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Notes:

*These policies are new or were revised to be in conformance with EDD and DOL guidance and directives.

AJCC Branding and Operations

America's Job Center of California℠ (AJCC) Branding Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
All Workforce Innovation and Opportunity Act (WIOA) funded America's Job Center of California℠ (AJCC) operators, locally known as WorkSource and YouthSource Centers, must adhere to the City of Los Angeles Workforce Development Board's (WDB) branding policy, federal, and state requirements regarding co-branding with the U.S. Department of Labor's (USDOL) American Job Centers brand.

BACKGROUND
The WDB's branding policy ensures a consistent image and public service identity to increase the public's awareness of the City's WorkSource and YouthSource networks. The policy also ensures the consistency and integrity of the WorkSource and YouthSource brands as they appear to the public and compliance with Federal and State of California Workforce Development Board's co-branding requirements.

POLICY AND PROCEDURES
All AJCC operators must adhere to the Workforce Development Board's (WDB) branding policy covering the WorkSource and YouthSource brands and must co-brand with the U.S. Department of Labor's (USDOL) American Job Center brand.

Specifically, all AJCC operators shall adhere to the co-branding of "A proud partner of America's Job Center of California℠ network" as directed through their contractual obligations and any related directive(s).

All AJCC operators shall ensure that logos, taglines, and graphics of all collateral materials, websites, and signage utilized for WIOA programs conform to the AJCC Organizational Identity and Style Guide referenced below, issued by the California Workforce Investment Board effective July 1, 2013.

In addition, for any visual materials created – marketing collateral materials, training, recruitment flyers, articles, press/media releases, etc. – AJCC operators must include the appropriate branding logo (WorkSource or YouthSource) and the City of Los Angeles, the WDB, and the Economic and Workforce Development Department logos.

At all times (including all references, marketing collateral materials, training, and recruitment flyers, articles, press/media releases, social media efforts, and external and internal signage, etc.), branding of the WorkSource or YouthSource Centers shall require naming which states the Center's designated geographical name first (required), with the operator's organization as secondary (optional). Examples: "Northwest Los Angeles WorkSource Center, operated by XYZ Contractor, Inc." or "Central Mid Los Angeles YouthSource Center, operated by ABC Youth Agency, Inc."

To the extent possible and feasible, WorkSource and YouthSource contractors are encouraged to

utilize the brochure/flyer templates provided by the Economic and Workforce Development Department.

In addition, all AJCC operators must adhere to the EEO requirements in terms of accessibility language on all websites, collateral materials, and media outreach. For more information on this requirement, refer to the Nondiscrimination and Equal Opportunity Policy.

REFERENCES

- State of California Employment Development Department Workforce Services Information Notice WSIN12-43: New One-Stop Branding- America's Job Center of California Network (March 15, 2013)
- AJCC Organizational Identity and Style Guide, California Workforce Investment Board (July 1, 2013)

Infrastructure Funding Agreement (f.k.a. Resource Sharing Agreement)

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance on the Resource Sharing Agreement ("Infrastructure Funding Agreement").

BACKGROUND
The Workforce Innovation and Opportunity Act (WIOA) requires that a Resource Sharing Agreement (RSA), a key component of the WIOA MOU, be executed between the operators of the WorkSource Center / America's Job Center of California (WorkSource/AJCC) and the co-located partners at each site, with the objective to ensure that the costs of operating a WorkSource/AJCC are shared between the partners. It includes funding of infrastructure and operating costs of the Centers, funding of shared services, and the leveraging of in-kind contributions, as appropriate. All mandatory WIOA partners shall negotiate in good faith and seek to establish RSAs that are equitable.

In order to establish a high-quality One-Stop delivery system and enhance collaboration amongst partner programs, WIOA requires Local Boards to develop MOUs with all AJCC-required partners present in their Local Workforce Development Area (Local Area). The expectation is that these MOUs serve as a functional tool as well as a visionary plan for how the Local Board and AJCC partners will work together to create a unified service delivery system that best meets the needs of their shared customers.

The City of Los Angeles (City) renewed its MOUs with all strategic partners on July 1, 2022, in compliance with EDD Directive WSD 18-12. These MOUs, which will run through June 30, 2025, include infrastructure cost sharing agreements with all partners.

PROCEDURES
The purpose of the Resource Sharing Agreement (RSA) is to establish the terms and conditions of how services and operating costs of the local workforce system will be funded. The RSA should capture cost sharing information on infrastructure funding of the AJCC/WSCs and Specialized AJCCs [YouthSource Centers (YSC)], funding of shared services, operating costs of the System, and the leveraging of in-kind contributions, as appropriate. All required AJCC/WSC and Specialized AJCC Partners must work together to integrate shared services and leverage each other's resources to effectively and efficiently serve common customers of the local workforce system.

WIOA requires that American Job Center Partners describe how the costs of services and the operating system will be funded, including:

- Cash and in-kind contributions that are fairly evaluated, which may include contributions

from philanthropic organizations or private entities, or through alternative financing options, to provide a stable and equitable funding stream for ongoing AJCC/WSCs delivery system operations;
- Infrastructure costs of the AJCC/WSC and Specialized AJCCs.

As detailed in WIOA, the goal of the RSA is to develop a funding mechanism that:

- Maintains the local workforce delivery system to meet the needs of the local area;
- Reduces duplication by improving program effectiveness through the sharing of services, resources, and technologies among Partners;
- Reduces overhead by streamlining and sharing financial, procurement, and facility costs; and
- Ensures that costs are appropriately shared by AJCC/WSC and Specialized AJCC Partners by determining contributions based on a proportionate share of use and requiring that all funds are spent solely for allowable purposes in a manner consistent with the applicable authorizing statute and all other applicable legal requirements, including the Federal cost principles.

The State's workforce delivery system is intended to function as a system where all customers can access valuable services and connect to resources necessary for their career success. The costs of operating this system, therefore, include non-personnel costs, such as facilities and technologies, in addition to personnel costs for those who deliver services directly to businesses and job-seeking customers. Shared services' costs may include the costs of shared services that are authorized for and may be commonly provided through, any of the AJCC/WSC and Specialized AJCC partner programs to any individual, such as:

- Initial intake;
- Assessment of needs;
- Evaluation of basic skills;
- Identification of appropriate services to meet needs;
- Referrals to other American Job Center Partners; and,
- Business Services.

Shared costs must be allocated according to AJCC/WSC/YSCs Partner's proportionate use and relative benefits received. Any shared costs agreed upon by the Partners must be included in the WIOA MOU.

With this in mind, the City and Collocated Partners will employ a cost allocation methodology based on space use by square footage (the proportion of a Partner's occupancy percentage) to determine the proportionate share of infrastructure costs for each Collocated Partner. The methodology will apply the ratio of space usage by a Partner over the entire space of the site occupied by all Partners to the infrastructure costs of the Comprehensive AJCC to determine the share of the given Partner's cost. The calculation of infrastructure costs will be for the whole system rather than center by center.

The RSA component of the WIOA MOU will identify infrastructure and shared services of the local

workforce system that will be reconciled on an annual basis against actual costs incurred and adjusted accordingly. The WIOA MOU/RSA should further identify how the partners will operate when overages or savings occur after reconciliation. This is required to ensure that the costs are fairly evaluated and that each Partner is not required to contribute more than its proportionate share. The RSAs will be transparent and negotiated among Partners on an equitable basis to ensure costs are shared appropriately. All Partners will negotiate in good faith and seek to establish a WIOA MOU/RSA that is reasonable and fair.

Reconciliation of AJCC Partner Contributions

The Local Board is responsible for ensuring that all AJCC infrastructure costs are paid according to the provisions of the signed MOU. Until the actual costs are known, and the usage and benefits are calculated, each partner's true proportionate share of cost will be unknown. Therefore, all AJCC partner contributions, regardless of type, are to be reconciled regularly (e.g., monthly, quarterly, or annually), comparing expenses incurred to relative benefits received. The reconciliation process is necessary to ensure that the proportionate share each partner program is contributing remains consistent with the cost methodology, is up to date, and in compliance with the terms of the MOU. The MOU must include a reconciliation schedule, identify who will be responsible for the reconciliation, and include the names and/or titles of partners who will be approving the reconciliation.

Local Funding Mechanism

One of the hallmarks of WIOA is an increased emphasis on local control. If a Local Board is unable to complete Infrastructure Funding Agreements (IFAs) with all its AJCC partners by the required due date, then the State Funding Mechanism (SFM) will be triggered.

Timeline

The MOUs are required to include their duration, amendment procedures, and an assurance to update not less than once every three years. The MOUs must be amended anytime there are significant changes to the shared customers, services, and/or costs. If an MOU gets amended, the Local Board shall notify their regional Advisor of the amendment and approvals. In order to allow for state monitoring and policy developments, all MOUs are to be effective on the same three-year schedule starting on July 1, 2022, and ending on June 30, 2025.

Limited English Proficiency Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides guidance and sets standards for the City of Los Angeles Workforce Development System (WDS) and other agencies serving Limited English Proficiency (LEP) individuals to ensure meaningful and timely access to Workforce Innovation and Opportunity Act (WIOA) funded programs and services.

For this purpose, no one will be denied access to information, services, or resources throughout the WDS because of their limited proficiency in the English language or be subjected to unreasonable delays in the receipt of such services. A person can qualify as LEP if they are an adult or out-of-school youth, who has a limited ability to read, write, speak, or understand English, and a) whose native language is a language other than English; or b) who lives in a family or community environment where a language other than English is the dominant language.

BACKGROUND

The WIOA requires programs receiving Federal financial assistance, to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. Denial of equal access to federally funded programs and activities based on national origin, including LEP is strictly prohibited. This policy is pursuant to Section 188 of WIOA; Title VI of the Civil Rights Act of 1964; Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency;" the Dymally-Alatorre Bilingual Services Act; and the U.S. Department of Labor (DOL) Training and Employment Guidance Letter 26-02.

POLICY AND PROCEDURES

Language Assistance Plan:

The Workforce Development System (WDS) through its WorkSource and YouthSource Centers must develop a language assistance plan that is annually updated and submitted to the EWDD's LEP Coordinator by July 15th of each year for the upcoming program year. Failure to comply will impact contract compliance. The contents of the Language Assistance Plan must at a minimum consist of the following elements:

- LEP Language Assessment Survey
- LEP client policy
- Current demographics showing the number of LEP individuals requiring language assistance during the prior program year
- Description of language assistance tools (e.g., "I Speak" Identification Cards)
- List of vital documents available for dissemination to LEP persons
- Updated information identifying staff who are bi-lingual or multi-lingual. The Centers have two primary ways to provide language services: oral interpretation, either in person or via a telephone interpretation service, and written translation. The correct mix of language

assistance services should be based on demographic data reflected in the LEP Assessment, and on what is both necessary and reasonable.
- Local outreach efforts to increase LEPs' awareness of available resources.

LEP Assessment:
As the first key to ensuring meaningful access, each agency in the WDS will conduct a thorough annual assessment of the languages spoken by customers and potential customers in the communities it serves. In addition to identifying the current LEP makeup of the service areas, the Workforce Development System will also examine **a)** whether existing LEP resources and tools are adequate, and **b)** what improvements are needed to outreach to LEP populations that might be underserved relative to their proportion in the service area. An LEP Questionnaire to collect this data shall be emailed by the City to all WSCs and YSCs by June 1st.

For the WDS to properly assess the significant LEP population, the Workforce Development Board (WDB) promotes the use of the DOL's four factors to determine the language needs of an area:

- The number or proportion of LEP persons served or encountered in the eligible service population--the greater the number or proportion of LEP persons in a language group, the more language services needed;
- The frequency with which LEP individuals come in contact with the program higher frequency requires more services;
- The nature and importance of the program, activity, or service provided by the recipient; and
- The resources available to the recipient and costs--larger recipients with larger budgets must provide a higher level of language services

In assessing the first factor, consider any temporary but significant changes in the community's demographics. For example, in some communities, the population swells during peak vacation periods or seasonal influx for agricultural or manufacturing employment purposes.

The second factor, frequency of contact, should be considered in the light of areas or neighborhoods that may have concentration of LEP individuals. In such cases, even if the overall number of LEP persons in the area is low, the frequency of contact may be higher.

The third factor should be taken in the light of how the services available in the area impact the lives of its target population. The more important the program, or the greater the possible consequences of the contact for LEP individuals, the more likely the language assistance services will be necessary.

The fourth factor should be considered in promoting service quality and service integration that provide a seamless system with a responsive and comprehensive array of services.

Translation of Vital Documents:
The language assistance plan should incorporate a plan to translate "vital" written materials into the languages that were identified through the LEP assessment. DOL has acknowledged the difficulty in identifying vital documents. However, the federal register states that "meaningful access" must be granted to all individuals. Thus, vital documents could include:

- Applications to participate in a Workforce Innovation and Opportunity Act (WIOA) program, activity, or services
- Written tests that do not assess English language competency, but test the competency for a particular license, job, or skill for which English language proficiency is not required
- Consent and compliance forms
- List of partners at a Center and services provided
- Letter containing important information regarding participation in a program or activity
- Notices pertaining to the reduction, denial, or termination of services or benefits and of the right to appeal such actions
- Notices that require a response from beneficiaries
- Information on the right to file complaints of discrimination
- Information on the provision of services to individuals with disabilities
- State wage, hour, safety, health enforcement, and information materials
- Notices advising LEP persons of the availability of free language assistance
- Other marketing and outreach information

Additionally, all translated documents must be reviewed for accuracy. Even though certified translators are not required, the WDS should have mechanisms in place to verify the accuracy of the translated document.

Interpreter Requirements:
At a minimum, all interpreters used by the WDS must meet the following requirements:

- Demonstrated proficiency in both English and another language
- Fundamental knowledge in both languages of any specialized terms or concepts peculiar to the Center's program or activity
- Sensitivity to the LEP person's culture
- Demonstrated ability to convey information in both languages accurately; and if possible, use staff trained in the skills and ethics of interpreting

There may be cases where interpretation services are offered to the LEP person and these are declined. In such cases the LEP person may request the use of a family member or friend as an alternative. It is then appropriate for the Center to use this person to assist in the provision of services. However, the use of such a person should not compromise the effectiveness of services or breach confidentiality. In these cases, the Center should have a competent bilingual staff member observe the communication and interpretation to ensure the accuracy of the information being translated. The Center must also document in the LEP person's file: the offer of an interpreter, the refusal of free language assistance services, and the witnessing of the communication using "Interpreter Services Statement" form.

Consistent with U.S. DOL's federal register guidance, the WDB has adopted the following hierarchy of methods to meet LEP needs as needed:

- Ensuring the WDS hire multilingual staff

- Paid interpreters that are on staff
- Paid outside interpreters
- Use telephone interpreter lines
- Community volunteers-trained in both interpretation and in WIOA programs
- Not using children, family members, friends, and/or strangers as interpreters except in emergency circumstances or when the LEP person decides to use them after being advised of free and competent interpreters being available.

LEP Customer Flow:
After the Center identifies an LEP customer's primary language through a language needs assessment, this information should be documented in the case files preferably using a language identification form such as the Oral and Written Language Designation Form. The choice of whether to use the LEP individual's primary language for oral or written communication is the customer's choice.

Effective February 20, 2018, the required LEP questions were added to the individual registration form in CalJOBS. Beginning on January 3, 2019, it is required that each WorkSource Center records the LEP and preferred language of each applicant, registrant, participant, and terminee. (EDD Information Notice WSIN17-30, April 2, 2018)

The WDS will serve LEP individuals in their service delivery areas and ensure that LEP customers are offered meaningful and equal access to WIOA services. Each Center must be able to describe and document how LEP customers receive services. This will be subject to review by the City's LEP Coordinator and reported to the WDB.

Furthermore, as the WDB develops new sector initiatives and other training programs, Vocational English as a Second Language (VESL) training should be incorporated in these programs to increase LEP customer participation. The WDB is committed to designing programs to ensure that limited English speakers are included in skills training as well as bridge programs. Moreover, the WDS shall leverage resources to increase training opportunities in other languages where available.

Monitoring and Oversight:
Both WDS and City staff will be responsible for monitoring the quality of services to LEP persons.

The WDS must annually evaluate its language assistance plan to keep information current on the LEP makeup of its service area, the communication needs of LEP customers, whether assistance offered is meeting the needs of such persons, whether staff is knowledgeable about policies and procedures and how to implement them, and whether sources of, and arrangements for, assistance are still current and viable. Oversight of the plan should include obtaining the LEP persons' feedback in these areas.

Monitoring and evaluation of the WDS for compliance with Civil Rights legislation will be incorporated in the regular monitoring processes.

The City's evaluation of the WDS's efforts in serving LEP customers will be measured through the

DOL 4-factor analysis and through the following activities:

- Outreach and enrollment activities
- Surveys of customers, clients, and advocates to determine customer satisfaction
- Periodic assessment of current data and local demographics
- Review of the effectiveness of agency policies and practices describing services to LEP individuals
- Review staff capacity by determining in-house linguistic resources, recruiting, and hiring bilingual or multilingual employees and promote continuing education to enhance staff ability to serve LEP clients
- Review of the agency's protocol in receiving and responding to complaints by customers.

