

Ventura County - Human Services Agency

	Date Issued: 05/28/2008
Section: Workforce Investment Board Manual	Effective Date: 06/06/2008
Policy: WIB Admin.: Policy on Policies	Review Date: 06/06/2009

**Printed copies are for reference only.
Please refer to electronic copy for the latest version.**

The Workforce Investment Board of Ventura County will establish policies that accord with the Workforce Investment Act of 1998, with the Board's Memorandum of Understanding with the County Board of Supervisors (May 2004), with the Board's own Bylaws (July 2007) and with any other Memoranda of Understanding that may be developed. Such policies will establish the rules of engagement by which the WIB will enter into a relationship with any other entity.

Workforce Investment Board of Ventura County Budget Policy

Section: Workforce Investment Board Manual	Date Issued:
Policy: WIB: Admin. Policy on WIA Budgets	Effective Date:

Purpose	<p>The purpose of this policy is to establish WIB (Workforce Investment Board) guidelines to assure the proper and timely development of the WIA (Workforce Investment Act) budget.</p> <ul style="list-style-type: none"> • Understanding funding constraints and conditions facilitates the alignment of projects with funding sources. • Taking a comprehensive approach to budget development and the implementation cycle eliminates low-value tasks and helps all participants focus on the most important issues. • Using tools for the budget process reduces the burden of administrative tasks and increases time available for analysis and decision-making.
References for Background	Section 184 (a)(1)(B) of Workforce Investment Act (WIA) & Section 117(g)(1 & 2) and CFR §667.200(a)(4)(i & ii)]
WIA Budget Background	The budget is a performance, financing and spending plan established by the WIB. The WIB prepares and annually refines written policies and goals to guide the preparation of performance, financing and spending plans for the budget. The adopted budget is in accord with WIB policies and practices and in compliance with County policies and procedures. The WIB has the primary function of: (a) formulating budget proposals in line with WIA policies and WIB priorities and (b) implementing those proposals once they are approved.
References for HSA Budget Policy	County of Ventura, <i>Administrative Manual 2005</i> , Chapter VII (A)-4
HSA Policy	In no event may expenditures exceed appropriations. Per Government Code 29121, each agency or department head is personally responsible for any expenditure in excess of approved appropriations.
References for WIB Budget Policy	WIA 1998 117(d)(3)(A); 117(d)(B)(I); 117(d)(3)(B)(III); MOU with the Ventura BOS, 6Dii, iii and 8Aiv; 9 “Budgeting Roles”; WIB Bylaws IIIB; HSA/WIA Administration Staff Guidelines (9/23/04), #8 and page 1
WIB Budget Policy	<ul style="list-style-type: none"> • The WIA budget is comprised of all WIA core and supplementary monies, including all discretionary grants. • The WIB, through its annual strategic planning process, determines priorities for the use of WIA funds in Ventura County.

- The WIB priorities take into account the responsibilities to meet WIA performance standards, operate a One-Stop system, and expend funds appropriately and in a timely manner to comply with WIA requirements.
- The WIB Executive Director develops the WIA budget for the use of WIA funds for programs, services, and projects in Ventura County, in alignment with WIB priorities and with Federal, State, and County requirements.
- The WIB Executive Director provides WIA budget oversight, direction, and coordination in alignment with applicable County budget processes and cycles.
- The WIA budget is approved by the WIB or WIB Executive Committee and the County Board of Supervisors.
- Operators submit and adhere to funding and budgets approved by the WIB or WIB Executive Committee. (The term “operator” refers to program operators, administrative service providers, and other WIA-funded contractors.)
- The billed expenses of operators do not exceed the approved allocation of funds; exceptions require WIB or WIB Executive Committee approval.
- The WIB or WIB Executive Committee has the option to establish a Management Reserve of up to 10% per WIA-related grant for contingencies; however, such action must not jeopardize the expenditure and timing requirements of the grant.
- Management Reserve funds are reallocated or expended only with authorization by the WIB or WIB Executive Committee.
- Changes to the WIA budget require WIB or WIB Executive Committee approval.
- When an increase or a decrease in available revenue occurs, the WIB or WIB Executive Committee decides how this increase or decrease is to be applied to the WIA budget.
- When the WIB Executive Committee takes action on behalf of the WIB under this policy, the full WIB will be notified in writing.

