates to the accessibility of the site, activities, and programs by persons with disabilities, compliance with Americans with Disabilities Act (ADA), and determine if the center is a safe environment for customers and staff.
- **Review of Onsite Records** – To include validation of information obtained from desk review, participant files, review of how PII is protected, and review of internal controls.
- **Potential Interviews** – May include interviews with customers and/or employers to obtain information on the quality of services provided; may include interviews with randomly selected staff at various levels to obtain information on the administration and operations, verify knowledge of policies and procedures, etc.

- **Exit Conference** – During the exit conference, the monitor will disclose all issues that may be included in the draft report as their promising/best practices, potential findings, or concerns.

Draft Monitoring Report

The Staff to the Board will issue a draft monitoring report to the program or subrecipient within thirty (30) days after the exit conference. Noncompliance issues, as well as concerns that may be potential noncompliance issues, will be documented in the draft monitoring report. The draft monitoring report will identify any specific findings and provide a time period of thirty (30) calendar days to address the corrective action.

Areas of review outlined in the monitoring report will include:

- Summary of the monitoring process
- Summary of fiscal management, program management, and condition of facilities
- Review of previous monitoring findings, as appropriate
- Any findings that specify area of noncompliance, accompanied by a citation of the applicable federal, state, or local law, regulation, or policy, as well as a recommendation for corrective action
- Any concerns regarding observed conditions that could become areas of noncompliance or poor performance, accompanied by a suggestion for the program administrator's consideration to address concerns
- Any promising or best practices identified
- Monitoring disclaimer to include that the monitoring is based on a sample and should not be considered a comprehensive assessment of the program
- An attestation by the monitoring entity that it has examined compliance with the requirements of WIOA, the Uniform Guidance at 2 CFR part 200 and 2 CFR part 2900, and the terms and conditions of the contract.

If the results of a monitoring review disclose no areas of noncompliance and no concerns regarding observed conditions that could become areas of noncompliance or poor program performance, the WDB may issue a final report instead of a draft monitoring report.

Opportunity for Response

The subrecipient or program has three options in responding to the draft monitoring report:

1. If no areas of findings or concerns are identified in the monitoring report, no subrecipient response is required.
2. If the subrecipient agrees with the finding(s) or concern(s), the subrecipient should respond with the proposed correction action plan to resolve any findings, including the identification of the major tasks involved and the appropriate timelines for their implementation.

1. If the subrecipient or contractor disagrees with the recommendation(s), the subrecipient or program may provide information or documentation to substantiate the finding(s) or area(s) of concern in disagreement.

The program or subrecipient may request technical assistance in developing a correction action plan to resolve any findings.

Final Report

The WDB will issue a final monitoring report to the subrecipient within thirty (30) working days after the receipt of the response to the draft report.

The final report will differentiate:

- Findings that are resolved and closed
- Findings that are resolved and remain open until the WDB monitor can verify, during a future on-site monitoring visit, that the subrecipient has successfully implemented the corrective action plan as stated in their response.
- Findings that are not resolved, which may require the subrecipient to provide the WDB additional documentation and/or a corrective action plan.

Monitoring Follow-up

Depending on the nature of the monitoring results, the WDB may conduct a follow-up review to assess the progress made by the subrecipient or contractor resolving the identified areas of noncompliance.

A follow-up review may consist of the following activities:

- **Desk Review** – if the monitoring finding can be addressed through the submission of documentation, follow-up may be achieved through verification of back-up documentation submitted by subrecipient or program in response to a monitoring report finding.
- **Off-Cycle Visit** – if a corrective action is crucial to the operation of the program or requires immediate attention to resolve a problem involving questioned costs, a follow-up visit may be scheduled to confirm that corrective action has been implemented.
- **Review in Next Regular Monitoring** – if the corrective actions will require more time to implement or is of a less severe nature, the action will be followed-up during the next regular monitoring visit.

Note: The defined monitoring review process does not limit the WDB's ability or responsibility to conduct on-site monitoring should an issue be identified through a continuous monitoring activity.