REFERENCES

- Section 188 of the Workforce Innovation and Opportunity Act
- Federal Register: Vol. 79, No. 220, Guidance on the prohibition against National Origin Discrimination Affecting Persons With Limited English Proficiency (November 28, 2014); and Vol. 65, No. 159, Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" (August 11, 2000)
- Title VI and VII of the Civil Rights Act of 1964
- Dymally-Alatorre Bilingual Services Act, California Government Code Section 7290-7299.8
- Employment Development Department Directive (WSD) 17-03: Limited English Proficiency (August 11, 2017)
- Department of Labor Training and Employment Guidance Letter (TEGL) 28-16, Change 2: Best Practices, Partnership Models, and Resources Available for Serving English Language Learners, Immigrants, Refugees, and New Americans (January 18, 2017)

Priority of Service Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance and establishes the procedures regarding priority of service for individuals who are basic skills deficient, low-income individuals, and recipients of public assistance served with Workforce Innovation and Opportunity Act (WIOA) Adult funds.

BACKGROUND
The WIOA requires that funds allocated to a Local Area for Adult employment and training activities must follow priority of service guidelines, which state priority of service is to be provided to individuals who are basic skills deficient, low-income individuals, and recipients of public assistance for career individualized services and training services. Adult priority of services *does not* apply to the WIOA Dislocated Worker program.

Veterans and eligible spouses receive priority of service for all DOL-funded programs amongst all participants. These requirements must still be applied in accordance with guidance issued by the DOL and State of California Employment Department (EDD) Workforce Services Directive Priority of Service (Veterans) - Final - Directive Template.docx (ca.gov) (WSD) 19-04.

The WIOA encourages cooperation across partner programs to help make certain the workforce system is prioritizing individuals most in need. AJCC partners may do this via cross-training with other programs, an integrated technological case management system, community-based partnerships, and enhanced outreach strategies.

POLICY AND PROCEDURES

Priority of Service Requirement
AJCC Operators are required to provide priority of service to veterans and eligible spouses for all WIOA-funded activities, including technology–assisted activities. Priority of service means that veterans and eligible spouses are entitled to take precedence over non-covered persons in obtaining employment, training, and placement services. More specifically, a veteran or an eligible spouse either receives access to a service earlier in time than a non-covered person or, if the resource is limited, the veteran or eligible spouse receives access to the service instead of or before the non-covered person.

In implementing priority of service, AJCC Operators must ensure veterans and eligible spouses receive basic career services and individualized career services before other non-covered individuals. Additionally, they must ensure veterans and eligible spouses receive priority on waiting lists for training slots and are enrolled in training before non-covered persons. However, once a non-covered participant is enrolled in a workshop or training class, priority of service is not intended to allow a veteran or eligible spouse to bump the non-covered participant from that class or service.

AJCC Operators must ensure that veteran and eligible spouses are identified at the point of entry,

given an opportunity to take full advantage of priority of service and are aware of their entitlement to priority of service, such as: the full array of employment, training, and placement services available under priority of service, and any applicable eligibility requirements for those programs and/or services. Additionally, AJCC Operators must ensure that written copies of local priority of service policies are maintained at all service delivery points and, to the extent practicable, posted in a way that makes it possible for members of the public to easily access them.

Veterans and eligible spouses continue to receive priority of service among all eligible individuals; however, they must meet the WIOA adult program eligibility criteria and meet the criteria under WIOA Section 134(c)(3)(E). As described in TEGL 10-09, when programs are statutorily required to provide priority, such as the WIOA adult program, then priority must be provided in the following order:

1. Veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.
2. Individuals (other than veterans and eligible spouses) who are the recipient of public assistance, other low-income individuals, or individuals who are basic skills deficient.
3. Veterans and eligible spouses who are not included in WIOA's priority groups.
4. Priority populations established by the Governor and/or Local Workforce Development Board
5. Other individuals not included in WIOA's priority groups.

For additional guidance on providing priority of service to veterans through the Workforce Services Directive, please reference Priority of Service (Veterans) - Final - Directive Template.docx (ca.gov) EDD WSD19-04.

Local Workforce Development Boards (Local Boards) may establish additional priority groups for their Local Area (e.g., residents of the Local Area, individuals with disabilities, ex-offenders, homeless, etc.). If any additional priority groups are established, they should be identified in the local policy.

Definitions
For purposes of this policy, the following definitions apply:

Basic Skills Deficient – An individual that is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society (Reference WIOA Section 3[5]). Criteria used to determine whether an individual is basic skills deficient includes the following:

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

in its required policy.

Case Notes – Paper or electronic statements by the case manager that identifies, at a minimum, (1) a participant's status for a specific data element, (2) the date on which the information was obtained, and (3) the case manager who obtained the information. If case notes are used as a documentation source, the case notes must provide an auditable trail back to the source of information verified. The case manager does not need to keep a hard copy of the information verified in the participant's case file.

Example: A case manager verifies an individual is basic skills deficient by viewing school records, specifically, enrollment in a Title II Adult Education/Literacy program. The case notes must include auditable information, such as the name of the school and the date of enrollment, which could allow an auditor/monitor to later retrieve this information. The case manager would not need to keep a hard copy of the school record in the participant's file (TEGL 06-14, Attachment A).

Low-Income – An individual that meets one of the four criteria below:

1. Receives, or in the past six months has received, or is a member of a family that is receiving, or in the past six months has received, assistance through the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance For Needy Families (TANF), program supplemental security income program, or state or local income-based public assistance.
2. In a family with total family income that does not exceed the higher of the following:
    a. The poverty line.
    b. 70 percent of the Lower Living Standard Income Level.
3. A homeless individual.
4. An individual with a disability whose own income does not exceed the income requirement but is a member of a family whose total income does.

Public Assistance Recipient – An individual that receives federal, state, or local government cash payments for which eligibility is determined by a needs or income test (Reference WIOA Section 3[50]).

Self-Attestation – When a participant states his or her status for a particular data element, such as low income, and then signs and dates a form acknowledging this status. The key elements for self- attestation are (1) the participant identifying his or her status for permitted elements, and (2) signing and dating a form attesting to this self-identification. The form and signature can be on paper or in the Local Area management information system, with an electronic signature (TEGL 23-19, Attachment II).

*Note that be is not to be used as the primary method of gathering documentation to verify data elements. Self-attestation as a documentation source is only to be used when the preferred options of paper documentation or third-party corroboration are not available.

Benchmark Percentage of Priority of Service Populations

Each agency will be required to ensure that 75 percent of participants receiving individualized career and training services in the Adult program are from at least one of the priority groups

mentioned above in the "Priority of Service Requirement". Agencies are recommended to strengthen internal systems and seek outside partnership to ensure priority populations are reached (TEGL 07-20).

The Local Area and WorkSource Center priority of service rate is calculated based on the number of participants exited from the program who are identified as a priority population and received an individualized career or training service during their period of participation. This number is divided by the total number of participants exited from the program who have received an individualized career or training service.

Documentation

Local Areas may use the following sources of documentation to verify whether an adult participant qualifies for priority of service under WIOA:

PRIORITY OF SERVICE	
Priority of Service Criteria	**Acceptable Documentation** (Only the documentation sources listed below may be used.)
1. **Basic Skills Deficient**	• School Records • A referral or records from a Title II Basic Adult Education program or English Language Learner program • Results of academic assessment • Case notes* • Self-Attestation*
2. Low Income	• Alimony agreement • Award letter from veteran's administration • Bank statements • Compensation award letter • Court award letter • Pension statement • Employer statement/contact • Family or business financial records • Housing authority verification • Pay stubs • Public assistance records • Quarterly estimated tax for self-employed persons • Social Security benefits • Unemployment Insurance documents • Self-attestation*

3. Recipient of Public Assistance	• Crossmatch with public assistance database • Copy of authorization to receive cash public assistance • Copy of public assistance check • Medical card showing cash grant status • Public assistance records • Refugee assistance records
*Please reference the definition section of this directive for additional guidance on case notes or self-attestation being used for documentation purposes.	

For reporting and statistical purposes, document all barriers of employment to accurately measure populations served within the City's workforce development system.

REFERENCES

- WIOA (Public Law 113-128) Sections 3 and 134
- Title 20 Code of Federal Regulations (CFR) WIOA Final Rule, Sections 680.150, 680.600, 680.610, 680.650
- Training and Employment Guidance Letter (TEGL) 7-20 (PDF), Effective Implementation of Priority of Service Provisions for Most in Need Individuals in the Workforce Innovation and Opportunity Act (WIOA) Adult Program (November 24, 2020)
- Training and Employment Guidance Letter (TEGL) 23-16 (PDF), Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor (DOL) Workforce Programs (June 18, 2021)
- Training and Employment Guidance Letter (TEGL) 19-16 (PDF), Guidance on Services Provided Through the Adult and Dislocated Worker Programs Under the WIOA and the Wagner-Peyser Act Employment Services (ES), as Amended by Title III, Under the WIOA Final Rule (March 1, 2017)
- EDD Workforce Services Directive (WSD) 19-09, Strategic Co-Enrollment – Unified Plan Partners (February 12, 2020)
- EDD Workforce Services Directive (WSD) 23-02: 70 Percent LLSIL and Poverty Guidelines for 2023 (August 22, 2023)

Services and Referrals to Victims of Human Trafficking Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance on the procedures AJCC staff should take when recognizing characteristics of human trafficking, and providing comprehensive services as employment is an essential step to integrating victims of human trafficking back into society.

BACKGROUND
Trafficking in persons affects millions of individuals worldwide. Individuals may be lured into trafficking networks through false promises of good working conditions and high pay as domestic, factory, and farm workers, childcare workers, wait staff, sales clerks, models, or other occupations. Others are kidnapped. Many victims of trafficking may remain undetected because strategies used by the perpetrators isolate victims and prevent them from coming forward. Additionally, many victims of trafficking do not self-identify and may be unaware of resources and services that are available to assist them. The DOL plays a role in the U.S. Government's efforts to combat human trafficking. These methods include:

- Identifying and seeking restitution for unpaid labor performed by victims of trafficking;
- Providing training and employment services to victims of trafficking who qualify for those services, and helping them to become self-sufficient;
- Funding research and technical assistance to combat the worst forms of child labor overseas; and
- Maintaining lists of goods, including their countries of origin that are made using forced labor or forced child labor.

POLICY AND PROCEDURES
America's Job Center of California/WorkSource Center staff is being asked to review and recognize the characteristics of human trafficking, and refer those individuals to the proper authorities and resources, provide employment and training services, and offer information and referral to other wraparound services or law enforcement.

Definitions
Section 103(8) of the TVPA defines the term "severe forms of trafficking in persons" as:

- Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Employment is an essential step in integrating victims of trafficking into society, and therefore, America's Job Center of California/WorkSource Center Staff is reminded that they can assist

trafficking victims in the following ways, as applicable:

1. Recognize the characteristics of victims of trafficking and refer individuals to proper authorities and resources:

Many victims of trafficking do not self-identify. It is important for America's Job Center/WorkSource Center staff to recognize the characteristics of potential victims of trafficking and refer them to the proper authorities and resources. The following are ways in which to identify potential victims of trafficking:

- The potential victim does not possess identification and/or travel documents.
- The potential victim appears to be coached on what to say to law enforcement and immigration officials.
- The potential victim was recruited for one purpose and forced to engage in some other job.
- The potential victim's salary appears to be being garnished to pay off a smuggling fee. (Note: Paying off a smuggling fee alone is not considered trafficking.)
- The potential victim appears to have been forced to perform sexual acts.
- The potential victim does not appear to have freedom of movement.
- The potential victim and/or his or her family have been threatened with harm if the victim attempts to escape.
- The potential victim has been threatened with deportation or law enforcement action.
- The potential victim has been harmed or deprived of food, water, sleep, medical care, and/or other life necessities.
- The potential victim cannot freely contact friends or family.
- The potential victim is a juvenile engaged in commercial sex.
- The potential victim is not allowed to socialize or attend religious services.

For information about hotlines that frontline staff can call to get help for potential victims, refer to the U.S. Department of State's trafficking hotline list at https://www.state.gov/domestic-trafficking-hotlines/
If an individual is under immediate threat or states that they are in danger, staff should call 911.

2. Provide employment and training services:

United States citizens or lawful residents who are victims of trafficking can receive the same America's Job Center of California/WorkSource Center services that are provided to the general public under WIOA. Specifically, Section 188(a)(5) of the WIOA further prohibits discrimination against certain non-citizens and indicates that participation in programs, activities, and receiving funds shall be available to citizens and nationals of the U.S., lawfully admitted permanent resident aliens, refugees, and parolees, and other immigrants authorized by the Attorney General to work in the U.S. Also, this is discussed under Section 107(b) of the TVPA where it is indicated that certain foreign nationals are also eligible for WIOA services. This includes:

- Victims of a severe form of trafficking in persons, or
- Individuals granted a nonimmigrant "T" visa.

The T non-immigrant Status (T visa) is available to individuals who are, or have been victims of human trafficking, and protects these victims of human trafficking by allowing them to remain in the U.S. to assist in an investigation or prosecution of human trafficking. Additional information about T visas and the Department of Health and Human Services (HHS) certification process can be found in TEGL 19-01 Change 1. Individuals who are granted T visas from the Department of Homeland Security are also eligible for WIOA I services.

For purposes of being eligible for WIOA services, as a victim of a severe form of trafficking:

- Individuals 18 years of age or older must have been subjected to an act or practice described in the definition of "severe forms of trafficking in persons" and have received a letter of certification issued by the HHS 22 U.S.C. § 7105(b)(1).
- Children under 18 years old who have been subjected to a severe form of trafficking need not be certified by HHS to be eligible for services; instead, HHS issues Letters of Eligibility to victimized children of trafficking. As with any participant, they must meet all applicable program eligibility requirements to receive WIOA services.

Employment and training services for victims of trafficking should follow the same procedures and case management processes as given to other America's Job Center of California/WorkSource Center customers. However, in the case of victims of trafficking, services may need to be tailored and adapted to match the particular needs of this population. For instance, victims of trafficking may have Limited English Proficiency (LEP), criminal records (e.g. prostitution), or limited resumes.

Victims of trafficking who have LEP will likely require referrals to courses in English as a Second Language (ESL) in order to enhance job readiness. America's Job Center of California/WorkSource Center staff should work with local training providers and community colleges to find ESL course offerings, as needed. The TEGL 26-02 ("Publication of Revised Guidance Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons") and TEN 14-05 ("Release of On-Line Training Resources and Census Data on Limited English Proficiency Individuals in Local Workforce Areas and a translatable Glossary of Workforce Terms") provide some resources and guidance on working with LEP persons.

3. Offer information and referral to other wraparound services and/or law enforcement:

In most cases, victims of trafficking will approach America's Job Center of California/WorkSource Centers toward the end of their rehabilitation process and will have already been working with other nonprofit organizations and governmental agencies.

In the event that the victim has not yet received services, it is important for America's Job Center of California/WorkSource Center staff to be aware and utilize local resources and service providers, particularly non-profit organizations that provide services to trafficking victims. Service providers for trafficking victims can also refer or accompany their clients to the nearest America's Job Center of California/WorkSource Center when they are ready for employment and training services.

A description of available services for victims of trafficking can be found here https://oag.ca.gov/human-trafficking/help If no local service providers are known, the (NHTRC) at 1-888-373-7888 can help determine best steps for assisting the individual.

REFERENCES

- Department of State. *Trafficking in Persons Report: 20th Edition* (June 2020). www.state.gov/reports/2021-trafficking-in-persons-report/

WDB and EWDD Support of Grant Applications Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy serves as a guide for organizations requesting letters of support from the City of Los Angeles Workforce Development Board (WDB) and/or the Economic and Workforce Development Department (EWDD) for workforce-related grants. Additionally, this policy provides specific parameters that the WDB and EWDD will utilize in making determinations to provide those letters.

BACKGROUND
The City of Los Angeles WDB and EWDD receive requests for letters of support, partnership agreements, and/or memorandums of understanding (MOU) for various workforce-related grant applications. There may be instances when the WDB and EWDD will compete for the same grant opportunity along with the organization(s) requesting the letter of support, partnership agreement, or MOU. On occasion, multiple organizations may seek the same grant opportunities and related support. This policy is intended to set parameters in determining under which circumstances the WDB and EWDD letters of support, as well as the level of commitment, should be provided.

