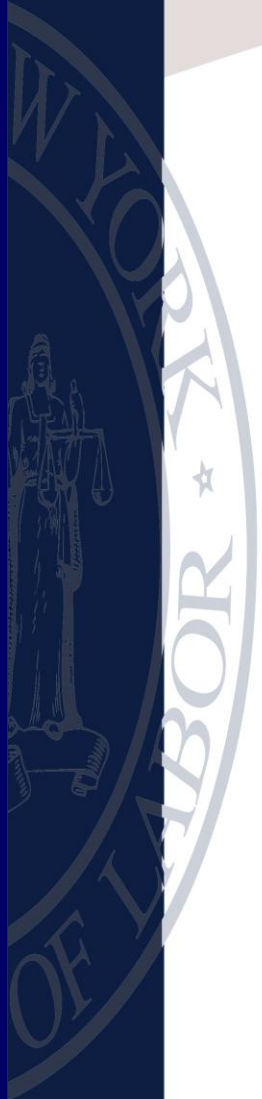


# Local Plan Modification

July 1, 2009 – June 30, 2010

**Division of Employment and  
Workforce Solutions**



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## **General Instructions for Modifying the Existing Local Plan**

The Workforce Investment Act Local Plan Modification for Program Year 2009-2010, for Workforce Investment Act Title I-B and Wagner Peyser programs, must be submitted to the New York State Department of Labor (NYSDOL) no later than **September 18, 2009**, in accordance with the Planning Guidelines issued by NYSDOL on behalf of the State Workforce Investment Board and the Governor. The Plan Modification must be developed by the Local Workforce Investment Board (Local Board) in partnership with the Local Chief Elected Official(s).

The Plan Modification, generated through this process, will amend and extend: the approved Local Plan, which originally covered the period July 1, 2005 – June 30, 2008; the local area's approved Functional Alignment Addendum; and the local area's previous plan modification, which extended the existing Plan and Addendum to June 30, 2009. Therefore, this Local Plan Modification will extend the existing Plan and Addendum to June 30, 2010 and will become the basis for local area policy and monitoring.

### **Plan Modification Guidelines**

The Plan Modification Guidelines are available and can be downloaded on New York's Workforce Development System website at:

[http://www.labor.state.ny.us/workforcenypartners/wfnyp\\_index.shtm](http://www.labor.state.ny.us/workforcenypartners/wfnyp_index.shtm)

The guidelines are attached to Technical Advisory # 09-16, dated May 26, 2009.

### **Publication**

The Local Board must make copies of the proposed Plan Modification available for public comment through such means as public hearings, local news media, and local websites. The general public must have access to the proposed Plan Modification; there must be 30 days from the date of publication and/or availability in which the general public may comment. When the Plan Modification is submitted for approval, any comments received in disagreement must be attached. In addition, the Plan Modification must explain how those disagreements were addressed.

### **Submission**

The draft Plan Modification is due **September 18, 2009**. NYSDOL requests local areas to complete the submittal process electronically by posting the draft Plan Modification, any comments received and the manner in which the comments were addressed, to the local area's workforce website. Specifically, local areas are required to **send an e-mail by cob September 18, 2009** to [WDTDLocalPlans@labor.state.ny.us](mailto:WDTDLocalPlans@labor.state.ny.us), with a copy to your state representative, which includes the following:

- Notice that the local Plan Modification, any comments received and information on the manner in which comments were addressed, are posted on the local website and available for State review;
- Indication of the URL and location of the Plan Modification document(s) on the website;
- Statement of the dates the Plan Modification was made available for public comment;
- Provision of contact information in the event there are problems accessing the Plan Modification; and

- Affirmation that no changes will be made to the document once it has been posted for NYSDOL review.

Should a local area be unable to comply with this method of submission, email a request for assistance to: [WDTDLocalPlans@labor.state.ny.us](mailto:WDTDLocalPlans@labor.state.ny.us). Please use “Request for Assistance with Local Plan Submission” in the Subject line.

**Time Table**

Plan Modification Guidelines Issued	May 26, 2009
Latest Date for Publishing Plan for Public Comment	<b>August 20, 2009</b>
Local Plan Modifications due to NYSDOL	<b>September 18, 2009</b>
NYSDOL approval or request for information	No later than <b>December 17, 2009</b>

**Required Attachments**

The required Attachments include:

- Attachment A: Signature of Local Board Chair
- Attachment B: Signature of Chief Elected Official
- Attachment C: Signature of WIB Director
- Attachment D: Units of Local Government
- Attachment E: Fiscal Agent/Grant Subrecipient
- Attachment F: One Stop Operator Information
- Attachment G: Federal and State Certifications

If any of the following have changed, please also attach:

- Chief Elected Official Agreement (if applicable)
- Local Board By-Laws
- One Stop Operator Agreements


**Note: Hard copies of the required attachments and signature pages must be mailed to the address below. These attachments and signature pages must be received no later than September 18, 2009.**

**Attn: Karen A. Coleman  
Local Plan Modification**

New York State Department of Labor  
Division of Employment and Workforce Solutions  
Building 12 ~ Room 450  
W. Averill Harriman Office Building Campus  
Albany, New York 12240

## **Instructions for Filling out the Plan Modification Document**

There are two main sections of the Local Plan Modification, each beginning with a short narrative and followed by instructions and questions. **A shaded area is provided into which the details of your response should be typed.**

For the check boxes and forms, you may want to lock the form to easily tab from box to box and insert an “X” where appropriate. If the forms toolbar is not visible, click “View” - “Toolbars” - “Forms” and click on the  symbol to lock or unlock the form.

It is recommended that you save this document to your computer as your working document using the following naming convention: “LWIA NAME – Plan Modification.” Save your document frequently during its completion.

Technical assistance regarding the development of the Local Plan Modification should be directed to your State Representative. If you need any assistance with the form, please contact Sharon Zapp at (518) 457-5189.

## **Workforce Investment Act Local Plan Modification July 1, 2009 – June 30, 2010**

In compliance with the Workforce Investment Act (WIA), each local workforce investment area is required to have a Comprehensive Local Plan in place. With the passage of the federal American Reinvestment and Recovery Act (Recovery Act), NYSDOL has determined that each local Workforce Investment Board will develop a One-Year Plan Modification to extend the current plan to now cover the period July 1, 2005 - June 30, 2010. The Plan Modification will allow for short-term changes, development of strategies and efficiencies for effectively utilizing increases in funding, and alignment with updated Federal, State and local priorities.

New York State shares the vision outlined in the Recovery Act; creating and preserving jobs, promoting economic recovery, and assisting those most impacted by the recession. Workforce development activities will play an integral role in achieving these three goals for both New York State and the nation as a whole. As workers increasingly find themselves dislocated, unemployed, and underemployed, they will need assistance to find new jobs, better jobs, and training opportunities to prepare them for these jobs.

It is crucial to maintain transparency and accountability at all levels. Recovery Act funds must be tracked accurately and separately from other sources of funding, and frequent communication regarding the use of these funds will be required. Needless to say, the funding from the Recovery Act, used concurrently with normal sources of funding, will allow a substantial increase in the number of services provided to customers in the One-Stop system. In particular, the number and proportion of customers receiving training services will increase.

The need for economic recovery also comes with an opportunity to ensure economic competitiveness in the long term. To this end, New York State has designated three demand sectors which will provide many job openings and are believed to be important to economic growth in the future:

- **Green and Renewable Resources**

This sector is comprised of a wide variety of industries and occupations; New York is primarily focused on Solar Power, Wind Power, and Weatherization. Each of these industries offer career paths, with solar and wind power focusing on the installation of small-scale power generation and weatherization providing construction and building renovation jobs. With rising energy costs and commitments on all levels of government to prevent environmental damage, green jobs are expected to grow substantially in the coming years. Furthermore, as the alteration of existing buildings and construction of new buildings cannot be performed overseas, these jobs are highly resistant to outsourcing.

- **Health Care (including the Life Sciences and BioTech/BioScience Industries)**

A substantial amount of labor market information identifies health care as a rapidly growing sector, in part due to the aging population. There are a number of entry-level jobs with the potential for career advancement in this industry in fields such as nursing, pharmaceuticals, and home or hospice care.

- **Advanced Manufacturing**

Manufacturing jobs that use high-tech processes, in industries such as Nanotechnology, Bioinformatics, and Medical Device manufacturing, are high growth and vital to the US economy, according to the US Department of Labor. The State also sees strong investment in such industries. This sector includes both high-tech jobs and lower-skill jobs that provide career ladders.

Many customers will have barriers to participating in training, such as transportation issues. It is expected that staff will work with customers to identify and remove barriers to participation through the provision of supportive services and needs-related payments. This is especially relevant for adults who are low-income, displaced, and under-skilled, as well as disconnected youth; in fact, many provisions in the Recovery Act are designed to target these populations, and there is a Priority of Service in effect for recipients of public assistance and other low-income individuals. These groups have been starkly affected by the economic recession and are greatly in need of assistance to get on a pathway out of poverty. Youth, also often at risk, can be served with a Summer Youth Employment Program. Given the fact that individuals up to age 24 can be considered “youth” for the purposes of spending Recovery Act funds, this presents an excellent opportunity to assist our young adult customers.

The Plan Modification will allow Local Boards the opportunity to re-evaluate their current system’s delivery of employment and training services in light of funding considerations, new initiatives and performance. In developing those new strategies and policies, local areas should consult with their region’s Labor Market Analyst to review updated data and trends that may impact planning efforts and to use demographic information provided to assure workforce related needs of special populations. In addition, occupational demand lists should be carefully reviewed with attention to current economic conditions. The Plan Modification consists of two parts, the Strategies and Policy Updates, and WIA Compliance sections.

#### Section I: Strategies and Policy Updates

The Strategies and Policy Updates section is in the form of questions that will address:

1. Priority of Service for recipients of public assistance, other low-income individuals, veterans, and eligible spouses of veterans;
2. Supportive services and needs-related payments;
3. Youth activities;
4. Reemployment services under the Wagner-Peyser Act;
5. Training; and
6. Continued emphasis on services for special needs populations.

#### Section II: WIA Compliance

The WIA Compliance section deals with the Local Board Policies that are regulated by the Workforce Investment Act. In this section, local boards are asked to verify that the policies contained in their current Plan and in their Functional Alignment Addendum remain in effect, or indicate that the policy has changed. Where policies have changed or new policies have been instituted, the policy must be attached.

During the State review process, local areas may be asked for clarification or additional information. **Responses will become part of the local plan, and will be considered policy.**

## **Section I. Strategies and Policy Updates**

### **1. Priority of Service**

Local Boards must incorporate priority of service for veterans and eligible spouses as mandated under federal regulations that went into effect on January 19, 2009. In addition, the Recovery Act requires a statutory priority for recipients of public assistance and other low-income individuals.

It is important to understand that veterans' priority of service is not intended to displace the core mission of any particular program. More specifically, a priority of service within a priority is created for those programs that are derived from a federal statutory mandate (such as the Recovery Act) that requires a priority or preference for a particular group of individuals. As an example, when you collectively compare recipients of public assistance and other low-income individuals with veterans and eligible spouses of veterans, the following priority order is applicable:

1. The first population to receive intensive and training services is public assistance and low-income veterans (or eligible spouses of veterans);
2. The second priority is for public assistance and low-income non-veterans;
3. The third priority is for veterans (or eligible spouses of veterans) who are not low-income or receiving public assistance;
4. The last priority is for adults who are non-veterans who are not low-income or receiving public assistance.

To this end, Local Boards are required to show evidence that strategies and policies are in place (or will be in place) addressing priority of service.

#### **a. Public Assistance and Low-Income Populations:**

Priority use of WIA Recovery Act funds for intensive and training services must apply to recipients of public assistance and other low-income individuals. This requirement is a major shift from current state guidance for non-Recovery Act WIA Adult formula funds which gives the Local Board discretion to enact priority of service.

In order to better understand current guidance regarding priority of service it is helpful to look back at historical guidance on this topic. The "Planning Guidelines for the Comprehensive Three-Year Local Plan (Program Year 2005 to 2007)" issued by the Department in February 2005 required Local Boards to describe the criteria used to determine whether funds allocated for employment and training activities are limited, and the process by which any priority of service will be applied. This guidance did not mandate that priority of service be enacted. Subsequently, the "Local Plan Modification for Program Year 2008" required the Local Board to submit any changes to current priority of service policy (if applicable) and to indicate if the Local Board has since declared a priority of service to be in effect.

Based on this historical guidance, it is possible that a Local Board has never declared priority of service to recipients of public assistance and other low-income individuals. The Recovery Act now requires every Local Board to declare priority of service to recipients of public assistance and other low-income individuals. Only WIA Adult funds are covered under this provision of the Recovery Act, as priority of service to recipients of public assistance and other low-income individuals does not apply to youth, dislocated worker, Wagner-Peyser, and Reemployment Services grant funds.

The Local Board must show clear evidence that priority of service is provided for intensive and training services under Recovery Act WIA Adult funds to recipients of public assistance and low-income individuals. As such, please respond to the questions below. Additionally, the Local Board is encouraged to develop a separate policy guidance document to be distributed to all impacted One-Stop Career Center staff members. Please find a sample policy provided in Attachment I.

1. Describe the method(s) that will be used to identify an individual as a priority customer. Please include:

- a. A description of how the appropriate documentation is collected and maintained when an individual self-identifies as a public assistance recipient or other low-income individual;
- b. The parameters to be used that qualifies someone as an low-income individual (note – income earned while on active duty status is required to be disregarded in eligibility determinations); and
- c. The estimated percentage/number of WIA Adult customers that will qualify for priority of service during the program year.
- d. If applicable, indicate how it was determined there are sufficient local resources for employment and training activities to serve all customers, so that a priority of service does not need to be applied for customers served by non-Recovery WIA Adult funds.

**a. At the time of registration, public assistance recipients self-identify as such. At the point where intensive and/or training services are planned, a standard form is used for the local public assistance office to verify the customer’s status as a public assistance recipient. This form is kept in the customer file.**

**Other “low-income” customers are required to sign an applicant statement and/or provide pay stubs, bank statements, or other appropriate sources of verification to confirm their status as “low-income.” All documentation is kept in the customer’s file.**

**It should be noted that most intensive services do not require “priority of service” as they are available to all, but for those intensive services that do have limited access, such as computer training, priority of service will be implemented. All training services require documentation of public assistance or low income status.**

**b. The parameters used to qualify someone as a low-income individual are described in WIA Law at Section 101(25).**

**c. Based on experience in previous years, as well as the current state of the economy, we estimate that 40% of WIA Adult customers will qualify for priority of service.**

**d. Not applicable**

2. If your local area will not be applying priority of service to all adults, describe the procedure(s) that will be used to differentiate between Recovery WIA Adult and non-Recovery WIA Adult customers for purposes of Priority of Service. [Note: depending on local policy, priority of service may not be mandatory when services are provided with non-Recovery WIA Adult funds]

**Not applicable**

3. Describe the internal monitoring process, including subrecipient monitoring, that will be initiated to ensure federal priority of service requirements under the Recovery Act are successfully implemented and adhered to.

**Each month, the FMS Workforce Development Board’s Accountably Committee meets and reviews expenditures, accruals, and obligations, including those training funds for which ARRA are utilized. For the first 6 to 9 months of the funding year, we may fund those customers who do not meet priority of service, as there are more funds available than customers who require training and meet the priority of service category.**

**As the year progresses, and funds become more limited, however, the committee will then decide that only those customers meeting the priority of service definitions will be granted funding. Once this decision is made, the subcontractor assures the WDB that only public assistance and/or low-income Adults and/or veterans or eligible spouses will be approved for Adult training funds, according to the priority of service policies.**

4. Describe the modifications to Functional Alignment and/or Customer Flow that will be made (if any) to enhance implementation of priority of service.

**None**

5. Describe the methods of training and communication that will be implemented at the local level to ensure all impacted staff members are aware of and utilizing priority of service in the daily operations.

**The FMS Workforce Development Board will craft language that provides clear direction to ensure priority of services for provision of intensive and training services to all WIA adults who are recipients of public assistance or are low-income as defined by the FMS WDB. The Center Leadership team (made up of WIB staff, the WIA subcontractor, and the NYSDOL ES Supervising LSR) is developing and scheduling training for Center staff meetings and individual team meetings so that staff will understand how all WIA Adult public assistance recipients or low income as defined by FMS WDB priority of service requirements are assimilated into the daily operations of the Centers. Technical Advisory #09-14 will provide the basis for information shared during the training. Additionally, all staff will receive an e-mail communication outlining the intent of the policy and the procedures to follow. These procedures will also be incorporated into an “Ask Wibster” question and answer that is sent out to all staff.**

6. Please include relevant information not mentioned above that supports the Local Board's strategy for providing priority of service to recipients of public assistance and other low-income individuals.

**None**

**b. Veterans & Eligible Spouses of Veterans:**

The United States Department of Labor implemented veterans' priority of service via regulation that went into effect on January 19, 2009. As a result of this regulation, all One-Stop Career Centers will need to have clear strategies for providing veterans and eligible spouses of veterans with the highest quality of service at every phase of services offered. Comprehensive guidance has been provided by the Department under the Workforce Development System Technical Advisory #09-14 released on April 29, 2009.

The federal regulation requires that Local Boards develop and include in their strategic local plans, policies implementing priority of service for the local One-Stop Career Centers and for service delivery by local workforce preparation and training providers. These policies must establish procedures to ensure that covered persons are given an opportunity to identify themselves as a veteran or eligible spouse at the point of entry thus allowing them to take full advantage of priority of service. Please note, federal regulations currently provide direction that verification of the status of an individual as a veteran or eligible spouse at the point of entry is not required.

More specifically, policies implementing priority of service shall ensure that covered persons are aware of: (1) their entitlement to priority of service; (2) the full array of employment, training, and placement services available under priority of service; and (3) any applicable eligibility requirements for those programs and/or services. Under this context, local policy should detail the strategies and procedures to be invoked that will satisfy the requirements as found in Federal regulation. For additional guidance, you are strongly encouraged to view the Federal regulations as found at 20 CFR Part 1010, published at *Federal Register* 78132 on December 19, 2008.