DOCUMENTATION

Subrecipients and contractors of WIOA funding must retain all financial records, supporting documents, statistical records, and all other non-federal entity records

pertinent to a federal award for a period of three years from the date of submission of the financial reports for review by federal, state, or local officials.

WDB staff must maintain a complete monitoring log of all monitored entities and activities. The log must contain the date the review was conducted, type of review, period reviewed, staff conducting monitoring, date of draft and/or final report, findings, corrective action, location of working papers, and dates and number of attempts to subrecipient for not responding to draft and/or final report. The local area's compliance monitoring reports should be used as an assessment reference when developing future corrective action plans and for scheduled onsite monitoring reviews that may be required by authorized federal and state reviewers.

WDB staff are required to keep copies of their compliance monitoring efforts and reports on file for three years from the date of submission of the final expenditures report regarding the funding sources monitored. If any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the three-year period, the records must be retained until all litigation, claims or audit finding involving the records have been resolved and final action taken.

DISCLAIMER

This policy is based on WDB's interpretation of the statute, along with the Workforce Innovation and Opportunity Act; Uniform Guidance, Final Rule released by the U.S. Department of Labor and federal and state policies relating to WIOA implementation. This policy will be reviewed and updated based on any additional federal or state guidance.

REFERENCES

Law

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

Federal Guidance

- [Workforce Innovation and Opportunity Act Labor Only Final Rule:](#) Title 20 CFR Section 200, 679.430 and 683.220
- [Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards \(Uniform Guidance\),](#) including Department of Labor exceptions outlined in 2 CFR part 2900
- Training and Employment Guidance Letter (TEGL) 03-15 – [Operating Guidance for the Workforce Innovation and Opportunity Act](#)
- TEGL 15-14 – [Implementation of the New Uniform Guidance Regulations](#)
- TEGL 15-16 – [Competitive Selection of One-Stop Operators](#)
- TEGL 19-16 – [Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act \(WIOA\) and the Wagner-Peyser Act Employment Services \(ES\)](#)

- Department of Labor, Employment and Training Administration's [Core Monitoring Guide](#)

State Guidance

- Workforce Services Directive (WSD) 17-05 – [Oversight and Monitoring of Nondiscrimination and EO Procedures](#)
- WSD 18-16 – [Guidance on Regional Awards](#)
- WSD Draft Directive – [Standards for Oversight and Instruction for Substate Monitoring](#)

Approved by

Workforce Development Board of Solano County and the County of Solano Board of Supervisors

Definitions

Finding – a violation of a specific compliance requirement contained in law, regulations, national policies, Uniform Guidance, grant terms and conditions, WIOA policy guidance, and/or grant agreement. Findings may include non-compliance issues, questioned costs, and/or disallowed costs. A citation is readily available outlining the requirement and corrective action is required to resolve the finding.

Area of Concern – a potential issue, challenge, or situation is identified that does not yet violate one of the regulations or policies, but left unchecked could elevate to a finding or, at a minimum, negatively impact outcomes. Reports typically include a recommendation to address the situation at hand and do not require corrective action.

Best Practice – a strategy, approach, process, or product in one or more key areas of implementation: governance, administration, service design and delivery, etc. that is sufficiently effective and/or innovative to warrant highlighting in the report.

Contractor – as defined in Uniform Guidance Section 200.22 – ... Contractor characteristics include the following criteria:

1. Provides the goods and services within normal business operations.
2. Provides similar goods or services to many different purchasers.
3. Provides good or services that are supplementary to the operation of the federal program.
4. Not subject to compliance requirements of the federal program.
5. Provides good and services for the grant recipient's own use, creating a procurement relationship.
6. Funded by a procurement contract.

Corrective Action Plan (CAP) – A list of specific steps that subrecipients must take within a stated period of time in order to achieve compliance.

Non-Federal Entity – as defined in Uniform Guidance Section 2900.2 – A state, local government, Indian tribe, institution of higher education, for-profit entity, foreign public entity, foreign organization, or non-profit organization that carries out a federal award as a recipient of subrecipient.