POLICY AND PROCEDURES
A Requester must request the support letter to the Resource Development Unit (RDU) staff by written correspondence (via email) **a minimum of ten business days in advance** to allow staff sufficient time to review the request, coordinate with WDB and/or executive staff to ensure the proposal is in alignment with the WDB and EWDD's mission**.**

The requestor must detail and demonstrate the intent to collaborate with the WDB and WDB-supported organizations (i.e. Workforce Development System, YouthSource, Economic Development), as appropriate. In addition, the request must include the following information:

- Grantor Agency, Program Name, and Nature of the Grant
- Time period of Grant (including an evaluation period)
- Intention for collaboration with the WDB
- Proposed funding amount
- Proposed Grant partners
- Program Design
- Program Abstract or Executive Summary

The RDU will be responsible for processing and tracking letters of support. Upon the receipt and review of the required grant abstract or executive summary, RDU will obtain the necessary approvals to release the letter of support. EWDD letters of support will be signed by the General Manager or designee. WDB letters will be signed by the Executive Director or designee.

The WDB and EWDD will provide letters of support to organizations submitting workforce related grant applications, (including occasions when the City may be submitting competing applications)

only under the following circumstances:

- If the City is included as a partner in the proposal with an intent to enter into a formal MOU reflecting the partner roles/responsibilities; The proposer is a current contractor within the City's Workforce Development System;
- If the proposer is not a current contractor, then the Requestor's proposed program design should reflect integration with the City's Workforce Development System.
- The Administrative and/or Fiscal lead on the grant must be an organization that is in good standing with the City of Los Angeles, State of California, and/or any Federal Agencies.

As a supporter of and/or partner in the proposer's grant application, the WDB and EWDD will request successful awardees to report back regarding the status of the grant and proposed program as soon as notification is made by the funder.

Worker Displacement Prohibition Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance and establishes the procedures regarding the prohibition on the replacing of regular employees with Workforce Innovation and Opportunity Act (WIOA) participants, and against infringing on the promotional opportunities of currently employed individuals. This policy applies to Local Workforce Development Areas and other recipients of WIOA funds.

BACKGROUND
The WIOA Section 181(b)(2) states the general prohibitions against displacing current employees and against impairing existing contracts for services and collective bargaining agreements. Additionally, WIOA Section 181(b)(3) states the prohibitions against replacing laid-off employees with WIOA participants and against using WIOA participants to replace employees who have been terminated with the intent of so replacing them. Section 181(b)(3) of WIOA further prohibits infringement on the promotional opportunities of currently employed workers. Further information and clarification regarding federal requirements for ensuring that WIOA participants do not displace other employees can be found in 20 CFR Section 683.270(a) through (c). Finally, 20 CFR Section 683.270(d) provides that regular employees and program participants alleging displacement may file a complaint under applicable WIOA grievance procedures.

POLICY AND PROCEDURES
Participants in programs and activities authorized under WIOA Title I may not displace (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits) any currently employed employee (as of the date of participation).

Participants in programs and activities authorized under WIOA Title I may not prohibit the impairment of existing contracts for services or collective bargaining agreements. When a program or activity authorized under WIOA Title I would be inconsistent with a collective bargaining agreement, the appropriate labor organization and employer must provide written concurrence before the program or activity begins.

A WIOA participant may not be employed in, or assigned to, a job if any of the following is true:

- Any other individual is on layoff from the same or any substantially equivalent job.
- The employer has terminated the employment of any regular, unsubsidized employee or otherwise caused an involuntary reduction in its workforce with the intention of filling the vacancy so created with the WIOA participant.
- The job is created in a promotional line that infringes in any way on the promotional opportunities of currently employed workers as of the date of the participation.

Regular employees and program participants alleging displacement may file a complaint under the applicable grievance procedures found in WIOA Section 181(c) and 20 CFR Section 683.600. Contractors are required to establish and maintain procedures for participants and other interested parties to file grievances and complaints alleging violations of WIOA Title I requirements as outlined in WSD18-05.

REFERENCES

- WIOA (Public Law 113-128) Sections 181(b)(2) and (3)
- Title 20 *Code of Federal Regulations* (CFR) Section 683.270
- Workforce Services Directive WSD18-05, Subject: *WIOA Grievance and Complaint Resolution Procedures* (September 4, 2018)

WorkSource Center Customer Flow

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides guidance to the City of Los Angeles Workforce Development System, and establishes the procedures for AJCC Operators, locally known as WorkSource Centers, to ensure that customers can access self-directed services and, if determined eligible under the Workforce Innovation and Opportunity Act (WIOA), can access Career and Training Services.

In conjunction with the customer, each WorkSource Center (through its Integrated Services teams, which are comprised of a WorkSource Center and co-located partners such as the Employment Development Department (EDD), and/or a Los Angeles Unified District (LAUSD) Navigator, and/or other strategic partner staff) shall consider the entire array of career and training services available under WIOA when determining which services to provide.

BACKGROUND

The WIOA Adult and Dislocated Worker formula programs, in coordination with Wagner-Peyser (WP), are pivotal pieces of the one-stop delivery system, which is the foundation of the workforce system. The system provides universal access to career services to meet the diverse needs of adults and dislocated workers. The adult and dislocated worker programs are required partners of the one-stop delivery system. WIOA has made significant reforms to how career services are delivered in the one-stop system. Under WIOA, adults and dislocated workers may access career services and training services. WIOA provides for a workforce system that is universally accessible, and customer centered. WIOA provides career and training services at nearly 2,500 nationwide one-stop centers. Training is supported through a robust Eligible Training Provider List (ETPL), composed of entities with a proven capability of securing quality employment outcomes for participants. WIOA also provides enhanced access and flexibility for work-based training options, such as Registered Apprenticeship (RA), on-the-job training, customized training, and incumbent worker training.

POLICY AND PROCEDURES

WorkSource Customer Flow:

Services received by a WIOA client will vary, based on his/her particular needs, informed choice, availability of funds and resources. Determination of necessary career and training services shall be determined through individual assessments completed by ISD teams and shall not be based on receiving prior services.

Both mandatory and voluntary partners shall participate at the WorkSource Centers to provide the services that are required as mandated by law. The career services to be provided by each partner shall be outlined in a memorandum of understanding, which will include cost and resource sharing. Access to career services shall be seamless as a result of a well-designed integrated service

strategy and includes all the partners of a WorkSource Center.

Welcome Team:
Each WSC shall establish a "Welcome Team" whose core functions will include:

- Greeting and orienting customers to WSC programs and services;
- Conducting initial jobseeker skills and needs assessment to determine appropriate services;
- Referring jobseekers to:
- CalJOBS registration for self-directed services and/or
- WSC Orientation and Enrollment (if determined eligible under WIOA); and
- Collecting data for CalJOBS registrations.

CalJOBS Enrollment
All WSC program participants seeking services at a WSC, whether self-directed or staff-assisted, must be directed to CalJOBS.ca.gov to complete registration. CalJOBS provides WSC participants access to online employment services, including labor market information, job placement and training services.

WSC Services & WIOA Registration
When jobseekers receive a WIOA Service other than self-service or information-only activities, and have met eligibility determination requirements, the individuals must be registered into WIOA. Additionally, EO data must be collected on all individuals being considered for WIOA Title I financially assisted aid, benefits, services, or training. The Welcome Team staff shall refer jobseekers to the following career services:

- WSC Orientations;
- Initial Assessment;
- WSC workshops, which may include job clubs; resume preparation; interview techniques; and job search skills

Following the "initial assessment," the Welcome Team staff will determine whether the jobseeker is ready for employment or if additional skills development is necessary. If determined as requiring additional skills development, the customer will be referred to the Skills Team. If determined job-ready, the customer will be referred to the Employment Team.

Skills Team
The Skills Team will conduct a comprehensive skills and career assessment to identify skills, aptitudes, interests, barriers to employment and supportive service needs. An Individual Employment Plan (IEP) will be developed for each jobseeker that will identify career services and/or training required to secure gainful employment. Career and training services may include basic skills remediation, computer training, vocational training, and/or on-the-job training.

Employment Team
The Employment Team will provide assistance with job placement, career counseling and coaching, job retention and supporting services to job seeking customers and to provide skilled,

qualified applicants to local business and employers.

Program Services

Career Services – WIOA authorizes that "career services' for registered adult and dislocated worker participants. There are three types of "career services" and they are as follows:

- Basic Career Services
- Individualized Career Services
- Training Services

Basic Career Services

Basic Career Services are universally accessible and must be made available to all individuals seeking employment and training services. Generally, these services involve less staff time and involvement and include services such as initial skill assessments, labor exchange services, job posting information, job clubs, job fairs, provision of information on programs and services, and program referrals. Basic Career Services do not require WIOA registration or enrollments.

Individualized Career Services

Individualized career services must be provided to participants after WSC staff determine that such services are required to retain or obtain employment. Generally, these services involve significant staff time and customization to each individual's needs. Individualized career services do extend the date of exit in performance reporting. Individualized Career Services will require full WIOA registration and enrollment.

Training Services

Training services can be critical to the employment success of many adults and dislocated workers. There is no sequence of service requirement for "career services" and training. This means that a one-stop operator or one-stop partner may determine training is appropriate regardless of whether the individual has received basic or individualized career services first. Under WIOA, training services may be provided if the one-stop operator or one-stop partner determine, after an interview, evaluation or assessment, and career planning, that the individual meets the following criteria:

- Is unable or unlikely to obtain or retain employment, that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services alone;
- Has the skills and qualifications to successfully participate in the selected plan for training services;
- Is unable to obtain grant assistance from other sources to pay the costs of such training, including state funded training or Pell grants or requires WIOA assistance in addition to other grant sources including Pell grants;
- Is a member of a worker group covered under a petition filed for TAA and is awaiting a determination. If the petition is certified, the worker may then transition to TAA approved training. TAA requires that the participant receives an IEP (Activity Code 205) prior to enrolling them in TAA training activity codes. If the petition is denied, the worker will continue training under WIOA;

- Is determined eligible in accordance with the state and local priority system in effect for Adults under WIOA sec. 134(c)(3)(E) if training services are provided through the Adult funding stream;
- Selected a program of training services that is directly linked to the employment opportunities in the Local Workforce Development Area (Local Area) or the Regional Planning Unit, or in another area to which the individual is willing to commute or relocate;
- Is in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment.

When determined appropriate, training services, with the exception of certain types of customized, incumbent, and On-the-Job training; WDB contracts with institutions of higher learning; or the alternatives to traditional ITA training programs described in the Alternative Training Programs Policy; must be provided through an ITA. Only training providers through their training programs listed on the Eligible Training Provider List (ETPL) are eligible to receive WIOA funds to train adults and dislocated workers through ITAs. Training services must be linked to in-demand employment opportunities in the local area or planning region or in a geographic area in which the adult or dislocated worker is willing to commute or relocate. The selection of training services should be conducted in a manner that maximizes customer choice, is linked to in-demand occupations, informed by the performance of relevant training providers, and coordinated to the extent possible with other sources of assistance.

Below is a list of services for reference			
Basic Career Services (Self Service)	**Individualized Career Services**	**Training Services**	**Follow-Up Services**
(CalJOBS registration required)	(Full WIOA registration required)	(Full WIOA registration required)	Job Search
Determination of Eligibility to receive Assistance under Title l	Staff assisted job search & placement assistance, career counseling	Occupational skills training	Referral to Supportive Services available in community
Outreach, intake (which may include WPRS referrals) & orientation to One Stop Center	Follow-up services, including counseling regarding the workplace	On the Job Training	Case Management
Initial assessment of skill levels, aptitudes, abilities & need for additional assistance	Staff assisted job referrals (such as testing & background checks)	Workplace training & cooperative education programs	Additional Career Planning & Counseling
Employment statistics	Staff assisted job development (working	Private sector training programs	Peer Counseling

	with employer & job seeker)		
Information, job listings, job skill requirements for job listings & information on demand occupations	Staff assisted workshops and job clubs	Skill upgrading & retraining	Needs Related Payment
Performance information on Eligible training providers	Comprehensive & specialized assessment, e.g. diagnostic testing, interviewing	Entrepreneurial training	Information about additional educational opportunities
Performance information on the local One-Stop System	Full development of Individual Employment Plan (IEP)	Adult Education in combination w/training	
Information on filing for Unemployment Insurance (UI) Self- determined eligibility	Short-term pre-vocational services	Job readiness training	
Information on referral to supportive services Assistance in establishing eligibility for welfare-to-work activities and for other training and education programs	Individual counseling & career planning English Language acquisition	Customized training	
Resource room	Financial Literacy Services		
Internet browsing (job info and training search)			
Internet accounts			
Talent referrals (informational, e.g. talent scouts, labor exchange referrals of resumes without further screening)			
Workshops and job clubs			

Follow-Up Services

While follow-up services must be offered, not all of the adults and dislocated workers who are registered and placed into unsubsidized employment will need or want such services. Also, the

intensity of appropriate follow-up services may vary among participants. Participants who have multiple employment barriers and limited work histories may be in need of significant follow-up services to ensure long-term success in the labor market. Other participants may identify an area of weakness in the training provided by the WIOA prior to placement that will affect their ability to progress further in their occupation or to retain their employment.

Follow-up services must be provided, as appropriate, including counseling regarding the workplace, for participants in adult or dislocated worker workforce investment activities who are placed in unsubsidized employment, for up to 12 months after the first day of employment. If a customer declines follow up services, this must be recorded in the customer's case file under Case Notes and in CalJOBS. Follow-up services for the purposes of career planning are not to be construed as the follow-up services required for performance reporting.

REFERENCES

- Training and Employment Guidance Letter (TEGL) No.19-16: Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules (March 1, 2017)
- Training and Employment Guidance Letter (TEGL) No.10-16, Change 2: Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Core Programs (September 15, 2022)
- EDD WSD 19-06: CALJOBS ACTIVITY CODES (December 27, 2019)
- EDD WSD20-10 - CalJOBS Participant Reporting (April 8, 2021)
- EDD WSD18-03 - Pathway to Services, Referral, and Enrollment (August 29, 2018)
- EDD WSD15-14 - WIOA Adult Program Priority of Service (January 22, 2016)
- EDD WSD16-05 - WIOA Closeout Requirements (July 29, 2016)
- EDD WSD14-04 - WIA Title I Eligibility (September 25, 2014)

YouthSource Center Customer Flow Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy describes the sequence of activity for a youth accessing Workforce Innovation and Opportunities Act (WIOA) services through the City's YouthSource Center (YSC) system.

BACKGROUND
WIOA places a priority on the delivery of services to out-of-school youth. WIOA stipulates that not less than 75 percent of allotted youth funds be used to provide out-of-school youth with workforce activities. Since 2012, the YouthSource system has focused on re-engaging dropout youth through its partnership with the Los Angeles Unified School District (LAUSD) Office of Pupil Services, which collaborates with the YouthSource system to identify out-of-school youth and target them for services. Additionally, over the last few years, the system has expanded its priority of services to include additional disconnected youth (i.e., homeless, justice-involved, and foster youth) ages 16 to 24, who have barriers to accessing education, employment, housing, and overall well-being services.

A key tenet of the YouthSource System is the collaboration and alignment of resources. As a Federal Performance Partnership Pilot (LAP3) designee, the YouthSource system works with local partners and internal systems of support to increase high school graduation, college acceptance, and employability and employee placement of its participants. With a focus on youth with multiple barriers, the YouthSource System seeks to collaborate with public and private agencies whose values, goals and objectives are aligned. In order to accomplish the vision that all youth in Los Angeles are connected to education and employment, YouthSource Centers are required to collaborate, partner, and cooperate with the system partners.

The YSC program will have an intensive focus on dropout recovery and re-engagement, eventually preparing youth to be college and/or career ready. Youth with the highest barriers to employment will receive the services necessary to meet their education and career goals, and out of school youth will be provided effective plans for returning to school and/or employment.

The YSC program will emphasize identifying individual participant needs, developing customer-centered objective assessments, setting out individual service strategies, and utilizing intensive case management practices and follow-up services linked to a participant's education and career needs and interests, thereby meeting the objectives of the program and of the participants themselves, ultimately leading to them successfully completing the program.

At a minimum, YouthSource service providers are deploying the following program components:

- Outreach and Recruitment
- Info sessions

- WIOA Eligibility Determination
- Education/Needs Assessment and Intake
- Program Suitability Assessment
- WIOA Eligibility Determination
- Development of Individual Service Strategy/Plan
- Provision of Services
- Reassessment as needed
- Minimum of 12 months of Follow-up services

Youth participants entering the City's YouthSource centers (YSC) come from direct recruitment, outreach, referrals including the LAUSD dropout list and truancy diversion project, self-referred youth ("walk-ins"), and other youth and community-based organizations such as the City FamilySource centers.

POLICY AND PROCEDURES

YouthSource Centers (YSC's) employ proven recruitment strategies that include community events, outreach, and engagement of youth within the City planning area of service. YSC's develop strategies tailored to the target population and outreach efforts reflect the demographics of the planning area served. Referrals to YSCs are made through multiple sources including partner agencies, LAUSD, direct YSC outreach & recruitment, and self-referrals/ walk-ins.

YouthSource Centers maintain a regular weekly schedule of general information sessions at which potential enrollees may obtain information about the YSC's WIOA-funded and non-WIOA funded services as well as auxiliary services. YSC's offer a pre-screening process which includes overviews of available program services, eligibility requirements, program expectations and performance outcomes.