Ventura County - Human Services Agency

	Date Issued: 08/16/2010
Section: Workforce Investment Board Manual, Workforce Investment Operations Manual	Effective Date: 08/16/2010
Policy: WIB: ADMIN: Dislocated Worker Eligibility, Definition Criteria and Documentation	Review Date: Never Expires

**Printed copies are for reference only.
Please refer to electronic copy for the latest version.**

POLICY STATEMENT:

To establish the definition criteria for identifying and determining eligibility to WIA Title I Dislocated Worker program services, and the types of dislocated worker documentation that will be acceptable in the Ventura County Local Workforce Investment Area. Whatever the header to this policy may say, the Effective Date is July 1, 2010.

PROCESS:

References:

- Workforce Investment Act (WIA) Section 101 (9)
- Title 20 of the Code of Federal Regulations (CFR) Part 663 Adult and Dislocated Worker Activities under WIA
- Employment Development Department (EDD) Eligibility Technical Assistance Guide (TAG) for Program Year 2004 – 05, pp: 9-11
- Worker Adjustment and Retraining Notification (WARN) Assembly Bill 2957,
- Chapter 4, Part 4, Sections 1400-1408, California Labor Code Title 20 CFR Part 652 et al. Preamble, Subpart A—One-Stop System, p.49316]

Background Information:

WIA Sec 101 (9) establishes the official definition of a Dislocated Worker. Title 20 CFR Part 663 interprets adult and dislocated worker services under the ACT. The ACT and the Regulations do not address the issues of eligibility documentation and verification. However, the Department of Labor (DOL) allows considerable state and local flexibility in this area.

The EDD Program year 2004-05 Eligibility TAG provides guidance to California Local Workforce Investment Areas (LWIAs) on eligibility for WIA program services. The TAG forms the basis for determining an individual's enrollment into

adult, youth and/or dislocated worker programs. In addition, the State EDD Eligibility TAG states: "Local WIA Boards may establish policies and procedures for the One-Stop operators to use in determining an individual's eligibility as a Dislocated Worker, consistent with the definition in WIA Sec. 101 (9)."

Dislocated Worker Eligibility

- a) There are no eligibility requirements for Universal or Core A services. Any member of the general public is eligible for Core A services.
- b) To receive dislocated worker services at the Core B, Intensive, and Training levels, an applicant must:
 - Be 18 years old or older;
 - Have the legal right to work in the United States;
 - If male, have registered for Selective Service or be exempt from registration,
 - Meet the definition of dislocated worker as defined at WIA Section 101 (9) [Be determined eligible under one of the eligibility group criteria listed in Section I below].

I. Dislocated Worker Definition Criteria

- 1) Demonstrating sufficient attachment to the workforce:
 - a) An individual who is not eligible for unemployment compensation but was employed for at least 3 consecutive months during the past 12 months.
 - b) A seasonal worker who had been employed 30 out of the last 52 weeks.
- 2) Unlikely to return criterion:
 - a) An individual who has worked in a declining industry/occupation as documented by any of the following: State or local Labor Market Information, a quantified publication from a local Chamber of Commerce, local Workforce Investment Board or Economic Development Agency publication, or a qualified consultant educational entity; or
 - b) An individual who worked in an industry/occupation for which there are limited job orders in State (CalJOBS) and/or the local job match system, or
 - c) An individual who is insufficiently educated and/or does not have the necessary skills for re-entry into the former industry/occupation as documented by an assessment of the client's education achievement level, comprehensive testing or by other suitable means), or