The Local Board must show clear evidence that priority of service is provided for veterans and eligible spouses of veterans. As such, please respond to the questions below. Responses become part of the local plan, and are considered policy. Additionally, the Local Board is encouraged to develop a separate policy guidance document to be distributed to all impacted One-Stop Career **Center staff members.**

1. Describe the policies that will be established to ensure covered persons are identified at the point of entry thus allowing them to take full advantage of priority of service. [Responses should include the procedures that are in place to ensure signage is properly displayed and the procedures that are in place to identify covered persons who physically access or virtually access service delivery points.]

**At the Greeter's Desk (point of entry to the Centers) all customers are asked if they are a veteran. If the answer is "yes" this is noted and priority of service policy is initiated immediately. If a Veteran's Representative/Workforce Advisor is not available to see the customer, the customer will be seen by the next available Workforce Advisor. Signage is displayed in the Greeter area, in the Resource Room, and on the Center Orientation Power Point Presentation that runs continuously on the large screen TV in the Resource**

**Room. This policy will be expanded to emphasize “eligible spouse” as well. Priority Service for Veterans is posted on the Job Seeker page of the FMS Website.**

2. Describe the enhancements that will be made to local area websites advising self-service users of priority of service.

**Priority of Service for Veterans and Eligible Spouses will also be posted on the Home Page of the FMS Website (with a link to the Policy itself).**

3. Describe the procedures that are in place to ensure all contract templates, RFP, and sub-contract agreement language is revised to include priority of service language.

**The Executive Director of the FMS WDB is responsible for developing language for contract templates, RFPs, and subcontract agreement language. She has reviewed all pertinent documents and they have been rewritten to incorporate priority of service language. She and the Leadership Team have reviewed all promotional materials regarding services to job seekers and services to businesses to ensure that services to veterans and their eligible spouses are highlighted.**

4. Describe modifications to Functional Alignment and/or Customer Flow that will be made (if any) to enhance implementation of priority of service.

**If a Veteran’s Representative/Workforce Advisor is not available to see the Veteran or Eligible Spouse, he or she will be seen by the next available Workforce Advisor. This procedure has been incorporated into the Customer Flow description in the Center Policies and Procedures Manual and the policy has been added to the section on FMS WDB Policies in the Center Policies and Procedures Manual.**

5. Describe the methods of training and communication that will be implemented at the local level to ensure all impacted staff members are aware of and utilizing veterans’ priority of service in the daily operations. [Training should include defining the terms “veteran”, “eligible veteran”, “covered person”, “eligible spouse”, and “qualified job training program”. Technical Advisory #-09-14 provides specific guidance on the information that should be shared with staff.]

**The FMS Workforce Development Board will craft language that provides clear direction to ensure priority of services for provision of intensive and training services to all veterans and eligible spouses. The Center Leadership team (made up of WIB staff, the WIA sub-contractor, and the NYSDOL ES Supervising LSR) is developing and scheduling training for Center staff meetings and individual team meetings so that staff will understand how veterans’ priority of service requirements are assimilated into the daily operations of the Centers. Technical Advisory #09-14 will provide the basis for information shared during the training. Additionally, all staff will receive an e-mail communication outlining the intent of the policy and the procedures to follow. These procedures will also be incorporated into an “Ask Wibster” question and answer that is sent out to all staff.**

6. Describe the outreach strategies (if any) that will be incorporated into local policy in an effort to “get the word out” about veterans’ priority of service. [Outreach strategies may also be targeted to employers

in an effort to gain support and interest for the hiring of veterans. In addition to the existing Work Opportunity Tax Credit veteran target group, the Recovery Act added “unemployed veterans” as a targeted category. An employer who hires an unemployed veteran (defined as discharged from active duty in the Armed Forces at any time during the five-year period ending on the hiring date, and receiving unemployment compensation for at least four weeks during the year prior to being hired by the employer) may qualify for a federal tax credit incentive.]

**WDB staff will work with the Business Services Team to ensure that all employer materials are updated to highlight the benefits of hiring an unemployed veteran. Benefits of Hiring Veterans will also be highlighted in FMS Newsletters included in the Chamber of Commerce monthly newsletters. Business Services Representatives will promote the benefits of hiring an unemployed veteran in their visits to employers and at other employer venues such as Chamber Business After Hours events.**

7. Describe the internal monitoring process that will be initiated to ensure federal veterans’ priority of service requirements are successfully implemented and adhered to.

**Monitoring “point of entry” identification of veterans and eligible spouses to ensure veterans’ priority of service requirements will be accomplished through observation of front desk practices. Monitoring will be conducted by the WDB’s Program Management Specialist and other members of the Center Leadership Team. Customer Flow is a frequent topic at Team Meetings and Center Staff Meetings. Observations from the monitoring will be shared with staff at monthly Team Meetings and at Center Staff Meetings.**

**Each month the WDB’s Accountability Committee meets and reviews expenditures, accruals, and obligations, including training funds charged to ARRA. For the first 6 to 9 months of the funding year we may fund those who do not meet priority of service, as there are more funds available than customers who require training and meet the priority of service category. As the year progresses, and funds become more limited, however, the committee will then decide that only those customers meeting the priority of service definitions will be granted funding. Once this decision is made, the subcontractor assures the WDB that only public assistance and/or low-income Adults and/or veterans or eligible spouses will be approved for Adult training funds, as outlined in the priority of services policy.**

8. Please include relevant information not mentioned above that supports the Local Board’s strategy for providing veterans and eligible spouses of veterans with priority of service.

**None**

## **2. Supportive Services and Needs Related Payments**

The Recovery Act places a strong emphasis on providing increased services and training for workers in need. Further, the Recovery Act and New York State policy require the use of funds for supportive services and needs-related payments that are necessary to ensure that participants are able to fully avail themselves of appropriate employment and training opportunities. Needs related payments must be made available to enable participants to pursue training of sufficient duration to acquire skills and credentials of value that will connect them to emerging jobs as the economy recovers.

As USDOL – ETA has acknowledged, differentiating between individuals served with Recovery Act and non-Recovery Act funds is challenging, since eligibility requirements are the same, and the funds must be spent concurrently. Accordingly, it is expected that local areas will make supportive services and needs related payments available to participants served by both Recovery Act and non-Recovery Act funds.

Local areas are therefore directed to develop policy guidelines for the administration of supportive services which include the following:

### **Definitions and Descriptions of Local Policy:**

#### **a. Supportive Services:**

WIA §663.800 (Ref: §101(46) and 134(e)(2)) defines supportive services for adults and dislocated workers as those that include transportation, child and dependent care, housing and needs related payments which are necessary to enable individuals to participate (or continue to participate) in activities authorized under WIA Title 1B and which are not available through other programs.

Supportive services for youth are defined in the WIA Rules and Regulations at §664.440 as including, but not limited to:

1. linkages to community services;
2. assistance with transportation costs;
3. assistance with childcare and dependent care costs;
4. assistance with housing;
5. referrals to medical services; and
6. assistance with uniforms or other appropriate work attire and work related tool costs, including such items as eyeglasses and protective eyewear.

Supportive Services can only be provided to individuals currently enrolled in a WIA program, except for Youth who may continue to receive Supportive Services during Follow Up at the discretion of the local area, per §664.450(a)(1).

1. Supportive service categories may be administered separately and distinctly from one another or disallowed completely by Local Boards. Describe how the Local Board will administer the following categories: Housing, Child and Dependent care, Transportation, Other payment categories, and Other supportive services specific to youth as defined in §664.440:

**Supportive services are primarily used for customers in training. FMS has distinct policies for child care and transportation that define eligibility requirements and payment limitations. We do not provide housing assistance or dependent care, but staff in the Resource Rooms and the Workforce Advisors are able to make referrals to the appropriate agencies if customers indicate a need and ask for assistance in obtaining either. FMS also has a policy for post-employment supportive services that defines eligibility and limits to the service. Exceptions to both policies can be made by the Executive Director of the FMS WDB on a case-by-case basis.**

**Supportive services for youth are delivered on an as-needed basis during both program enrollment and as a follow-up service.**

2. Describe how the LWIA will establish initial and continuing eligibility for Supportive Services:

**All Dislocated Workers and all WIA youth are eligible for supportive services. Adults are eligible if they meet priority of service requirements and/or training requirements. Once eligible, customers remain eligible throughout their enrollment, but they must continue to comply with the procedures to submit vouchers, receipts, etc.**

3. Describe the following:
- a. Timing and frequency of services;
  - b. Duration of services
  - c. Priority of funding;
  - d. Service adjustments;
  - e. Exceptions; and
  - f. Referrals to alternative sources of assistance, including use of local partnerships.

**The Supportive Service Policy is written as a service provided in conjunction with training services, but exceptions are made to provide a supportive service on a one-time basis if necessary.**

**a. Ongoing supportive services such as transportation and child care during training are issued every 2 to 4 weeks, depending on customer preference. Customers meet with their Workforce Advisor for case management and to submit vouchers, receipts, etc. One-time supportive services are paid as needed.**

**b. Supportive services are primarily used for customers in training. The FMS ITA policy limits training services to 52 weeks, so supportive services are limited to 52 weeks as well. One-time payments may be utilized at any time during the enrollment period.**

**c. A customer who is eligible for training services is automatically eligible for supportive services. Exceptions for a one-time supportive service can be made, with those meeting priority of service being served first.**

**d. Adjustments to supportive services plans are made as needed.**

**e. Exceptions to the policy can be made by the Executive Director of the FMS WDB on a case by case basis.**

**f. Referrals to other agencies providing supportive services are provided as well.**

4. Describe the accountability measures and methods of documentation of supportive services (by funding category):

**Customers are required to complete attendance sheets, mileage vouchers, and child care vouchers on a pre-determined bi-weekly basis. It is the customer's responsibility to submit accurate and complete documentation in order to receive payment. The Workforce Advisors meet with the customers and approve mileage and child care vouchers and submit them for payment.**

**Attendance Sheets**

- **Must be filled out completely and have all signatures present to be accepted,**
- **Customers obtain signatures for each class as well as all internships, field trips, and labs,**
- **If the participant misses a class for any reason (e.g. sickness, car trouble, cancellation, etc.) they must document the reason in place of the instructor's**

**signature,**

- **If a class is cancelled without prior notice, and it was the only class for the participant that day, they must get an instructor's signature when they return in order to receive day care or travel allowance.**

#### **Mileage Vouchers**

- **40 cents per mile,**
- **Maximum of \$20.00 per day,**
- **One round trip each day unless there is a 3-hour break (or longer) between classes or there is a break over the dinner hour (e.g. 2 hour break between 4 and 6 p.m.),**
- **Both weeks should be logged on one sheet, if possible,**
- **Only use one line for each trip,**
- **Odometer reading must be filled out,**
- **Trips to internship sites and field trips will be reimbursed IF there is an authorized signature on the attendance sheets to verify attendance,**
- **Travel to and from a babysitter may be claimed,**
- **Travel to the Workforce Solutions Center for bi-weekly case management may be claimed.**

#### **Childcare Vouchers**

- **\$3 per hour,**
- **Maximum of \$25.00 per day/per child,**
- **Payments go directly to the childcare provider**
- **A child's parent cannot be paid for childcare,**
- **Payment is only for the hours spent in class, with an extra hour allowed for travel time to and from the sitter (e.g. 4 hours class time = 5 hours of childcare),**
- **Use separate lines for each child if they spent a different number of hours at the sitter,**
- **Use separate forms for each childcare provider.**

#### **b. Needs-Related Payments (NRP):**

The goal for One-Stop Career Centers should be that no individual approved to attend training should have to refuse or abandon such training because he or she cannot afford living expenses. Needs-related payments (NRPs), a sub-category of supportive services, are a means of allowing trainees to pursue or continue full-time training when they do not qualify for or have exhausted their Unemployment Insurance (UI) benefits. The Recovery Act and New York State policy require that these payments be made available to adult and dislocated worker trainees to enable them to complete the level of training that will make them more competitive in the job market.

Needs-related payments are defined in §663.815 as providing “financial assistance to participants for the purpose of enabling individuals to participate in training”. To qualify for NRPs, “adults must be unemployed; not qualify for, or ceased to have qualified for, unemployment compensation; and be enrolled in a program of training services under WIA §134(d)(4).” Please note that needs-related payments are not considered taxable income, according to USDOL.

Dislocated workers (DW) are additionally required to “have ceased to qualify for TAA or NAFTA-TAA; and be enrolled in a program of training services under WIA §134(d)(4) by the end of the 13<sup>th</sup> week after the most recent layoff that resulted in a determination of the worker’s eligibility as a dislocated worker, or if later, by the end of the 8<sup>th</sup> week after the worker is informed that a short-term layoff will exceed six months.” [Note: NYSDOL has requested a waiver to allow the dislocated worker requirements to be the same as the adult requirements. Upon approval, notice will be communicated to local areas.]

Needs-related payments may also be paid to youth who are enrolled in training, at the discretion of the local area.

A sample Training Support Analysis Form that can be used as a template when designing a method for determining an individual’s qualifications for NRPs is included as Attachment H.

Local needs-related payment policy should include provisions that such payments will not be offered to individuals who have another means of financial support, such as TANF.

1. Regarding the eligibility of participants:

- a. How many hours/credits must a participant be registered for in order to remain eligible for NRPs?
- b. What academic and attendance standards will be required for payments to continue and how will this be verified?
- c. Can and/or will payments be made to participants on sick, vacation, or holiday leave?
- d. How will Extended UI Benefits affect receiving NRPs?
- e. Will NRPs be suspended during periods of earned income and will participants have to re-qualify to start receiving NRPs again once the income ends? (How will income be calculated?)
- f. If an individual receives NRPs at the same time as supportive services from another program/partner, how will this be coordinated and documented?

<p><b>a. In order to receive Needs Related Payments, customers must be enrolled in full-time training. Full-time is defined as 12 credit hours, or 12 seated classroom hours.</b></p>
<p><b>b. Students must maintain a 2.0 GPA in order to continue qualifying for NRPs. Students in non-credit programming must maintain satisfactory progress. Mid-term and semester grades are collected to verify GPA, while progress reports are used for non-credit programs.</b></p>
<p><b>c. Students continue to receive NRPs during any school breaks that are 14 days or less; breaks 15 days or longer require the students to participate in activities at the Workforce Solutions Center (e.g. workshops) in order to receive NRPs. School breaks are defined as Spring Break, Winter/Christmas Break, and the period of time between Fall and Spring, Spring and Summer, and Summer and Fall semesters. Under no circumstances are customers allowed to collect NRP over the summer if they are not attending classes. If a student needs to withdraw because of an illness, NRPs will cease; however, sick days themselves do not affect the weekly payment.</b></p>
<p><b>d. Extended UI benefits will delay or possibly negate the need for NRPs, as they will be used before any NRPs are issued. NRPs are suspended during periods of earned income. Once the income ends, the NRPs will be reinstated without the need to re-qualify.</b></p>
<p><b>e. NRPs are suspended during periods of earned income. Once the income ends, NRPs will be reinstated without the need to re-qualify.</b></p>
<p><b>f. Although supportive services from other programs/partners do not in and of themselves affect the receipt of NRPs, they are taken into consideration in the students overall budget and documented in the student's ITA narrative.</b></p>

2. Regarding the payments of NRPs:
  - a. How will the payment amount of NRPs be determined?
  - b. What is the maximum allowable individual payment?
  - c. What is the limit on number of payments per individual?
  - d. How will overpayments (or the potential for overpayments) be monitored and recovered?
  - e. What will the payment schedule for NRPs be?
  - f. How will participants claim payments?

**a. The payment amount for Needs Related Payments is equal to the weekly poverty level for a family of one.**

**b. The maximum allowable individual payment is the same for all customers – the weekly poverty level for a family of one.**

**c. NRPs are only available to customers in classroom training. Classroom training is limited to 52 weeks; therefore, NRPs are limited to 52 weeks.**

**d. Customers receiving NRPs sign a statement every two weeks to attest that they are not receiving/have not received any UI payments for the same time period. They also attest that they will return any NRPs if UI payments for those weeks are subsequently received. Reimbursement payments come directly from the customer.**

**e. NRPs are issued for a two-week period. Customers have the choice to receive them every 2 or 4 weeks.**

**f. Payments are claimed by filling out a NRP form that identifies the weeks for which the payments are claimed, as well as a signature to attest that they have not received UI payments for those weeks; and if they do, that they will return the NRPs.**

3. Regarding the administration of the NRP program:
  - a. Who will have the authority to approve participant requests for NRPs?
  - b. Who will manage the NRP program?
  - c. Who will respond to questions and complaints?
  - d. Who will handle NRP form distribution, payment accounting, and payment processing?
  - e. How will the requirements for and payments of NRPs be documented?

**a. Mary Hill, Director of the Private Industry Council, the WIA sub-contractor, approves participant requests for NRPs.**

**b. Mary Hill, Director of the Private Industry Council, the WIA sub-contractor, manages the NRP program.**

**c. Mary Hill, Director of the Private Industry Council, the WIA sub-contract, responds to questions and complaints.**

**d. Workforce Advisors, the case managers of classroom training participants, distribute the forms to customers and submit them to Mary Hill for payment. The sub-**

**contrator's fiscal service handles the check writing and accounting. The FMS WDB's Fiscal Manager monitors the accounting.**

**e. The FMS WDB has a NRP policy that describes the requirements for NRPs. Payments are documented in the sub-contractor and the FMS WDB accounting systems.**

### 3. Youth Activities and Summer Youth Employment Programs

As cited in TEGL #14-08, the Recovery Act does not limit the use of the funds to summer employment, but the Congressional explanatory statement for the Act states that “the conferees are particularly interested in these funds being used to create summer employment opportunities for youth.” The Recovery Act also expands the eligibility criteria for the program to serve youth up to age 24.