The LAUSD PSA shall serve as mandatory outreach partners to all YSCs to identify and access potential youth participants. YSC staff working in conjunction with the LAUSD PSA Counselor will determine school status of youth to be served : In-School Youth (ISY) and Dropout/Non-Dropout Out-of-School youth (OSY). A minimum of 75% of youth enrolled in the YouthSource system must be out-of-school youth as defined by WIOA. Dropout youth are returned to school or to an alternate high school diploma/diploma equivalency program. In-school youth remain in school.

During the assessment process, if the youth is found to be in need of any immediate services such as Mental Health or housing, those needs will be addressed through the YSC's resources or through the LAP3 network of resources prior to examining the youth's suitability for WIOA services. Utilizing modern technology, YSC staff will determine program eligibility based on WIOA eligibility criteria. Youth who are ineligible or choose not to enroll in the YSC/WIOA program are referred to non-WIOA resources via the YSCs system of support (LAP3) (i.e. WorkSource Center, Youthbuild, LAUSD Support Services Educational Options, FamilySource Center, community colleges and community-based organizations). Youth committed to participating in YSC WIOA activities complete the eligibility determination process and, if eligible, the enrollment process. Enrollment

of youth participants will include the following: a) collection of core identification and demographic information; b) orientation to the youth program; and c) expectations regarding program participation.

Eligible youth are enrolled in the WIOA program and complete additional objective assessments to identify their academic levels, skill levels, career interests, and service needs. YSC's are required to conduct a comprehensive assessment of eligible youth in the following categories: a) Educational – to measure academic performance and cognitive abilities, b) Vocational/Occupational -- to measure employment-related interests, values and goals, and vocational aptitude; and c) Psycho-social – to measure cognitive abilities, behavior, and social/emotional health.

Utilizing the identified objectives, an Individual Service Strategy (ISS) that addresses the youth's needs and goals and is directly linked to WIOA youth performance indicators is developed with the YSC case manager. Taking the objective assessment into account, the ISS will identify career pathways that include education and employment goals, and appropriate achievement objectives and services. Services provided to the youth will include, as appropriate, activities leading to attainment of a secondary school diploma or equivalent, preparation for post-secondary educational and training opportunities, strong linkages between academic instruction and occupational education, preparation for unsubsidized employment opportunities, and effective connections to employers.

Youth will meet with the assigned case manager on a regular basis to review their progress toward attainment of their high school diploma and/or for guidance toward achieving their educational goals and/or employment goals. The case manager works with the youth to establish an educational plan that includes both traditional and alternative school programs as well as alternatives to the high school diploma. In addition, the youth may participate in work readiness workshops that will prepare youth to achieve employment objectives.
WIOA-related activities shall not be imposed on In-School Youth during normal school hours. WIOA program-related activities shall not interfere with or replace In-school Youth participants' regular academic requirements.

Youth and YSC staff are to maintain regular communication and the service strategy is reassessed periodically and updated as needed as the youth progresses toward completion of planned activities and attainment of program outcomes. In addition, YSCs must ensure participants are placed in safe education, training, and work locations. Completion of services is linked to performance outcomes. An Exit and Follow-up Strategy is developed with the youth, and upon completion of planned services, a strategy for the required 12-month follow-up period is developed and executed. YSC shall provide services and support, as needed.

All services provided from enrollment to exit and through follow-up for both WIOA enrolled and non-WIOA enrolled youth are to be entered into the CalJOBS℠, data collection system, and any additional tracking system prescribed by the City.

REFERENCES

- EDD WSD17-07 - WIOA Youth Program Requirements (January 16, 2018)
- EDD WSD20-09 - Youth Service Eligible Provider List (March 12, 2021)

CaUOBS Data and Performance Reporting

CalJOBS℠ Correction Request Form (CCRF) Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance and establishes the procedures regarding the CalJOBS℠ Correction Request Form (CCRF). Separate forms have been developed for WorkSource and YouthSource Centers. All WorkSource and YouthSource Centers are required to use their respective CCRFs to enable participant data to be changed or updated in the CalJOBS system.

BACKGROUND
WIOA Title I Adult, Dislocated Worker, Youth, National Dislocated Worker Grant Subrecipients, and Employment Development Department (EDD) Workforce Services Branch (WSB) staff are required to report participant information via the CalJOBS℠ system. Managers, staff, and LA City Management Information System (MIS) Administrators have the ability to change active participant data. After 30 calendar days, the CalJOBS℠ system does not allow certain areas of the participant record to be changed or updated by managers, staff, or LA City MIS Administrators. The CCRF is a tool to be used to correct data key entry errors and other circumstances that are beyond the control of staff.

POLICY AND PROCEDURES
The CCRF is intended to maintain data integrity, promote consistent and accurate data in the DOL Quarterly and Annual reports, and enable performance to be properly calculated.

Data within the program application cannot be updated or changed once the individual becomes a participant in the program. It is the staff's responsibility to ensure that all application data is accurate **prior** to enrolling an individual. The only time a program application can be updated is when additional program eligibility is being determined. Only new data associated with that program eligibility can be added to the application.

WorkSource/YouthSource Centers, LA City MIS and WSB staff must ensure records are updated within 30 calendar days of the activity's Projected End Date/Scheduled Date to avoid a "System Closed" completion status. Once the activity becomes "System Closed," the data cannot be changed or updated. Activities with a "System Closed" status are **included** in performance calculations.

A participant's application is system-exited after 90 calendar days of inactivity *across all programs* within CalJOBS℠, and when no new activity has been scheduled for the participant in CalJOBS℠. If services (except post-program/follow-up services) need to be provided to an applicant who has been system-exited, the application intake process will have their new enrollment counted separately in performance calculations.

If any data needs to be added or changed after 30 days, the CCRF must be completed and submitted to the LA City MIS Administrator. Any requests associated with data beyond 90 days will be reviewed on a case-by-case basis and may not be approved.

The State Program Reporting and Analysis Unit (PRAU) will review the request and analyze the overall impact of the proposed change, especially with respect to current WIOA performance outcomes. Each request will be considered on a case-by-case basis contingent upon the detailed reasons listed, and the supporting documentation provided. If additional information is required, the PRAU will email the requestor for clarification. The requestor must reply to the PRAU message within seven calendar days, or the request may be denied. The reply must include the entire email stream and all attachments.

If the CCRF is approved, the PRAU will make the request changes and respond to the WSB office or the LA City MIS Administrator. It is the requestor's responsibility to verify that the changes made by the PRAU are accurate. If the CCRF is denied, the PRAU will notify the LA City MIS Administrator or WSB office and explain the reason(s) for the denial.

SUBMISSION PROCEDURES

The CCRF requires: 1) Participant Information; 2) Requestor Information; 3) WorkSource Center Information; 4) Reason for Correction

- Participant Information
  This section of the form includes: Participant Name; User ID; Date; State ID; and WIOA App Number.
- Requestor Information
  This section of the form includes: Requested By; Phone Number; Email Address.
- WorkSource Center Information
  This section of the form lists all WorkSource Centers and also includes: 1) Other Office Location; 2) Program.
- Reason For Correction
  Ample space is provided to describe or detail the reason or reasons for data correction.

Complete all data fields and make sure that a participant's full Social Security Number is **not** included. Any request without a detailed reason or explanation as to why the change needs to occur will be **denied.** All applicable documentation must accompany the request.

REFERENCES

- WIOA (Public Law 113-128)
- Department of Labor (DOL) Training and Employment Guidance Letter (TEGL) 10-16, Change 1 Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III, and Title IV core Programs
- EDD Directive WSD 18-02, Data Change Request Form

Electronic Signature Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance and establishes the procedures to collect participants' electronic signatures when in-person appointments are not possible or when an individual submits an electronic Application. This Policy applies to all contractors and Partner Staff utilizing the CalJOBSSM system and governs all uses of electronic signatures regarding enrollments recorded in CalJOBS℠.

BACKGROUND
In an effort to remove barriers and offer individuals more straightforward access to WIOA services, the State has enhanced the CalJOBS℠ system to capture remote electronic applicant signatures. An electronic signature is an acceptable substitute for a wet signature on any CalJOBSSM system document or correspondence. Center staff can email or text applicants for a signature using their mouse. The applicant receives an email or text with a PDF application, allowing them to use a mouse to sign and send their signature back to the Center.

POLICY AND PROCEDURES
A signed program application is required for all WIOA and Agency Defined Program participants enrolled in CalJOBSSM. An electronic signature for eligibility documentation may be obtained by using the CalJOBS℠ Remote Electronic Signature feature. There are two methods to capture an electronic signature. The first is the Manual method. This method will allow the staff or the participant to sign using the computer mouse. The second is the Message method. This method will send a signature request to the client by email or text. This feature may be used when in-person appointments are not possible. The electronic signature must remain accessible for the entire retention period of the record to which the program is associated.

E-SIGNATURE SUBMISSION PROCEDURE
The following three procedures are recommended for e-signatures for staff using the CalJOBS system.

1. Electronic signatures are captured on the WIOA Application, Remote Electronic Signature Section. From there, click on the Staff Signature/Capture Signature Link. Center Staff will use the mouse for their signature and create a message with a PDF application to request their electronic signature.

2. To create the message and PDF, click the Applicant Signature/Capture Signature Link and select the message option. Center staff can use either text or email a link to the applicant. When applicants get the text or email, they can click on the link and use their mouse to create their electronic signature.

3. Individuals will get confirmation in the CalJOBS℠ message center informing staff that the participant signed the application.

Regardless of the method for implementing e-signatures, each method should support the following functions: maintain confidentiality, authenticity, and integrity of the record from origination through the entire program process.

REFERENCES

- EDD INFORMATION NOTICE WSIN 20-31, CalJOBS℠ System Upgrade to Version 20

Participant Reporting Requirements Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
All WIOA-funded contractors are required to report individual participant data via CalJOBS℠. The City of Los Angeles requires daily data entry to ensure that the single common record is maintained according to federal requirements. Data cannot be modified more than 30 days in arrears.

BACKGROUND
The State of California Employment Development Department (EDD) is required by federal regulations to submit accurate participant reports and validated individual participant data to the Department of Labor (DOL) on a quarterly and annual basis. The data entered into the CalJOBS℠ system is used to calculate the WIOA Primary Indicators of Performance, create Quarterly Performance Reports, and the WIOA Annual Report. As part of this reporting requirement, the DOL requires coordination and co-enrollment between WIOA Title I and Title III core and partner programs to ensure a common record is maintained for each participant served with the funding streams.

The DOL utilizes this data to assess the effectiveness of the state and subrecipients in achieving positive outcomes for individuals served under the core and non-core programs. The WIOA six core programs include Title I Adult, Dislocated Worker, and Youth programs; Title II administered by the California Department of Education (CDE); Title III Wagner-Peyser; and Title IV Vocational Rehabilitation (VR) program. The non-core programs that are included in this policy are Jobs for Veterans State Grants (JVSG), National Dislocated Worker Grants (NDWG), and Trade Adjustment Assistance (TAA).

POLICY AND PROCEDURES

- Participant data should be entered/updated daily. Notwithstanding daily entry, all WIOA-funded agencies must enter WIOA individual participant data into CalJOBS℠ within 30 days from the date of service to ensure a common record and where appropriate, a common exit is maintained at all times.
- The data cannot be modified in the CalJOBS℠ system more than 30 days in arrears.
- Participant records, including all required WIOA forms and eligibility documentation, case notes, and supporting documentation for training activities, will be maintained in the participant's CalJOBS℠ profile.

Primary Indicators of Performance
Under section 116(b)(2)(A) of WIOA, there are six primary indicators of performance:

A. **Employment Rate – 2nd Quarter After Exit:** The percentage of participants who are in unsubsidized employment during the second quarter after exit from the program (for title I

Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the second quarter after exit);

B. **Employment Rate – 4th Quarter After Exit:** The percentage of participants who are in unsubsidized employment during the fourth quarter after exit from the program (for title I Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the fourth quarter after exit);

C. **Median Earnings – 2nd Quarter After Exit:** The median earnings of participants who are in unsubsidized employment during the second quarter after exit from the program;

D. **Credential Attainment:** The percentage of those participants enrolled in an education or training program (excluding those in on-the-job training (OJT) and customized training) who attain a recognized postsecondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program. A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a recognized postsecondary credential within one year after exit from the program;

E. **Measurable Skill Gains:** The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains, defined as documented academic, technical, occupational, or other forms of progress, towards such a credential or employment. Depending on the type of education or training program, documented progress is defined as one of the following:

- Documented achievement of at least one educational functioning level of a participant who is receiving instruction below the postsecondary education level;
- Documented attainment of a secondary school diploma or its recognized equivalent;
- Secondary or postsecondary transcript or report card for a sufficient number of credit hours that shows a participant is meeting the State unit's academic standards;
- Satisfactory or better progress report, towards established milestones, such as completion of OJT or completion of one year of an apprenticeship program or similar milestones, from an employer or training provider who is providing training; or
- Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks such as knowledge-based exams.

F. **Effectiveness in Serving Employers:** California has two approaches designed to gauge critical workforce needs of the business community.

- Approach 1 – Retention with the same employer – addresses the programs' efforts to provide employers with skilled workers.

- Approach 2 – Repeat Business Customers – addresses the programs' efforts to provide quality engagement and services to employers and sectors and establish productive relationships with employers and sectors over extended periods of time.

CalJOBS Activity Codes Dictionary

For a reference of the CalJOBS Activity Codes Dictionary, please see Attachment I below.

REFERENCES

- EDD Workforce Services Directive (WSD) 20-10: CalJOBS Participant Reporting (April 8, 2021)
- EDD Workforce Services Directive (WSD) 23-03: Performance Guidance (November 8, 2023)
- WIOA Public Law 113-128
- DOL Training and Employment Guidance Letter (TEGL) 14-18: Aligning Performance Accountability Reporting, Definitions, and Policies Across Workforce Employment and Training Programs Administered by the U.S. Department of Labor (DOL) (March 25, 2019)
- TEGL 10-16, Change 2: Performance Accountability Guidance for WIOA Core Programs (September 15, 2022)

Attachment 1: CalJOBS℠ Activity Codes Dictionary

Participant Activity Codes

Activity Code	Activity Code Name and Definition
002	**Self-Service AJCC Employment and Workforce Information Services** This activity is system generated when an individual accesses self-service activities or workforce information available in CalJOBS. Workforce information includes topics, such as: local performance, availability of supportive services, filing claims for unemployment compensation, and performance and program cost information of training providers.
004	**Self-Service Information on Training Providers/Performance Outcomes** This activity is system generated when an individual accesses information regarding training providers and/or how the local area is performing on local performance measures in CalJOBS.
005	**Self-Service Labor Market Research** This activity is system generated when an individual accesses labor market information in CalJOBS. Labor market information includes: information on state and local labor market conditions; industries, occupations, and characteristics of the workforce; employer wage and benefit trends; short and long-term industry and occupational projections; worker supply and demand; area businesses' identified skill needs; job vacancies' survey results; workforce availability; business turnover rates; job creation; and job identification of high-growth and high-demand industries.
006	**Self-Service Job Search through CalJOBS** This activity is system generated when an individual conducts an online job search using CalJOBS at an America's Job Center of California (AJCC) resource room, partnering agency, home, library, or other physical location.
06M	**Self-Service Job Search through Mobile App** This activity is system generated when an individual conducts a job search through the CalJOBS mobile application using a smartphone, tablet or other electronic device at an AJCC resource room, partnering agency, home, library or other physical location.
007	**Self-Service Initial Résumé** This activity is system generated when an individual prepares his/her CalJOBS résumé at an AJCC resource room, partnering agency, home, library, or other physical location.
008	**Self-Service Résumé: Update and Additions** This activity is system generated when an individual revises his/her résumé on CalJOBS using an AJCC resource room, partnering agency, home, library, or other physical location.
080	**Complaint Process Information** A participant was informed of the grievance and complaint procedures established by the Local Area or EDD staff, either through self-service or by a staff member.

089	**Self-Service Informed of Veteran Priority of Service** This activity is system generated when a veteran self-identifies at the time of registration in CalJOBS. A pop-up window informs the Veteran of the Priority of Service policy.
090	**Self-Service Skills Self-Assessment** This activity is system generated when an individual completes a CalJOBS self-assessment tool designed to inform and educate him/her about his/her employment strengths and weaknesses.
101	**Orientation** An individual attended an orientation informing him/her of the information and services available through the AJCC delivery system. This includes, but is not limited to Veteran Orientation, WIOA Orientation, and Local Office Orientation.
102	**Initial Assessment** AJCC staff conducted an initial assessment of a participant's skill level, aptitude, abilities, interests, and supportive service needs.
103	**Provision of Information on Training Providers/Performance Outcomes** AJCC staff provided an individual with readily available information on training providers that did not require staff's assessment of the individual's skills, education, or career objectives.
105	**Job Finding Club** A participant attended an organized activity that provided instructions on résumé writing, application preparation, interviewing skills, and/or job lead development, and included a period of structured application where participants attempted to secure employment.
106	**Follow-Up Services after Employment (prior to exit)** This activity applies to a participant who is enrolled in a program but has not soft exited. This code includes, but is not limited to the following: 1. AJCC staff met with a participant for the provision of supportive services. 2. Contacting the participant on a regular or intermittent basis to discuss progress in training or career services. AJCC Staff met with participant to collect documentation related to MSGs and/or Credential attainment. 3. Peer support groups. 4. Contacting the participant and/or his/her employer on a regular or intermittent basis to offer assistance with work-related issues following job placement. 5. AJCC staff phone call or letter offering to visit employee and/or employer following job placement. 6. Enrollment in training to secure a better-paying job; comprehensive guidance, counseling, or referral, including for alcohol and drug abuse following job placement. For Youth participants, they should use the Leadership Development Services (410) activity instead.

