



Area 7 Workforce Investment Board Meeting Minutes February 4, 2009

Meeting was called to order by Tony Quatman, Chair, at 10:00 a.m.

Members Present: Carl Berg, John Bridenbaugh, Bill Coughlin, Chuck Dyar, Chuck Feicht, , Sherry Keys-Hebron, Swen Hunt, Bill Lukens, Bryant McConnell, Neena Miller, Kathy Oliver, Tony Quatman, Kay Reiter, Robert Talcott, Denise Ventrone, Jan Wasson

Others Present: Theo Adegboruwa, Paul Barnaby, John Bayliss, Angela Carnahan, Deb Cole, Doris Edelmann, Michelle Fields, Roger Fisher, Charles Hall, Ginger Kauble, Cynthia Mazek, Sue McKitrick, Carol Owen, Janet Quaintance, Rocky Rockhold, Martee Rogers, Anna Shafer, Lynn Shock, Carolyn Smithers, Roxane Somerlot, Paulette Stephens, Sue Thomas-Sikora, John Trott, Beth Tsvetkoff, Fran Massie (recorder)

Welcome: Tony Quatman introduced Swen Hunt as a new business Board member. Swen is the Training and Safety Coordinator with THK Manufacturing of America. He has 20 years of retail experience and 13 years manufacturing experience. Swen has first-hand understanding of WIA, having personally been a recipient of Dislocated Worker services.

Tony also welcomed the County Commissioners in attendance.

Executive Director's Report

John Trott began by reviewing the three top priorities of Area 7 as defined by the Board members:

1. Tackling Funding Issues
2. Working Smarter with Data Systems
3. Targeting Our Resources on Growth Industries

The first two items deal with the tracking system. With the massive number of layoffs occurring, it may be hard to focus on targeting our resources on growth industries. The focus topics of the previous four Board meetings were administrative matters, the Board retreat, the all-in-one tracking system, and in December, the approval of the vendor for the tracking system.

Tracking System

Area 7 has entered into a contract with Non-Profit Technologies (NPT) for the development of a tracking system. There were two items to be dealt with: depreciation and data sharing. The depreciation issue (paying for large capital investments over time) puts Area 7 and our vendor in a risk situation, as our funding is year by year. The Department of Labor (DOL) has provided options to Ohio Department of Job and Family Services (ODJFS) and ODJFS will provide us with direction to expense it over one year. Ohio Administrative Code needs to be changed to allow this and we appreciate their willingness to change this for us. Regarding data sharing, the State has two systems: SCOTI (program side) and CFIS (fiscal reporting). Our new system will feed into these two systems. The formatting for the SCOTI side looks

alright, though we still have concerns on fiscal side with the formatting. NPT is working closely with CFIS and has options to make this a zero risk item.

The tracking system needs to be running by July 1, 2009. A review of the tracking system timeline was presented. This month, February, NPT is working on County and State integration designs. A small committee of directors and administrators has been created to provide feedback on the design issues. Live testing in pilot counties will begin by May to determine business readiness. In June, the system will go live before the new program year begins July 1.

Other Updates

Area 7's policy on annual expenditure requirements is in the packets of information. We will be diligent about following that policy this year. If counties are not using 70% of their allocations, we will move the difference to other counties that need those funds.

We are considering retaining a CPA for Area 7.

Area 7 is receiving a National Emergency Grant (NEG) for the Clinton County area to help the people laid off from the Wilmington Air Park. There are special policies needed to get the NEG.

Susan Crotty, Deputy Director of ODJFS, wrote a letter which requires every county in Ohio to review relationship cases for issues such as conflict of interest and approval of ITAs that should not have been approved. The Area 7 regional reps will be doing county by county reviews.

At the last Board meeting, the Finance Committee talked about changes happening with reauthorization of WIA, and the need for local areas to educate legislators to the value of our system. There was a request to do legislative outreach for both State and Federal Legislators. The Directors' Association and County Commissioners' Association of Ohio (CCAO) have experience with legislative outreach and Area 7 will be seeking their advice on this issue.

In the House-proposed stimulus package, there is substantial money planned for WIA. There will be money for reemployment services, Unemployment Compensation extension and increase, increase for Wagner-Peyser, and summer youth programs. There are two scenarios: (1) how do we survive with what we have (if the stimulus is not passed), or (2) how do we take a lot of money and make effective programs. The outreach needs to happen locally, by inviting the legislators or their aides into the One-stops.

Tony Quatman reminded us that it is a very busy time for the Board and the State of Ohio. We continue to be proactive, as demonstrated by the purchase of the tracking system. We still need to stay focused on where we need to go, and what our real job is. Our job is to get jobs in the State of Ohio.

Fiscal report

Theo Adegboruwa presented the Fiscal Report.