ETA strongly encourages local areas to:

- Design age appropriate activities and work readiness goals;
- Establish worksites that offer meaningful work experience;
- Incorporate green work experiences;
- Develop connections to Registered Apprenticeship programs;
- Integrate work-based and classroom-based learning activities;
- Link summer employment to academic learning for summer employment participants who do not have a high school diploma;
- Offer continued services to support older, out-of-school youth during non-summer months; and
- Focus on the neediest youth, including out-of-school youth and those most at risk of dropping out, youth in and aging out of foster care, youth offenders and those at risk of court involvement, children of incarcerated parents, and migrant and farm worker youth.

With that in mind, please answer the following questions:

1. Describe your PY 2009 summer youth employment program design and include the following:
  - a. Activities broken out by age groups:
    - i. 14 – 15
    - ii. 17 – 18
    - iii. 18 - 21
    - iv. 22 – 24
    - v. 18 – 24 for work experience only 10/1/09 through 3/31/10;
  - b. Work readiness component;
  - c. Definition of work readiness to be measured;
  - d. How measurable increases of work readiness will be determined;
  - e. How “green” work experience or training will be incorporated into your program;
  - f. Apprenticeship opportunities; and
  - g. Outreach and services to migrant and farm worker youth and other neediest youth populations. Describe the various strategies you employed to recruit these target populations.

**The FMS LWIA Summer Youth Employment Program is designed to teach youth job skills, develop good work habits, and explore career opportunities.**

**Employers today have a large labor force to choose from and are likely to select individuals who have already developed basic work skills, such as acceptable work attitudes, good work habits, and reliability. This is an excellent chance for eligible youth to develop these characteristics and gain an edge in today’s competitive labor market.**

**The goals and objectives of the youth program are:**

- 1. To encourage youth to complete or continue their education.**
- 2. To improve attendance and grades of these students while they are in school.**
- 3. To provide information to help students make better life choices.**
- 4. To provide productive work experience and develop good work attitudes.**
- 5. To develop community pride and enhance citizenship skills.**
- 6. To provide youth with an increased knowledge of the labor market information.**

**All youth receive:**

**a. Work Experience**

**14 to 17 years old – 30 hours per week for 6 weeks**

**18 to 24 years old – receive 35 hours per week and can work up to 8/31/09. A job fair will be held during this time to assist them in finding permanent employment**

**b. Work Readiness Component: ESP (Employee Success Program) Training – 15 hours of training that covers all the soft skills needed to be a successful employee.**

**c. Employee Success Program Topics include: World of Work, Introduction to Customer Services, Communication Skills at Work, and On-The-Job Success.**

**d. All youth are pre-tested and post-tested. Upon demonstrating an increase in knowledge, reaching the 70<sup>th</sup> percentile or higher, they receive a Certificate of Attainment. Worksite supervisors must also attest that youth are demonstrating these skills on the worksite. All youth participating in the program are evaluated each payroll period during the summer by their immediate supervisor.**

**e. Several of our worksites have incorporated “green” work experience activities. Many of the older youth are working with the weatherization programs, installing energy efficient windows and furnaces and insulating homes. One worksite in Montgomery County is involved in the complete renovation of older homes owned by the city. The youth are involved in the demolition, plans for redesign, and discussions on what materials are used to create energy savings for the new owners. Older out-of-school youth will also be invited to attend a career day that is being scheduled for October. The focus will be on occupations in health, advanced manufacturing, and green jobs.**

**f. Apprenticeship opportunities will be presented at the Career Day in the fall. All older out-of-school youth involved in the program will be invited to attend.**

**g. Outreach for the summer youth program begins in early May. Outreach to migrant farm workers is done through the local school districts and Cooperative Extension Offices in our areas. Outreach and recruitment for other needy youth is done by staff who visit all local high schools, County Departments of Social Services, County Probation Departments, Division of Youth Facilities, and local Planned Parenthood offices.**

**The Summer Youth Employment Program also provides remediation for all youth who are basic skills deficient or below grade level as well as GED classes for all youth who are high school dropouts.**

2. Provide the following:
  - a. What percentage of Recovery Act funds do you plan to spend on summer 2009 activities from 5/1/2009 through 9/30/2009 and how many participants will be served?
  - b. What percentage of Recovery Act funds do you plan to spend on serving older youth participating in work experience only activities from 10/1/2009 through 3/31/2010 and how many participants will be served?

**a. Summer Activities beginning on 5/1/09 will serve 278 youth and spend 60% of the allocated funds.**

**b. From 10/1/09 through 3/31/10, an additional 15% of the funds will be used to serve 40 older youth in work experience only activities.**

3. If the fiscal agent or grant recipient is not operating the summer employment program, please describe the Local Board's procedures for procuring summer employment providers.

**The FMS WDB issues an RFP for all WIA services, Adult, Dislocated Worker, and Youth, as well as services for a summer youth program under TANF. We are in the first year of a new contract, renewable for up to 4 additional years. Budgets and program deliverables are negotiated annually with the subcontractor.**

4. Describe the type of summer program worksites that were identified, recognizing that youth worksites could not include casinos or other gambling establishments, aquariums, zoos, golf courses, or swimming pools when funded with Recovery Act funds:
  - a. How were/will worksites be selected?
  - b. Identify the type of sites, i.e. public sector, private sector, non-profits that were/will be used.
  - c. What is the local plan to ensure that adherence to current workplace safety guidance and applicable federal/state minimum wage requirements are observed?
  - d. How will you ensure that the youth work experience does not unfavorably impact current employees and/or impair existing contracts for services or collective bargaining agreement, or replace laid off workers?
  - e. Will youth be matched to work sites based on their goals and interest? If not, how will they be matched?
  - f. Please identify the project-based or service learning that will be utilized.

**The subcontractor for WIA services, the FMS Private Industry Council, has worked with the youth programs in our three-county LWIA for over 30 years, and staff have extensive knowledge of worksite performance during this time.**

**a. Worksites are selected based on past experience as well as on new opportunities they have to offer our youth. When selecting worksites, we acknowledge that supervisors are the backbone of the work experience program. They have a tremendous impact on its success or failure. These individuals are the primary factor influencing the quality of each youth's summer employment experience. We search for supervisors who are willing to listen and give feedback to the youth placed in their agencies. Constructive criticism is an important tool in molding the youth under supervision into mature employees with good work habits and attitudes.**

**b. Private sector, public sector, and not-for-profit worksites are used. Examples of these include schools, hospitals, town recreation programs, YMCAs, nursing homes, museums, libraries, and private businesses.**

**c. All supervisors are required to follow Youth Employment Program regulations such as time and attendance procedures, NYS Child Labor Laws, and to adhere to the Youth Employment Program worksite agreement. This agreement is signed by the worksite supervisor and by WIA staff. This information is reviewed verbally and provided in writing during a mandatory worksite orientation.**

**The subcontractor is responsible for monitoring worksites for safety and to ensure that youth are following labor laws. They are also responsible for computing and paying youth. All youth receive minimum wage.**

**d. The worksite agreement signed by the worksite and WIA staff certifies that employment of the youth will not adversely impact current employees, impair existing contracts for services or employment, or replace laid off employees.**

**e. Youth are matched to worksites based on their goals, interests, and skills whenever possible. They are also asked to rank the following career clusters in order of preference, with 1 as their first choice, etc.: Health Care/Services, Office/Clerical, Child Care, Recreation/Parks, Maintenance/Cleaning, Computers/Technology, Customer Service/Retail. Although every effort is made to match the youth's career interests with a worksite, there is no guarantee. Due to the lack of public transportation in some of our rural areas, youth are not always able to be matched with their first or second choice.**

**f. We encourage all of our worksites to incorporate project-based learning into the summer program to:**

- 1. Develop knowledge or skills related to employment in the position/field they are working in.**
- 2. Provide career exploration and planning in the facility or organization the youth are working with.**
- 3. Provide opportunities and encourage youth to explore and learn all aspects of the organization.**
- 4. Increase personal and social competence related to the work place.**
- 5. Enhance participants' motivation and academic achievement.**

**Some of the project-based learning examples teachers have developed include:**

**measuring and weighing food for repackaging at a local food Co-op, researching the housing required for various birds, as well as measuring materials to construct a wild bird sanctuary facility.**

5. Integration of Work-Based and Classroom-Based Learning Activities, Academic and Occupational Learning are two options to complement work experience. Describe the following:

- a. Did your local area offer classroom-based learning along with the work experience during the summer youth employment program? If so, please detail to whom and how it was offered.
- b. Did your local area provide a direct link between summer employment and academic learning? If so, how was this accomplished?

**a. All youth participate in classroom activities during the first week of the program that introduce them to the world of work. These activities are designed to focus on the soft skills employers are requiring such team work, communication skills when dealing with supervisors and co-workers, time management, workplace culture, dealing with difficult people, and listening skills. Remediation and GED classes are also required for all youth who are basic skills deficient, below grade level, or are high school drop outs.**

**b. During the work experience component, youth work with crew leaders, counselors and remedial teachers who assist worksite supervisors in the development of work-based learning skills. Some examples are: computing sales and making change, designing and constructing community gardens, and developing customer service skills. Youth also complete questionnaires regarding “What new skills did you learn this summer?” The evaluations and feedback we receive from youth, worksite supervisors, and staff are used to make changes or additions to our future programs.**

6. Describe what your year-round program design for Recovery Act funds includes. Indicate whether you are reserving your Recovery Act funds to support summer youth employment and extended work experience only activities for older youth.

**The year-round program design for Recovery Act funds combines all the elements of the “regular” year-round program with extended work experience activities for older youth, up to and including 24 years of age. The ARRA funds also make it possible for full-time GED instruction in each of our three Workforce Solution Centers.**

7. Briefly describe how you are coordinating the expenditure of your WIA Formula funds and Recovery funds to optimize program flexibility and ensure adequate expenditure rates for both funding sources.

**Prior to the receipt of ARRA WIA youth funds, FMS did not have enough resources available to fund either a WIA summer youth employment program or full time GED classes for out-of-school youth in each of the three Workforce Solutions Centers. Additionally, we were only able to provide services to youth up to and including the age of 21 years, while with ARRA funds we are able to serve youth up to and including the age of 24 years. This includes both an educational component and a work experience component. We are now including ARRA funds to provide a summer youth employment program for youth 14 years up to and including 24 years of age.**

**Additionally we have used ARRA funds to expand the year-round GED classes in each of the Centers to full day programs and to fund a Senior Youth Coordinator position to coordinate ARRA and WIA youth formula funded activities. Programs budgets and activities are cost allocated at the beginning of the contract year and the FMS WDB fiscal manager and the sub-contractor's fiscal service work together to ensure adequate expenditure rates for both funding sources. This process is overseen and approved through monthly reports to the Board's Accountability Committee.**

8. Describe your local strategy for continued services supporting older, out-of-school youth during non-summer months including:

- a. Any supportive services, daycare, incentives, and needs-based payments; and
- b. Co-enrolling youth in adult training services.
- c. Promoting the availability of employer tax credits to hire disconnected youth, ages 16-24, during 2009 or 2010.

**Our local strategy for continued services supporting older, out-of-school youth during non-summer months includes co-enrolling youth in adult training and supportive services, when appropriate. Supportive services and incentives may be given as needed and appropriate through the youth program. Youth staff work closely with our Business Services Representatives (BSRs) when looking to place youth in work experience positions and/or finding permanent employment. BSRs and our Disability Program Navigator will assist in the marketing of available tax credits to employers hiring disconnected and/or disabled youth.**

#### **4. Reemployment Services under the Wagner-Peyser Act**

The Recovery Act provides dedicated funding for allowable reemployment services including, but not limited to: occupational and labor market information, in-person staff assisted services, initial and comprehensive assessment; career guidance; group and individual counseling; development of individual employment plans/training plans; identification of skills gaps and transferable skills; as well as job search assistance and referral to jobs.

Local plans are required to address the following issues as they relate to reemployment services:

1. Describe how the LWIA will ensure that a full array of reemployment services is provided to UI customers, including skill assessment, career planning and training.

**All UI customers who are required to work search will be called in via the REOS system. Each individual will meet with a Workforce Advisor. An initial assessment will be conducted and the range of services available will be explained. Follow up interviews will be conducted for additional skills assessment, career planning, and training options.**

2. With the emphasis on training in the Recovery Act, explain how you are promoting training to UI customers, including the Section 599 provisions of the UI Law.

**Career opportunities and related training options are explained at the initial interview and on all subsequent visits to the Center. Workforce Advisors review customers skills**

**and abilities and previous work experience in relation to current and emerging workforce needs. The value of training as a way to be better prepared for new jobs is accentuated. Specific training opportunities are posted in Workforce Advisors cubicles, displayed prominently in the Resource Rooms, and frequently mailed to appropriate customers.**

3. Describe any specialized services or training opportunities that will be developed to meet the needs of UI Customers.

**We are planning a career fair for October focusing on training programs in Health, Green Jobs, and Advanced Manufacturing. UI customers will be invited to meet with local training providers and representatives of apprenticeship programs to discuss opportunities in training and the careers they will lead to. We have purchased additional licenses for the Metrix Learning System and will continue to encourage UI customers to take advantage of short term training opportunities to increase their skills.**

4. Explain how your area is dealing with increased numbers of UI customers in a functionally aligned/integrated manner.

**All Workforce Advisors, regardless of funding agency, see new UI customers to assist them with assessing their skills, discussing training needs, and developing ITAs. Our WIA subcontractor is also in the process of hiring a floating Workforce Advisor who can move between the three Centers as needed to provide services to UI customers.**

5. What strategies is the LWIA using to keep UI customers engaged for an increased length of time as a result of the currently recessed job market? In particular, discuss the amount of time that is allowed to lapse before a call-back for services.

**Staff stays in contact with the customer after the initial assessment and at subsequent appointments to advise them of programs and keep updated on their progress. Follow-up appointments are scheduled at least every 5 weeks. Customers enrolled in training are case managed by members of the Workforce Advising Team. Customers in classroom training are seen bi-weekly to monitor their training progress and to offer any assistance they may need to successfully complete their training program.**

## **5. Individual Training Accounts (ITA), Customized Training and OJT**

The American Recovery and Reinvestment Act provides an unprecedented opportunity for expanded access to training and related services for workers. This infusion of additional formula funds should result in a substantial increase in the number of adults and dislocated workers receiving training services. Additionally, LWIAs have the authority to enter into contracts with institutions of higher education, such as community colleges, or other eligible training providers to facilitate the training of multiple individuals in high-demand occupations, so long as the contract does not limit customer choice. As indicated in TEGL 14-08, institutions of higher education, including community colleges, do not need to be on the state list of eligible training providers. Other training providers, which are not institutions of higher education, must be on the state eligible training providers list in order to be awarded a contract.

In anticipation of the receipt of Recovery Act funding, the Department issued Technical Advisory #09-2, *Individual Training Account (ITA) Approval Policy*, which required every local area to develop a written ITA policy and procedures.

1. Provide a copy of your local area's written ITA policy and procedures (which should include the demand occupations/skills targeted for training services). Please reach out to all available resources, including your area Labor Market Analyst and business services representatives, to secure the most current local and regional labor market data on occupations that are in demand.

**The New York State Department of Labor has determined that training for jobs of the future should focus on Advanced Manufacturing, Health Care, and Green Jobs. We have seen promise locally for all three of these areas. Based on information from our regional NYSDOL Labor Market Analyst and from our FMS Business Services Representatives, there is now, or will be in the near future, a need in Health Care for LPNs, RNs, Medical Billing and Coding Specialists, and Radiology Technicians. In Advanced Manufacturing we are currently seeing a demand for workers with advanced math and computer skills, and we expect to see an increased demand for orbital welders as construction begins on the Global Foundries chip fab plant in Luther Forest in Malta, NY. Green jobs at this time are focused on energy reduction practices in home building and home renovation. This includes home energy audits and installation of solar panels, more energy efficient windows, and better insulation.**

**Our regional Labor Market Analyst developed and conducted a short survey for FMS in the early Spring of 2009. Questions asked were:**

- *Do your current workers generally have the skills and abilities that you require?*
- *Do your job applicants generally have the skills and abilities that you require?*
- *Do you anticipate that the skills required of your current workforce and job applicants will change in the next 3 to 5 years.*

**Of the respondents, 80% said that their current workers had the necessary skills and abilities, but only 40% said that job applicants have the necessary skills and abilities. 46% of the respondents said that the necessary skills would change in the next 2 to 5 years. Of these, 68% said that more computer skills would be required, 24% listed higher level math aptitude, and 47% listed more technical skills. This report will be posted in the Business section of the FMS website: [www.fmsworkforcesolutions.org](http://www.fmsworkforcesolutions.org).**

**Businesses and educators in FMS participated in Greater Capital Region Tier II focus groups to map the Advanced Manufacturing talent pipeline and related workforce needs for the 11-county greater capital region area. The ensuing report, which is posted at [www.fmsworkforcesolutions.org](http://www.fmsworkforcesolutions.org), is in agreement with the survey, but is much more comprehensive and addresses issues such as training, which were addressed only superficially in the survey.**

2. Discuss how the ITA cap was established for the local area. Explain whether the cap was recently increased due to the receipt of additional funds through the Recovery Act and how this increase will impact training numbers and increase training opportunities in your area.

**The ITA cap is discussed in both the FMS WDB's Accountability and Business Services**

**Committees and staff draft policies based on their recommendations. The draft policy then goes to the full Board for discussion and action. Taken into account are availability of funding; training programs that lead to career ladders in demand occupations as defined by the local WDB, taking into consideration the recommendations of the NYS Department of Labor; and local and regional training programs available to our customers.**

**Based on the receipt of additional funds through the ARRA, the FMS ITA cap was raised from \$3,000 to \$8,250 in April 2009 to match the TAA cap of \$8,250. This increases the availability of training to more customers, but it also expands the type of training we can support, leading to jobs on a career ladder that have higher starting wages and salaries. Where in the past year we have supported Certified Nursing Assistant, we can now support Licensed Practical Nurse programs. Additionally, although the FMS training program limit is 52 weeks, we can support the second year of training for programs such as Registered Nurse or Radiology Technician for a student whose financial ability to remain in school has been impacted negatively by the current economy and is in danger of dropping out.**

3. Discuss whether the local area intends to enter into contracts with institutions of higher education or other eligible training providers to facilitate the training of multiple individuals in high-demand occupations. If pursuing this option, describe the occupations and identify the training providers from which you will be purchasing training. If your area will not enter into such contracts, please explain why not.