107	**Provision of Labor Market Research** AJCC staff provided a participant with readily available information on labor market information that did not require staff assessment of the participant's skills, education, or career objectives. Examples include: state and local labor market conditions; industries, occupations and characteristics of the workforce; area businesses' identified skill needs; employer wage and benefit trends; short and long-term industry and occupational projections; worker supply and demand; and job vacancies survey results. This service may also include local employment information, such as workforce availability; business turnover rates; job creation; and job identification of high-growth and high-demand industries.
108	**Referred to WIOA Services (not training)** A participant was referred to WIOA Title I Career Services.
109	**Referred to Community Resource** AJCC staff—via phone call, email, or other means of direct contact—initiated a referral to a community resource on behalf of a participant.
110	**Attended Rapid Response** A participant took part in Rapid Response activities subsequent to his/her program participation.
112	**Job Fair** AJCC staff provided a participant with information regarding an upcoming job fair (e.g., physical address, date, and time) to assist the participant in locating employment opportunities. This activity code can also be used if a participant attended a job fair hosted or sponsored by the AJCC.
114	**Job Referral: Federal Contractor Job Listing (FCJL)** A special disabled, campaign, or recently separated veteran was referred to a job opening listed by an employer as a Federal Contractor.
115	**Résumé Preparation Assistance** An AJCC staff provided one-on-one instruction on résumé and cover letter formats, and assisted in the development of one or both. *AJCC staff assisting a participant by inputting a participant's résumé into CalJOBS does not constitute as Résumé Preparation Assistance.
117	**UI General Information** An individual filed or re-opened an online Unemployment Insurance (UI) claim, certified for benefits, or contacted the UI Branch using a smartphone, tablet, or other electronic device at an AJCC, a partnering agency, or other physical location. The individual required minimal or no AJCC staff assistance.
118	**UI Claims Assistance** A participant who requested, or a claimant that self-identified as having barriers, such as limited English proficiency or disabilities, received meaningful assistance in filing a UI claim from a knowledgeable AJCC staff trained in how to file a UI claim; verify UI certification, benefits, and claim status; or make appointments. If the assistance is provided remotely using technology, it must be technology that enables trained staff to provide the assistance, e.g., live Web chat, video conference applications, and other one- on-one means.

119	**Financial Aid Assistance** A participant received meaningful assistance from knowledgeable AJCC staff in exploring and/or establishing eligibility for financial aid assistance for training and education programs not covered under WIOA.
120	**Use of AJCC Resource Room** An individual used the services and/or equipment in the AJCC resource room. This definition also includes a staff member providing an individual with information or instruction on how to access the resource room's tools and equipment.
121	**Job Referral: Job Outside CalJOBS (non-Federal)** AJCC staff referred a participant to a job opening that was neither listed in CalJOBS, nor by a federal department or agency.
122	**Job Referral: Federal** AJCC staff referred a participant to a job opening listed by a federal department/agency, or other entity under the jurisdiction of the U.S. Office of Personnel Management. This definition does not include referrals to a Federal Contractor.
123	**Job Development Contacts** AJCC staff assisted a participant by working with both the employer and participant. Activities include, but are not limited to: securing the participant a job interview (either in-person, telephone, email, or U.S. Mail inquiry) for a job opening not currently listed on file; or contacting a union or employer on behalf of a particular participant. Referrals to governmental and/or local public agencies for a currently advertised job listing (all sources) are not considered a valid Job Development Contact. Job Development Contacts through U. S. Mail inquiries must include a cover letter introducing the client(s) and explaining the enclosed application(s)' purpose.
124	**Received Bonding Assistance** AJCC staff designated to provide bonding services, verified participant and employer bonding eligibility and completed the required steps to provide an at-risk, or hard-to-place participant with a fidelity bond. These steps include, but are not limited to the following: 1. Confirming the participant's CalJOBS registration is complete 2. Verifying participant has a firm job offer and the legal right-to-work 3. Completing EDD's Fidelity Bonding Certification Request 4. Completing EDD's Fidelity Bonding Employer Confirmation Letter 5. Submitting bonding requests to the WSD's Bonding Coordinator
125	**Job Search and Placement Assistance** AJCC staff provided a participant job search and placement assistance and, in appropriate cases, career counseling, including the provision of information on in-demand industry sectors and occupations, and nontraditional employment.
126	**Tax Credit Eligibility Determination (includes WOTC)** AJCC staff determined if a participant qualified as a member of the Work Opportunity Tax Credit (WOTC) target group and, if so, assisted the participant in completing the applicable forms, including, but not limited to: IRS 8850 (Pre-screening Notice and Certification Request), RTA 9061 (Individual Characteristics Form), and ETA 9154 (Youth Self-Attestation Form).

130	**Proficiency Testing** AJCC staff tested a participant's ability to read, write and speak in English, and to compute and solve problems at the proficiency level necessary to function on the job, within the participant's family, and in society.
131	**Testing as Requested by Employer** AJCC staff conducted employer-required participant testing.
132	**Résumé Writing Workshop** AJCC staff provided a résumé writing workshop to two or more participants in need of résumé writing assistance and/or cover letter format, and assistance in the development of one or both. *This definition does not include Résumé Preparation Assistance (115).
133	**Job Search Workshop** AJCC staff provided a job search workshop to two or more participants instructing them on résumé writing, application preparation, interview skills, and job lead development. This definition does not include Job Finding Club (105), Résumé Preparation Assistance (115), Résumé Writing Workshop (132), Workshop (134), or UI-mandated events (147, 149 or 194).
134	**Workshop** AJCC staff provided two or more participants instruction relative to employment. This definition does not include Job Finding Club (105), Résumé Preparation Assistance (115), Résumé Writing Workshop (132), Job Search Workshop (133), or UI-mandated events (147, 149 or 194).
140	**Referred to Other Federal/State Assistance** A participant was referred to other Federal/State Assistance, which may include, but is not limited to: Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF), health insurance assistance, child support assistance, tax preparation support, and/or any other Federal or State assistance programs.
147	**Personalized Job Search Assistance Workshop (PJSA)** A UI claimant(s) attended a Personalized Job Search Assistance (PJSA) session. PJSA activities include, but are not limited to, entering a résumé in CalJOBS, inquiring about the claimant's search for work, providing information on AJCC services, assisting with job search via CalJOBS or other methods, providing specific labor market information, and referring to other AJCC services as appropriate.
159	**Referred to NFJP: WIOA 167 Grantee** A participant was referred to a National Farmworker Jobs Program Grantees, WIOA 167 to receive one or more of the services which is included, but not limited to receive assistants in job training, job placement assistance, affordable housing assistance, English Classes, energy services, criminal justice services, citizenship and immigration aid, food, healthcare, childcare assistance, disability and rehabilitation services.

160	**Referred to JVSG Services: SBE** AJCC staff referred a participant to Jobs for Veterans' State Grants (JVSG) services due to identification that the participant has significant barriers to employment.
161	**Referred to JVSG Services: TSM** AJCC staff referred a participant to JVSG services due to identification that the participant being identified as a Transitioning Service Member (TSM) is in need of individualized career services.
162	**Referred to JVSG Services: Medical or Caregiver** AJCC staff referred a participant JVSG services due to identification that the participant is wounded, ill, or injured located in a military treatment facility. This activity code can also be used for the caregiver of a veteran that is wounded, ill or injured.
164	**Referred to VA Services: 9/11 GI Bill** AJCC staff referred a participant to Veterans Affairs (VA) services for Post-9/11 GI Bill benefits.
165	**Referred to VA Services: Montgomery Bill** AJCC staff referred a participant to VA services for Montgomery GI Bill benefits.
166	**Referred to VA Services: GI Bill and Montgomery Bill** AJCC staff referred a participant to VA services for both the Post-9/11 GI Bill, and to the Montgomery GI Bill benefits.
167	**Referred to VA Services: Other** AJCC staff referred a participant to VA services for services other than Post-9/11 GI Bill or Montgomery GI Bill benefits. Services may include referrals for PTSD, TBI treatment, and substance abuse assistance.
179	**Job Referral: Outside Web-Link** A participant obtained a job referral for employment through a CalJOBS' auto-spidering link.
180	**Supportive Service: Child/Dependent Care** A participant received assistance with child care or dependent care that enabled him/her to participate in career services or training activities. Supportive services may be made available to any adult or dislocated worker participating in Title I career services (not including follow-up services) or training activities. *This service must be provided in conjunction with a career service or training service. Service dates for the supportive service must be within the dates of the career service or training activity.

181	**Supportive Service: Transportation Assistance** A participant received assistance with transportation that enabled him/her to participate in career services or training activities. Supportive services may be made available to any adult or dislocated worker participating in Title I career services (not including follow-up services) or training activities. *This service must be provided in conjunction with a career service or training service. Service dates for the supportive service must be within the dates of the career service or training activity.
182	**Supportive Service: Medical** A participant received assistance with medical services that enabled him/her to participate in career services or training activities. Supportive services may be made available to any adult or dislocated worker participating in Title I career services (not including follow-up services) or training activities. *This service must be provided in conjunction with a career service or training service. Service dates for the supportive service must be within the dates of the career service or training activity.
183	**Supportive Service: Incentives/Bonuses** A participant received an incentive or bonus that enabled him/her to participate in career services or training activities. Supportive services may be made available to any adult or dislocated worker participating in Title I career services (not including follow-up services) or training activities. This definition does not include Needs-Related Payments (326). Service must be provided according to the approved Local Area policy for Incentives and Bonuses. *This service must be provided in conjunction with a career service or training service. Service dates for the supportive service must be within the dates of the career service or training activity.
184	**Supportive Service: Temporary Shelter** A participant received assistance with temporary shelter that enabled him/her to participate in career services or training activities. Supportive services may be made available to any adult or dislocated worker participating in Title I career services (not including follow-up services) or training activities. *This service must be provided in conjunction with a career service or training service. Service dates for the supportive service must be within the dates of the career service or training activity.

185	**Supportive Service: Other** A participant received assistance that was necessary to enable the individual to participate in career services or training activities. This activity code should only be used if no other Supportive Service codes apply. This activity code requires staff to document the type of service provided in a case note. Supportive services may be made available to any adult or dislocated worker participating in Title I career services (not including follow-up services) or training activities. *This service must be provided in conjunction with a career service or training service. Service dates for the supportive service must be within the dates of the career service or training activity.
186	**Supportive Service: Seminar/Workshop Allowance** A participant received an allowance to attend an employment-related seminar or workshop. Supportive services may be made available to any adult or dislocated worker participating in Title I career services (not including follow-up services) or training activities. *This service must be provided in conjunction with a career service or training service. Service dates for the supportive service must be within the dates of the career service or training activity.
187	**Supportive Service: Job Search Allowance** A participant received an allowance to purchase items necessary for conducting a successful job search. Supportive services may be made available to any adult or dislocated worker participating in Title I career services (not including follow-up services) or training activities. *This service must be provided in conjunction with a career service or training service. Service dates for the supportive service must be within the dates of the career service or training activity.
188	**Supportive Service: Tools/Clothing** A participant received assistance with employment-related attire or tools for the purpose of obtaining employment. Supportive services may be made available to any adult or dislocated worker participating in Title I career services (not including follow-up services) or training activities. *This service must be provided in conjunction with a career service or training service. Service dates for the supportive service must be within the dates of the career service or training activity.

189	**Supportive Service: Housing Assistance** AJCC staff provided and/or arranged for a participant to receive housing that enabled him/her to participate in career services or training activities. Supportive services may be made available to any adult or dislocated worker participating in Title I career services (not including follow-up services) or training activities. *This service must be provided in conjunction with a career service or training service. Service dates for the supportive service must be within the dates of the career service or training activity.
190	**Supportive Service: Utilities** AJCC staff provided and/or arranged for a participant to receive assistance with his/her utilities that enabled him/her to participate in career services or training activities. Supportive services may be made available to any adult or dislocated worker participating in Title I career services (not including follow-up services) or training activities. *This service must be provided in conjunction with a career service or training service. Service dates for the supportive service must be within the dates of the career service or training activity.
191	**Supportive Service: Educational Testing** A participant received financial assistance to take a high school equivalency test, or an exam for an occupation certification or credential for the purpose of obtaining employment. Supportive services may be made available to any adult or dislocated worker participating in Title I career services (not including follow-up services) or training activities. *This service must be provided in conjunction with a career service or training service. Service dates for the supportive service must be within the dates of the career service or training activity.
192	**Supportive Service: Post-Secondary Academic Materials** A participant received assistance with books, fees, school supplies, and other necessary supplies for students enrolled in post-secondary education classes. Supportive services may be made available to any adult or dislocated worker participating in Title I career services (not including follow-up services) or training activities. *This service must be provided in conjunction with a career service or training service. Service dates for the supportive service must be within the dates of the career service or training activity.

194	**Reemployment Services and Eligibility Assessment (RESEA)** A UI claimant attended a Reemployment Services and Eligibility Assessment (RESEA) workshop, and received services which may include, but are not limited to: UI eligibility assessment, orientation of AJCC services, provision of labor market information, registration in CalJOBS, development of a reemployment plan, and referral to other AJCC services.
195	**RESEA Subsequent Service** AJCC staff provided an Unemployment Insurance claimant with a mandatory Reemployment Services and Eligibility Assessment (RESEA) Subsequent Service. The participant must have already completed the initial RESEA. This activity code must be used in conjunction with an approved RESEA subsequent service code, as listed in the most recent RESEA Internal Administrative Notice (IAN).
200	**Individual Counseling** AJCC staff, in a one-on-one setting, provided a participant counseling and vocational guidance to assist the participant in achieving employment goals, and to make decisions regarding employment and/or training opportunities.
201	**Group Counseling** AJCC staff, in a group setting, provided a participant counseling and vocational guidance to assist the participant in achieving employment goals, and to make decisions regarding employment and/or training opportunities.
202	**Career Guidance/Planning** AJCC staff provided a participant information, materials, suggestions, and/or advice to help a participant make occupational or career decisions.
203	**Objective Assessment** AJCC staff conducted a comprehensive, specialized assessment of skill levels and service needs of a participant. The assessment may include diagnostic testing or other assessment tools, and in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.
204	**Interest and Aptitude Testing** AJCC staff tested a participant's aptitude to determine whether the participant has the necessary skills and qualifications to achieve his/her employment goals, or successfully participate in a selected program of training services.
205	**Development of IEP/ISS/EDP** AJCC staff and a participant jointly developed an ongoing strategy to identify the participant's employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to be able to achieve his/her employment goals, including providing information on eligible providers of training services and career pathways to attain career objectives.
206	**Referred to Registered Apprenticeship Program** AJCC staff referred a participant to an apprenticeship program approved and recorded by the U.S. Department of Labor's Employment and Training Administration, Bureau of Apprenticeship Training, or a California state-recognized apprenticeship agency or council, such as the California Department of Industrial Relations, Division of Apprenticeship Standards.

207	**Referred to Job Corps** AJCC staff referred a participant to the WIOA Title IC Job Corps program.
208	**Referred to Other Federal Training (non-WIOA Title IB)** Staff referred a participant to a training program supported by the federal government, such as TAA, Adult Education or Vocational Rehabilitation. This definition does not include referrals to Job Corps (207), or WIOA Title IB funded training (211).
209	**Referred to State and Local Training (non-WIOA)** Staff referred a participant to a training program funded with monies from state and/or local agencies. This definition does not include referrals to WIOA Title IB funded training (211).
210	**Referred to Educational Services (non-Federal/State/Local)** AJCC staff referred a participant to a service provider funded with monies other than federal, state or local agencies monies, to receive educational services leading to the completion of the participant's educational goals. These services include, but are not limited to, tutoring, study skills training, and instruction.
211	**Referred to WIOA Title IB Training** AJCC staff referred a participant to a training program funded under WIOA Title IB. This definition does not include Referred to Registered Apprenticeship Program (206).
213	**Mentorship** AJCC staff referred a participant to a mentoring program. The participant was paired with a mentor experienced in one or more areas that would benefit the participant. The mentor shared their knowledge, wisdom, and experience with the participant, and facilitated learning through instructing, coaching, sharing experiences, modeling and advising. The mentorship could include a contract for learning and should last for a specified period of time.
214	**Adult Literacy, Basic Skills or GED Preparation** AJCC staff referred a participant to a course of basic academic instruction and/or basic education services below the post-secondary level to increase the participant's ability to read, write and speak in English, and to perform mathematics, or other necessary activities, to obtain a secondary school diploma or its recognized equivalent; and, to transition to post-secondary education and training.
215	**Short-Term Prevocational Services** A participant is receiving short-term, prevocational services, including the development of learning, communication, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare the participant for unsubsidized employment or training.
216	**Out-of-Area Job Search Assistance** AJCC staff assisted a participant with an out-of-area job search. The assistance was deemed appropriate based upon the participant's assessment, and/or the participant's individual employment plan.
217	**Relocation Assistance** AJCC staff provided financial assistance to relocate in order to accept employment, as provided by local policy.