In reference to the tracking system, a schedule will be made to provide training by systems then filter it down by individual counties. The tentative date will be sometime in April.

The biggest challenge of the House-proposed stimulus package is the summer youth program. The process of recruiting the youth and negotiating the worksites typically begins in February. Unfortunately, we will probably not have these funds until March.

The Fiscal Staff will start the quarterly fiscal meetings next month. *(Note: The schedule is posted on the Area 7 website.)* The demand for services throughout Area 7 has quadrupled as people seek training.

Last year, our overall allocation was about \$49M. Now we have gone up to about \$60M and we still have more money coming. We have received almost \$2M for the NEG for Wilmington and still have \$2M more to come. There is almost \$1M available for Career Advancement Accounts (CAA) for Area 7. The HB372 Incumbent Worker Training money from the Ohio Department of Development projects is \$1.6M with more to come. The amount will total nearly \$7M by the end of the year. The extra allocations do not cost our counties any extra money. It appears Area 7 will spend all of our money this year.

Committee reports

Finance

Bill Lukens reported about a conflict with the State Auditor and our records. The Area 7 fiscal numbers have been approved, but there seems to be a difference of opinions in the way our books are kept. We have learned that we do not have to use the State Auditor.

A motion was made that the Finance Committee recommends that Area 7 authorize John Trott to procure a CPA firm to do audits in the future. The motion was tabled until the end of the meeting to be added to the rest of the resolutions.

Tony Quatman stated that the State Auditor charges a fee for audits. Carl Berg stated the State Auditor costs almost 60% more than the private auditor that Tolles Career Center has been using. The RFQ would stipulate the cost is not to exceed our current cost. Another possible outcome of using a third party private firm is to utilize their experience and receive guidance to improve our processes.

Policy

Jan Wasson stated there are a number of policies to pass as part of the consent agenda. The committee recommends approving the revised ITA policy as-is, noting that the policy will undergo another revision to remove the conflict of interest section. A conflict of interest policy will be written separately to ensure the conflict of interest procedures are applied to all areas of the WIA program. Michelle will talk to the Ohio Ethics Commission on the construction of the conflict of interest policy.

Other policies on the consent agenda are a revision to the Glossary policy and a revision to the Incumbent Worker Training policy. The committee also reviewed a Self-Sufficiency policy.

Youth

The committee reviewed and approved five new youth providers for Licking County. As part of the approval process, Angela Carnahan, Licking County, explained the selection and recommendation process. The committee felt good about the new process but have concerns

about June when there are multiple providers to be approved. The committee recommends approval of Resolution #02-04-2009-11: Youth Providers.

A Youth Committee retreat was held on December 15, 2008 facilitated by Diana Jackson of The Ohio State University/Learning Work Connection. Three new sub-committees were formed during the retreat are:

- **Strategic Focus and Accountability**, Rocky Rockhold, Chair. A survey was adopted from Ohio Learning Work Connection to assess our strengths and weaknesses as a system. Area 7 will send a survey to counties. The results will help target the priority of needs and develop an action plan, as well as recognize the strengths of our current programs.
- **Youth Development**, Roger Fisher, Chair. Upon realizing that Area 7 has few policies directly related to youth, Martee has requested counties that have youth policies to forward those to Area 7. The sub-committee would like to see what policies are already available. Martee will review policies related to adults and make revisions where appropriate so they can be used for youth.
- **Information Resource Assimilation**, Chuck Dyar, Chair. This sub-committee wants to develop a way to enable us to disseminate information in a more timely matter with our WIA service providers and local offices. We need to identify the directors, line staff, vendors, and the administration. The next step is to create a survey to identify what information is expected and timelines involved. We will consider the use of webinars for future training sessions.

Martee summarized the committee report by stating that the Youth Committee will be proactive. Each sub-committee has an action plan and timelines. We also discussed the summer youth program portion of the Stimulus package. Even with the money the program may receive, the current state of the economy may make it difficult to find jobs for youth, due to adults working in some of the positions typically held by youth.

Resolution #02-04-2009-01: Approve Board Minutes (December 3, 2008)

WHEREAS, the Area 7 Board reviews all Board minutes;

NOW THEREFORE BE IT RESOLVED THAT, the Area 7 Workforce Investment Board approves the minutes from the December 3, 2008 Board meeting.

Resolution #02-04-2009-02: Approve Fiscal Report

WHEREAS, the Area 7 Board reviews all Fiscal Reports;

NOW THEREFORE BE IT RESOLVED THAT, the Area 7 Workforce Investment Board approves the Fiscal report from the February 4, 2009 Board meetings.

Resolution #02-04-2009-03: Approve Policy Committee Minutes (December 3, 2008)

WHEREAS, the Area 7 Board reviews all Policy Committee minutes;

NOW THEREFORE BE IT RESOLVED THAT the Area 7 Workforce Investment Board approves the Policy Committee minutes from the December 3, 2008 meeting.