**FMS has a contract with Fulton Montgomery Community College to provide basic computer skills training. Many of our jobseekers, particularly those laid off from the manufacturing industry, have very weak computer skills which reduces their ability to compete in a more highly technological workplace. FMS is also considering purchasing classrooms for Certified Nurse Assistant, Medical Billing and Coding, and Building Analyst, but these are only in the discussion stages.**

4. Describe how all career counseling staff that are conducting comprehensive assessment (both WIA-funded and non-WIA-funded) are developing Individual Employment Plans/Training Plans that include approval for ITAs.

**Customers who have been identified as being in need of career development services receive a comprehensive assessment and then work with staff to create an Individual Employment Plan and/or Training Plan. Steps involved in developing these plans may include, but are not limited to: career exploration, aptitude testing, job shadowing, and research on the local labor market. Staff also assess a customer's job searching skills to assure they are prepared with a proper resume, cover letter writing skills, and interview skills.**

**When/if classroom training is determined to be the next step, a file for an ITA is developed. ITA files include the comprehensive assessment and the plan for training, including time frames, budgets, and class schedules. The individual staff member then makes the ITA funding approval recommendation to the program director of the WIA**

**services subcontractor who coordinates all requests for funding for training. The program director has final review and signoff. OJT candidates are given job referrals and assisted with a job search. They are also placed in a monthly “employer wanted” section of a newsletter that is sent to all Chamber of Commerce members in the three counties. While job searching, customers alert potential employers of their OJT eligibility. Business Services Representatives (BSRs) conduct follow-up on any contacts the job seeker has made and are available to explain the OJT program to potential employers. OJT files include the comprehensive assessment, a skills inventory, a training outline, and the time frame for the training.**

5. Describe the processes in place to determine Pell grant eligibility. Explain how the local area intends to utilize Pell grants and coordinate them with other financial aid resources. If the local area has processes in place to notify customers of Pell eligibility, please describe them.

**All customers pursuing an ITA are required to apply for a Pell grant (as well as NYS TAP). All customers pursuing an ITA are required to apply for a Pell grant (as well as NYS TAP). A WIA participant may enroll in WIA funded training while his/her application for a Pell Grant is pending. The One Stop will make arrangements with the training provider and the WIA participant regarding allocation of the Pell Grant, if it is subsequently awarded, in order to avoid potential duplication. In that case, the training provider must reimburse the One Stop operator any WIA funds which were advanced to underwrite the direct costs of training/tuition. Reimbursement is not required from the portion of Pell grant assistance which is disbursed for education *related* expenses.**

6. Using the table below, provide the numbers of individuals that received training services in PY 2008 (see Attachment J for PY 2008 data to date provided by Research and Statistics) and project the number of participants that are anticipated to receive training services in PY 2009. Any planned training for participants through contracted classroom training and or through contracts with community based organizations for special populations should be counted under the ITA category.

<b>PY 2008 Estimated Participants in Training Services</b>				
	Adult	Dislocated Worker	Youth	
			In-School	Out-of-School
Total # of Participants in Training	<b>292</b>	<b>84</b>		<b>0</b>
Total # - ITA	<b>62</b>	<b>69</b>		
Total # - OJT	<b>1</b>	<b>15</b>		
Total # - Skill Upgrading	<b>0</b>	<b>0</b>		
Total # -Customized	<b>229</b>	<b>0</b>		
Total # - Rec'd NRPs	<b>7</b>	<b>0</b>		
Total # - Rec'd Supp. Services	<b>22</b>	<b>22</b>		<b>7</b>
Total Training Expenditures (ITA, OJT and Customized)	<b>\$24,960</b>	<b>\$125,958</b>		<b>0</b>
<b>PY 2009 Planned Participants in Training Services</b>				
	Adult	Dislocated Worker	Youth	
			In-School	Out-of-School
Total # of Participants in Training	<b>300</b>	<b>90</b>		<b>0</b>
Total # - ITA	<b>65</b>	<b>72</b>		
Total # - OJT	<b>5</b>	<b>18</b>		
Total # - Skill Upgrading	<b>0</b>	<b>0</b>		
Total # -Customized	<b>215</b>	<b>0</b>		
Total # - Rec'd NRPs	<b>10</b>	<b>10</b>		
Total # - Rec'd Supp. Services	<b>25</b>	<b>25</b>		<b>10</b>
Total Training Expenditures (ITA, OJT and Customized)	<b>\$146,000</b>	<b>\$270,000</b>		<b>10</b>

## 6. Service Delivery to Targeted Populations

Federal policy under the Recovery Act, as articulated in TEGL No. 14-08, recognizes the significant impact the recession has had on low-income, displaced and under-skilled adults and disconnected youth. Local policy under the Recovery Act should place emphasis on enabling these populations to acquire the knowledge and skills necessary for success in the workplace.

In addition, Program Year 2009 federal planning guidelines call for assurances that the full range of high quality employment and training services, delivered through the One-Stop delivery system, will be accessible to, and meet the needs, of the following groups: dislocated workers, displaced homemakers, low-income individuals, migrant and seasonal farm workers, women, minorities, individuals training for non-traditional employment, veterans, public assistance recipients and individuals with multiple barriers to employment, including older workers, individuals with limited English proficiency and persons with disabilities. In addition, LWIAs need to assure that effective outreach and recruitment strategies are in place through local partnerships to reach all targeted population groups.

LWIAs are requested to describe local priority of service to low income individuals and recipients of public assistance in Section 1 of this plan. Note that if the Local Board currently has such a policy in place, it should be reviewed for consistency with the guidelines established in TEGL No. 14-08, adjusted as necessary and submitted with this planning document. LWIAs are also asked to describe local priority of service to veterans and eligible spouses of veterans in Section 1.

The Other Service Strategies section of local planning guidance for Program Year 2008 requested an explanation of strategies and initiatives to serve various special populations, which included:

- Individuals with Limited English Proficiency
- Low Income, Low-Skilled Workers
- Other Individuals with Barriers to Employment
- Individuals with Disabilities (including the role of the Disability Program Navigator)

As noted above, federal policy as outlined in TEGL 14-08 continues the emphasis on providing high quality services to these groups. Local areas should review their current strategies and initiatives for service to these populations, update them as warranted under Recovery Act guidelines and attach them to this plan submission. In addition, describe local service delivery strategies that will address the workplace needs of:

1. **Dislocated Workers, including Displaced Homemakers:** Describe assistance provided to dislocated workers to assure they have the necessary skills to reconnect with the workplace. Describe how comprehensive One-Stop services are fully available to Displaced Homemakers and any linkages with area Displaced Homemaker Centers.

**Fulton, Montgomery, and Schoharie Counties have some of the highest unemployment rates in the State of New York. This is in part due to the layoffs associated with the current national recession, but it is also a reflection of local plant closures as traditional manufacturers move their operations to other states or offshore. Most employees affected by the plant closures are older, low-skilled, and many lack high school**

**diplomas or GEDs. According to the 2000 census, in Fulton County, 22.2% of the population 25 years and older have no high school diploma or GED. In Montgomery County it is 21.9%, and in Schoharie County it is 18.4%. FMS works closely with local adult GED programs at HFM BOCES and the Capital Region BOCES in Schoharie County to identify and refer dislocated workers who would benefit from a GED program. We also work closely with Literacy Volunteers in all three counties. In Fulton County, the Literacy Volunteers Program is housed in the Gloversville Workforce Solutions Center, giving program participants easy access to all the services provided at this Full-Service One-Stop Center.**

**Workforce Advisors in all three Centers work closely with Dislocated Workers to assist them in assessing their current skill levels as well as to explore and promote the jobs of today and the future. They help the job seeker make the determination of what type of training might be most appropriate to reach those career goals. We provide support through Individual Training Accounts, Supportive Services, and Needs Based Payments to eligible individuals interested in training. In FMS, we are focusing on Health Care, Green Jobs, and Advanced Manufacturing opportunities. In Health Care, we support programs such as Licensed Practical Nurse, Registered Nurse, Radiology Technician, and Medical Records Billing and Coding. In Green Jobs we support a number of programs including a Building Analyst Program that uses building science technology to promote energy efficiencies in home remodeling and construction. In Advanced Manufacturing we are promoting training in areas such as orbital welding, a skill much in demand as Global Foundries begins its building in Luther Forest in neighboring Saratoga County. We work closely with Fulton Montgomery Community College, the HFM BOCES, Capital Region BOCES, and SUNY Cobleskill, as well as a number of private training providers.**

**The FMS Workforce Solutions System also works closely with the Schoharie County Community Action Program Displaced Homemaker Program and the Schenectady Community Action Displace Homemaker Program through Project Lift at Fulton Montgomery Community College. Participants are frequently co-enrolled and receive non-duplicative services from the Displaced Homemaker Programs. In Schoharie County, the Displace Homemaker Program has limited access to computers. All of our Centers, including Cobleskill, have computers with software tutorials such as Microsoft Office and assessment and training tools such as ProveIt! and Metrix Learning. Additionally, all of our Resource Rooms have computers for job search and other employment-related activities such as resume development and assessment through NYS Department of Labor's Job Zone. Participants in the Displaced Homemaker Program in Schoharie County make full use of these facilities. A representative of the Displaced Homemaker Program also has a desk in the Cobleskill Workforce Solutions Center one day a week.**

2. **Migrant and Seasonal Farm Worker Adults:** Explain the means by which the full range of WIA and Wagner-Peyser Services are available to Migrant and Seasonal Farm Worker adults in your area.

**We do not have a large number of Migrant and Seasonal Farm Workers in our local workforce investment area, and FMS does not have policies or procedures specifically addressing services for Migrant and Seasonal Farm Worker adults. However, core and intensive services in all of our three Workforce Solutions Centers are available to a universal population, without eligibility requirements such as residency, citizenship, or right-to-work documentation. All of our Centers are open from 8:30 a.m. to 5 p.m. Monday through Friday, holidays excepted. We also provide services through our website. We do recognize that certain populations have specific needs that may not be shared across all population groups. The Board uses partner agencies on the Board and in the community to provide expertise on best practices for serving specific populations. In addition, those partner agencies also promote the services of the Workforce Solutions Centers and refer jobseekers to our Centers.**

3. **Women:** Describe service strategies that assure women have access to labor market information and the skills development and supportive services necessary to enable them to acquire and retain high-wage jobs and maintain self-sufficiency. Include approaches used to eliminate possible barriers to employment in non-traditional occupations.

**Women make up 51% of our national population, and nearly 65% work outside the home. More than 75% of women between the ages of 24 to 44 work outside the home. In the past, many women have worked in lower paying, pink collar jobs, with few benefits. The FMS WDB encourages women to seek training and employment in high-wage, high skilled jobs, and supports training in those fields. We are holding a Career Fair in October that will highlight training in Health Care, Advanced Manufacturing, and Energy as well as apprentice programs.**

4. **Minorities:** Describe how services, including those provided through partner agencies, will be coordinated to assure that minority customers receive the full range of employment and training programs and services, especially those that lead to employment in high-wage, high-growth occupations.

**The FMS Workforce Solutions Centers work closely with a number of community organizations to reach out to minority populations, including African Americans and Latinos. The full range of services, including training, is available to all, following priority of services policies. Centro Civico, a community organization serving Latinos, has a seat on the FMS Workforce Development Board. We also work closely and participate in community groups with the community action programs, Ful-Mont Community Action Program and the Schoharie County Community Action Program and with other programs such as CARE in Montgomery County.**

5. **Individuals Training for Non-Traditional Employment:** Explain how information on area demand occupations, high-growth industries and related training opportunities, including occupational skills training, are made available to individuals interested in training for non-traditional employment.

**Information on training opportunities in demand occupations and high-growth industries is targeted to all customers regardless of gender. Promotion of programs is gender-neutral although we recognize that different genders may have different experiences in a job or occupation that might have been traditionally blue-collar or pink collar. We have men training for the nursing and other health related professions and actively seek opportunities for women in the trades. We are holding a Career Fair in October that will highlight training in Health Care, Advanced Manufacturing, and Energy as well as apprenticeship programs.**

6. **Older Individuals:** Describe how services offered through your local One-Stop system are accessible to, and meet the needs of, older individuals (age 55+).

**Because of the current recession, many Baby Boomers who had expected to retire, or who had retired, and expected to be financially secure through IRAs and other non-defined retirement accounts, have found that they have to return to the workforce. In addition, many of the manufacturing layoffs and plant closures in our three-county area have affected older workers disproportionately. Older workers are eligible for all core and intensive services, and in training based upon eligibility.**

**Experience Works, an Older Worker Title V program, is a full-time partner in the Amsterdam Workforce Solutions Center and has a part-time desk in the Cobleskill Office as well. In Fulton County the Older Worker Title V program is operated by the County Office for the Aging. Referrals are made to these programs by Resource Room Coordinators and Workforce Advisors.**

7. **Other:** Indicate any other population groups specifically targeted in your local area, such as persons in need of English as a Second Language (ESL) instruction, and individuals who are preparing to re-enter the workforce.

**Persons in need of English as a Second Language: Montgomery County has a significant Latino population. In the City of Amsterdam, alone, the Latino population is approximately 25%. Many have limited English proficiency. In 2008, the Herkimer-Fulton-Montgomery BOCES and Fulton-Montgomery Community College, with the assistance of Centro Civico and Montgomery County Department of Social Services, developed a partnership to provide ESL classes to be held at Centro Civico in Amsterdam. The FMS Workforce Solutions Center markets this program and refers appropriate Center customers to the program.**

**In the Amsterdam Center, we have one Spanish Speaking Labor Services Representative on our Workforce Advisor Team, and we are currently recruiting for a second. This Workforce Advisor also works in the Resource Room as necessary. Our Amsterdam Resource Room has job search materials available in Spanish as well as English. General announcements posted in the Resource Room are posted in both English and Spanish. The Centers also have access through the NYS Department of Labor to translation services for other non-English speakers and for the Deaf and hearing impaired. Materials can also be printed in Braille upon request. The FMS Workforce Solutions System provides on-going staff development opportunities to all of our Center and System partners. Diversity and cultural awareness have been**

included in previous staff training programs and will continue to be included in future plans.

**Individuals preparing to re-enter the workforce:** A 2008 Pew Center study found that one out of every 100 American adults is currently incarcerated. When these ex-offenders return to the community they frequently face substantial barriers to employment. The FMS Workforce Solutions System has provided an overview to staff of the barriers facing ex-offenders and will continue to explore tools available to serve this population. Additionally, the Altamont Program, which serves ex-offenders is a partner in our Greater Capital Region Tier II grant, and is able to provide additional resources to our local area.

**Individuals with Disabilities:** The FMS WDB's Disability Program Navigator works closely with members of the Disability System Enhancement Team to build bridges between programs and collaborate on projects in order to promote awareness of disability. The Disability System Enhancement Team (D-SET) was formed in 2003 to act in an advisory capacity to the DPN. It is comprised of agencies and organizations serving people with disabilities. These include Vocational and Educational Services for Individuals with Disabilities (VESID) who are partners located in the Amsterdam and Cobleskill Centers and in adjacent offices to the Gloversville Center. A representative of VESID sits on the FMS Workforce Development Board. Another D-SET partner who also sits on the Workforce Development Board is Resource Center for Independent Living (RCIL).

A key role of the DPN is to serve as a resource for Center staff, service providers and businesses. The DPN works diligently with staff to increase their knowledge of disability populations and to link their customers to the various services within the community. This is accomplished by providing staff with inservice training on people with disabilities, as well as contacting the providers directly in order to advocate for their needed services. The DPN also works with businesses to provide information or training on the benefits of hiring people with disabilities. The unemployment rate for people with disabilities is more than twice that of the current overall UI rate in this country. The percentage of unemployed people with disabilities is more than 23% as recently reported by the US Department of Labor.

**The Talent Pipeline:** Since our overall population is growing older and there are fewer traditional workers coming into the talent pipeline, we will be relying more and more on non-traditional populations – mature workers, ex-offenders, people with disabilities, and others – to support this talent pipeline and help our area, our state and the country compete successfully in the global economy.

## Section II WIA Compliance

The Local Plan Modification will extend the existing Local Plan and Functional Alignment Addendum to June 30, 2010 and will become the basis for local area policy and monitoring.

It is anticipated that many of the local board's policies and procedures have remained constant since implementing the approved 2005-2009 Plan and Functional Alignment Addendum. Therefore, the purpose of this Compliance Section is to capture and publish local information about policies that may have changed or been updated. The local board is asked to certify as to whether a policy change has occurred and, where that has happened, provide the new policy.

Please complete the following chart (which follows the same order as the Compliance Section of the 2005-2009 Plan) indicating the status of your governing policies and attach new policy where appropriate.