218	**Referred to Internship** AJCC staff referred a participant to an internship opportunity. The internship was deemed appropriate based upon the participant's assessment, and/or the participant's individual employment plan.
219	**Work Experience** A participant took part in a planned, structured learning experience that took place in a private, for-profit, nonprofit, or public sector workplace for a limited time period. Work experience may be paid or unpaid, as appropriate. A WIOA-funded paid internship may also be included in this activity, as appropriate. This activity does not include Referred to Internship (218), Pre-Apprenticeship Training (224), or Transitional Job (320).
221	**Financial Literacy Education** A participant received financial literacy services that support the ability to do one or more of the following: 1. Create household budgets, initiate savings plans, and make informed financial decisions about education, retirements, home ownership, wealth building, or other savings goals. 2. Manage spending, credit, and debt, including credit card debt, effectively. 3. Increasing awareness of the availability and significance of credit reports and credit scores in obtaining credit, including determining their accuracy (and how to correct inaccuracies in the reports and scores), and their effect on credit terms. 4. The ability to understand, evaluate, and compare financial products, services, and opportunities. Address the particular financial literacy needs of non-English speakers, including providing the support through the development and distribution of multilingual financial literacy and education materials.
222	**English Language Learner (ELL)** A participant received English as a second language service or training. ELL services are provided to a participant whose primary language is not English. Services are designed to increase the English language proficiency of the participant so they can attain training and/or employment success.
224	**Pre-Apprenticeship Training** The participant enrolled in a Pre-Apprenticeship (PA) program that has a documented partnership with at least one Registered Apprenticeship program. The PA's training and curriculum must be based on industry standards, approved by the documented Registered Apprenticeship partner(s), and prepare the individual with the skills and competencies needed to enter one or more Registered Apprenticeship program(s). This activity code requires staff to provide justification in CalJOBS under case notes.
226	**Reading and/or Math Testing** AJCC staff tested a participant's reading and math skill levels and competencies.

227	**Disaster Relief Employment/Temporary Job (NDWG only)** Staff enrolled an eligible participant in disaster relief employment. The temporary job will provide immediate employment and wages. Clean-up and repair work will be performed on public and/or private non-profit lands. *This service is only available to eligible National Dislocated Worker Grant participants.
230	**Case Management (TAA)** EDD staff provided services by (a) preparing and coordinating a comprehensive employment plan, such as service strategy to ensure a participant's access to necessary *Trade Assistance Act* (TAA) activities and supportive services, using computer-based technologies whenever feasible; and (b) providing job and career planning during program participation and after job placement. *This activity code is only available to the TAA program.
231	**Waiver: Recall** The TAA requires participants to be enrolled in, or have completed an approved training course in order to receive Trade Readjustment Assistance (TRA) allowances (i.e., additional UI benefits under TAA). This requirement may be waived if the participant has been notified that he/she will be recalled by the employer from which the separation occurred. *This activity is only available to the TAA program.
232	**Waiver: Marketable Skills** The TAA requires participants to be enrolled in, or have completed an approved training course in order to receive TRA allowances (i.e., additional UI benefits under TAA). This requirement may be waived if the participant has marketable skills for suitable employment, and there is a reasonable expectation of employment of equivalent wages in the foreseeable future. *This activity code is only available to the TAA program.
233	**Waiver: Retirement** The TAA requires a participant to be enrolled in, or have completed an approved training course in order to receive TRA allowances (i.e., additional UI benefits under TAA). This requirement may be waived if a participant has met all requirements for entitlement to either (a) old-age insurance benefits under Title II of the *Social Security Act* within two years; (b) was certified prior to January 1, 2011; and (c) does not want to be re-trained. *This activity code is only available to the TAA program.
234	**Waiver: Poor Health** The TAA requires participants to be enrolled in, or have completed an approved training course in order to receive TRA allowances (i.e., additional UI benefits under TAA). This requirement may be waived if the participant is unable to participate in training due the participant's health. *This activity code is only available to the TAA program.

235	**Waiver: Delay for Training** The TAA requires participants to be enrolled in, or have completed an approved training course in order to receive TRA allowances (i.e., additional UI benefits under TAA). This requirement may be waived if the first available enrollment date for approved training is within 60 days after the date of the waiver's determination, or, if later, there are extenuating circumstances for the delay in enrollment. *This activity code is only available to the TAA program.
236	**Waiver: Training Not Available** The TAA requires participants to be enrolled in, or have completed an approved training course in order to receive TRA allowances (i.e., additional UI benefits under TAA). This requirement may be waived if training is not reasonably available to the worker from either governmental agencies or private sources, and no training that is suitable for the participant is available at a reasonable cost, or not enough training funds are available. *This activity code is only available to the TAA program.
237	**Approved Out-of-Area Job Search Allowance (TAA)** An adversely affected dislocated worker has received a Job Search Allowance in obtaining employment in areas outside his/her normal labor market. *This activity code is only available to the TAA program.
280	**Wage Subsidy (TAA)** Established as an alternative assistance program for older workers certified eligible to apply to under the TAA. Workers in an eligible group who are at least 50 years of age, and who obtain different, full-time employment within 26 weeks of separation from adversely affected employment, at wages less than those earned in adversely-affected employment, may receive up to half the difference between the old wage and the new wage. The new wage subsidy may be paid up to a maximum of $10,000 during a two-year eligibility period. To be eligible for the TAA program, workers may not earn less than $50,000 per year in the new employment. *This activity code is only available to the TAA program.
300	**Occupational Skills Training (Approved ETPL Provider)** The participant enrolled in a California (CA) Eligible Training Provider List (ETPL) training program designed to provide the technical skills necessary to perform a specific job or group of jobs. All Occupational Skills Training services must have an Occupational Code (ONET Code) that indicates the type of training being provided. The Industry Code (NAICS Code) is not required.

301	**On-the-Job Training** A participant took part in paid training while engaged in productive work in a job. The training (a) provided knowledge or skills essential to the full and adequate performance of the job; and (b) provided reimbursement to the employer for up to 50% of the participant's wage rate for extraordinary costs of providing the training and additional supervision related to the training; and (c) was limited in duration appropriate to the occupation for which the participant was being trained, taking into account the training's content, the participant's prior work experience, and service strategy, as appropriate.
302	**Entrepreneurial Training** A participant attended entrepreneurial skills training that included, but was not limited to, the elements of starting and operating a small business, business plan development, securing financing, general business law concepts, employee management, and the understanding of marketing concepts.
303	**Distance Learning (TAA)** The participant is enrolled in TAA Technology-Based Learning (TBL) (i.e., an e-learning program or course of study where instruction is delivered via electronic technology, including the internet, intranet sites, satellite broadcasts, audio and video conferencing, internet bulletin boards, chat rooms, webcasts, and sometimes in concert with face-to- face instruction, aka, "blended learning”). *This activity code is only available to the TAA program.
304	**Customized Training** A participant enrolled in an employer's customized training program. The training was designed to meet the specific requirements of an employer (or a group of employers); was conducted with a commitment by the employer to employ the participant upon successful completion of the training; and for which the employer paid a significant portion of the cost of training, as determined by the Local Board in accordance with WIOA. Customized training may be provided when the following criteria are met: 1. The participant is not earning a self-sufficient wage as determined by Local Board policy. 2. The above paragraph's requirements are met. The customized training relates to on-the-job training contracts for employed workers, or other appropriate purposes identified by the Local Board.
305	**Skills Upgrading and Retraining** A participant was provided training to upgrade his/her skills, and/or to retrain.
306	**WIOA Prerequisite Trainings** A participant enrolled in the required prerequisite training/coursework prior to entry into an institution's approved training program.
307	**Pre-Apprenticeship Program w/Occupational Skill Training (ITA)** The participant enrolled in a Pre-Apprenticeship (PA) program that has a documented partnership with at least one Registered Apprenticeship program. The PA's training and curriculum must be based on industry standards, approved by the documented Registered Apprenticeship partner(s), and prepare the individual with the skills and competencies needed to enter one or more Registered Apprenticeship program(s).

	In addition, the pre-apprenticeship program provides occupational skills training that leads to an industry-recognized certificate, credential, or license upon completion. If the pre-apprenticeship training does not provide occupational skills training that leads to an industry-recognized certificate, credential, or license, the Pre-Apprenticeship Training (224) activity code should be utilized.
308	**Incumbent Worker Training** The participant participated in an incumbent worker training designed to meet the needs of an employer or group of employers in an effort to help avert potential layoffs, or for the employee to obtain the skills necessary to retain employment, such as increasing the skill levels of employees so they can be promoted within the company and create backfill opportunities for less-skilled employees.
311	**Placed in Job Corps** AJCC staff verified that a participant enrolled in a WIOA Title IC Job Corps program.
312	**Placed in Federal Training (includes TAA and WIOA)** AJCC verified that a participant enrolled in a federal government supported training program, such as a WIOA-funded project or TAA program designed to provide the technical skills necessary to perform a specific job or group of jobs. This definition does not include Placed in Job Corps (311), or Apprenticeship Training (325). *This service functions as an indicator that a client is enrolled in training elsewhere and might be part of one of the performance measures due to shared performance. This activity code does not place someone in the Measurable Skill Gains and/or Credential Measure.
313	**Placed in State and Local Trainings (non-TAA, non-WIOA)** AJCC staff verified that a participant entered a state and/or local agency-funded training program. In this instance, staff should select the activity code's co-enrolled training code option. This definition does not include Job Corps (311), or Placed in Federal Training (312). *This service functions as an indicator that a client is enrolled in training elsewhere and might be part of one of the performance measures due to shared performance. This activity code does not place someone in the Measurable Skill Gains and/or Credential Measure.
320	**Private Sector Training** A participant enrolled in a private sector, non-WIOA training program.
321	**Transitional Job** The participant has barriers to employment, is chronically unemployed, or has an inconsistent work history, and has been placed by the AJCC in subsidized, time-limited work within the public, private, or nonprofit sector. The participant must concurrently receive comprehensive employment and supportive services. Transitional jobs are designed to assist participants with establishing a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment.

322	**Job Readiness Training** A participant received training regarding the skills necessary to be successful in the workplace. The training provided the participant with specific occupational competencies needed to perform specific tasks on the job. These competencies include, but are not limited to: how to communicate in an office environment, how to function as part of a team, and how to work in a deadline-driven workplace. This code must be applied in conjunction with one of the following codes: 1. Occupational skills training, including training for nontraditional employment (300) 2. On-the-job training (301) 3. Incumbent worker training (308) 4. Programs that combine workplace training with related instruction, which may include cooperative education programs (321) 5. Private sector operated training programs (320) 6. Skill upgrading and re-training (305) 7. Entrepreneurial training (302) 8. Transitional jobs (321)
323	**Workplace Training & Cooperative Education** A participant attended a training program that combined workplace training with related instruction. This definition includes cooperative education programs.
324	**Adult Education with Training Services** A participant, in consultation with an employment counselor, enrolled in Adult Education that incorporates an Occupational Skills Training program selected from the CA ETPL that confers industry-valued skills in priority industry sectors, and is paid for with a pre- approved Individual Training Account. The participant must also be enrolled in one of the following activities: 300, 301, 302, 305, 306, 320, 323, 325, 330, 346, or 416.
325	**Apprenticeship Training** A participant enrolled into a Registered Apprenticeship Program listed on the CA ETPL.
326	**Supportive Service: Needs-Related Payments (Training)** An unemployed Adult or Dislocated Worker participant received a needs-related payment(s) for the purpose of enabling him/her to participate in training services. In order to qualify for needs-related payments, the participant must also be unemployed, not qualified or ceased to qualify for unemployment compensation, and be enrolled in a training services under WIOA. Please note: The maximum level of needs-related payments must be established by the Local WDB.
327	**Supportive Service: Training Allowance** The participant received an approved training allowance required in conjunction with his/her original training or education. The training allowance may be utilized to pay for training-related applications, tests, and certifications. For example, a participant with a nursing degree received a training allowance for CPR training.
328	**Occupational Skills Training (non ETPL provider, non-formula)**

	A participant attended training designed to provide the technical skills necessary to perform a specific job or group of jobs. The training provider was not on the CA ETPL. This code cannot used for formula ITAs.
330	**Local Board Determination Training** A participant enrolled in a training program that can bypass the CA ETPL upon the determination of the Local Workforce Development Board (LWDB) for reasons, such as higher education, lack of providers, barriers to employment, etc. This activity code requires staff to provide justification in CalJOBS under case notes.
331	**Approved Travel in Training (TAA)** A participant was provided an approved travel allowance due to his/her TAA training being outside a normal commute area. The definition of a normal commute is 25 miles or one hour, each way. *This activity code is only available to the TAA program.
332	**Approved Subsistence in Training (TAA)** A participant was provided a subsistence allowance while in training because he/she must live away from home to attend TAA-approved training. *This activity code is only available to the TAA program.
333	**Approved Remedial Training for those with GED/HS Diploma (TAA)** A participant was provided prevocational training in elementary skills that are required of every worker in order to be employed. *This activity code is only available to the TAA program.
335	**Approved Occupational Skills Training – Approved by other State (TAA)** The participant is an Agent/Liable client in TAA-approved training. Agent State: the State in which the participant will be attending training pays for the training. Liable State: where the petition is certified and weekly UI/TRA benefits are paid. That is, an out-of-state (non-California) TAA client can attend occupational training in California, and his/her training is paid by California's TAA program. *This activity code is only available to the TAA program.
339	**Approved GED Training (TAA)** A participant obtained a certificate of High School equivalency prior to entering vocational/occupational training. *This activity code is only available to the TAA program.

341	**Approved Remedial Training for those with GED/HS Diploma – Approved by other State (TAA)** Agent State – the state in which the participant will be attending training pays for the training. Liable State – where the petition is certified and weekly UI/TRA benefits are paid. That is when an out-of-state (non-California) TAA client can attend remedial training in California, with his/her training being paid by California's TAA program. *This activity code is only available to the TAA program.
342	**Approved Prerequisite Training (TAA)** A participant completed prerequisite coursework required by the training institution before entry into one of the institution's approved training programs. *This activity code is only available to the TAA program.
346	**Out-of-State Training Provider other ETPL (Requires Case Note to indicate other State's ETPL)** A participant was enrolled with a provider headquartered outside of California, and who does not have an in-state training facility. Provider must be listed on another state's ETPL. This activity code requires staff to provide justification in CalJOBS under case notes.
347	**Occupational Skills Training (Approved ETPL Provider) (TAA)** The participant enrolled in a California (CA) Eligible Training Provider List (ETPL) training program designed to provide the technical skills necessary to perform a specific job or group of jobs. *This activity code is only available to the TAA program. Participants must receive activity code 205 (Development of an IEP) prior to receiving any TAA training activity codes.
348	**On-the-Job Training (TAA)** A participant took part in paid training while engaged in productive work in a job. The training (a) provided knowledge or skills essential to the full and adequate performance of the job; and (b) provided reimbursement to the employer for up to 50% of the participant's wage rate for extraordinary costs of providing the training and additional supervision related to the training; and (c) was limited in duration appropriate to the occupation for which the participant was being trained, taking into account the training's content, the participant's prior work experience, and service strategy, as appropriate. *This activity code is only available to the TAA program. Participants must receive activity code 205 (Development of an IEP) prior to receiving any TAA training activity codes.

349	**Customized Training (TAA)** A participant enrolled in an employer's customized training program. The training was designed to meet the specific requirements of an employer (or a group of employers); was conducted with a commitment by the employer to employ the participant upon successful completion of the training; and for which the employer paid a significant portion of the cost of training, as determined by the Local Board in accordance with WIOA. Customized training may be provided when the following criteria are met: 1. The participant is not earning a self-sufficient wage as determined by Local Board policy. 2. The above paragraph's requirements are met. 3. The customized training relates to on-the-job training contracts for employed workers, or other appropriate purposes identified by the Local Board. *This activity code is only available to the TAA program. Participants must receive activity code 205 (Development of an IEP) prior to receiving any TAA training activity codes.
350	**Pre-Apprenticeship Program w/Occupational Skills Training (ITA) (TAA)** The participant enrolled in a Pre-Apprenticeship (PA) program that has a documented partnership with at least one Registered Apprenticeship program. The PA's training and curriculum must be based on industry standards, approved by the documented Registered Apprenticeship partner(s), and prepare the individual with the skills and competencies needed to enter one or more Registered Apprenticeship program(s). In addition, the pre-apprenticeship program provides occupational skills training that leads to an industry-recognized certificate, credential, or license upon completion. If the pre-apprenticeship training does not provide occupational skills training that leads to an industry-recognized certificate, credential, or license, the Pre-Apprenticeship Training (224) activity code should be utilized. *This activity code is only available to the TAA program. Participants must receive activity code 205 (Development of an IEP) prior to receiving any TAA training activity codes.
351	**Adult Education with Training Services (TAA)** A participant, in consultation with an employment counselor, enrolled in Adult Education that incorporates an Occupational Skills Training program selected from the CA ETPL that confers industry-valued skills in priority industry sectors, and is paid for with a pre- approved Individual Training Account. The participant must also be enrolled in one of the following activities: 300, 301, 302, 305, 306, 320, 323, 325, 330, 346, or 416.