Subrecipient – as defined in Uniform Guidance Section 200.93 – a non-federal entity that expends federal awards received from a pass-through entity to carry out a federal program. Subrecipient characteristics include the following criteria:

1. Determines who is eligible to receive what federal assistance.
2. Performance is measured by whether objectives of a federal program are met.
3. Has responsibility for programmatic decision making.
4. Responsible for adhering to applicable federal program requirements.
5. Uses federal funds to carry out a program for a public purpose.
6. Funded by a subaward.

Questioned Cost – a cost that is questioned by the monitoring as being unallowable, un-allocable, or unreasonable. Questioned costs are costs:

- That resulted from a violation or possible violation of a statute, regulation, or the terms and conditions of a federal or state award, including for funds used to match federal funds (unallowable);
- Where the costs, at the time of the monitoring visit, are not supported by adequate documentation (un-allocable); or
- Where the costs incurred appear unreasonable and do not reflect the actions a prudent person would take in the circumstances (unreasonable).

Internal Controls – as defined in 2 CFR 200.61 and 200.62 – means a process, implemented by a non-Federal entity, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

- Effectiveness and efficiency of operations;
- Reliability of reporting for internal and external use;
- Compliance with applicable laws and regulations;
- Transactions are properly recorded and accounted for, in order to:
 - Permit the preparation of reliable financial statements and Federal reports;
 - Maintain accountability over assets; and
 - Demonstrate compliance with Federal statutes, regulations, and the terms and conditions of the Federal award;
- Transactions are executed in compliance with:
 - Federal statutes, regulations, and the terms and conditions of the Federal award that could have a direct and material effect on a Federal program; and
 - Any other Federal statutes and regulations that are identified in the Compliance Supplement; and
- Funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.



WORKFORCE DEVELOPMENT BOARD

OF SOLANO COUNTY

EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING FOR: FEDERAL MONITORING AND COMPLIANCE OVERSIGHT

(Issued March 18, 2022)

The Workforce Development Board (WDB) of Solano County's Federal Monitoring and Compliance Oversight 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.