<i>Required Policy</i>	<i>Is current policy, definition, design or provision of services different from that in the approved 2005-2009?</i>	<i>Is changed or new policy, definition, design or provision of services description attached?</i>
<b>1. Selecting and Certifying One Stop Operators</b>	<input type="checkbox"/> Yes    X No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>2. Contracting for Service Providers</b>	<input type="checkbox"/> Yes    X No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>3. Priority of Service</b>	Updated Policy attachment required	X Yes
<b>4. Self-Sufficiency</b>	<input type="checkbox"/> Yes    X No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>5. Supportive Services and Needs-Related Payments</b>	Updated Policy attachment required	X Yes
<b>6. Grievances and Complaints</b>	<input type="checkbox"/> Yes    X No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Provide the name, title, and contact information of the EO Officer.</i>		
<b>7. Youth Services</b>		
<i>Eligibility Definitions</i>	<input type="checkbox"/> Yes    X No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Performance</i>	<input type="checkbox"/> Yes    X No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Design Framework</i>	<input type="checkbox"/> Yes    X No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Youth Council</i>	<input type="checkbox"/> Yes    X No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Recovery Act Provisions</i>	Policy attachment required	X Yes
<b>8. Adult, Dislocated Worker and Wagner-Peyser Services</b>		
<i>Eligibility Definitions</i>	<input type="checkbox"/> Yes    X No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Performance</i>	<input type="checkbox"/> Yes    X No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Rapid Response</i>	<input type="checkbox"/> Yes    X No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Business Services</i>	<input type="checkbox"/> Yes    X No	<input type="checkbox"/> Yes <input type="checkbox"/> No

<i>Integration of Services</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>Reemployment Services Recovery Act Provisions</i>	Policy attachment required	<input checked="" type="checkbox"/> Yes
<b>9. Training</b>		
<i>Individual Training Accounts (ITA)</i>	Updated Policy attachment required	<input checked="" type="checkbox"/> Yes
<i>Customized Training</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<i>OJT</i>	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
<i>Trade Act Strategies</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>10. WIA IB &amp; Wagner-Peyser PY 09 Performance and System Indicators</b>	NA	NA
<b>11. Local Monitoring</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>12. Open Meetings</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>13. Public Comment on Local Plan</b>	NA	NA

### Required Signatures

	<i>Required Signatures</i>	<i>Attached?</i>
Attachment A	Signature of Local Board Chair	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Attachment B	Signature of Chief Elected Official(s)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Attachment C	Signature of WIB Director	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Attachment D	Units of Local Government	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Attachment E	Fiscal Agent/Grant Subrecipient	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Attachment F	One Stop Operator Information	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Attachment G	Federal and State Certifications	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

If any of the following documents have changed in whole or in part, please attach.

	<i>Changed?</i>	<i>Attached?</i>
Chief Elected Official Agreement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Local Board By-Laws	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
One Stop Operator Agreement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**ATTACHMENT A: SIGNATURE OF LOCAL BOARD CHAIR**

**Workforce Investment Act Local Plan Modification for  
Program Year 2009-2010, for Workforce Investment Act Title 1-B  
and Wagner Peyser Programs**

In compliance with the provisions of the Workforce Investment Act of 1998, the Interim Final Rule, and Planning guidelines and instructions developed by the Governor, this Plan Modification is being submitted jointly by the Local Board and the respective Chief Elected Official(s).

By virtue of my signature, I:

- agree to comply with all statutory and regulatory requirements of the Act as well as other applicable state and federal laws, regulations and policies
- affirm that the composition of the Local Board is in compliance with the law, rules and regulations and is approved by the State
- affirm that this Plan Modification was developed in collaboration with the Local Board and is jointly submitted with the Chief Elected official(s) on behalf of the Local Board
- Affirm that the board, including any staff to the board, will not directly provide any core, intensive or training services.

Date:		Signature of Local Board Chair:	
Mr. <input checked="" type="checkbox"/>		Typed Name of Local Board Chair:	
Ms. <input type="checkbox"/>		Charles Finin	
Other <input type="checkbox"/>			
Name of Board:	Fulton, Montgomery, and Schoharie Counties Workforce Development Board, Inc.		
Address 1:	2620 Riverfront Center		
Address 2:			
City:	Amsterdam		
State:	New York	Zip: 12010	
Phone:	518-842-3676, ext. 3017	E-mail: cfinin@mesa-tec.com	

**Submittal directions:** Complete this form as part of the Plan Modification development process and submit the entire Plan Modification electronically as described earlier in this guidance. Submit this form with original signatures as directed on page 2 of the Instructions.

**ATTACHMENT B: SIGNATURE OF CHIEF ELECTED OFFICIAL**

**Workforce Investment Act Local Plan Modification for  
Program Year 2009-2010, for Workforce Investment Act Title 1-B  
and Wagner Peyser Programs**

In compliance with the provisions of the Workforce Investment Act of 1998, the Interim Final Rule, and Planning guidelines and instructions developed by the Governor, this Plan Modification is being submitted jointly by the Local Board and the respective Chief Elected Official(s).

By virtue of my signature, I: John Thomas

- agree to comply with all statutory and regulatory requirements of the Act as well as other applicable state and federal laws, regulations and policies
- affirm that the Grant recipient possesses the capacity to fulfill all responsibilities and assume liability for funds received, as stipulated in **§667.705** of the rules and regulations
- affirm that the composition of the Local Board is in compliance with the law, rules and regulations and is approved by the State
- affirm that the Chair of the Local Board was duly elected by that Board
- Affirm that the board, including any staff to the board, will not directly provide any core, intensive or training services.

**Note:** A separate signature sheet is required for each local Chief Elected Official.

Date:		Signature of Local Chief Elected Official (CEO):	
Mr. <input checked="" type="checkbox"/>		Typed Name of Local CEO:	
Ms. <input type="checkbox"/>		John Thomas	
Other <input type="checkbox"/>			
Title of Local CEO:	Montgomery County Board of Supervisors		
Address 1:	20 Park Street		
Address 2:			
City:	Fonda		
State:	New York	Zip:	12068
Phone:	518-853-4304	E-mail:	rloske@co.montgomery.ny.us

**Submittal directions:** Complete this form as part of the Plan Modification development process and submit the entire Plan Modification electronically as described earlier in this guidance. Submit this form with original signatures as described on page 2 of the Instructions.

**ATTACHMENT B: SIGNATURE OF CHIEF ELECTED OFFICIAL**

**Workforce Investment Act Local Plan Modification for  
Program Year 2009-2010, for Workforce Investment Act Title 1-B  
and Wagner Peyser Programs**

In compliance with the provisions of the Workforce Investment Act of 1998, the Interim Final Rule, and Planning guidelines and instructions developed by the Governor, this Plan Modification is being submitted jointly by the Local Board and the respective Chief Elected Official(s).

By virtue of my signature, I: John Callery

- agree to comply with all statutory and regulatory requirements of the Act as well as other applicable state and federal laws, regulations and policies
- affirm that the Grant recipient possesses the capacity to fulfill all responsibilities and assume liability for funds received, as stipulated in **§667.705** of the rules and regulations
- affirm that the composition of the Local Board is in compliance with the law, rules and regulations and is approved by the State
- affirm that the Chair of the Local Board was duly elected by that Board
- Affirm that the board, including any staff to the board, will not directly provide any core, intensive or training services.

**Note:** A separate signature sheet is required for each local Chief Elected Official.

Date:		Signature of Local Chief Elected Official (CEO):	
Mr.	<input checked="" type="checkbox"/>	Typed Name of Local CEO:	
Ms.	<input type="checkbox"/>	John Callery	
Other	<input type="checkbox"/>		
Title of Local CEO:	Fulton County Board of Supervisors		
Address 1:	County Office Building – Room 205		
Address 2:			
City:	Johnstown		
State:	New York	Zip:	12095
Phone:	518-736-5540	E-mail:	krulison@co.fulton.ny.us

**Submittal directions:** Complete this form as part of the Plan Modification development process and submit the entire Plan Modification electronically as described earlier in this guidance. Submit this form with original signatures as described on page 2 of the Instructions.

**ATTACHMENT B: SIGNATURE OF CHIEF ELECTED OFFICIAL**

**Workforce Investment Act Local Plan Modification for  
Program Year 2009-2010, for Workforce Investment Act Title 1-B  
and Wagner Peyser Programs**

In compliance with the provisions of the Workforce Investment Act of 1998, the Interim Final Rule, and Planning guidelines and instructions developed by the Governor, this Plan Modification is being submitted jointly by the Local Board and the respective Chief Elected Official(s).

By virtue of my signature, I: Earl VanWormer

- agree to comply with all statutory and regulatory requirements of the Act as well as other applicable state and federal laws, regulations and policies
- affirm that the Grant recipient possesses the capacity to fulfill all responsibilities and assume liability for funds received, as stipulated in **§667.705** of the rules and regulations
- affirm that the composition of the Local Board is in compliance with the law, rules and regulations and is approved by the State
- affirm that the Chair of the Local Board was duly elected by that Board
- Affirm that the board, including any staff to the board, will not directly provide any core, intensive or training services.

**Note:** A separate signature sheet is required for each local Chief Elected Official.

Date:		Signature of Local Chief Elected Official (CEO):	
Mr.	<input checked="" type="checkbox"/>	Typed Name of Local CEO:	
Ms.	<input type="checkbox"/>	Earl Van Wormer	
Other	<input type="checkbox"/>		
Title of Local CEO:	Schoharie County Board of Supervisors		
Address 1:	PO Box 429		
Address 2:			
City:	Schoharie		
State:	New York	Zip:	12157
Phone:	518-295-8347	E-mail:	millerk@co.schoharie.ny.us

**Submittal directions:** Complete this form as part of the Plan Modification development process and submit the entire Plan Modification electronically as described earlier in this guidance. Submit this form with original signatures as described on page 2 of the Instructions.

**ATTACHMENT C: SIGNATURE OF WIB DIRECTOR**

**Workforce Investment Act Local Plan Modification for  
Program Year 2009-2010, for Workforce Investment Act Title 1-B  
and Wagner Peyser Programs**

In compliance with the Planning guidelines and instructions developed by the Governor, this Plan Modification was developed through consultation and dialogue between the local area's representative(s) and the New York State Department of Labor's Regional Labor Market Analyst.

By virtue of my signature, I:

- attest that dialogues were conducted between the WIB's representatives and the LMA which provided the WIB with data and the demographic characteristics of the LWIA's resident population
- assure that service delivery and design, resource allocation, and other planning decisions were made by the WIB as a result of a careful consideration of the implications of the data and demographics as provided

Date:		Signature of Local WIB Director:
Mr. ___		Typed Name of Local WIB Director:
Ms. <u>X</u>		Gail B. Breen
Other ___		
Name of Board:		Fulton, Montgomery, and Schoharie Counties Workforce Development Board, Inc.

**Submittal directions:** Complete this form as part of the Plan Modification development process and submit the entire Plan Modification electronically as described earlier in this guidance. Submit this form with original signatures as directed on page 2 of the Instructions.

**ATTACHMENT D: UNITS OF LOCAL GOVERNMENT**

*Where a local area is comprised of multiple counties or jurisdictional areas, provide the names of the individual governmental units and identify the grant recipient.*

Unit of Local Government	Grant Recipient	
	Yes	No
Fulton County	X	<input type="checkbox"/>
Montgomery County	<input type="checkbox"/>	X
Schoharie County	<input type="checkbox"/>	X
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

**ATTACHMENT E: FISCAL AGENT/GRANT SUBRECIPIENT**

*Identify the Fiscal Agent or a Grant Recipient to assist in the administration of grant funds.  
Provide the names of the agent and/or subrecipient.*

<b>Entity</b>	<b>Fiscal Agent</b>	
	<b>Yes</b>	<b>No</b>
Fulton County	X	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

<b>Entity</b>	<b>Grant Subrecipient</b>	
	<b>Yes</b>	<b>No</b>
Fulton, Montgomery, and Schoharie Counties Workforce Development Board, Inc.	X	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

## ATTACHMENT F: ONE STOP OPERATOR INFORMATION

Complete the following information for each locally certified One Stop Operator in your Workforce Investment Area.

<b>OPERATOR: Barbara Rivenburgh, Executive Director, Schoharie County Community Action Program</b>	
<i>Method of Selection</i>	<i>Type of Operator</i>
<input checked="" type="checkbox"/> Consortium  <input type="checkbox"/> Competitive Bid	<input type="checkbox"/> System  <input checked="" type="checkbox"/> Center(s)
<b>Operator Address:</b>	Schoharie County Community Action Program 795 East Main Street Cobleskill, NY 12043
<b>Operator Phone:</b> 518-234-2568	
<b>E-Mail:</b> barbararivenburgh@sccapinc.org	

Attach a list of all One Stop centers overseen by this Operator and include for *each* center:

- Name/Address/Phone of Center(s)
- Identify Full-Service or Certified Affiliate Site
- Identify Partners On-Site and Frequency On-Site (e.g., half day/week; two days/week)
- Identify Center Hours of Operation

### OPERATOR CERTIFICATION STATUS

Indicate status of Local Level Operator Recertification:

- Granted
- Application Submitted/Pending LWIB Review
- Application Not Yet Due
- Other (explain)

## ATTACHMENT F: ONE STOP OPERATOR INFORMATION

Complete the following information for each locally certified One Stop Operator in your Workforce Investment Area.

<b>OPERATOR: Paul Brady, Commissioner, Schoharie County Department of Social Services</b>	
<i>Method of Selection</i>	<i>Type of Operator</i>
<input checked="" type="checkbox"/> Consortium  <input type="checkbox"/> Competitive Bid	<input type="checkbox"/> System  <input checked="" type="checkbox"/> Center(s)
<b>Operator Address:</b>	Schoharie County Department of Social Services PO Box 687 Schoharie, NY 12157
<b>Operator Phone:</b> 518-295-8334	
<b>E-Mail:</b> paul.brady@dfa.state.ny.us	

Attach a list of all One Stop centers overseen by this Operator and include for *each* center:

- Name/Address/Phone of Center(s)
- Identify Full-Service or Certified Affiliate Site
- Identify Partners On-Site and Frequency On-Site (e.g., half day/week; two days/week)
- Identify Center Hours of Operation

### OPERATOR CERTIFICATION STATUS

Indicate status of Local Level Operator Recertification:

- Granted
- Application Submitted/Pending LWIB Review
- Application Not Yet Due
- Other (explain)

**FULTON, MONTGOMERY, AND SCHOHARIE COUNTIES  
WORKFORCE DEVELOPMENT BOARD, INC.**

**WORKFORCE SOLUTIONS CENTERS  
August, 2009**

**AMSTERDAM WORKFORCE SOLUTIONS CENTER – Full Service**

2620 Riverfront Center  
Amsterdam, NY 12010  
518-842-3676

Partner Organizations On-Site and Frequency

- WIA through contract with FMS Private Industry Council – 5 days
- NYSDOL, Division of Employment Services – 5 days
- TANF/Wage Subsidy through FMS PIC – 5 days (commencing 9/09)
- VESID – 4 days
- Experience Works – 5 days

Center Hours of Operation

8:30 a.m. to 5 p.m., Monday through Friday

**GLOVERSVILLE WORKFORCE SOLUTIONS CENTER – Full Service**

199 South Main Street  
Gloversville, NY  
517-725-6473

Partner Organizations On-Site and Frequency

- WIA through contract with FMS Private Industry Council - 5 days
- NYSDOL, Division of Employment Services – 1 day (5 days planned for 9/09)
- TANF/Wage Subsidy through FMS PIC – 1 day (commencing 9/09)
- Literacy Volunteers of Fulton County – 4 days

Center Hours of Operation

8:30 a.m. to 5 p.m., Monday through Friday

## **COBLESKILL WORKFORCE SOLUTIONS CENTER – Full Service**

795 East Main Street, Suite 4  
Cobleskill, NY 12043  
518-234-4254

### Partner Organizations On-Site and Frequency

- WIA through contract with FMS Private Industry Council – 5 days
- NYSDOL, Division of Employment Services – 1 day (5 days planned for 9/09)
- TANF/Wage Subsidy through FMS PIC – 1 day (commencing 9/09)
- NYS OTDA - JOBS Program – 5 days
- TANF – Schoharie County DSS – 3 days
- VESID – 3-4 days
- SCCAP – Displaced Homemaker Program - 1 day
- LIVES – Schoharie County DSS

### Center Hours of Operation

8:30 a.m. to 5 p.m., Monday through Friday

## ATTACHMENT G: FEDERAL AND STATE CERTIFICATIONS

The funding for the awards granted under this contract is provided by either the United States Department of Labor or the United States Department of Health and Human Services which requires the following certifications:

### **A. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION-LOWER TIER COVERED TRANSACTIONS**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statement in this certification, such prospective participant shall attach an explanation to this proposal.

### **B. CERTIFICATION REGARDING LOBBYING - Certification for Contracts, Grants, Loans, and Cooperative Agreements**

By accepting this grant, the signee hereby certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The signer shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of facts upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S.C. **Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.**

**C. DRUG FREE WORKPLACE.** By signing this application, the grantee certifies that it will provide a Drug Free Workplace by implementing the provisions at 29 CFR 98.630, Appendix C, pertaining to the Drug Free Workplace. In accordance with these provisions, a list of places where performance of work is done in connection with this specific grant will take place must be maintained at your office and available for Federal inspection.

**D. NONDISCRIMINATION & EQUAL OPPORTUNITY ASSURANCE:**

**For contracts funded by the U.S. Department of Labor**

As a condition to the award of financial assistance from the Department of Labor under Title I of WIA, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

- (1) Section 188 of the Workforce Investment Act of 1998 (WIA) which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age disability, political affiliation, or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I - financially assisted program or activity;
- (2) Title VI of the Civil Rights Act of 1964, as amended which prohibits discrimination on the basis of race, color, and national origin;
- (3) Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
- (4) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
- (5) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The grant applicant also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIA Title I - financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance. For grants serving participants in work activities funded through the Welfare-to-Work block grant programs under Section 407(a) of the Social Security Act, the grant applicant shall comply with 20 CFR 645.255.