	*This activity code is only available to the TAA program. Participants must receive activity code 205 (Development of an IEP) prior to receiving any TAA training activity codes.
351	**Adult Education with Training Services (TAA)** A participant, in consultation with an employment counselor, enrolled in Adult Education that incorporates an Occupational Skills Training program selected from the CA ETPL that confers industry-valued skills in priority industry sectors, and is paid for with a pre- approved Individual Training Account. The participant must also be enrolled in one of the following activities: 300, 301, 302, 305, 306, 320, 323, 325, 330, 346, or 416. *This activity code is only available to the TAA program. Participants must receive activity code 205 (Development of an IEP) prior to receiving any TAA training activity codes.
352	**Apprenticeship Training (TAA)** A participant enrolled into a Registered Apprenticeship Program listed on the CA ETPL. *This activity code is only available to the TAA program. Participants must receive activity code 205 (Development of an IEP) prior to receiving any TAA training activity codes.
354	**Occupational Skills Training (non-ETPL provider, non-formula) (TAA)** A participant attended training designed to provide the technical skills necessary to perform a specific job or group of jobs. The training provider was not on the CA ETPL. This code cannot used for formula ITAs. *This activity code is only available to the TAA program. Participants must receive activity code 205 (Development of an IEP) prior to receiving any TAA training activity codes.
400	**Youth Summer Employment** A Youth participant participated in a summer worksite learning experience which provided direct linkages between academic and occupational learning.
406	**Tutoring, Study Skills Training & Instruction** A Youth participant received tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies to complete secondary school diploma requirements; or its recognized equivalent (including a recognized certificate of attendance or similar document with individuals with disabilities); or for a recognized post-secondary credential.

407	**Financial Literacy Education** A Youth participant completed Financial Literacy coursework that Include one or more of the following: 1. Support the ability of participants to create budgets, initiate checking and savings accounts at banks, and make informed financial decisions; 2. Support participants in learning how to effectively manage spending, credit, and debt, including student loans, consumer credit, and credit cards; 3. Teach participants about the significance of credit reports and credit scores; what their rights are regarding their credit and financial information; how to determine the accuracy of a credit report and how to correct inaccuracies; and how to improve or maintain good credit; 4. Support a participant's ability to understand, evaluate, and compare financial products, services, and opportunities and to make informed financial decisions; 5. Educate participants about identity theft, ways to protect themselves from identify theft, and how to resolve cases of identity theft and in other ways understand their rights and protections related to personal identity and financial data; 6. Support activities that address the particular financial literacy needs of non- English speakers, including providing the support through the development and distribution of multilingual financial literacy and education materials; 7. Support activities that address the particular financial literacy needs of youth with disabilities, including connecting them to benefits planning and work incentives counseling; 8. Provide financial education that is age appropriate, timely, and provides opportunities to put lessons into practice, such as by access to safe and affordable financial products that enable money management and savings; or 9. Implement other approaches to help participants gain the knowledge, skills, and confidence to make informed financial decisions that enable them to attain greater financial health and stability by using high quality, age-appropriate, and relevant strategies and channels, including, where possible, timely and customized information, guidance, tools, and instruction.
408	**Youth Internship (Unpaid)** A Youth participated in an unpaid internship in the private, for-profit, nonprofit, or public sector.
409	**Youth Job Shadowing** A Youth participated in a job-shadowing experience in the private, for-profit, nonprofit, or public sector. Job shadowing is a work experience option that is a temporary, unpaid exposure to the workplace in an occupational area of interest to the participant. Youth witness firsthand the work environment, employability and occupational skills in practice, the value of professional training, and potential career options. A job-shadowing experience can be anywhere from a few hours, to a day, to a week or more.

410	**Leadership Development Services** A Youth participated in leadership development opportunities that encourages leadership development, responsibility, confidence, employability, self-determination, and other positive social behaviors. Activities may include: 1. Exposure to postsecondary educational possibilities; 2. Community and service learning projects; 3. Peer-centered activities, including peer mentoring and tutoring; 4. Organizational and team work training, including team leadership training; 5. Training in decision-making, including determining priorities and problem solving; 6. Citizenship training, including life skills training such as parenting and work behavior training; 7. Civic engagement activities which promote the quality of life in a community; or 8. Other leadership activities that place youth in a leadership role such as serving on youth leadership committees, such as a Standing Youth Committee.
411	**Adult Mentoring** Youth participant participated in an adult mentoring activity. Adult mentoring must last at least 12 months, and be a formal relationship between a youth participant and an adult mentor that includes structured activities where the mentor offers guidance, support, and encouragement to develop the competence and character of the mentee. Mentoring may include workplace mentoring where the local program matches a youth participant with an employer or employee of a company. Group mentoring activities and mentoring through electronic means are allowable as part of the mentoring activities, but at a minimum, the local youth program must match the youth with an individual mentor with whom the youth interacts on a face-to-face basis. Local programs should ensure appropriate processes are in place to adequately screen and select mentors. While DOL strongly prefers that case managers not serve as mentors, case managers are allowed to serve as mentors in areas where adult mentors are sparse.
412	**Objective Assessment** AJCC staff conducted an objective assessment of the Youth participant's academic levels, skill levels, and service needs, which included an assessment of basic skills, occupational skills, prior work experience, employability, interests, aptitudes (including interests and aptitudes for nontraditional jobs), supportive service needs, and developmental needs for the purpose of identifying appropriate services and career pathways. Assessments must also consider a youth's strengths rather than just focusing on areas that need improvement.

413	**Develop Service Strategies (IEP/ISS/EDP)** AJCC staff developed individual strategies for the Youth participant that are directly linked to one or more performance indicator, and that identified career pathways that included education and employment goals, including, when appropriate, nontraditional employment, appropriate achievement objectives, and appropriate services that took into account the Youth's Objective Assessment.
414	**Basic Skills Training** A Youth participant, whose English, writing, and/or computing skill level was at or below the eighth grade level, received basic skills training that included reading, writing, mathematic, problem solving, and interpersonal skills training that enabled the Youth to communicate in English, use math, or obtain a high school diploma or GED (if applicable), to become eligible for post-secondary education or training, and to develop into a productive, employable citizen. *Youth must receive 412 and 413 prior to enrolling in this activity.
415	**Enrolled in Alternative Secondary Education** A Youth participant was enrolled, during participation, in an Alternative Education program, i.e., a separate program within a K - 12 public or charter school that was established to serve and provide a Youth, whose needs are not being met in a traditional school setting, an educational alternative. *Youth must receive 412 and 413 prior to enrolling in this activity.
416	**Occupational Skills Training (Approved ETPL Provider)** An Out-of-School Youth participant aged 16-to-24, was enrolled in occupational skills training that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields, and that aligned with an in-demand industry sector(s) or occupations in the Youth's local area. The training must be outcome-oriented and focused on an occupational goal specified in the individual service strategy, be of sufficient duration to impart the skills needed to meet the occupational goal; and lead to the attainment of a recognized postsecondary credential. Provider must be on the CA ETPL. *This activity code should not be used for In-School Youth. Youth must receive 412 and 413 prior to enrolling in this activity.
417	**Comprehensive Guidance and Counseling** A Youth participant was provided one or more of the following: 1. Activities leading to secondary school diploma attainment, or its equivalent; preparation for post-secondary and training opportunities; 2. Strong linkages between academic instruction and occupational education that lead to the attainment of recognized post-secondary credentials; 3. Preparation for unsubsidized employment opportunities;

	4. Effective connections to employers, including small employers, on in-demand industry sectors and occupations within the Youth's local and regional labor markets; or 5. Drug and alcohol abuse counseling, mental health counseling, and referral to partner programs as appropriate. If referring a Youth to necessary counseling that cannot be provided by the local Youth program or its service providers, the local youth program must coordinate with the organization it refers to in order to ensure continuity of service. *Youth must receive 412 and 413 prior to enrolling in this activity.
418	**Adult Education (GED)** A Youth participant (not enrolled prior to participation) enrolled in a high school diploma equivalency program to qualify for one of the three U.S. Department of Education, Office of Post-Secondary Education's recognized high school equivalency certificate programs: 1) General Educational Development (GED) Test provided by the GED Testing Service; 2) the High School Equivalency Test (HiSET), provided by Educational Testing Services; or 3) the Test Assessing Secondary Completion (TASC) provided by CRB/McGraw-Hill. *Youth must receive 412 and 413 prior to enrolling in this activity.
419	**Incentive Payment** At the discretion of the Local Board, a Youth participant received an incentive payment based on an incentive contract between a Youth and the Local Board in recognition of the Youth's achievement directly tied to training activities, education and/or work experiences. The local program must have written policies and procedures in place governing the award of incentives and must ensure that such incentive payments are tied to the goals of the specific program; outlined in writing before the commencement of the program that my provide incentive payments' aligned with the local program's policies; and are in accordance with the requirements contained in 2 CFR part 200. Such an incentive differs from a supportive service, as a supportive service may only be made when deemed necessary for a Youth to participate in program activities. *Youth must receive 412 and 413 prior to enrolling in this activity.
421	**Enrolled in Post-Secondary Education** A Youth participant possessing a high school or a GED diploma enrolled in a post-secondary program that provided the skills, education and/or training for an in-demand occupation or industry, and grants recognized credentials or degrees. *Youth must receive 412 and 413 prior to enrolling in this activity.

424	**Entrepreneurial Skills Training** A Youth enrolled in Entrepreneurial training that included the planning, starting and operating of a small business. Training includes, but is not limited to, the entrepreneurial- associated skills of initiative, self-direction, calculated risk taking, adaptability, seeking out and identifying business opportunities and innovative solutions; risk assessment, budget development; resource forecasting; the ability to analyze capital acquisition options and their corresponding trade-offs; and how to effectively market oneself and one's ideas. *Youth must receive 412 and 413 prior to enrolling in this activity.
425	**Work Experience (Paid)** A Youth participant took part in a paid, planned, structured learning experience that took place in a private, for-profit, nonprofit or public sector workplace for a limited period of time. The experience included such elements as: employability skills instruction or generic workplace skills; exposure to various aspects of an industry; progressively more complex tasks; the integration of basic academic skills into work activities, work adjustment, and other transition activities; entrepreneurship; and service learning. This definition does not include: Unpaid Youth Internship (408), Youth Job Shadowing (409), Unpaid Work Experience (426), Paid Internship (427), or On-the-Job Training (428). *Youth must receive 412 and 413 prior to enrolling in this activity.
426	**Work Experience (Unpaid)** A Youth participant took part in an unpaid, planned, structured learning experience that took place in a private, for-profit, nonprofit or public sector workplace for a limited period of time. The experience included such elements as employability skills instruction or generic workplace skills; exposure to various aspects of an industry; progressively more complex tasks; the integration of basic academic skills into work activities, work adjustment, and other transition activities; entrepreneurship; and service learning. This definition does not include: Unpaid Youth Internship (408), Youth Job Shadowing (409), Paid Work Experience (425), Paid Internship (427), or On-the-Job Training (428). *Youth must receive 412 and 413 prior to enrolling in this activity.
427	**Internship (Paid)** A Youth participant took part in a paid internship in the private, for-profit, nonprofit, or public sector workplace for a limited time period. *Youth must receive 412 and 413 prior to enrolling in this activity.

428	**Youth On-the-Job Training** A Youth participant took part in an on-the-job training experience in the private, for-profit, nonprofit, or public sector workplace for a limited time period. *Youth must receive 412 and 413 prior to enrolling in this activity.
429	**Enrolled in Secondary Education Program** A Youth participant enrolled in a secondary education (high school) program during program participation. This definition does not apply to Enrolled in Alternative Secondary Education (415), or Adult Education (418). *Youth must receive 412 and 413 prior to enrolling in this activity.
430	**Youth Occupational Skills Training (Youth Service Eligible Provider List)** A Youth participant attended training designed to provide jobs specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational field and aligns with in-demand industry sectors or occupational in the Local Area. The training must be outcome-oriented and focused on an occupational goal specified in the individual service strategy, be of sufficient duration to impart the skills needed to meet the occupational goal; and lead to the attainment of a recognized postsecondary credential. The training provider must be on the Youth Service Eligible Provider List. *Youth must receive 412 and 413 prior to enrolling in this activity.
431	**Enrolled in Pre-Apprenticeship Training** A Youth participant enrolled in a program or participated in a set of strategies designed to prepare Youth to enter and succeed in a registered apprenticeship program that has a documented partnership with at least one, if not more, registered apprenticeship program(s). *Youth must receive 412 and 413 prior to enrolling in this activity.
432	**Enrolled in Apprenticeship Training** A Youth participant enrolled in a Registered Apprenticeship program. Apprenticeship programs can be sponsored by individual employers, joint employer and labor groups, and/or employer associations. *Youth must receive 412 and 413 prior to enrolling in this activity.
433	**Career Awareness** A Youth participant engaged in activities designed to developed knowledge of the variety of careers and occupational available their skill requirements, working conditions and training prerequisites, and job opportunities across a wide range of industry sectors. *Youth must receive 412 and 413 prior to enrolling in this activity.

434	**Career Exploration** A Youth participant selected an educational path and training, or a job which fits their interests, skills and abilities. *Youth must receive 412 and 413 prior to enrolling in this activity.
435	**Career Counseling/Planning** A Youth participant received advice and support in making decisions about what career paths to take. Career counseling services may include providing information about résumé preparation, interview skills, potential opportunities for job shadowing, and the long-term benefits of postsecondary education and training (e.g., increased earning power and career mobility). *Youth must receive 412 and 413 prior to enrolling in this activity.
436	**Post-Secondary Transition Services** A Youth participant received services that helped him/her to prepare for and transition to post-secondary education and training. These services include exploring postsecondary education options including technical training schools, community colleges, 4-year colleges and universities, and registered apprenticeship. Additional services include, but are not limited to, assisting youth to prepare for SAT/ACT testing; assisting with college admission applications; searching and applying for scholarships and grants; filling out the proper Financial Aid applications and adhering to changing guidelines; and connecting youth to postsecondary education programs. *Youth must receive 412 and 413 prior to enrolling in this activity.
437	**Pre-Apprenticeship Program with Occupational Skills Training (ITA)** The participant enrolled in a Pre-Apprenticeship (PA) program that has a documented partnership with at least one Registered Apprenticeship program. The PA's training and curriculum must be based on industry standards, approved by the documented Registered Apprenticeship partner(s), and prepare the individual with the skills and competencies needed to enter one or more Registered Apprenticeship program(s). In addition, the pre-apprenticeship program provides occupational skills training that leads to an industry-recognized certificate, credential, or license upon completion. If the pre-apprenticeship training does not provide occupational skills training that leads to an industry-recognized certificate, credential, or license, the Pre-Apprenticeship Training (431) activity code should be utilized. *Youth must receive 412 and 413 prior to enrolling in this activity.

438	**Occupational Skills Training (non-WIOA Funds)** A participant attended training designed to provide the technical skills necessary to perform a specific job or group of jobs. The training was funded through non-WIOA funds, and the provider was not on the CA ETPL or the Youth Service Eligible Provider List. This code cannot used for formula ITAs. *Youth must receive 412 and 413 prior to enrolling in this activity.
439	**Education Offered Concurrently w/Workforce Prep and Training** Participant enrolled in an integrated education and training model that teaches workforce preparation activities, basic academic skills, and hands-on occupational skills training within the same time frame and connected to training in a specific occupation, occupational cluster, or career pathway. While programs developing basic academic skills, which are included as part of alternative secondary school services and dropout recovery services, workforce preparation activities that occur as part of a work experience, and occupational skills training can all occur separately and at different times, this program activity code refers to the concurrent delivery of these services which make up an integrated education and training model. *Youth must receive 412 and 413 prior to enrolling in this activity.
480	**Supportive Service: Child/Dependent Care** A Youth participant received assistance with child care or dependent care which enabled him/her to participate in activities authorized under WIOA Title IB. *This service must be provided in conjunction with another youth career service or training service. Service dates for the supportive service must be within the dates of the youth career service or training activity. Additionally, youth must receive 412 and 413 prior to enrolling in this activity.
481	**Supportive Service: Transportation Assistance** A Youth participant received assistance with transportation which enabled him/her to participate in activities authorized under WIOA Title IB. *This service must be provided in conjunction with another youth career service or training service. Service dates for the supportive service must be within the dates of the youth career service or training activity. Additionally, youth must receive 412 and 413 prior to enrolling in this activity.