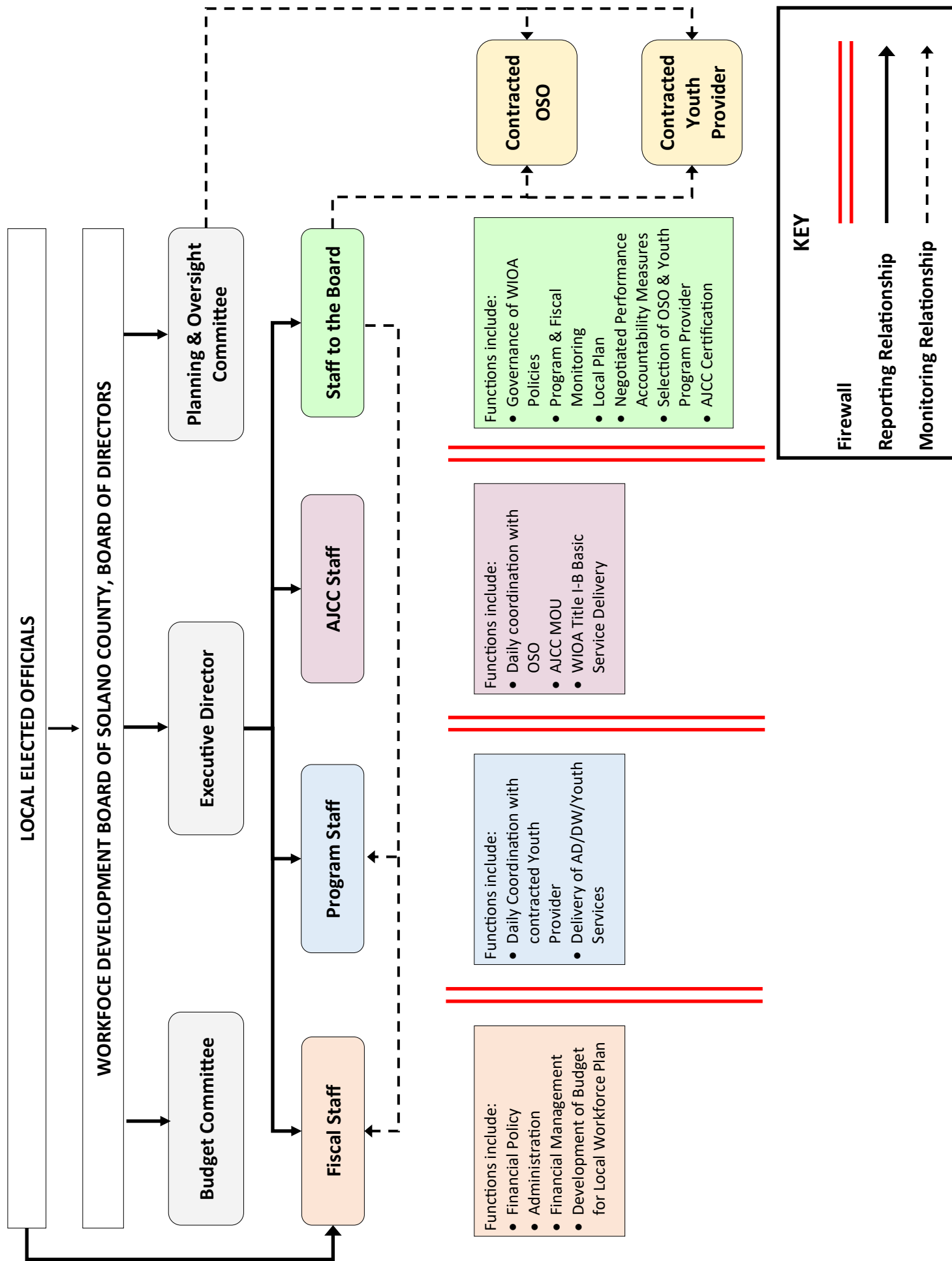
Since the information and policies described in the policy are necessarily subject to change, I acknowledge that revisions to the policy may occur. All such changes will be communicated through official notices. I understand that revised information may supersede, modify, or eliminate existing policies.

I have received the Federal Monitoring and Compliance Oversight 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

AGENDA SUBMITTAL

SUBJECT: Review and Approval of the Second Modification to the Fiscal Year 2021-22 Budget	MEETING DATE March 18, 2022	AGENDA ITEM X.B
FROM: Heather Henry President/Executive Director	ACTION REQUIRED YES ✓ NO	ATTACHMENTS A

RECOMMENDATION:

Attached is the second modification to the budget for the Fiscal Year 2021-22 presented to the Workforce Development Board (WDB) of Solano County Budget Committee at their March 7, 2022 meeting for review and recommendation to the full Board at their March 18, 2022 meeting.

SUMMARY:

This budget modification accounts for midyear budgetary changes for Program Year (PY) 2021-22. It includes additional revenue and expenditure streams. We are still in the midst of the ever-changing COVID-19 funding environment; however, four of our non-COVID-19 grants will have ended by March 31, 2022. This budget modification for FY 2021-22 of \$6,325,852 represents an overall increase in projected funding streams for the WDB of \$83,445 or 1.3%.

Four discretionary grant programs will end March 31, 2022. These grants are not anticipated to be fully expended due to COVID-19 closures and job seeker hesitancy over the past two (2) years.

Attachments include:

- Attachment A: FY2021-22 Budget Modification #2

DISCUSSION:

FY2021-22 funding has been increased overall due to discretionary grants supporting the Small Business Development Center (SBDC). WIOA funding continues to be the core funding for the WDB, making up 56.6% of the overall budget.

A continuing budget challenge is to support WIOA planning and development tasks, as well as the demand for services the job seekers and businesses, with diminishing WIOA allocations. In addition, many of the WDB's discretionary grant programs will end in March 2022.