Resolution #02-04-2009-04: Approve Youth Committee Minutes (December 3, 2008)

WHEREAS, the Area 7 Board reviews all Youth Committee minutes;

NOW THEREFORE BE IT RESOLVED THAT the Area 7 Workforce Investment Board approves the Youth Committee minutes from the December 3, 2008 meeting.

Resolution #02-04-2009-05: Approve Eligible Training Providers

WHEREAS, WIA Section 117 (d) charges the Area 7 Board with responsibility for identifying eligible training providers, and;

WHEREAS, the Area 7 Board, through resolution, authorized the Executive Director to approve eligible training provider and program applications received from institutions that are recommended by the sub-grantees, and;

WHEREAS, beginning on November 21, 2008 through January 21, 2009 these recommended providers and programs were approved through the state's Eligible Training Provider Online (ETPO) system, as listed here:

Provider Name	State	County	# of Programs
Northwest Ohio Health Education and Consulting	Oh	Sandusky	1
Indiana Business College/Fort Wayne	In	Fort Wayne	2
Advance Technical Intelligence Center	Oh	Greene	4
Creative Images Institute	Oh	Greene	6
Semi-Smart Incorporated-Huntington WV	WV		1
Lima/Allen Council on community Affairs	Oh	Allen	1
Total # of Programs Added			15
TOTAL TO DATE			3594

NOW THEREFORE BE IT RESOLVED THAT, upon recommendation of the Executive Director, the Area 7 Workforce Investment Board approves these eligible training providers and programs.

Resolution #02-04-2009-06: Approve NEG Policies for Wilmington Airpark Dislocated Workers

WHEREAS, the Ohio Department of Job & Family Services is in receipt of a National Emergency Grant (NEG) in the amount of \$3.8M to serve the workers dislocated from DHL and ABX at the Wilmington Airpark, and;

WHEREAS, a committee formed of Area 7, State, and other affected WIB representatives developed joint policies to serve Airpark workers with NEG funds, and;

WHEREAS Area 7 Board approval of these policies is required in order for Area 7 to receive these funds;

NOW THEREFORE BE IT RESOLVED THAT the Area 7 Workforce Investment Board hereby approves the following policies for delivery of services to workers dislocated from the Wilmington Airpark under the NEG:

- ◆ Individual Training Accounts
- ◆ Supportive Services
- ◆ On-the-Job Training
- ◆ Needs-Related Payments
- ◆ Sequence of Services

Resolution #02-04-2009-07: Approve Policy Committee Special Meeting Minutes (December 11, 2008)

WHEREAS, the Area 7 Board reviews the Policy Committee special meeting minutes;

NOW THEREFORE BE IT RESOLVED THAT the Area 7 Workforce Investment Board approves the Policy Committee minutes from the December 11, 2008 special meeting.

Resolution #02-04-2009-08: Approve Policy P7-701: Glossary

WHEREAS, the Area 7 Board wants to ensure uniform eligibility standards and for customers of our member counties, and;

WHEREAS, certain terms remain undefined by federal or state policy;

NOW THEREFORE BE IT RESOLVED THAT this policy has been developed, as follows:

Policy number	P7-701
Subject	Glossary of Terms
This policy obsoletes	None
May apply for waiver	Yes
Board approved	DRAFT
Effective date	DRAFT
Revisions approved	n/a

Purpose

The purpose of this policy is to define terms used in the operation of adult, dislocated worker, and youth Workforce Investment Act programs in Area 7's member counties.

Background

Terms defined by this policy can be found in WIA Sections 101(9), 101(10), 134(d)(3-4); 20 CFR Part 664.205 and 664.210; as well as Preamble, Subpart A—One-Stop System, p. 49316 or are terms required or recommended by the state.

Action

The following terms are defined as:

Attachment to the workforce

Sufficient attachment to the workforce means that an individual who, at the time of application, worked at the same company or in the same occupation:

- ◆ 15 out of the last 26 weeks, or
- ◆ if a seasonal worker, 30 out of the last 52 weeks

Demand occupation

An occupation may be determined "in-demand", thus eligible for training funds, if:

- ◆ the occupation is identified by the Bureau of Labor Statistics as having a surplus or future increase of job openings within commuting distance (or in the area of participant's relocation)
- ◆ the applicant has a written guarantee of a job upon completion of training
- ◆ multiple job openings posted in local publications

General announcement of facility closure

A media article or public notice documenting an employer's intent to close may serve as a general announcement, making the affected employees eligible dislocated workers.