- d) An individual who has physical or mental problems that would preclude his/her reentry into the former industry/occupation, as documented by a physician or other applicable professional
 - e) An individual whose family, personal or financial circumstances would preclude his/her reentry into the former industry/occupation as documented by an applicable professional organization, legal document, financial institution or other legal service.
- 3) Substantial Layoff criterion:
- a) Any reduction in workforce which is not the result of a plant, facility, or enterprise closure which results in an employment loss at a single site of employment during any 30 day period that represents at least one of the following:
 - i. The closure of an entire department
 - ii. The elimination of an entire class or occupation(s)
 - iii. Cessation of production on a product or manufacturing line
 - iv. The termination of at least 25% of all employees who worked 20 or more hours per week
 - v. The termination of at least 50 employees who comprised at least one third of layoff employer's workforce
- 4) General announcement of plant closing:
- a) A Federal and/or State WARN Notice
 - b) A published or electronically generated report, publication or article generated from Southern California
 - c) A report or electronic (Internet) report, publication or article from an recognized California employment entity or State or local LMI monthly or quarterly report
- 5) A self-employed individual who is unemployed as a result of general economic conditions in the community in which the individual resides:
- a) The Ventura County unemployment rate reaches 7 percent
 - b) A dominant local industry experiences a downsizing of 500 or more employees
- 6) Unemployed as a result of a natural disaster:
- a) An individual who lost self-employment as a result of a natural disaster as declared by Federal Emergency Management Agency (FEMA) or the Governor of the State of California.
- 7) Displaced homemaker experiencing difficulty in obtaining or upgrading employment:

- a) An individual who has been providing unpaid services to family members in the home, and
 - i. Who has been dependent on the income of another family member but is no longer supported by that family member's income, and
 - ii. Is unemployed or underemployed and experiencing difficulty in obtaining or upgrading employment.
- 8) Trade Adjustment Assistance (TAA) Clients:
 - a) All TAA certified individuals will meet the criteria of having been terminated from employment and receiving or determined eligible to receive unemployment compensation, as well as unlikely to return to a previous industry since the company they were employed for was trade affected and suffered a substantial layoff or shutdown.
- 9) Unemployment Insurance (UI) Claimants for Reemployment and Eligibility Assessment (REA) Services:
 - a) Those individuals who have (1) been assessed by EDD for their job readiness in relationship to the local labor market, and (2) completed a re-employment plan with the goal of seeking retraining, and (3) receive a referral to WIA training with specific documentation for the six elements used to conclude vocational retraining was needed (because there is no suitable employment available for the adversely affected worker) as documented and provided by EDD.
- 10) Unemployment Insurance (UI) Profiling:
 - a) The Governor has determined that UI profiling methodology and referral process meets the WIA dislocated worker eligibility criteria in WIA Section 101 (9). In such instances, no further documentation is needed to establish the unlikely to return criterion at WIA Section 101(9) (A) (iii).

II. Acceptable Sources of Documentation

- 1) Staff may include the use of Applicant Statements when reasonable Applicant efforts have failed to obtain necessary documentation to support Dislocated Worker status.
- 2) The Applicant Statement must be supported by a written narrative from staff explaining the need for the statement.

Ventura County - Human Services Agency

	Date Issued: 01/13/2009
Section: Workforce Investment Board Manual, Workforce Investment Operations Manual	Effective Date: 01/26/2009
Policy: WIB: ADMIN: ETPL & ITA: Eligible Training Provider List Process And Procedure	Review Date: 01/26/2010

**Printed copies are for reference only.
Please refer to electronic copy for the latest version.**

BACKGROUND

The Workforce Investment Board of Ventura County (WIB) is responsible for policy and oversight of local Federal investments in workforce preparation. The WIB oversees the design, coordination and implementation of a training system dedicated to ensuring that training is for jobs that are in demand and for the high-skill, high-wage jobs of the future.

The Workforce Investment Act (WIA) emphasizes the goals of informed customer choice, performance, accountability and continuous improvement. One of the primary means to achieve these goals is through the Eligible Training Provider List (ETPL), which documents the availability and performance of training programs.

The WIA requires the establishment of a list of vocational training providers eligible to receive funds for training services provided to adults and dislocated workers. This List is maintained by the State, and the information on programs is available statewide. Only programs that meet specified criteria can remain on the ETPL and be eligible to receive Individual Training Account (ITA) funding through the WIA.

Training services for adults and dislocated workers will be provided primarily through an ITA. This ITA is established on behalf of the WIA job seeker. The job seeker can use the ITA to purchase training services from eligible providers, after considering labor market conditions and trends, the job seeker's own interests and abilities and the training vendors' performance and cost.