To ensure sustainability of key operational and personnel costs, as well as to provide services needed to aid the community in recovering from COVID-19, the WDB will need to maximize funding in the following ways during the 2021-22 program year:

- Increase available funding and continue to diversify funding streams:
 - The FY2021-22 Budget Modification includes three new funding streams secured since September 2021 totaling \$592,785.83. Of these new funding streams, \$83,448 is anticipated to be spend in FY2021-22.

- Continue to apply for new grant opportunities as appropriate
- Develop other revenue sources, such as the Ticket to Work program under the Social Security Administration.
- Reduce costs where available and stretch existing funding through organizational efficiencies:
 - The FY2021-22 Budget Modification continues the reduction of the WIOA Out-of-School Youth contract and the One-Stop Operator contract to match reduced revenue.
 - The Modification continues the reduction of WIOA Adult and Dislocated Worker training expenditures below the 30% training requirement. Currently, the fiscal year's vocational training dollars have been fully obligated.
 - Continue to find ways to reduce costs and stretch funding in order to develop a more sustainable WIOA expenditure plan in coming years.

Revenue

Unknowns:

The following unknowns may have an impact on revenue for FY2021-22:

- There will be opportunities to apply for workforce and COVID-19 recovery funding over the course of the fiscal year that could increase WDB revenue. The WDB currently has applied for \$2,736,999 in grant funding that is pending decision.
 - \$1,000,000 from the California Employment Training Panel to support English language learners and immigrants in small business and entrepreneurship support
 - \$173,499 from the California Office of Small Business Advocate to administer a microenterprise small business grant program for Napa County
 - The WDB is continuing American Rescue Plan Act (ARPA) investment conversations with the County of Solano with an initial urgent request of \$800,000 for immediate employment and training needs
 - \$250,000 from the California Workforce Development Board to launch a Certified Nursing Assistant (CNA) upskilling program
 - \$13,500 from Kaiser Permanente to implement a Career Coach software platform
 - \$500,000 from the City of Vallejo to implement ARPA-funded Restaurant Resiliency expansion and launch a Round 2 of COVID-19 small business relief grants

Changes from Preliminary Budget to First Modification:

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

Discretionary Grant changes:

- Restaurant Resiliency – Kaiser. The WDB/SBDC received \$20,000 in February 2022 from the Kaiser Permanente Foundation to continue the Restaurant Resiliency program in Vallejo and Fairfield.
- Restaurant Resiliency – FSUSD. The WDB/SBDC received \$21,000 in January 2022 from the Fairfield-Suisun Unified School District (FSUSD) to continue the Restaurant Resiliency program in Fairfield-Suisun.
- Microenterprise Small Business Grants - Solano. The WDB received \$552,786 in February 2022 from the County of Solano as a pass-through for the California Office of Small Business Advocate to administer small business grants to microenterprises on behalf of the County of Solano.

Expenditures

Unknowns:

The following unknowns may have an impact on expenditure rates for FY2021-22:

- Rate of enrollments in programs, given the current COVID-19 environment, remain unknown.

Changes from Preliminary Budget to First Modification:

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

Direct Program Costs changes:

- Business Services/Outreach costs were increased in the Second Modification due to planned outreach for new SBDC programs.
- Direct Program Contracts costs were increased in the Second Modification due to the new funding streams. Costs will include outreach program costs and small business grants.

Personnel cost includes salaries and benefits/payroll taxes. The Second Modification includes a slight increase due to new funding streams.

Budget Modifications:

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

- The preliminary budget includes estimates of WIOA allocations and funds that may be carried over from the prior year.
- This First Modification includes final WIOA allocations, replacement of estimated funds carried over from the prior year with the actual amounts, recalculated line-item expenditure amounts to replace estimates, new funding streams if applicable, and any changes in service delivery strategies; and
- Any subsequent modifications will be the result of changes in available grant funding, program design, and/or cost of goods and services.

Note: The WDB's budget responsibility to the County has already been satisfied by the submission of a budget and mid-year 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 through supplemental budgets and the mid-year budget modification process.