**For contracts funded by the U.S. Department of Health and Human Services**

As a condition to the award of financial assistance from the Department of Labor under Title IV-A of the Social Security Act, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws including but not limited to:

(1) Title VI of the Civil rights Act of 1964(P.L. 88-352) and Executive Order Number 11246 as amended by E.O. 11375 relating to Equal Employment Opportunity which prohibits discrimination on the basis of race, color or national origin;

(2) Section 504 of the Rehabilitation Act of 1973, as amended, and the regulations issued pursuant thereto contained in 45 CFR Part 84 entitled “Nondiscrimination on the Basis of Handicap in Programs and Activities Reviewing or Benefiting from Federal Financial Assistance” which prohibit discrimination against qualified individuals with disabilities;

(3) The Age Discrimination Act of 1975, as amended, and the regulations at 45 CFR Part 90 entitled “Nondiscrimination on the Basis of Age in Programs and Activities Reviewing Federal Financial Assistance”, which prohibits discrimination on the basis of age;

(4) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs; and

(5) The Americans with Disabilities Act (ADA) of 1990, 42 U.S.C. Section 12116, and regulations issued by the Equal Employment Opportunity Commission which implement the employment provisions of the ADA, set forth at 29 CFR Part 1630.

The grant applicant also assures that it will comply with 45 CFR Part 80 and all other regulations implementing the laws listed above. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

## **STATE CERTIFICATIONS**

### **E. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND OUTSTANDING DEBTS**

The undersigned, as a duly sworn representative of the contractor/vendor, hereby attests and certifies that:

- 1) No principle or executive officer of the contractor’s/vendor’s company, its subcontractor(s) and/or successor(s) is presently suspended or debarred; and
- 2) The contractor/vendor, its subcontractor(s) and/or its successor(s) is not ineligible to submit a bid on, or be awarded, any public work contract or sub-contract with the State, any municipal corporation or public body for reason of debarment for failure to pay the prevailing rate of wages, or to provide supplements, in accordance with Article 8 of the New York State Labor Law.
- 3) The contractor/vendor, its subcontractor(s) and/or its successor do not have any outstanding debts owed to the Department, including but not limited to, contractual obligations, fines related to Safety and Health violations, payments owed to workers for public works projects or the general provisions of the Labor Law, unemployment insurance contributions or other related assessments, penalties or charges.



Signature of  
Authorized  
Representative:

Title: Executive Director, FMS WDB, Inc.

Date:

**ATTACHMENT H: TRAINING SUPPORT ANALYSIS FORM:**

**NEEDS-RELATED PAYMENTS**

**Please note that a "no" response to questions 1 through 3 disqualifies you for needs-related payments (NRP).**

- 1. Are you unemployed or have you received notification of layoff?  
 Yes    No
  
- 2. Have you ceased to qualify for UI benefits or Trade Readjustment Allowances (TRA)?  
 Yes    No
  
- 3. Are you currently maintaining satisfactory progress in training? Attach most recent grades.  
 Yes    No

**Please note that a "yes" response to questions 4 and 5 disqualifies you for needs-related payments (NRP).**

- 4. Are you currently participating in a work experience, On-the-Job Training (OJT) or work study?  
 Yes    No
  
- 5. Do you intend to claim any type of unemployment insurance benefits or receive any payments for work or vacation?  
 Yes    No
  
- 6. Do you need income support beyond your "other resources" available in order to participate in training? Examples of other resources include but are not limited to severance pay, TANF, other family income (spouse's income), etc.  
 Yes    No

If yes, explain:

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**Needs-Related Payments are not intended to provide the entire amount of income support you may need to complete your training. These payments are made to temporarily help you while making satisfactory progress during your participation in full-time training. Needs-Related Payments are subject to your on-going eligibility for the program and funding availability.**

**All answers and statements are true and complete to the best of my knowledge. I understand that untruthful or misleading answers may cause my determination to be rejected. I further understand that any payments made based on such statements may require Needs-Related Payments provided to be returned.**

Participant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

ATTACHMENT I: PRIORITY OF SERVICE SAMPLE POLICIES

**LOCAL WORKFORCE INVESTMENT BOARD  
POLICY ISSUANCE NUMBER:**

**TO:** All One-Stop Career Center Staff and Providers

**SUBJECT:** Priority of Service for Recipients of Public Assistance & Other Low-Income Individuals under the Recovery Act WIA Adult Funding Stream

**ISSUANCE DATE:** XXXXXX

**EFFECTIVE DATE:** XXXXXX

**EXPIRATION DATE:** XXXXXX

---

**Purpose:** To issue priority of service policy for adults who are recipients of public assistance and other low-income individuals who require intensive and training services under the Recovery Act WIA Adult funding stream.

**Background:** The American Recovery and Reinvestment Act of 2009 (The Recovery Act) signed by President Obama on February 17, 2009 is intended to preserve and create jobs, promote the nation's economic recovery, and to assist those most impacted by the recession. On March 18, 2009, the United States Department of Labor's, Employment and Training Administration released guidance (Training & Employment Guidance Letter No. 14-8) for implementing Workforce Investment Act and Wagner-Peyser Act funding under the Recovery Act. The Recovery Act contains several provisions designed to target services to certain populations. One such provision mandates that priority of service must be enacted for recipients of public assistance and other low-income individuals who receive intensive and training services under the WIA Adult funding stream.

**Policy:** The local workforce investment board should craft language that provides clear direction to successfully ensure priority of service is provided for intensive and training services under Recovery Act WIA Adult to recipients of public assistance and low-income individuals. Points to consider are:

1. What defines a low-income individual?
2. What criteria will be used to differentiate between Recovery WIA Adult and non-Recovery WIA Adult funds? (Depending on local policy, Priority of Service may not be mandatory when services are provided with non-Recovery WIA Adult funds).
3. What criteria will be used to designate a priority customer?
4. What monitoring criteria will be enacted to ensure federal requirements are being successfully implemented?

**Inquiries:** Please direct any questions to XXXXXXXX.

---

Chair LWIB or Chief Elected Official

---

Date

**LOCAL WORKFORCE INVESTMENT BOARD  
POLICY ISSUANCE NUMBER:**

**TO:** All One-Stop Career Center Staff and Providers

**SUBJECT:** Veterans Priority of Service

**ISSUANCE DATE:** XXXXXX

**EFFECTIVE DATE:** XXXXXX

**EXPIRATION DATE:** XXXXXX

---

**Purpose:** The purpose of this policy is to implement veterans' priority of service as mandated in Federal regulation (Final Rule, 20CFR Part 1010) that went into effect on January 19, 2009.

**Background:** The Jobs for Veterans Act, enacted into Public Law 107-288 on November 7, 2002 made a number of amendments to encourage military veterans' access to services within an integrated one-stop service delivery system. One such amendment creates a priority of service for veterans (and some spouses) "who otherwise meet the eligibility requirements for participation" in DOL training programs. As mandated in Federal regulation, One-Stop Career Centers are required to implement priority of service and will need to have clear strategies for providing veterans and eligible spouses of veterans with quality service at every phase of services offered.

**Policy:** The local workforce investment board should craft language that provides clear direction to successfully ensure priority of service is provided to Veterans. Points to consider are:

1. What defines a veteran, eligible veteran, covered person, eligible spouse, qualified job training program?
2. What procedures are in place to ensure signage is properly displayed?
3. What procedures are in place to identify covered persons who physically access or virtually access service delivery points?
4. What outreach strategies (if any) will be incorporated in local policy?
5. What website design policy will be implemented?
6. What procedures are in place to ensure the revision of all contract templates, RFP and sub-agreement language to include priority of service language?
7. What customer flow process will be implemented to make use of DVOPs and LVERs?
8. What modifications to Functional Alignment (if any) will be made to enhance implementation of priority of service?
9. What procedures are in place to ensure all impacted staff are made aware of and assist in the implementation of priority of service?

**Inquiries:** Please direct any questions to XXXXXXXX.

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Chair LWIB or Chief Elected Official

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Date

ATTACHMENT J: PY 2008 PARTICIPANT TRAINING DATA

ACTIVE CUSTOMERS WITH ACTIVE SERVICES FROM JULY 1, 2008 - APRIL 30, 2009		PY08 12-month Projection (added 20% to original numbers)							
WIB	FUND	TRNG	ITA	OJT	SKLUP	ENT	AED	CUST	OCC
Albany/Rensselaer/Schenectady Counties	WIA Dislocated Worker Local	448	428	14	56	0	31	25	320
Albany/Rensselaer/Schenectady Counties	WIA Adult Local	410	389	19	120	0	13	0	258
Albany/Rensselaer/Schenectady Counties	OOSY	19	0	0	1	0	0	0	18
Albany/Rensselaer/Schenectady Counties	ISY	37	0	0	35	0	0	0	2
Allegany/Cattaraugus Counties	WIA Dislocated Worker Local	94	76	17	0	0	4	0	73
Allegany/Cattaraugus Counties	WIA Adult Local	253	170	80	0	0	0	0	173
Allegany/Cattaraugus Counties	OOSY	34	0	5	0	0	0	0	29
Allegany/Cattaraugus Counties	ISY	13	0	0	0	0	0	0	13
Broome/Tioga Counties	WIA Dislocated Worker Local	449	248	56	0	0	1	0	391
Broome/Tioga Counties	WIA Adult Local	920	623	86	8	0	0	0	826
Broome/Tioga Counties	OOSY	54	0	0	0	0	0	0	54
Broome/Tioga Counties	ISY	6	0	0	0	0	0	0	6
Cayuga/Cortland Counties	WIA Dislocated Worker Local	91	86	2	0	0	0	0	89
Cayuga/Cortland Counties	WIA Adult Local	120	97	1	12	0	0	0	107
Cayuga/Cortland Counties	OOSY	6	0	0	0	0	0	0	6
Cayuga/Cortland Counties	ISY	2	0	0	1	0	0	0	1
Chautauqua County	WIA Dislocated Worker Local	102	100	0	0	0	1	0	101
Chautauqua County	WIA Adult Local	143	61	0	1	0	0	79	62
Chautauqua County	OOSY	5	0	0	0	0	0	0	5
Chautauqua County	ISY	2	0	0	0	0	0	0	2
Chemung/Schuylers/Steuben Counties	WIA Dislocated Worker Local	218	72	47	6	0	0	0	166
Chemung/Schuylers/Steuben Counties	WIA Adult Local	976	24	449	70	0	0	328	130
Chemung/Schuylers/Steuben Counties	OOSY	58	0	0	5	0	0	0	53
Chemung/Schuylers/Steuben Counties	ISY	12	0	0	0	0	0	0	12
Chenango/Delaware/Otsego Counties	WIA Dislocated Worker Local	94	76	8	5	0	4	0	77

ACTIVE CUSTOMERS WITH ACTIVE SERVICES FROM JULY 1, 2008 - APRIL 30, 2009		PY08 12-month Projection (added 20% to original numbers)							
WIB	FUND	TRNG	ITA	OJT	SKLUP	ENT	AED	CUST	OCC
Chenango/Delaware/Otsego Counties	WIA Adult Local	162	95	22	1	0	1	43	95
Chenango/Delaware/Otsego Counties	OOSY	14	0	2	0	0	0	0	12
Clinton/Essex/Franklin/Hamilton	WIA Dislocated Worker Local	32	13	18	0	0	0	0	14
Clinton/Essex/Franklin/Hamilton	WIA Adult Local	128	85	38	2	0	0	0	88
Clinton/Essex/Franklin/Hamilton	OOSY	4	0	0	0	0	0	0	4
Columbia/Greene Counties	WIA Dislocated Worker Local	83	72	2	0	0	18	0	62
Columbia/Greene Counties	WIA Adult Local	78	48	1	0	0	13	26	37
Dutchess County	WIA Dislocated Worker Local	125	119	6	0	5	1	0	113
Dutchess County	WIA Adult Local	98	94	5	0	5	2	0	86
Dutchess County	OOSY	20	0	0	0	0	0	0	20
Dutchess County	ISY	1	0	0	0	0	0	0	1
Erie County	WIA Dislocated Worker Local	671	403	236	11	0	1	4	419
Erie County	WIA Adult Local	704	497	98	44	0	0	59	503
Erie County	OOSY	8	0	0	0	1	0	0	7
Erie County	ISY	65	0	0	0	55	0	0	10
FINGER LAKES - Ontario/Seneca/Wayne/Yates	WIA Dislocated Worker Local	120	104	13	1	0	0	0	106
FINGER LAKES - Ontario/Seneca/Wayne/Yates	WIA Adult Local	257	164	52	24	0	0	5	176
FINGER LAKES - Ontario/Seneca/Wayne/Yates	OOSY	2	0	0	0	0	0	0	2
FINGER LAKES - Ontario/Seneca/Wayne/Yates	ISY	5	0	0	0	0	0	0	5
Fulton/Montgomery/Schoharie Counties	WIA Dislocated Worker Local	72	54	14	0	0	18	0	40
Fulton/Montgomery/Schoharie Counties	WIA Adult Local	312	73	0	1	0	14	234	62
GLOW -Genesee/Orleans/Livingston/Wyoming	WIA Dislocated Worker Local	156	145	11	0	0	1	0	144
GLOW -Genesee/Orleans/Livingston/Wyoming	WIA Adult Local	348	253	44	0	0	31	41	232
GLOW -Genesee/Orleans/Livingston/Wyoming	OOSY	24	0	0	1	0	0	0	23
Hempstead/Long Beach	WIA Dislocated Worker	373	251	1	6	0	12	0	354

ACTIVE CUSTOMERS WITH ACTIVE SERVICES FROM JULY 1, 2008 - APRIL 30, 2009		PY08 12-month Projection (added 20% to original numbers)							
WIB	FUND	TRNG	ITA	OJT	SKLUP	ENT	AED	CUST	OCC
	Local								
Hempstead/Long Beach	WIA Adult Local	108	94	1	2	0	0	1	103
Jefferson/Lewis Counties	WIA Dislocated Worker Local	62	44	18	0	0	23	0	22
Jefferson/Lewis Counties	WIA Adult Local	158	110	46	1	0	37	0	74
Monroe County	WIA Dislocated Worker Local	288	252	2	29	0	2	1	253
Monroe County	WIA Adult Local	671	443	5	206	0	4	11	445
Monroe County	OOSY	100	0	0	0	0	0	0	100
Monroe County	ISY	203	0	0	0	0	0	0	203
New York City	WIA Dislocated Worker Local	1282	1278	0	0	0	38	2	1241
New York City	WIA Adult Local	3708	2918	98	0	0	59	712	2839
New York City	OOSY	NA	NA	NA	NA	NA	NA	NA	NA
New York City	ISY	NA	NA	NA	NA	NA	NA	NA	NA
Niagara County	WIA Dislocated Worker Local	132	118	6	0	0	0	0	126
Niagara County	WIA Adult Local	168	151	8	1	0	0	1	157
Niagara County	OOSY	11	0	0	0	0	0	0	11
Niagara County	ISY	1	0	0	0	0	0	0	1
NYSDOL - CO	WIA Dislocated Worker Local	2	2	0	0	0	0	0	2
Oneida/Herkimer/Madison Counties	WIA Dislocated Worker Local	270	194	76	0	0	6	4	185
Oneida/Herkimer/Madison Counties	WIA Adult Local	391	114	142	1	0	1	106	142
Oneida/Herkimer/Madison Counties	OOSY	34	0	8	0	0	0	13	12
Oneida/Herkimer/Madison Counties	ISY	5	0	0	0	0	0	1	4
Onondaga County	WIA Dislocated Worker Local	254	242	8	0	0	20	0	226
Onondaga County	WIA Adult Local	301	176	25	0	0	28	102	146
Onondaga County	OOSY	29	0	1	0	0	0	0	28
Onondaga County	ISY	10	0	0	0	0	0	0	10
Orange County	WIA Dislocated Worker Local	176	166	11	0	0	0	0	166

ACTIVE CUSTOMERS WITH ACTIVE SERVICES FROM JULY 1, 2008 - APRIL 30, 2009		PY08 12-month Projection (added 20% to original numbers)							
WIB	FUND	TRNG	ITA	OJT	SKLUP	ENT	AED	CUST	OCC
Orange County	WIA Adult Local	142	124	14	1	0	0	0	126
Oswego County	WIA Dislocated Worker Local	107	92	13	0	0	0	0	94
Oswego County	WIA Adult Local	232	113	48	26	0	2	31	124
Oswego County	OOSY	25	0	0	0	0	0	0	25
Oswego County	ISY	13	0	0	0	0	0	0	13
Oyster Bay/North Hempstead/Glen Cove	WIA Dislocated Worker Local	577	222	0	4	0	1	0	572
Oyster Bay/North Hempstead/Glen Cove	WIA Adult Local	186	119	0	0	0	1	0	185
Oyster Bay/North Hempstead/Glen Cove	OOSY	13	0	0	0	0	0	0	13
Putnam/Westchester Bal.	WIA Dislocated Worker Local	224	212	0	12	0	1	0	211
Putnam/Westchester Bal.	WIA Adult Local	179	176	0	4	0	0	0	175
Putnam/Westchester Bal.	OOSY	49	0	1	0	0	0	0	48
Putnam/Westchester Bal.	ISY	6	0	0	0	0	0	0	6
Rockland County	WIA Dislocated Worker Local	46	42	0	1	0	1	1	42
Rockland County	WIA Adult Local	38	32	0	0	0	2	2	34
Rockland County	OOSY	25	0	0	0	0	0	0	25
Rockland County	ISY	30	0	0	0	0	0	0	30
Saratoga/Warren/Washington Counties	WIA Dislocated Worker Local	26	24	1	1	0	1	0	23
Saratoga/Warren/Washington Counties	WIA Adult Local	74	66	1	4	0	4	0	66
St. Lawrence County	WIA Dislocated Worker Local	120	90	17	1	0	0	0	102
St. Lawrence County	WIA Adult Local	263	203	31	4	0	0	0	228
St. Lawrence County	OOSY	11	0	0	0	0	0	0	11
St. Lawrence County	ISY	2	0	0	0	0	0	0	2
Suffolk County	WIA Dislocated Worker Local	953	937	0	5	0	4	0	944
Suffolk County	WIA Adult Local	961	959	0	7	0	78	0	876
Suffolk County	OOSY	53	0	1	0	0	0	0	52
Suffolk County	ISY	12	0	0	0	0	0	0	12
Sullivan County	WIA Dislocated Worker	34	19	5	0	0	13	0	16

ACTIVE CUSTOMERS WITH ACTIVE SERVICES FROM JULY 1, 2008 - APRIL 30, 2009		PY08 12-month Projection (added 20% to original numbers)							
WIB	FUND	TRNG	ITA	OJT	SKLUP	ENT	AED	CUST	OCC
	Local								
Sullivan County	WIA Adult Local	43	40	5	0	0	0	0	38
Sullivan County	OOSY	4	0	0	0	0	0	0	4
Sullivan County	ISY	1	0	0	0	0	0	0	1
Tompkins County	WIA Dislocated Worker Local	42	41	0	1	4	0	0	37
Tompkins County	WIA Adult Local	55	53	2	5	1	0	0	47
Ulster County	WIA Dislocated Worker Local	74	71	0	0	0	5	0	70
Ulster County	WIA Adult Local	154	150	4	0	0	0	0	150
Ulster County	OOSY	29	0	0	0	0	0	0	29
Ulster County	ISY	2	0	0	0	0	0	0	2
Yonkers City of	WIA Dislocated Worker Local	49	47	1	0	0	0	1	47
Yonkers City of	WIA Adult Local	73	62	7	0	0	5	0	61
Yonkers City of	OOSY	59	0	0	0	0	0	0	59
Yonkers City of	ISY	14	0	0	0	0	0	0	14

**Fulton, Montgomery, and Schoharie Counties  
Workforce Development Board, Inc.**

**Veterans Priority of Service Policy**  
**BY-2009-11**

**Priority of service** means (with respect to any qualified job training program) that a covered person\* shall be given priority over a non-covered person for the receipt of employment, training, and placement services provided under that program. Priority in the context of providing priority of service to veterans and other covered persons means the right to take precedence over non-covered persons in obtaining services. Taking precedence may mean; (1) the covered person receives access to the service or resource earlier in time than the non-covered person, or (2) if the service or resource is limited, the covered person receives access to the service or resource instead of or before the non-covered person.