General economic conditions

"Unemployed as a result of general economic conditions" shall be defined as business lost due to one of the following reasons:

- ◆ the closure or substantial layoff of a primary supplier or customer affecting the self-employed applicant's products or services
- ◆ the occupation or product has lessened demand within the community
- ◆ declined profits significant enough to lead to closure, documented by most recent tax return or other company documents showing negative gains/losses statement
- ◆ natural disaster, as defined by State or federal declaration

Substantial Layoff

A substantial layoff is the reduction in force which results in an employment loss at a single site of employment during any 60-day period of one or more of the following:

- ◆ at least 20% of the full-time employees
- ◆ at least 50 full-time employees
- ◆ a combination of more than 25 full-time and 50 part-time employees
- ◆ an entire shift/line

Unlikely to return to previous occupation or industry

An applicant may be considered unlikely to return to their previous occupation or industry if the individual falls into one of the following categories:

- ◆ is able to work, but no longer able to perform the essential functions or duties of the occupation
- ◆ was employed in an occupation no longer considered in-demand
- ◆ is a seasonal worker, but there is a documentable reason to believe the job will not be available to the worker next year

Resolution #02-04-2009-09: Approve Revisions to P7-502: Individual Training Accounts

WHEREAS, the Area 7 Board wants to respond to changes in our business and to comply with federal or state guidelines;

NOW THEREFORE BE IT RESOLVED THAT this policy has been revised as follows:

Policy number	P7-502
Subject	Individual Training Accounts
This policy obsoletes	None
May apply for waiver	Yes
Board approved	August 3, 2005
Effective date	August 3, 2005
Revisions approved	DRAFT

Purpose

The purpose of this policy is to identify the parameters for Area 7 One-Stops providing training for Workforce Investment Act (WIA) participants in demand occupations, leading to employment and self-sufficiency.

Background

WIA Sections 101(34), 134(4) (G), of the WIA law states that the system of Individual Training Accounts (ITAs) will be utilized through the One-Stop delivery system. Federal Regulation §663.310 determines who may receive training services. Ohio Ethics Law and Ohio Administrative Code (OAC) 5101:9-31-01(Q) establishes the General Requirements for use and Expenditures of WIA funds by local areas. OAC 5101:9-2-03 and 5101:9-3-05 set forth complaint procedures. Area 7 policy P7-701: Glossary of Terms defines ITA-related terms, such as “in demand”.

Action

These parameters apply to the management of the ITA system (also known as “training vouchers”):

Customer Eligibility

After receiving at least one core service and at least one intensive service, the case manager must determine that the customer is still unlikely to obtain self-sufficient employment with his or her current skills and abilities. Although the sequence of services (core, intensive, training) is required, sub-grantees are discouraged from mandating time frames for these services.

Participants must apply for financial aid by submitting a Free Application for Student Aid (FAFSA) form. If the training program does not accept or require a FAFSA, the FAFSA4CASTER

may be used to determine dependency status. Any grants received, such as PELL, shall be applied toward tuition cost prior to the ITA.

Employed participants are subject to self-sufficiency guidelines. If the participant is considered a "dependent child" on the FAFSA, they shall also be considered a "dependent child" for WIA and the income of the parents will be used to determine the self-sufficiency of the participant. The only exception to this rule is if the participant can provide evidence to document **both** of the following:

- ◆ Permanent residence is not the parents' home, **and**
- ◆ More than 50% of the participant's monthly support comes from his or her own income. "Support" may include food, clothing, shelter, utilities, medical and dental care, and transportation.

ITAs are available to Area 7 residents as well as non-residents. Non-residents will be offered ITAs capped at the amount established in their county of residence or the amount established by the Area 7 sub-grantee, whichever is lower. Dislocated Workers separated from employment in a county within Area 7 may receive the Area 7 county's ITA amount regardless of their county of residence.

Customer Suitability

Some categories of participant may not be suitable for ITAs. These may include, but are not limited to:

- ◆ **Traditional college students**
ITAs are not intended to facilitate the acquisition of degrees, diplomas, or certificates strictly for the sake of education. For that reason, traditional college students are not suitable for ITAs. "Traditional college students" are between the ages of 18-23, list their address as their parents' home or on-campus, and are not **actively** seeking self-sufficient, full-time employment.
- ◆ **Students enrolled in school at intake**
ITAs are not intended to pay tuition for a participant who has demonstrated they can pay for it on their own. If a participant is already enrolled in school, it is implied that they anticipated being able to complete the training without WIA. However, ITAs may be provided to participants already enrolled in school if:
 - WIA training funds were unavailable at the time of initial application or
 - It can be documented that a change in circumstances has caused the participant to be unable to continue paying for their own training.