REPORT PREPARED BY:

Mike Al-Ahmad, Fiscal Director. Please contact Mike at 707-863-3514 or malahmad@solanowdb.org if you have any questions regarding the information outlined in this report.



Heather Henry, President/Executive Director

Workforce Development Board of Solano County
PROPOSED BUDGET FIRST MODIFICATION
 Program Year of JULY 2021 - JUNE 2022

GRANT FUNDING	BUDGET 2021/22 Approved 09/21	% Share of Budget	BUDGET Revenue 2021/22 by Category				Proposed BUDGET #2 2021/22	% Share of Budget	DIFFERENCE Increase or (Decrease)	% Change
			WIOA	TANF	SBDC	Discr.				
WIOA Formula Allocations:										
Adult	\$ 961,231	15.4%	\$ 961,231				\$ 961,231	15.2%	\$0	0%
Dislocated Workers	\$ 1,038,929	16.6%	\$ 1,038,929				\$ 1,038,929	16.4%	\$0	0%
Youth	\$ 1,049,906	16.8%	\$ 1,049,906				\$ 1,049,906	16.6%	\$0	0%
Administration	\$ 301,732	4.8%	\$ 301,732				\$ 301,732	4.8%	\$0	0%
Rapid Response	\$ 116,402	1.9%	\$ 116,402				\$ 116,402	1.8%	\$0	0%
Rapid Response - Layoff Aversion	\$ 49,802	0.8%	\$ 49,802				\$ 49,802	0.8%	\$0	0%
SUB-TOTAL ALLOCATED WIOA:	\$3,518,002	56.4%	\$ 3,518,002	\$ -	\$ -	\$ -	\$ 3,518,002	55.6%	\$0	0%
		0.0%						0.0%	\$0	0%
TANF Success Track Subsidized Employment	\$ 726,639	11.6%		\$ 726,639			\$ 726,639	11.5%	\$0	0%
TANF Pathway to Employment	\$ 250,000	4.0%		\$ 250,000			\$ 250,000	4.0%	\$0	0%
Solano Small Business Development Center (SBDC)	\$ 412,809	6.6%			\$ 412,809		\$ 412,809	6.5%	\$0	0%
SUB-TOTAL CONTRACTS:	\$1,389,448	22.3%	\$ -	\$ 976,639	\$ 412,809	\$ -	\$ 1,389,448	22.0%	\$0	0%
		0.0%						0.0%	\$0	0%
Discretionary Grants:										
SBDC CARES Act	\$ 34,441	0.6%			\$ 34,441		\$ 34,441	0.5%	\$0	0%
City of Vacaville Shop Local Program	\$ 21,000	0.3%			\$ 21,000		\$ 21,000	0.3%	\$0	0%
City of Vacaville Manufacturing Retention Program	\$ 23,000	0.4%			\$ 23,000		\$ 23,000	0.4%	\$0	0%
Regional: Plan Implementation (RPI 3.0) - Training	\$ 134,473	2.2%				\$ 134,473	\$ 134,473	2.1%	\$0	0%
Regional: Plan Implementation (RPI 4.0) - COVID	\$ 73,816	1.2%				\$ 73,816	\$ 73,816	1.2%	\$0	0%
Regional: Prison to Employment	\$ 101,433	1.6%				\$ 101,433	\$ 101,433	1.6%	\$0	0%
CA Workforce Board AB1111	\$ 222,619	3.6%				\$ 222,619	\$ 222,619	3.5%	\$0	0%
EDD Disability Employment Accelerator (DEA VI)	\$ 145,968	2.3%				\$ 145,968	\$ 145,968	2.3%	\$0	0%
EDD Veterans Employment-Related Assistance (VEAP)	\$ 347,522	5.6%				\$ 347,522	\$ 347,522	5.5%	\$0	0%
EDD National Dislocated Worker Grant - COVID ER	\$ 110,652	1.8%				\$ 110,652	\$ 110,652	1.7%	\$0	0%
Wells Fargo Bank COVID-19 Business Assistance	\$ 9,700	0.2%			\$ 9,700		\$ 9,700	0.2%	\$0	0%
Wells Fargo Bank - Restaurant Resiliency	\$ 90,475	1.4%			\$ 90,475		\$ 90,475	1.4%	\$0	0%
Solano Community Foundation - COVID Basic Needs	\$ 19,858	0.3%				\$ 19,858	\$ 19,858	0.3%	\$0	0%
Kaiser Restaurant Resiliency	\$ -	0.0%				\$ 14,750	\$ 14,750	0.2%	\$14,750	
FSUSD Restaurant Resiliency	\$ -	0.0%				\$ 15,881	\$ 15,881	0.3%	\$15,881	
Microenterprise Small Business Grants - Solano	\$ -	0.0%				\$ 52,814	\$ 52,814	0.8%	\$52,814	
SUB-TOTAL DISCRETIONARY:	\$1,334,957	21.4%	\$ -	\$ -	\$ 178,616	\$ 1,239,786	\$ 1,418,402	22.4%	\$83,445	6%
TOTAL	\$6,242,407	100.0%	\$ 3,518,002	\$ 976,639	\$ 591,425	\$ 1,239,786	\$ 6,325,852	100.0%	\$83,445	1%