**\*Veterans**

Under the Final Rule, a veteran is defined as “a person who served in the active military, naval, or air service, and who was discharged or released there from under conditions other than dishonorable.” Active service includes full-time duty in the National Guard or a Reserve component, other than full-time duty for training purposes.

**\*Eligible Spouses**

Under Title 38, United States Code Section 4215(a), the term “eligible spouse” means – (A) the spouse of any person who died of a service-connected disability; (B) the spouse of any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than ninety days: (i) missing in action, (ii) captured in line of duty by a hostile force, or (iii) forcibly detained or interned in line of duty by a foreign government or power; or (C) the spouse of any person who has a total disability permanent in nature resulting from a service-connected disability; or (D) the spouse of a veteran who died while a disability so evaluated was in existence.

Resolution BY-2009-11  
Draft

**Fulton, Montgomery, and Schoharie Counties  
Workforce Development Board, Inc.**

**Low Income Priority of Service Policy**  
**BY-2009-12**

**Priority of service** means (with respect to any qualified job training program) that a covered person\* shall be given priority over a non-covered person for the receipt of employment, training, and placement services provided under that program. Priority in the context of providing priority of service to veterans and other covered persons means the right to take precedence over non-covered persons in obtaining services. Taking precedence may mean; (1) the covered person receives access to the service or resource earlier in time than the non-covered person, or (2) if the service or resource is limited, the covered person receives access to the service or resource instead of or before the non-covered person.

**\*Low Income**

- Receives, or is a member of a family that receives, **cash** payments under a Federal, State, or local income-based **public assistance** program
- Received an income, or is a member of a family that received a total family income, for the 6-month period prior to application that does not exceed the higher of the poverty line **or** 70% of the lower living standard. Does not include:
  - Unemployment compensation, Child support payments, Public Assistance payments, Old-age and survivors insurance benefits
- Is a member of a household that receives (or has been determined eligible to receive in the last 6 months) **food stamps**
- Qualifies as a **homeless** individual
- Is a **foster child**
- An **individual with a disability** who's own income is below the poverty line or 70% LLS, but who is a member of a family whose incomes does not meet such requirements

Resolution BY-2009-12  
Draft

**Fulton, Montgomery, and Schoharie Counties  
Workforce Development Board, Inc.**

**Supportive Services During Training Policy  
BY-2008-31**

**The FMS Workforce Development Board will contribute up to \$8,250 towards transportation, child care and needs-related payments\* for completion of training that leads to a degree, certificate, or license.**

- The following criteria must be met:
  - Trainee must be a resident of Fulton, Montgomery, or Schoharie County.
  - Trainee has received at least one core and one intensive service and has been determined to be unable to obtain or retain suitable employment through such services.
  - Training must be directly linked to local employment opportunities as indicated on the LWIB Classroom Training Demand Occupational List and/or on an Occupational Demand Analysis providing supportive evidence of the demand.
  - Trainee is unable to obtain supportive services through other programs providing such services.
  - May not exceed a total of \$8,250 when combined with any Individual Training Account (ITA) funds

\*Cafeteria Plan – customer may choose among the available support services that they qualify for (travel, childcare, and/or needs-related payments). Each support service must stay within the already-approved WIB policy limits. They may reduce the amount they are eligible for in any category to stay within the maximum limit.

- Workforce Solutions Center staff are responsible for documenting and monitoring the delivery of Supportive Services.
- The WIB Executive Director can revise the above policies on a case-by-case basis if it meets the additional needs of the customer. Each exception must be approved in writing and kept in the customer's file.
- If further clarification is needed, the staff person should get it in writing from the WIB Director.
- JUSTIFICATION FOR ALL FORMS OF TRAINING MUST BE CLEARLY DOCUMENTED IN THE CUSTOMER'S INDIVIDUAL SERVICE STRATEGY.

BY-2008-03- Approved 7/9/08  
BY-2008-31 – Approved 4/1/09

**Fulton, Montgomery, and Schoharie Counties  
Workforce Development Board, Inc.**

**Transportation Policy**  
**BY-2008-32**

Mileage reimbursement for participants traveling to and from a WIA approved program will be at a rate of 40 cents per mile, with a mileage reimbursement cap of \$20.00 per day.

Other types of transportation, such as buses and taxis, may be covered at the discretion of the Placement Specialist and may exceed the mileage cap of \$20.00 per day.

\* Participants will only be paid for verified attendance at a WIA approved activity and travel to and from a daycare site, if applicable.

Resolution PY2002-07 Adopted 07/17/02  
BY-2008-32 – Approved 4/1/09

**Fulton, Montgomery, and Schoharie Counties  
Workforce Development Board, Inc.**

**Needs Related Payments  
BY-2009-02**

A stipend will be available to all participants on a bi-weekly basis while in school full time for a maximum of 52 weeks, if they meet the following:

**Adults**

- Unemployed, and
- do not qualify for, or have ceased to qualify for UI; and
- are enrolled in a WIA approved program of training services

**Dislocated Workers**

- Unemployed; and
- have ceased to qualify or did not qualify for UI or TAA; and
- were enrolled in a WIA approved program of training services by the end of the 13<sup>th</sup> week after the most recent layoff that resulted in Dislocated Worker Status.

**Rate**

- . Weekly rate will be equal to weekly poverty level for a family of one.

**Clarification to Policy – BY-2009-02**

**1. Semester breaks of 14 days or less**

Customers eligible for needs-related payments shall be paid for school breaks<sup>[1]</sup> lasting 14 weekdays or less with no obligation on their part beyond the usual bi-weekly case management meeting with a Workforce Advisor

**2. Semester breaks of 15 days or more**

Customers eligible for needs-related payments shall be paid for school breaks lasting 15 weekdays or more if they are in compliance with bi-weekly employment-related activities designed and monitored by Workforce Advisors.

Resolution PY 2002-09  
Adopted 7/17/02  
Resolution BY-2009-02 Revised – Approved 7/8/09

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[1] School breaks are defined as Spring Break, Winter/Christmas Break, etc. and the period of time between Fall and Spring; Spring and Summer; and Summer and Fall semesters. Under no circumstances will customers be allowed to collect needs-related payments over the summer if they are not attending classes.

**Fulton, Montgomery, and Schoharie Counties  
Workforce Development Board, Inc.**

**Eligibility for Training Services (OJT & CRT)**  
**BY-2008-38**

On-the-Job Training and Classroom Training may be made available to employed and unemployed adults and dislocated workers who:

- Have met the eligibility requirements for intensive services, have received at least one intensive service and have been determined to be unable to obtain or retain employment through such services, and
- After an interview that includes a comprehensive assessment have been determined to be in need of training services and to have the skills and qualifications to successfully complete the selected training program, and
- Select a program of training services that is directly linked to the employment opportunities either in the local area or in another area to which the individual is willing to relocate, and
- Are unable to obtain grant assistance from other sources<sup>2[1]</sup> to pay the costs of such training or required WIA assistance in addition to other sources of grant assistance, including Federal Pell Grants, and
- For individuals whose services are provided through the adult funding stream, are determined eligible in accordance with the **State and Local Priority System**, if any, in effect for adults

**State and Local Priority System**

Local Workforce Development Board has set policy to serve Adults earning up to 500% of the Federal Poverty Guidelines (based on family size), with priority given to low-income and/or Public Assistance recipients.

Eligibility for Training Services (OJT & CRT)  
PY2001-08 - Adopted 9/5/2001  
BY-2008-29- Approved 4/1/09  
BY-2008-38 – Revision Approved 5/6/09

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<sup>[1]</sup> Other sources may include but are not limited to Welfare-to-Work, State-funded training funds, Trade Adjustment Assistance and Federal Pell Grants established under Title IV of the Higher Education Act of 1965

**Fulton, Montgomery, and Schoharie Counties  
Workforce Development Board, Inc.**

**Individual Training Account Policy  
BY-2008-30**

**The FMS Workforce Development Board will contribute up to \$8,250 towards tuition, books and fees for completion of training that leads to a degree, certificate, or license.**

- The following criteria must be met:
  - Trainee must be a resident of Fulton, Montgomery, or Schoharie County.
  - Trainee has received at least one core and one intensive service and has been determined to be unable to obtain or retain suitable employment through such services.
  - Training can last up to 52 weeks and must be completed within that time frame.
  - Training must be directly linked to local employment opportunities as indicated on the LWIB Classroom Training Demand Occupational List and/or on an Occupational Demand Analysis providing supportive evidence of the demand.
  
- May not exceed a total of \$8,250 when combined with any supportive service funds.
- Students enrolled in a credited program must maintain a minimum 2.0 cumulative grade point average. Those in non-credited program must have documented satisfactory progress. If a student falls below the minimum, he/she may be subject to loss of benefits.
- Customers interested in **CDL Training** will only be considered after the following requirements have been met:
  - Hardcopy of their current abstract from the Department of Motor Vehicles revealing NO alcohol related offense within in the last 10 years, and
  - For those individuals who show a moving violation on their driving abstract, three letters from employers (addressed to the Workforce Solutions Center naming the applicant) indicating that they will consider the applicant for hire upon successful completion of training despite their abstract.
  
- The WIB Executive Director can revise the above policies on a case-by-case basis if it meets the additional needs of the customer. Each exception must be approved in writing and kept in the customer's file.
- If further clarification is needed, the staff person should get it in writing from the WIB Director.

JUSTIFICATION FOR ALL FORMS OF TRAINING MUST BE CLEARLY DOCUMENTED IN THE CUSTOMER'S INDIVIDUAL SERVICE STRATEGY.

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BY 2004-01 - Adopted 7/14/04  
BY-2005-18 – Revised and Adopted 2/1/06  
BY-2006-13 Approved 10/4/06  
BY-2007-02 - Approved 7/11/07  
BY-2008-02 – Revised & Approved 7/9/08  
BY-2008-30 - Approved 4/1/09

**Fulton, Montgomery, and Schoharie Counties  
Workforce Development Board, Inc.**

**Customized Training for Employed Workers  
BY-2009-05**

The Workforce Solutions Center operates a federally subsidized Customized Training Program:

- That is designed to meet the special requirements of an employer (including a group of employers) and relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the Local Board;
- That is conducted with a commitment by the employer to continue to employ an individual on successful completion<sup>3[1]</sup> of the training; and
- For which the employer pays for not less than 50% of the training costs<sup>4[2]</sup> remaining after any other funding sources have been used.

<b>Upgrading to a New Position</b>	<b>Staff Development, no Upgrade</b>
<ul style="list-style-type: none"> <li>▪ The trainee OR the business must reside in Fulton, Montgomery or Schoharie County</li> </ul>	<ul style="list-style-type: none"> <li>▪ The trainee OR the business must reside in Fulton, Montgomery or Schoharie County</li> </ul>
<ul style="list-style-type: none"> <li>▪ The trainee is not earning a self-sufficient wage (\$25/hr)</li> </ul>	<ul style="list-style-type: none"> <li>▪ The trainee is not earning a self-sufficient wage (\$25/hr)</li> </ul>
<ul style="list-style-type: none"> <li>▪ The employer offers full-time, year-round employment (minimum 30 hours per week and no more than 8 weeks of layoff per year) and some kind of fringe benefit</li> </ul>	<ul style="list-style-type: none"> <li>▪ The employer offers full-time, year-round employment (minimum 30 hours per week and no more than 8 weeks of layoff per year) and some kind of fringe benefit</li> </ul>
<ul style="list-style-type: none"> <li>▪ Training time must not exceed 26 weeks</li> </ul>	<ul style="list-style-type: none"> <li>▪ Training time must not exceed 26 weeks</li> </ul>
<ul style="list-style-type: none"> <li>▪ Priority given to companies that have not used this funding source within prior 12 months.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Priority given to companies that have not used this funding source within the prior 12 months.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Starting wage after training must be at least \$11.50/hr AND an increase over the previous wage of at least \$1/hr or 5%, whichever is higher</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Maximum reimbursement based on average hourly wage of trainee(s):</li> <li>▪ \$11.50 – 12.49, \$3000 per person/\$13000 project</li> <li>▪ \$12.50 – 13.49, \$4000 person/\$14000 project</li> <li>▪ \$13.50 +, \$5000 person/\$15000 project</li> </ul>	<ul style="list-style-type: none"> <li>▪ Maximum reimbursement based on average hourly wage of trainee(s):</li> <li>▪ Less than \$12.50, \$3000 maximum</li> <li>▪ \$12.50 - \$13.49, \$4000 maximum</li> <li>▪ \$13.50 +, \$5000 maximum</li> </ul>

*If further clarification is needed, the staff person should get it in writing from the WIB Director.*

JUSTIFICATION FOR ALL UPGRADE TRAINING MUST BE CLEARLY DOCUMENTED IN THE CUSTOMER'S INDIVIDUAL SERVICE STRATEGY.

PY2002-06 Adopted 07/17/02 - BY-2006-08 Revised/Approved 10/4/06  
 BY-2007-09 Revised /Approved 9/5/07 - BY-2007-13 Revised /Approved 12/5/07  
 BY-2008-09 Revised/Approved 7/9/08 - BY-2009-05 Revised/Approved 7/8/09

[1] Successful completion may be defined per contract and include items such as "upon successful completion of training and meeting all employment requirements".

[2] Cost of the training may include cost of the instruction, instructor, curriculum development, training materials, and books. The purchase of equipment, administration and the renovation of facilities are **not** allowable costs.

**Fulton, Montgomery, and Schoharie Counties  
Workforce Development Board, Inc.**

**Customized Training for Unemployed Workers  
BY-2008-08**

The Workforce Solutions Center operates a federally subsidized Customized Training Program:

- That is designed to meet the special requirements of an employer (including a group of employers);
- That is conducted with a commitment by the employer to employ an individual on successful completion<sup>5[1]</sup> of the training; and
- For which the employer pays for not less than 50% of the training costs<sup>6[2]</sup> remaining after any other funding sources have been used.
- That relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the Local Board.
- Starting wage must begin at a minimum of \$10.00/hr and some kind of fringe benefit must be offered
- Training time must not exceed 26 weeks
- \$3,000 Maximum per person or a maximum of \$15,000 per training project with priority given to companies that have not used this funding source within prior 12 months.
- Employer must offer full-time, year-round employment (minimum 30 hours per week and no more than 8 weeks of layoff per year)
- The customer OR the business must reside in Fulton, Montgomery or Schoharie County.

If further clarification is needed, the staff person should get it in writing from the WIB Director.

JUSTIFICATION FOR ALL FORMS OF TRAINING MUST BE CLEARLY DOCUMENTED IN THE CUSTOMER'S INDIVIDUAL SERVICE STRATEGY.

Resolution PY2002-14 - Adopted 07/17/02  
Resolution BY-2006-09 Approved 10/4/06  
BY-2008-08 Revised/Approved 7/9/08

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<sup>[1]</sup> Successful completion may be defined per contract and include items such as "upon successful completion of training and meeting all employment requirements".

<sup>[2]</sup> Cost of the training may include cost of the instruction, instructor, curriculum development, training materials, and books. The purchase of equipment, administration and the renovation of facilities are **not** allowable costs.

**Fulton, Montgomery, and Schoharie Counties  
Workforce Development Board, Inc.**

**On-The-Job Training for Newly Hired Workers  
BY-2009-03**

The Workforce Solutions Center operates a federally subsidized On-The-Job Training Program that reimburses up to 50% of gross wages during their training period for newly hired workers who meet eligibility requirements.

- The customer OR the business must reside in Fulton, Montgomery or Schoharie County.
- Jobs must pay at least \$10.00/hr and must offer some kind of fringe benefit.
- Training time can vary depending on the trainee's former experience, skills, and the employers needs. Provided the SVP (Specific Vocational Preparation) level is at least 8 weeks, training times can vary from 4 weeks to 26 weeks.
- During any one Board Year \*\*, allows businesses with 8 or more employees to contract up to 25% of their workforce, with a limit of 2 contracts for businesses with less than 8 employees.
- Employer must offer full-time, year-round employment (minimum 30 hours per week and no more than 8 weeks of layoff per year).
- Maximum reimbursements based on hourly wage:

\$10.00 – 10.99	\$3000 maximum
\$11.00 – 11.99	\$4000 maximum
\$12.00 +	\$5000 maximum

\*\* Board Year is July 1 – June 30

*If further clarification is needed, the staff person should get it in writing from the WIB Director.*

JUSTIFICATION FOR ALL FORMS OF TRAINING MUST BE CLEARLY DOCUMENTED IN THE CUSTOMER'S INDIVIDUAL SERVICE STRATEGY.