- ◆ **Participants who already have a degree at intake**

ITAs are not intended to fund a participant's desire for a career change unless the field is no longer in-demand, does not lead to self-sufficient employment, or the degree is now obsolete. ITAs are also not intended to provide an "upgrade" from an associate degree to bachelor degree in the same field, unless the current degree will not lead to direct employment. Funding participants to upgrade outdated skills through several classes is an appropriate way to serve many individuals in this category.

Course of Study

A participant, in conjunction with his or her case manager, will choose a program of study leading to an in-demand occupation (see Area 7 policy P7-701). This determination should be made with consideration for the participant's basic skills, occupational skills, prior work experience, employability, interests, aptitudes, supportive services needs, and in accordance with the participant's Individual Employment Plan (IEP).

Four-year degree programs may be funded only when the customer can document that he/she is in the last two years of the program. The participant must provide a transcript and plan of study from the institution documenting the student's ability to complete the degree within the two-year time limit. No ITA shall be issued for a degree higher than a baccalaureate degree.

The program must lead to:

- ◆ A certificate, associate degree, baccalaureate degree, or
- ◆ The skills or competencies needed for a specific occupation or other industry-recognized credential (i.e. Commercial Driver License, Licensed Practical Nurse)

Grades & Attendance

Participants must continue to make satisfactory progress in training in order to continue receiving an ITA. "Satisfactory" may be defined as "maintaining a passing grade". A passing grade will vary depending on the provider and program of study. If a participant does not maintain a passing grade, the ITA will stop. Sub-grantees may choose to place a participant into a probationary status for no more than one school term (quarter/semester) in order to allow the student to regain passing grades.

Documentation of satisfactory grades will be achieved at least quarterly through review of assignment scores, progress reports signed by the trainer, the student's transcripts, or other assessments of a student's progress toward the completion of training.

If a participant makes passing program grades but fails a certification exam, Area 7 policy P7-400 allows WIA to pay for or reimburse the costs of up to one retest, as long as the participant is able to demonstrate ability to pass upon second attempt. Failed or withdrawn

courses may be paid for a second time at the discretion of the sub-grantee. WIA will not pay more than twice for the same course.

Acceptable attendance must be maintained, as defined by the training institution.

Training Provider

A participant, in conjunction with his or her case manager, will choose a training provider from the State of Ohio's Eligible Training Provider Online (ETPO) list. If an institution provides the needed program but is not on the ETPO list, the institution may apply for approval at <https://ohiomeansjobs.com/etpo/>.

◆ **Faith-based schools**

Per the White House Office of Faith-Based & Community Initiatives (09/22/03) and USDOL Training and Employment Guidance Letter Number 1-05, WIA participants may be employed or trained in religious activities when "indirect" WIA financial assistance is used. Assistance is considered "indirect" when the participant is offered a genuine and independent choice among training providers or program options and can freely elect a provider that incorporates religious activities. This applies to schools as well as religious or faith-based courses.

◆ **Online learning**

Online learning may be beneficial for participants balancing work and family schedules with the need to attend training. However, not all participants have the ability to succeed in the online learning environment. Sub-grantees are encouraged to utilize student assessment tools prior to approving online classes. Some characteristics necessary for a student to succeed include:

- *Technology skills* - At a minimum, the student should have basic computer skills.
- *Awareness of learning style* - Students who are visual or verbal learners may find that online learning fits well with their learning style, while kinesthetic or auditory learners may struggle in the online classroom.
- *Self-motivated and self-disciplined* - Students must be able to set their own schedule and be committed to the learning process.
- *Good communication, writing, and reading skills* - Most online classes are very text-based and require students to clearly communicate in writing.
- *Time management skills* - Although students do not need to physically travel to campus, they will still need to set aside equivalent time to study and learn in the online classroom.

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◆ **Out-of-state schools**

Effort should be made to utilize Ohio institutions. However, out-of-state schools may be considered if they are ETPO-approved and at least one of the following conditions is met:

- The program is not offered or is wait-listed by the Ohio school
- The participant's residence is closer to a border state's school
- The out-of-state school offers the program at a lower cost

Out-of-state schools will only be considered for Ohio's ETPO list if all of the following conditions are met. The out-of-state school must:

- ◆ Be within the contiguous United States
 - ◆ Be on the home state's eligible training provider list
 - ◆ Have an active filing status with the home state's Secretary of State
 - ◆ Not be federally debarred
- ◆ **Public and private schools**
If similar training is available at both a public and private school, the ITA will pay up to the cost of the public school. The customer may choose either, but should provide documentation on how they will pay the difference. Private schools may be fully funded if one of the following conditions exists:
- The private school has a shorter program
 - The needed classes are currently unavailable at the public institution
 - There is a waiting list at the public institution, or
 - The public institution is a significantly further distance for the participant.

Area 7 sub-grantees reserve the right to prohibit the referral of customers to institutions with exorbitant tuition compared to others with similar training or to institutions with a history of poor performance when serving WIA customers.