LINE-ITEM BUDGET EXPENDITURES	BUDGET	% Share of Budget	BUDGET Expenditures by Category				Proposed BUDGET #1 2021/22	% Share of Budget	DIFFERENCE Increase or (Decrease)	% Change
			WIOA	TANF	SBDC	Discr.				
Direct Program Costs:										
Training: Occupational Training	\$ 436,918	7.0%	\$ 170,000	\$ -	\$ -	\$ 266,918	\$ 436,918	6.9%	0	0%
Employer Based Training	\$ 232,500	3.7%	\$ 50,000	\$ 99,750	\$ -	\$ 82,750	\$ 232,500	3.7%	0	0%
Non-Training Related Supportive Services	\$ 98,431	1.6%	\$ 28,500	\$ -	\$ -	\$ 69,931	\$ 98,434	1.6%	3	0%
Youth: Apprenticeships / Work-Based Learning	\$ 22,000	0.4%	\$ 22,000	\$ -	\$ -	\$ -	\$ 22,000	0.3%	0	0%
Occupational Training	\$ 30,000	0.5%	\$ 30,000	\$ -	\$ -	\$ -	\$ 30,000	0.5%	0	0%
Contracted Services	\$ 265,000	4.2%	\$ 265,000	\$ -	\$ -	\$ -	\$ 265,000	4.2%	0	0%
Workforce System: AJCC / Outreach	\$ 17,100	0.3%	\$ 16,000	\$ -	\$ -	\$ 1,100	\$ 17,100	0.3%	0	0%
Program Services and Supplies	\$ 64,338	1.0%	\$ 29,100	\$ 3,550	\$ 4,439	\$ 27,249	\$ 64,338	1.0%	0	0%
Business Services / Outreach	\$ 35,734	0.6%	\$ 13,821	\$ -	\$ 21,913	\$ 3,000	\$ 38,734	0.6%	3,000	8%
SBDC Advising and Training	\$ 156,271	2.5%	\$ -	\$ -	\$ 156,271	\$ -	\$ 156,271	2.5%	0	0%
Direct Program Contracts	\$ 316,962	5.1%	\$ 37,500	\$ -	\$ 78,500	\$ 233,384	\$ 349,384	5.5%	32,422	10%
SUB-TOTAL DIRECT PROGRAM COSTS:	\$ 1,675,254	26.8%	\$ 661,921	\$ 103,300	\$ 261,123	\$ 684,332	\$ 1,710,679	27.0%	\$35,425	2%
		0.0%						0.0%		
Contracted Services: Regional (NBEC)	\$ 99,963	1.6%	\$ -	\$ -	\$ -	\$ 99,963	\$ 99,963	1.6%	0	0%
Personnel: Salaries + Benefits/Taxes	\$ 3,667,098	58.7%	\$ 2,314,332	\$ 678,222	\$ 302,764	\$ 419,803	\$ 3,715,121	58.7%	48,023	1%
Operating Costs:										
Professional Development	\$ 26,173	0.4%	\$ 13,418	\$ 4,000	\$ 3,000	\$ 5,755	\$ 26,173	0.4%	0	0%
Employee Mileage	\$ 37,236	0.6%	\$ 12,300	\$ 5,304	\$ 6,064	\$ 13,568	\$ 37,236	0.6%	0	0%
Facilities	\$ 479,810	7.7%	\$ 347,649	\$ 120,006	\$ 5,847	\$ 6,309	\$ 479,810	7.6%	0	0%
Communications & Network Infrastructure	\$ 123,174	2.0%	\$ 79,962	\$ 37,668	\$ 1,920	\$ 3,625	\$ 123,174	1.9%	0	0%
Business Expenses	\$ 133,696	2.1%	\$ 88,420	\$ 28,139	\$ 10,707	\$ 6,430	\$ 133,696	2.1%	0	0%
SUB-TOTAL OPERATING COSTS:	\$ 800,089	12.8%	\$ 541,749	\$ 195,117	\$ 27,538	\$ 35,687	\$ 800,089	12.6%	0	0%
TOTAL	\$ 6,242,407	100.0%	\$ 3,518,002	\$ 976,639	\$ 591,425	\$ 1,239,785	\$ 6,325,852	100.0%	\$83,448	1%