RESPONSIBILITIES OF THE WIB ADMINISTRATIVE STAFF

The establishment and maintenance of local contributors to the ETPL is the responsibility of the WIB administrative staff. In accordance with established

procedures, they will oversee both the addition of new providers and courses/programs and their deletion from the List. They will also give to the Business and Employment Services Department of the Human Services Agency (and to any appropriate contractor) a constantly updated list of Active ETPL Providers for Ventura County. Placing a new provider on the List may take as long as 30 days.

RESPONSIBILITIES OF THE JOB SEEKER

Under the WIA, enrolled clients who are approved for training may choose the training provider they wish to attend. Only those trainers who are on the approved List may be chosen. In no case may training begin before a training provider has completed all steps necessary to be placed on the List. Website address: <http://etpl.edd.ca.gov/wiaetplind.htm>.

RESPONSIBILITIES OF WIA SERVICE PROVIDERS AND CASE MANAGERS

The Business and Employment Services Department will consult with the WIB administrative staff to suggest new or needed training providers. They will give to clients an up-to-date list of Active ETPL Providers for Ventura County. They will also insure that procedures for an Individual Training Account (ITA) are followed.

Workforce Investment Board of Ventura County On-the-Job Training & Customized Training Policy

Section: Workforce Investment Board Manual	Date Issued:
Policy: WIB: Admin: On-the-Job Training (OJT) & Customized Training	Effective Date:

References	Workforce Investment Act of 1998, Section 101 (8) & (31); Workforce Investment Act, Final Rules, Sub-sections 663.700-663.720; RWIA-18: Technical Assistance Guide.
Definitions	<p>On-the-Job Training is provided by an employer to a WIA-enrolled employee while that employee is engaged in productive work in a job that:</p> <ul style="list-style-type: none"> A. Provides knowledge or skills essential to the full and adequate performance of the job and B. Provides reimbursement to the employer of up to 50 percent of the wage rate of the participant for the extraordinary costs of providing the training and additional supervision related to the training (or a greater percent consistent with any existing waiver) and C. Is limited in duration and appropriate to the occupation for which the participant is being trained, the content of the training, the prior work experience of the participant and the service strategy of the participant <p>Customized Training is training that is:</p> <ul style="list-style-type: none"> A. Designed to meet the special requirements of an employer or group of employers and B. Conducted with a commitment by the employer to employ, or continue to employ, an individual who successfully completes the training and C. For which the employer pays for not less than 50 percent of the cost of training, or a lesser amount consistent with any existing waiver (See Directive WSD09-14 (March 4, 2010, or any later revision.)
Policies for On-the-Job Training Agreements	<ul style="list-style-type: none"> • Agreements will be written in every instance of training provided by an employer to an enrolled WIA participant or group of participants. OJT agreements may not be sub-contracted. • Agreements may be written for public and private (for-profit and non-profit) employers. • Participants will be of two types: (1) either unemployed at the time of WIA enrollment and, subsequently, a new hire who will receive training, or (2) someone currently employed who needs upgrading of skills. • The WIB has established a wage rate for self-sufficiency for an individual of \$27.85 per hour. • Employed workers must, at the outset of their training, earn less than the established self-sufficiency wage. • An eligible Adult Worker is not subject to the self-sufficiency standard. At the discretion of authorized program representatives, program staff may write OJT agreements for such Adult Workers for a wage rate greater than the self-sufficiency standard. • On successful completion of training, current employees will receive a salary increase of at least 5%. This increase is not necessarily applicable to those newly hired at the commencement of training. • An eligible Dislocated Worker, if actually unemployed, is also not subject to the self-sufficiency standard and may, at the discretion of authorized program representatives, obtain an OJT at a wage rate greater than the self-sufficiency standard. No wage increase is required on successful completion of training. • OJTs may be written, if appropriate, for out-of-school youth ages 18-21.