Amount & Duration

ITAs may not exceed \$15,000 for each Area 7 resident, excluding supportive services. Residents of counties outside of Area 7 may receive an ITA at the level provided by their county of residence, unless the participant is a dislocated worker. Workers dislocated from an employer within Area 7 may be treated as if they were Area 7 residents, regardless of the ITA cap in their county of residence.

ITAs may not be approved for programs lasting longer than 24 months. Exceptions may be granted in instances where, through no fault of the student, the student is unable to complete the training as planned. Exceptions may include:

- ◆ Lack of course availability
- ◆ Class cancellations
- ◆ Forced to modify school schedule to obtain part-time temporary employment in order to support self or family

- ◆ Reasons that could result in a “global exclusion” in SCOTI:
 - Family care
 - Health/medical
 - Institutionalized
 - Relocated to a mandatory residential program (youth participant only)
 - Reservist called to active duty

If the intent of an ITA is to obtain a higher certificate via the “career lattice” model (i.e. STNA to LPN), the higher certificate must be part of the individual’s original employment plan. If the customer is exited after the original certificate is obtained, eligibility and suitability will be determined again, prior to receiving training for the second certificate. Upon exit, a customer is not eligible for another ITA for at least two years, unless they fall into one of the above categories of exception.

Sub-grantees have the authority to set an ITA cap lower than \$15,000. However, if a sub-grantee chooses to utilize an ITA cap other than \$15,000, they are encouraged to set a level equal to that of the other counties within their One-Stop system. One-Stop systems should also have uniform supportive services policies.

Funding & Payment

Customers receiving ITAs should be notified that, although it is the intent of the sub-grantee to fund the approved training through to its completion, it is also subject to the availability of funds.

Vouchers or authorization certificates will be issued by the local administrative entity, payable to the eligible training provider. If a refund is due, the training institution will provide the refund to the sub-grantee in accordance with the institution’s refund policy.

Student Loans

Student loans may be discouraged by the sub-grantee; however, they do not preclude the participant from receiving WIA funding. If a case manager is aware of a participant utilizing student loans, the participant should be counseled on how to responsibly manage them.

Ethics & Conflict of Interest

A conflict of interest is any situation in which a person (or that person’s family) stands to personally benefit or appears to personally benefit from an action taken. Per the Ohio Ethics Law: Ohio Revised Code Chapter 102.01, *“family includes the following relatives, regardless of where they reside: (1) spouse; (2) children (whether dependent or not); (3) siblings; (4) parents; (5) grandparents; and (6) grandchildren. It also includes any other person related by blood or by marriage and living in the same household”*.

Steps must be taken to avoid conflict of interest and to follow Ohio Ethics Laws:

- ◆ Intake forms must include a section for full disclosure of potential conflicts. A sample intake form will be provided by Area 7.
- ◆ Each person involved in the ITA process is required to disclose any situation that he or she perceives to be a potential conflict of interest. Failure to disclose a conflict will result in penalties, including possible termination for the offending employee. The county will be required to return funds spent on a case where a violation exists.
- ◆ Any One-Stop employee related to an applicant or customer will not, in any way, manage or influence the management of a customer's file to whom they are related. They will also not have access to the relative's file.
- ◆ Any customer who is related to or has a relationship with an employee of the One-Stop shall be handled by a non-conflicted staff person or supervisor in a confidential manner.
- ◆ If no non-conflicted employees are able to confidentially manage a related participant's case, the county will employ a third-party review process to ensure the required arms-length approach is followed. This may include referral of the customer to a sister county.
- ◆ Counties must notify Area 7 of related participants as soon as they are enrolled. Area 7 will maintain a file to be monitored for compliance with this policy and Ohio Ethics Laws.

Relocation

In the event that a participant moves out-of-county during the course of an ITA, case management responsibilities and funding liabilities will remain with the county that established the ITA unless the participant is desirous of changing One-Stops and the new county agrees to accept the case. Any transfers should be done in the interest of the participant and with the permission of the receiving county. After the original county transfers the paper file to the receiving county, the receiving county should also transfer the file in SCOTI.

Complaints

Customers with programmatic complaints must follow the complaint procedure of the sub-grantee. Complaints of discrimination should be directed to the Bureau of Civil Rights within the Ohio Department of Job & Family Services. Allegations of fraud, abuse, or neglect should be reported to the U.S. Department of Labor.

Resolution #02-04-2009-10: Approve Revisions to P7-504: Incumbent Worker Training

WHEREAS, the Area 7 Board wants to respond to changes in our business and to comply with federal or state guidelines;

NOW THEREFORE BE IT RESOLVED THAT this policy has been revised as follows:

Revised 3/16/09

Policy number	P7-504
Subject	Incumbent Worker Training
This policy obsoletes	None
May apply for waiver	Yes
Board approved	March 1, 2006
Effective date	March 1, 2006
Revisions approved	October 3, 2007; February 4, 2009

Purpose

The purpose of this policy is to outline the process for using the waiver authority for up to 20% of Adult and Dislocated Worker formula allocation for Incumbent Worker Training (IWT) programs.