WORKFORCE DEVELOPMENT BOARD

OF SOLANO COUNTY

Current Committees and Members

Standing Committees

Executive – meets bi-annually

Fadi Halabi (Chair)	Mario Giuliani (Treasurer)
Scott Reynolds (Vice-Chair)	Mary Dugbartey (Member-At-Large)
Vacant (Secretary)	Nancy Nelson (non-Board Member)

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

Vacant (Chair)	Anne Cardwell (non-Board Member)
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

Scott Reynolds (Chair)	Rosa Phillips
Fadi Halabi (Ex-Officio)	Jon Riley
Mary Dugbartey	

BOARD OF DIRECTORS

OFFICERS

Fadi Halabi, Chair

President,
Duracite
Business Representative

S. Scott Reynolds, Vice Chair

Attorney/Partner,
Reynolds Law LLP
Business Representative

Vacant, Secretary

Mario Giuliani

Economic Development Manager,
City of Benicia
Economic Development Representative

MEMBER-AT-LARGE

Mary Dugbartey

Director, Talent & Organizational Development,
NorthBay Healthcare Foundation
Business Representative

Paul Adler

Director of Community Relations
& Government Affairs,
Valero Benicia Refinery
Business Representative

Danny Bernardini

Business Manager,
Napa Solano Building &
Construction Trades Council
Labor Representative

Suzanne Castano

Team Manager,
CA State Department of Rehabilitation
Vocational Rehabilitation Representative

Chris Churchill

President,
Advance Marketing
Business Representative

Mark DeWeerd

Consultant, Center for Organizing & Bargaining,
California Teachers Association
Labor Representative

Shannon Dodds

VP of Operations,
Paradise Valley Estates
Business Representative

Tiffany Donahue

Adult Education Administrator,
Vacaville Unified School District
Education Representative

Dr. Celia Esposito-Noy

President,
Solano Community College
Education Representative

Tim Healer

VP Loan Officer,
First Northern Bank
Business Representative

Gerald Huber

Director,
Solano County Health & Social Services
Welfare-to-Work/Food Stamps/
Community Development Representative

Dr. Melvinia Turner King

Executive Director,
Fighting Back Partnership
Community Workforce Representative

Viola Lujan

Director of Business &
Community Relations,
La Clinica de La Raza, Inc.
Business Representative

Sabrina Martin

Apprenticeship Coordinator,
Operating Engineers Local 3
Apprenticeship Program Representative

Rosa Phillips

Owner,
Express Employment Professionals
Business Representative

Stephen Reese

Chief Executive Officer,
Million Services, Inc.
Business Representative

Jon Riley

Executive Director,
Napa-Solano Central Labor Council
Labor Representative

David Tam

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