PY2002-05 Original Resolution – Adopted 7/17/02  
PY-2003-04 Revised/Adopted – 7/9/03  
BY2003-26 Revised/Adopted 2/4/04  
BY2006-10 Revised/Adopted 10/4/05  
BY2008-04 Revised/Adopted 6/10/08  
BY-2009-03 Revised/Adopted 7/8/09

**Fulton, Montgomery, and Schoharie Counties  
Workforce Development Board, Inc.**

**Employed Worker Training**  
**BY-2009-04**

The Workforce Solutions Center operates a federally subsidized On-The-Job Training Program that reimburses up to 50% of gross wages during their training period for upgrading workers who meet eligibility requirements (eligible applicants' income not to exceed self-sufficiency guidelines - \$25.00 and hour.

- The employee OR the business must reside in Fulton, Montgomery or Schoharie County.
- The employee must have been employed with the company for a minimum of six months and been on the payroll without any subsidy of the wage for a minimum of six months. Examples of subsidies are: WIA OJT, DOL OJT, subsidized Work Experience, try-out employment.
- Upgraded position must pay at least \$11.50 per hour when beginning the training AND be either an increase of \$1.00 per hour or 5% over the previous wage, whichever is higher.
- Employer must retain the employee at the upgraded rate of pay for a minimum of 12 months.
- Employer must offer some kind of fringe benefits.
- Training times can vary depending on the trainee's former experience, skills, and the employers needs. Provided the SVP (Specific Vocational Preparation) level is at least 8 weeks, training time can vary from 4 to 26 weeks,
- Can contract up to 25% of company's workforce.
- Employer must offer full-time, year-round employment (minimum 30 hours per week and no more than 8 weeks of layoff per year).
- Maximum reimbursements based on hourly wage:
  - \$11.50 – 12.49 \$3000 maximum
  - \$12.50 – 13.49 \$4000 maximum
  - \$13.50 + \$5000 maximum

*If further clarification is needed, the staff person should get it in writing from the WIB Director.*

JUSTIFICATION FOR ALL FORMS OF TRAINING MUST BE CLEARLY DOCUMENTED IN THE CUSTOMER'S INDIVIDUAL SERVICE STRATEGY.

PY-2001-03 Adopted 07/11/01; Revised 11/07/01  
BY-2006-07 Revised / Approved 10/4/06  
BY-2007-08 Revised / Approved 9/5/07  
BY-2008-07 Revised/Approved 7/9/08  
BY-2009-04 Revised/Approved 7/8/09

**FULTON, MONTGOMERY, AND SCHOHARIE COUNTIES**  
WORKFORCE DEVELOPMENT BOARD/ONE-STOP CENTER  
OPERATOR CONSORTIUM AGREEMENT  
July 1, 2008 – June 30, 2010  
*Revised 8/09*

**Designation of the One-Stop Center Operator Consortium:** The FMS WDB and the Chief Elected Officials of the three counties have designated and certified the Schoharie County Community Action Program, Inc. (SCCAP) representing the Community Services Block Grant E & T; the New York State Department of Labor (NYS DOL) representing Wagner-Peyser, Unemployment Insurance, and DVOP/LVER; and the Schoharie County Department of Social Services (SCDSS) representing WIA Title I Adult, Dislocated Worker, TAA/NAFTA, and Youth as a Consortium to act as the One-Stop Operator in the Centers of Gloversville, Amsterdam, and Cobleskill. The current Consortium Agreement is in effect from July 1, 2008 through June 30, 2010. This revision takes effect on July 1, 2009 and sunsets on June 30, 2010. If a new agreement is not in place at that time, provisions of this agreement will continue in effect until a new agreement is signed and accepted by the FMS WDB and the Chief Elected Officials.

SCCAP is represented by Barbara Rivenburgh, Executive Director.

NYS DOL is represented by the Local Manager (to be named), Division of Employment and Workforce Solutions, Local Manager of the three local NYSDOL offices and a member of the FMS Workforce Solutions Centers Leadership Team. NYSDOL is the lead agency of the Consortium and liaison to the Board through the Oversight Committee. NYSDOL oversees the coordination of the provision of services at the Workforce Solutions Centers in Gloversville, Amsterdam, and Cobleskill.

SCDSS, represented by Commissioner Paul Brady, represents WIA- funded services.

This Consortium is responsible for oversight of the implementation and ongoing execution of Board policies and procedures in the three Workforce Solutions Centers located in Gloversville, Amsterdam, and Cobleskill.

***FMS WDB Vision and Mission Statement:***

The Fulton, Montgomery, and Schoharie Counties Workforce Development Board, Inc. (FMS WDB) has established the following vision and mission:

***Vision***

The Fulton, Montgomery, Schoharie Counties Workforce Development Board and Partners envision a customer-focused, universal access, quality-driven system of workforce development services for job seeker and business customers that will provide a competitive, world-class workforce able to fuel a vibrant economy in the FMS WDB region. In short, the vision of the Board and Partners is: *Creating Workforce Solutions.*

***Mission***

For the System: The Fulton, Montgomery, Schoharie Counties Workforce Development System will provide a quality workforce for business and employment opportunities for jobseekers.

For the Board: The FMS Workforce Development Board's mission is to strategically manage the system.

Mission Strategies:

- Promote collaboration of economic development, business, and education and training resources;
- Evaluate the system's performance and quality; and
- Develop a dialogue with the community regarding needs and services.

**FMS WDB Relationship to the One-Stop Center Operator Consortium:**

The Fulton, Montgomery, and Schoharie Counties Workforce Development Board is the operator of the FMS Workforce Solutions System. The System includes a network of workforce partners and the services they provide as well as three Workforce Solutions Centers and center services provided as outlined later in this document. The Executive Director, Gail Breen, and her staff carry out day-to-day responsibilities for implementing the policies and carrying out the mission of the System. Oversight of the activities of the Operators' Consortium is carried out by the Board's Oversight Committee and the Executive Director, Gail Breen.

### **One-Stop Center Operator Consortium Role and Responsibilities:**

The goal of the Fulton, Montgomery, and Schoharie Counties (FMS) One-Stop Operator Consortium is to support the mission and vision of the FMS Workforce Solutions System by operating full-service Workforce Solutions Centers in Gloversville, Amsterdam, and Cobleskill. NYSDOL oversees the coordination of the provision of functionally aligned staff and services at the Workforce Solutions Centers in Gloversville, Amsterdam, and Cobleskill

The Consortium is responsible for oversight of the following areas in the three Workforce Solutions Centers:

- Front Door/Greeter activities
- Customer flow
- One-Stop layout
- Career Resource Room activities
- Center hours of operation
- Regularly scheduled Center meetings of partner staff
- Employer outreach and job development
- Staff capacity building
- Business marketing plan as developed by FMS WDB, the system operator
- Collection of customer satisfaction as required by FMS WDB, the system operator
- Collection and analysis of Career Card data

Services are provided on-site utilizing a resource and service integration model known as Functional Alignment. These services, provided by staff of the Consortium Partners, WIA sub-contractors and other Center Partners include, but are not limited to:

- Job vacancy listings
- Information on job skills necessary to obtain jobs
- Local occupations in demand
- Job search and placement assistance
- Career counseling and planning
- Comprehensive and specialized assessment
- Short-term pre-vocational services
- OJT development
- Assessment for, and referral to, classroom training
- Business services activities including
  - Job postings
  - Customized job fairs/recruiting
  - Training Referrals
  - Incentive Programs
  - Human resource assistance
  - Apprentice program certification
  - Layoff/transition assistance
  - Health and safety consultations

The FMS Workforce Solutions System has a functionally aligned Business Services Team that is made up of staff from the WIA subcontractor and NYSDOL Division of Employment Services. This is an integrated services team with functional supervision by the NYSDOL DEWS Supervising Labor Services Representative and the WIA subcontractor Program Director.

Each Center has a fully staffed and equipped Career Resource Room. Services and resources for Career Resource Room customers include computers with a variety of self-directed tutorials, resume writing programs, job listings, access to the internet and fax machines, career reference materials, labor market information, local and regional newspapers, and college and technical school catalogs. Career Resource Room personnel include functionally aligned staff from a number of Partner organizations including the WIA sub-contractor and NYSDOL DEWS, and the Experience Works Program. The Resource Room Team is an integrated services team which is functionally supervised by the WIA subcontractor Program Director.

All Centers are located near frequently traveled transportation lines and are accessible by public transportation. Free public parking is also available. The lots include an adequate number of clearly marked accessible parking spaces for individuals with disabilities. The Centers themselves are fully accessible to persons with disabilities. Each Center has automatic door openers, handicapped restroom facilities, and signage in Braille. Each Career Resource Room is equipped with a Telecommunications Device for the Deaf (TDD) and an accessible computer/workstation that is equipped with programs that provide equal access to employment resources for individuals with disabilities.

Although the Workforce Solutions Centers formally became operational on July 1, 2000, with the implementation of the Workforce Investment Act of 1998, many of the partners in each of the three Centers have had a long history of co-location and cooperation.

Center hours are consistent across all three Centers, Monday through Friday from 8:30a.m until 5 p.m. with the exception of state and federally recognized holidays.

Day-to-day responsibility for implementation and ongoing execution of Board policies and procedures and general operations will be handled by the WDB/WIA/DOL Leadership Team and the Green Team.

**Center Leadership Team:** This team is made up of the Workforce Development Board's Executive Director and Program Management Specialist, the Program Director of the WIA Services sub-contractor, and the NYSDOL Division of Employment and Workforce Solutions (DEWS) Supervising Labor Services Representative, in lieu of the Local Manager (to be named).

**Center Green Team:** The Green Team is a team of front-line Center partner and sub-contractor staff that monitors and provides valuable feedback on day-to-day activities in the Centers and recommends continuous quality improvements to the Centers and to the System. From time to time, The Consortium/Oversight Committee may assign a specific quality project to the Green Team for their discussion and input. The Green Team is a self-directed team made up of non-management staff representing all of the functional teams, the Resource Room Team, the Front Desk Team, the Workforce Advising Team, the Business Services Team, and the Youth Services Team.

The Green Team acts as a link between Center staff and the Workforce Development Board regarding the implementation of policies and procedures and day-to-day operations. This linkage is accomplished through regular contact with the Center Leadership team and through quarterly meetings with the One-Stop Operators' Consortium and the Board's Oversight Committee. If issues arise that need to be addressed by the Green Team and/or the One-Stop Operators' Consortium before a regularly scheduled meeting, the Oversight Committee can convene a special meeting. The Executive Director, Gail Breen, is the liaison between the Green Team and the Consortium/Oversight Committee.

**Working Relationship Between the Board and the One-Stop Center Operator Consortium:**

The One-Stop Operator Consortium is a sub-committee of the Board’s Oversight Committee. Members of the Consortium meet monthly with the entire Oversight Committee to discuss Center issues and reports. The Oversight Committee is responsible for oversight of the operation of the One-Stop Centers and System. The One-Stop Operators’ Consortium may make recommendations to the Board for policies and procedures in the Centers through the Oversight Committee. Information collected from the Centers will be utilized in the development of local and regional State of the Workforce Reports and marketing materials developed by the Board through its Committees.

Gail Breen, Executive Director, is staff to the Oversight Committee. Regina Papa, WDB Program Management Specialist is staff to the One-Stop Center Operators’ Consortium.

**Standards, Measures, and Performance Outcomes:** Meeting negotiated WIA performance standards is the responsibility of the WIA sub-contractor, not the One-Stop Operators’ Consortium. The Board’s Oversight and Accountability Committees review WIA performance measures and outcomes of WIA Performance Outcomes and USDOL Common Measures and provides feedback to the Center Leadership Team through the Board’s Executive Director.

The Operators’ Consortium is responsible for collecting enrollment and activity data that can be used for determining Systems Indicators as adopted by the State Workforce Investment Board and Critical Success Factors developed by the Corporation for a Skilled Workforce. Other data collection tools include the Career Card (swipe card) System. The Operators’ Consortium collects and reports on data on a monthly basis for Center-specific activities. This includes “front door traffic” in each of the three Centers, new Center and WIA Youth registrants, and types of services received. These are compared with monthly “year-to-date” totals from the previous year to assist in trend analysis.

The undersigned agree to continue the consortium of entities to act as the One-Stop Operator for the Full Service Workforce Solutions Centers in Gloversville, Amsterdam, and Cobleskill.

**Agreed to this day:**

\_\_\_\_\_  
Charles Finin, Chairman  
FMS Workforce Development Board

\_\_\_\_\_  
Date

\_\_\_\_\_  
Barbara Rivenburgh, Executive Director  
Schoharie County Community Action Program, Inc.

\_\_\_\_\_  
Date

\_\_\_\_\_  
To be Named, Office Manager for DEWS  
NYS Department of Labor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Paul Brady, Commissioner  
Schoharie County Department of Social Services/WIA Representative

\_\_\_\_\_  
Date

## **Chief Local Elected Officials Agreement**

### **Fulton, Montgomery, and Schoharie Counties, New York**

In accordance with the Workforce Investment Act of 1998 (WIA) (P.L. 105-220), the Counties of Fulton, Montgomery, and Schoharie enter into this agreement as described in WIA to organize and implement activities pursuant to WIA and in accordance with requirements established by the Governor of the State of New York (Governor) for purposes of implementing programs and services under WIA.

#### **Designation of Chief Local Elected Officials**

Under this agreement the Chief Local Elected Official (CLEO) in each County shall be the Chairperson of the Board of Supervisors. Except for the appointment of members of the WDB, the Chief Local Elected Officials shall act as one entity. In the event of a disagreement or dispute, a majority of the three CLEOs shall determine the resolution of the conflict.

#### **Designation of Grant Subrecipient and Fiscal Agent**

In accordance with WIA and the requirements of the Governor, in May 2000, the CLEOs established the Fulton, Montgomery, and Schoharie Counties Workforce Development Board, Inc. (FMS WDB) as the recognized entity to function as the Workforce Investment Board (WIB) under WIA. Further, the CLEOs authorized the FMS WDB to provide planning, guidance, monitoring, support, oversight, and regulation to ensure the highest quality workforce development system.

The CLEOs recognize that under WIA they are jointly responsible for the funds, and agree to continue the appointment of Fulton County as the Grant Recipient. They hereby continue the appointment of the FMS WDB as the Grant Subrecipient and as the Fiscal Agent for related and necessary activities under WIA or this contract. The FMS WDB may, at its discretion, contract out some or all of the duties of the Fiscal Agent, but in either case shall remain responsible to the CLEOs for those functions.

#### **Membership of the Workforce Development Board**

The membership of the WDB shall be appointed by the CLEOs. Each CLEO shall appoint an equal number of WDB members. There shall be five public sector and six private sector members appointed by each CLEO. The CLEOs shall among themselves agree so that all of the mandatory representatives listed under WIA Section 117 will be represented.

Members were appointed for three-year staggered terms so that each CLEO appointed four members for a three-year term, three members for a two-year term, and three members for a one-year term -- all terms beginning on the date the original agreement was executed. After the initial appointments all terms shall be for three years. All WDB appointments shall be subject to the provisions of WIA and its regulations and subject to the requirements of the Governor and the State Workforce Investment Board.

The members of the WDB shall hold an Annual Meeting with election for the position of Chairperson and other Officers of the Board in accordance with WIA and bylaws enacted by the FMS WDB.

Modification of membership may be completed at any time by the members of the FMS WDB subject to the approval of the CLEOs.

**Joint Activities of WDB and CLEOs**

All parties recognize that a meaningful partnership between the FMS WDB and the CLEOs must exist in order to create and maintain the highest possible quality of workforce services within the three counties.

The FMS WDB shall develop a local plan in accordance with Section 117 in partnership with the CLEOs and submit this plan to the Governor.

In accordance with Section 118 the FMS WDB shall select one or more One-Stop Operators, and these selection(s) shall be approved by the CLEOs.

**Financial Liability**

In accordance with Section 117(d)(3)(B)(i)(I) of the Workforce Investment Act, CLEOs are liable and responsible for WIA and other directly administered funds expended under the Workforce Investment Act.

In the event that any expenditures of funds under WIA are disallowed by the State of New York or the United States Department of Labor, the following process will be used.

- o The WDB shall attempt to recover the disallowed expenditure from funds available to subgrantees or vendors causing the disallowance.
- o The WDB shall cover the disallowed expenditure from any funds it may have or be able to obtain which are eligible to be used for the purpose.
- o If the disallowed expenditure of funds cannot be recovered under A or B above but are eligible for recoupment in one of more future years, at the absolute discretion of the CLEOs such disallowed expenditure of funds shall be recouped in one or more future years
- o If the disallowed expenditure of funds cannot be recovered under A, B, or C above, then liability for repayment of those funds shall be distributed equally to the Counties.

**Duration of Contract**

This agreement shall become effective on the day it is executed by all three CLEOs and shall remain in effect and shall automatically be renewed from year to year (July 1 through June 30) unless the CLEOs notify the WDB of their intent not to renew at least 120 days prior to the expiration date of any one-year period.

This agreement shall remain in effect under WIA and such other legislation that may hereafter be adopted to supplement or supersede such Act.

\_\_\_\_\_  
John Callery, Chairperson  
Fulton County Board of Supervisors

\_\_\_\_\_  
Date

\_\_\_\_\_  
John Thomas, Chairperson  
Montgomery County Board of Supervisors

\_\_\_\_\_  
Date

\_\_\_\_\_  
Earl Van Wormer III, Chairperson  
Schoharie County Board of Supervisors

\_\_\_\_\_  
Date