This employer service provides funds to assist businesses upgrade the skills of incumbent workers, introduce new technology, and retain existing or expanding businesses in Ohio. Incumbent trainees will also benefit by learning new skills or technology, earning credentials, and increasing their earnings potential.

Background

The Workforce Investment Act, Public Law 105-220, dated August 7, 1998, allows the use of statewide Rapid Response funds for IWT programs. However, WIA prohibits the Local Workforce Investment Boards (WIB) from using Adult, Dislocated Worker, and Youth local formula fund allocations for IWT programs.

As outlined in the Ohio Department of Job & Family Services (ODJFS) Transmittal Letter (WIATL) 22, the US Department of Labor (USDOL) granted Ohio a waiver on July 25, 2005, permitting a local WIB to use up to 10% of its Adult and Dislocated Worker formula funds to provide statewide employment and training activities identified in WIA Section 134. ODJFS WIATL 22B, dated August 23, 2006, detailed an increase in the amount of the original waiver. This increase permits the use of up to 20% of local WIA Adult and Dislocated Worker funds to conduct IWT. ODJFS WIATL 22C makes additional changes to the IWT program, including less reporting requirements.

DJFS WIATL 40, issued August 11, 2008, describes the state's waiver allowing local areas to lower employer match amounts below the usual 50% if the project is considered customized training. Customized training is training tailored specifically to the employer.

Action

Eligible Businesses

Sub-grantees may enter into agreements with businesses, employer associations, non-profit organizations, or trade organizations. Government entities (including state, county, and city) will not be considered for IWT contracts. Not-for-profit healthcare entities are the only exception to this rule.

Existing Area 7 organizations demonstrating a strong business or industry connection are eligible that:

- ◆ Are operating in Area 7
- ◆ Have full-time employees
- ◆ Are current on all state obligations, as verified on the Findings for Recovery Database: www.auditor.state.oh.us
- ◆ Demonstrate financial viability
- ◆ Provide a minimum of 50% matching cash or in-kind contribution to the project (Note: If the project is customized training, the match requirement may be as low as 10%. See ODJFS WIATL.40)
- ◆ Demonstrate a commitment to retaining operations and employees in Area 7
- ◆ Willing to participate in a full range of services provided by the local one-stop
- ◆ Meet any additional policy guidelines sub-grantees may establish

Eligible Participants

WIA general eligibility requirements, such as proper selective service registration and citizenship status, apply to participants receiving IWT services. Sub-grantees may require employers supply I-9 forms for each trainee or may have employers sign an affidavit affirming compliance with these requirements.

Trainees do not need to meet income qualifications and are not subject to self-sufficiency standards.

Project Priorities

Priority will be given to projects that:

- ◆ Address a strategy to avoid layoff or closure
- ◆ Identify a model which may prove to make Area 7's workforce more competitive
- ◆ Address a means by which employees will achieve a significant upgrade in skill
- ◆ Address skill shortages
- ◆ Address high-skill occupations leading to enhanced career pathways
- ◆ Serve an industry or program targeted by Area 7 or a sub-grantee

- ◆ Address a significant occupational demand
- ◆ Demonstrate a strong partnership with the Area 7 Board and/or a sub-grantee advisory council in the identification, development, and delivery of the project

Program Design

The project must include an employer contribution of at least 50% of the total cost of training, unless utilizing the customized training waiver, in which case the match may be no lower than 10%. Either a cash or in-kind contribution of goods or services provided by the applicant employer is an acceptable match. Examples of in-kind match include but are not limited to:

- Unreimbursed wages paid to the trainees during the training period (must be outside regular hours unless customized training and straight pay only)
- Equipment purchased for the training project
- Materials
- Supplies
- Facility costs
- Domestic travel

All projects will be performance-based, with specific measurable outcomes for both participants (i.e. wage increase, job retention, and new skills) and employers (i.e. avert layoff, introduce new technology, and lower employee turnover). Sub-grantees may establish additional performance measures to ensure compliance with the outcomes proposed in the application.