Workforce Investment Board of Ventura County On-the-Job Training & Customized Training Policy

	<ul style="list-style-type: none"> • Employers will have no more than 6 current on-the-job training participants for each trainer/supervisor; and no more than 20% of the total workforce will be current OJT participants. Extenuating conditions will require prior review and approval by the authorized program representative. • Employers are not required to document the costs involved in their delivery of training. The cost of training will not include any part of the actual wages of employed workers: reimbursement will be for the cost of training only and is not a wage subsidy. • Reimbursement payments by the authorized program representative will be made in arrears after submission of monthly invoices.
<p>Policies for Customized Training Contracts</p>	<ul style="list-style-type: none"> • Contracts will be written in every instance of training provided by an employer to an enrolled WIA participant or group of participants. The employer may opt to provide the training directly to WIA participants or sub-contract it to a third-party vendor. All such third-party contracts will be provided to the County prior to the initiation of the training. • The WIB has established a wage rate for self-sufficiency for an individual of \$27.85 per hour. • Participants may be employed or unemployed. Employed workers must, at the outset of their training, earn less than the established self-sufficiency wage. • This WIB will understand “an employer” to be a locally owned and independent business, or the local branch of a business that is headquartered elsewhere. • An eligible Adult Worker is not subject to the self-sufficiency standard. At the discretion of authorized program representatives, program staff may write contracts involving such Adult Workers for a wage rate greater than the self-sufficiency standard. • On successful completion of training, current employees will receive a salary increase of at least 5%. This increase is not necessarily applicable to those newly hired at the commencement of training. • No part of the actual wages of employed workers may be included in the employer’s cost of training. The wage rate, however, may be included. Reimbursement for training expenses is not a wage subsidy. • Reimbursement payments by the authorized program representative will be made in arrears after submission of monthly invoices.

Ventura County - Human Services Agency

	Date Issued: 06/12/2009
Section: Workforce Investment Board Manual	Effective Date: 06/26/2009
Policy: WIB: ADMIN: Policy on Unsolicited Proposals	Review Date: 06/26/2010

**Printed copies are for reference only.
Please refer to electronic copy for the latest version.**

This policy is to establish guidelines to be used when unsolicited proposals are received by WIB staff, WIB committee members, or by WIB members for use of uncommitted WIA funds.

- A. Unsolicited proposals must meet the following minimum standards for initial consideration by the WIB Executive Director:
 1. Provide needed services that are consistent with the WIA regulations and with the WIB's established priorities.
 2. Provide documentation that supports one or more of the following WIA requirements for noncompetitive proposal/sole source:
 - a. Service(s) in the proposal is available only from that organization.
 - b. Public exigency or emergency for the proposal service(s) will not permit a delay resulting from competitive solicitation.
 - c. Employment Development Department (EDD) gave written authorization for the proposal.
 - d. After solicitation of a number of sources for the proposal service(s), competition is determined inadequate.
- B. The WIB Executive Director may accept unsolicited proposals for subsequent consideration by the WIB, or may reject them.
- C. Unsolicited proposals may be used as a basis for establishing a Request for Proposal (RFP).
- D. The Executive Director will refer previously screened unsolicited proposals to the appropriate WIB committee for consideration and subsequent action by the WIB Executive Committee and/or the full WIB.

Ventura County - Human Services Agency

	Date Issued: 06/12/2009
Section: Workforce Investment Board Manual	Effective Date: 06/26/2009
Policy: WIB: ADMIN: Policy on the Use of Uncommitted Funds	Review Date: Never Expires

**Printed copies are for reference only.
Please refer to electronic copy for the latest version.**

This policy is to establish guidelines to be used when uncommitted funds are available, describe the methodology to obligate and expend these funds as the program year progresses and facilitate meaningful services to the customers of the WIA One-Stop delivery system.

The use of uncommitted funds in any WIA budget category must be consistent with WIA regulations and with the WIB's established priorities. These funds may be used in one or more of the following ways:

- Modifying existing contracts or in-house budgets to provide for additional enrollments and/or increased services for enrolled clients
- Funding special projects identified as WIB priorities
- Funding new Requests for Proposals (RFPs) for new and needed services
- Funding unsolicited proposals that comply with the WIB's policy on unsolicited proposals