Costs

Allowable costs include, but are not limited to:

- ◆ Curriculum development
- ◆ Domestic travel
- ◆ Registration fees
- ◆ Trainer salaries
- ◆ Textbooks, manuals, materials, and supplies
- ◆ Trainee wages - Although IWT is not meant to be a wage subsidy program, trainee wages may be paid in certain circumstances (i.e. if production is lost due to the employee's participation in training, or if a replacement worker must be put in the trainee's place while he/she is in training).
 - must be for time directly tied to training
 - straight pay only (no overtime)
- ◆ Tuition

Unallowable costs include, but are not limited to:

- ◆ Activities not directly related to training for eligible individuals under Title I
- ◆ Capitalization, encouragement, or inducement of business
- ◆ Costs incurred prior to the effective date of the contract
- ◆ Construction or purchase of facilities or buildings
- ◆ Foreign travel
- ◆ Investment in contract bidding resource centers
- ◆ Purchase of capital equipment
- ◆ Relocation of a business or part of a business, from any location in the United States, if the relocation results in any employee losing his or her job at the original location

Funding

A letter on county letterhead must be sent to the Area 7 fiscal office requesting the source and amount of the IWT project to be dedicated for the IWT project. Funding levels dedicated to IWT projects are not to exceed 20% of the sub-grantee's Adult and Dislocated Worker formula funds unless prior approval is obtained from Area 7.

On an annual basis, the Area 7 Workforce Investment Board may allocate a portion of Adult and Dislocated Worker funds for IWT to its sub-grantees and entities meeting the requirements outlined in this policy.

Training Providers

Public, private, or in-house trainers may be used, depending on the nature of the training. A business considered a "beneficiary" of the IWT program may also be reimbursed for training if certain conditions are met (see ODJFS WIATL 22C).

If a provider is not an ETPO-approved provider and the business is not a beneficiary, proper procurement procedures **must** be followed.

Reporting

Incumbent Worker trainees under this waiver will be reported in the Sharing Career Opportunities and Training Information (SCOTI) client tracking system via the mini-Incumbent Worker registration; however if the participant is co-enrolled in WIA, full SCOTI registration is required and the trainee will count towards performance.

Sub-grantees will be required to keep accurate financial and performance records for project reporting to the Area 7 Fiscal and Administrative offices, as well as external auditors. The Area 7 Finance Committee will review the performance and expenditures of IWT projects on a regular basis.

Initial/projected data will be reported to Area 7 within 30 days of the contract using the form found at <http://www.area7workforce.org/iwt.html>. Final/actual data will be reported by to the Area 7 Administrative office within 15 days of the last payment by updating the initial reporting form.

Sub-Grantee Policies

If sub-grantees develop policies for IWT, they are required to submit them to the Area 7 Administrative office. Sub-grantee policies must meet (or be more restrictive than) the parameters identified by the Area 7 WIB. Sub-grantee policies should target high-demand occupations in the local area, focus on job retention or layoff aversion, and include input from sub-grantee advisory councils and commissioners.

Appeal Process

An unsuccessful applicant will have the right to appeal a decision by the sub-grantee, by following the appeal process stated in the Area 7 Complaint Procedure policy. Informal resolution at the local level is encouraged.

Motion to Approve the Consent agenda: Kay Reiter
Second: Carl Berg
All approved: Consent Agenda passed

Resolution #02-04-2009-11: Resolution to Approve Youth Providers

WHEREAS, WIA Section 117(h) (4)(B)(i) charges Area 7 Youth Committee with the responsibility of recommending eligible providers of youth activities, to be awarded grants or contracts on a competitive basis by the local board to carry out the youth activities, and;

WHEREAS, WIA Section 117 (d)(2)(B) charges Area 7 Board with responsibility for identifying eligible providers of youth activities in the local area by awarding grants or contracts on a competitive basis, based on the recommendation of the Youth Committee, and;

WHEREAS, the Area 7 Youth Committee has received 5 providers recommended by the sub-grantee boards, and;

WHEREAS, the Area 7 Youth Committee has reviewed and recommends approval of Youth Providers listed on attachment A;

NOW THEREFORE BE IT RESOLVED THAT, the Area 7 Workforce Investment Board recommends approval and renewal of these youth providers.

Motion to Approve Resolution 02-04-2009-11; Youth Providers: Jan Wasson
Second: Chuck Dyar
All approved: Motion passed

Resolution #02-04-2009-12: Obtain the Services of a Certified Public Accountant (CPA) Firm

WHEREAS, the Area 7 Workforce Investment Board is desirous of procuring the services of a Certified Public Accountant (CPA) firm to review Area 7's accounting system as well as conduct the annual financial and management audit;

NOW THEREFORE BE IT RESOLVED THAT the Area Board authorizes the Executive Director to issue a Request for Proposals (RFP) to obtain these services.

Motion to Approve Resolution for 02-04-2009-12; Obtain the Services of a Certified Public Accountant (CPA) Firm: Bill Lukens
Second: Chuck Dyar
All approved: Motion passed

Motion to adjourn: Chuck Dyar
Second: Chuck Feicht
All approved: Motion passed

The next meeting is scheduled for Wednesday, April 1, 2009