482	**Supportive Service: Medical** A Youth participant was referred to medical services which enabled him/her to participate in activities authorized under WIOA Title IB. *This service must be provided in conjunction with another youth career service or training service. Service dates for the supportive service must be within the dates of the youth career service or training activity. Additionally, youth must receive 412 and 413 prior to enrolling in this activity.
483	**Supportive Service: Temporary Shelter** A Youth participant received assistance with temporary shelter that enabled him/her to participate in activities authorized under WIOA Title IB. *This service must be provided in conjunction with another youth career service or training service. Service dates for the supportive service must be within the dates of the youth career service or training activity. Additionally, youth must receive 412 and 413 prior to enrolling in this activity.
485	**Supportive Service: Other** A Youth participant received assistance that was necessary to enable him/her to participate in activities authorized under WIOA Title IB. This activity code should only be used if no other Supportive Service codes apply. This activity code requires staff to document the type of service provided in a case note. *This service must be provided in conjunction with another youth career service or training service. Service dates for the supportive service must be within the dates of the youth career service or training activity. Additionally, youth must receive 412 and 413 prior to enrolling in this activity.
487	**Supportive Service: Tools/Clothing** A Youth participant received assistance with employment-related attire or tools for the purpose of obtaining employment. *This service must be provided in conjunction with another youth career service or training service. Service dates for the supportive service must be within the dates of the youth career service or training activity. Additionally, youth must receive 412 and 413 prior to enrolling in this activity.
488	**Supportive Service: Housing Assistance** AJCC staff provided and/or arranged for a Youth participant to receive housing assistance that was necessary to enable him/her to participant in activities authorized under WIOA Title IB. *This service must be provided in conjunction with another youth career service or training service. Service dates for the supportive service must be within the dates of the youth career service or training activity. Additionally, youth must receive 412 and 413 prior to enrolling in this activity.

489	**Supportive Service: Utilities** AJCC staff provided and/or arranged for a Youth participant to receive assistance with his/her utilities that enabled him/her to participant in activities authorized under WIOA Title IB. *This service must be provided in conjunction with another youth career service or training service. Service dates for the supportive service must be within the dates of the youth career service or training activity. Additionally, youth must receive 412 and 413 prior to enrolling in this activity.
490	**Supportive Service: Educational Testing** A Youth participant received supportive services to take a high school equivalency test, or an exam for an occupation certification or credential. Supportive services can also be provided to a Youth participant with disabilities to assist with participation in certain assessments to ensure equal access and opportunity to participate in a variety of work-based learning activities. *This service must be provided in conjunction with another youth career service or training service. Service dates for the supportive service must be within the dates of the youth career service or training activity. Additionally, youth must receive 412 and 413 prior to enrolling in this activity.
491	**Supportive Service: Needs-Related Payments** An unemployed Youth participant received a needs-related payment(s) for the purpose of enabling him/her to participate in training. Unlike other supportive services, in order to qualify for needs-related payments, a participant must be enrolled in training. The participant must be unemployed, not qualified or ceased to qualify for unemployment compensation, and be enrolled in a training services under WIOA. *This service must be provided in conjunction with another youth career service or training service. Service dates for the supportive service must be within the dates of the youth career service or training activity. Additionally, youth must receive 412 and 413 prior to enrolling in this activity.
492	**Supportive Service: Linkages to Community Services** A Youth participant received assistance with linkages to community services that enabled him/her to participate in activities authorized under WIOA Title IB. *This service must be provided in conjunction with another youth career service or training service. Service dates for the supportive service must be within the dates of the youth career service or training activity. Additionally, youth must receive 412 and 413 prior to enrolling in this activity.

493	**Supportive Service: Post-Secondary Educational Materials** A Youth participant received assistance with books, fees, school supplies, and other necessary supplies for students enrolled in post-secondary education classes that enabled him/her to participate in activities authorized under Title IB. *This service must be provided in conjunction with another youth career service or training service. Service dates for the supportive service must be within the dates of the youth career service or training activity. Additionally, youth must receive 412 and 413 prior to enrolling in this activity.
500	**Referred to Job: 150 Days or Greater** The act of referring an active job seeker, or a group of job seekers, to an employer with a job opening that is 150 days or greater in length.
501	**Referred to Job: 4-150 Days in Length** The act of referring an active job seeker, or a group of job seekers, to an employer with a job opening that is 4-150 days in length.
502	**Referred to Job: 3 Days or Less** The act of referring an active job seeker, or a group of job seekers, to an employer with a job opening that is 3 days or less in length.
503	**Negative Referral Result** This code is system generated when the job seeker's referral profile is updated to "Not Hired."
505	**External Job Referral by Staff** AJCC staff referred a participant, or a group of participants, to a job opening that is available through an outside source (not listed on CalJOBS).
590	**Notification to Jobseeker of Potential Job** This code is system generated when staff notify job seeker of potential job.

Follow-Up Activity Codes

Activity Code	Activity Code Name and Definition
F01	**Referral to Community Resources** AJCC staff referred a participant to a community resource. This follow-up service was provided to the participant to enable him/her to progress further in education, training, or to retain or obtain employment.

F02	**Referral to Medical Services** AJCC staff referred a participant to medical services. This follow-up service was provided to the participant to enable him/her to progress further in education, training, or to retain or obtain employment.
F03	**Tracking Progress on the Job** AJCC staff tracked a participant's progress on the job, and identified which, if any, additional follow-up services the participant required to progress further in his/her occupation or employment.
F04	**Work-Related Peer Support Group** AJCC staff referred a participant to a work-related peer support group after being placed in unsubsidized employment, education, or training. This follow-up service was provided to the individual to enable them to progress further in their education, training, occupation or retain his/her employment.
F05	**Assistance Securing Better Paying Job** AJCC staff provided a participant assistance in securing a job paying a higher wage.
F06	**Career Development and Further Education Planning** AJCC staff provided a participant additional career planning and counseling. This follow- up service was provided to the participant to enable him/her to progress further in education, training, or to retain or obtain employment.
F07	**Assistance with Work-Related Problems** Staff assisted a participant with a work-related problem, which may have included contacting the participant's employer. This follow-up service was provided to the individual to enable him/her to progress further in his/her occupation, or retain employment.
F08	**Adult Mentoring** A Youth participant received adult mentoring after being placed in unsubsidized employment, education, or training. This follow-up service was provided to the participant to enable him/her to progress further in education, training, or to retain or obtain employment.
F09	**Tutoring** AJCC staff provided or arranged for a Youth participant to receive tutoring. This follow-up service was provided to the participant to enable him/her to progress further in education, training, or to retain or obtain employment.

F10	**Leadership Development** AJCC staff provided and/or arranged for a Youth participant to receive Leadership Development activities. This follow-up service was provided to the participant to enable him/her to progress further in education, training, or to retain or obtain employment.
F12	**Supportive Service: Transportation** AJCC staff provided and/or arranged for a Youth participant to receive transportation assistance that enabled him/her to be successful in employment and/or postsecondary education and training. *Youth only Per TEGL 19-16 an Adult/DW customer who has exited and is only receiving follow-up services is not eligible to receive supportive services during their follow-up.
F13	**Supportive Service: Purchase Work-Related Uniform/Attire** AJCC staff provided and/or arranged for a Youth participant to receive an allowance to purchase work-related uniforms or attire that enabled him/her to be successful in employment and/or postsecondary education and training. *Youth only Per TEGL 19-16 an Adult/DW customer who has exited and is only receiving follow-up services is not eligible to receive supportive services during their follow-up.
F14	**Supportive Service: Purchase Work-Related Tools** AJCC staff provided and/or arranged a Youth participant to receive an allowance to purchase work-related tools that enabled him/her to be successful in employment and/or postsecondary education and training. *Youth only Per TEGL 19-16 an Adult/DW customer who has exited and is only receiving follow-up services is not eligible to receive supportive services during their follow-up.
F15	**Supportive Service: Housing Assistance** AJCC staff provided and/or arranged for a Youth participant to receive housing assistance that enabled him/her to be successful in employment and/or postsecondary education and training. *Youth only Per TEGL 19-16 an Adult/DW customer who has exited and is only receiving follow-up services is not eligible to receive supportive services during their follow-up.

F16	**Supportive Service: Utilities** AJCC staff provided and/or arranged for a participant to receive assistance with his/her utilities that enabled him/her to be successful in employment and/or postsecondary education and training. *Youth only Per TEGL 19-16 an Adult/DW customer who has exited and is only receiving follow-up services is not eligible to receive supportive services during their follow-up.
F17	**Supportive Service: Dependent Care** AJCC staff provided and/or arranged for a participant to receive child care or dependent care assistance that enabled him/her to be successful in employment and/or postsecondary education and training. *Youth only Per TEGL 19-16 an Adult/DW customer who has exited and is only receiving follow-up services is not eligible to receive supportive services during their follow-up.
F18	**Supportive Service: Medical** A Youth participant received assistance with medical services that enabled him/her to be successful in employment and/or postsecondary education and training. *Youth only Per TEGL 19-16 an Adult/DW customer who has exited and is only receiving follow-up services is not eligible to receive supportive services during their follow-up.
F19	**Supportive Service: Incentives/Bonus** A participant received an incentive or bonus after being placed in training activities or education. Per TEGL 21-16, allowable work experience expenditures include incentive payments tied directly to the completion of work experience; and employability skills/job readiness training to prepare youth for a work experience. *Youth only Per TEGL 19-16 an Adult/DW customer who has exited and is only receiving follow-up services is not eligible to receive supportive services during their follow-up.
F21	**Supportive Service: Educational Testing** A Youth participant received financial assistance in obtaining a High School equivalency certificate, a license, or other type certificate that enabled him/her to be successful in employment and/or postsecondary education and training. *Youth only Per TEGL 19-16 an Adult/DW customer who has exited and is only receiving follow-up services is not eligible to receive supportive services during their follow-up.

F22	**Supportive Service: Post-Secondary Educational Materials** A Youth participant received assistance with books, fees, school supplies, and other necessary supplies for students enrolled in post-secondary education classes that enabled him/her to participate in activities authorized under Title IB. *Youth only Per TEGL 19-16 an Adult/DW customer who has exited and is only receiving follow-up services is not eligible to receive supportive services during their follow-up.

Employer Activity Codes

Activity Code	Activity Code Name and Definition
E01	**Alien Labor Certification** Under the H-2A program, local AJCC staff developed a hiring agreement with an employer that took into account the local AJCC site's resources, but that did not adversely affect the site's ability to adequately serve other employers. The hiring agreement may not include provisions for AJCC staff to assist the employer in pre-employment activities such as verifying prior employment or obtaining references.
E02	**Americans with Disabilities** AJCC staff contacted an employer that submitted a job posting that appeared to be discriminatory under the *Americans with Disabilities Act* of 1990. In contacting the employer, AJCC provided legal job posting requirements, and informed the employer that unless the job posting's specifications can be legally justified, that the employer's job posting request could not be accommodated.
E03	**CalJOBS Assistance** AJCC staff provided an employer with information regarding CalJOBS, or assisted an employer with registering in CalJOBS.
E04	**Apprenticeship** AJCC staff informed the employer of apprenticeship requirements and explained job order posting access.
E05	**Bonding** The designated AJCC staff person responsible for providing and/or arranging for bonding services, completed the required steps to provide an employer with a fidelity bond for an at-risk or hard-to-place participant. These steps include, but are not limited to, ensuring the employer meets all eligibility requirements, completing the EDD Fidelity Bonding Certification Request, completing the EDD Fidelity Bonding Employer Confirmation Letter, and submitting bonding requests to the Workforce Services' Division Bonding Coordinator.

E06	**CalJOBS External Recruitment** After determining that the CalJOBS job-seeker participant pool did not include qualified individuals for an employer's specific job opening, AJCC staff conducted recruitment efforts to locate qualified individuals. These efforts include, but are not limited to, contacting colleges, trade schools, professional organizations, and other employment and training providers who may have access to individuals with the employer's required skills and qualifications.
E07	**Disability Insurance** An AJCC sponsored a Disability Insurance seminar for employers.
E08	**Employer Advisory Council (EAC)** AJCC staff provided an employer information regarding the Employer Advisory Council, or provided AJCC services to an employer at an Employer Advisory Council event.
E09	**Employer Application Issuance** At the request of an employer, AJCC staff issued the employer's work application to job seekers. Prior to agreeing to issue the employer's work application, the staff member reviewed the work application to ensure compliance with the Department of Fair Employment and Housing pre-employment guidelines.
E10	**Employer Recall** AJCC staff suspended an employer's access to CalJOBS after determining the employer violated Workforce Services' regulations and/or Federal, State, or local employment- related laws. Reasons for access suspension include, but are not limited to: the employer includes discriminatory specifications in the job listing; fails to adhere to Federal, State, or local employment-related laws; misrepresents terms or conditions of employment; causes Workforce Services to receive substantiated formal or informal complaints from job seekers; and posts an invalid job opening, such as one due to a trade dispute.
E11	**Employment Training Panel (ETP)** AJCC staff assisted an employer with information regarding the Employment Training Panel's (ETP) available programs and services, including eligibility requirements, application assistance and programs specific to an employer's business. This definition does not include Training for New Employees (E40), or Training for Current Employees (E41).
E12	**Employment Law** An AJCC sponsored a labor law seminar for employers.
E13	**Employment Taxes** An AJCC sponsored a payroll tax seminar for employers.

E14	**Enterprise Zone (EZ) Tax Credits** AJCC staff identified a potentially eligible job seeker and referred him/her to the nearest Enterprise Zone-certifying agency or Enterprise Zone employer. Staff may not perform eligibility determinations, request documentation, or sign the Enterprise Tax Voucher (DOC EZ1).
E15	**Exclusive Hiring Agreement** AJCC staff established an agreement with an employer that requires all job seekers to apply through CalJOBS.
E16	**Federal Contractor Job Listing** AJCC staff assisted an employer with a federal job contractor job listing. Staff ensured that the federal contractor was properly identified, and that its special employment needs, particularly those relating to qualified veterans' hiring, were met to the fullest possible extent.
E17	**Fraud Reporting** After receiving a job listing from a questionable employer, AJCC staff ensured the request was genuine, and represented an actual job opportunity. Questionable employer examples include employers who require unusual pre-employment action on the job- seeker's part (e.g., a deposit for some alleged service, such as training, transportation, dues, fees, or food and lodging; employers who require monetary deposits or payments), unknown employers who request permission to interview at the AJCC; employers who ask job seekers to be sent to an address that is not a normal place of business (e.g., hotel room), unknown employers who offer to provide transportation to the job site, and employers whose address or job location is vague.
E18	**High Density Unemployment Area Resident** AJCC staff assisted an employer in hiring a high-density unemployment area resident.
E19	**Internship** AJCC staff entered an internship into CalJOBS for an employer, or publicized the internship at the AJCC.
E20	**Job Development Contact** AJCC staff contacted an employer regarding Job Development Contact participation. If the employer is not registered, then staff would need to complete the employer's CalJOBS' registration to collect the employer's information.
E21	**Job Fairs** AJCC staff partnered with an appropriate entity within the community to present and/or participate in a job fair.
E22	**Job Identification Contact** AJCC staff contacted a CalJOBS-registered employer for available job postings.

E23	**Job Listing Assistance** AJCC staff assisted a CalJOBS-registered employer with filling out a job listing form (DE 8203), or AJCC staff completed a job order listing in CalJOBS on behalf of the employer. This service does not include CalJOBS Assistance (E03).
E24	**Job Referrals** AJCC staff advertised or referred an employer's CalJOBS job order to participants.
E25	**Job Shadowing** AJCC staff coordinated a job shadowing experience for a qualified participant with an employer. The employer would like to hire a participant, but would first like the participant to do a job shadowing.
E26	**Labor Market Information** AJCC staff provided an employer with the nation, state, or local area's market information to assist in the employer's business plan expansion, relocation, or future hiring and training needs; or, referred the employer to a labor market information consultant who prepared detailed occupational labor market for the employer.
E27	**Local Planning, Zoning, Permits** AJCC staff provided an employer with Local Planning, Zoning, and Permits information.
E28	**Marketing Package** AJCC staff provided an employer marketing materials containing information regarding EDD services. Materials could include, but are not limited to, DE forms, brochures geared towards the employer, Labor Market Information Fact Sheets, and flyers.
E29	**New Employee Registry** AJCC staff provided an employer with the specific information pertaining to the California New Employee Registry.
E30	**On-the-Job Training** AJCC staff established an on-the-job training contract with an employer. Under the contract, the employer provided occupational training to a WIOA participant in exchange for a specified percentage reimbursement of the participant's wage rate, and received technical assistance from AJCC staff throughout the life of the training contract.
E31	**Older Worker Hiring** AJCC staff conducted outreach efforts to employers highlighting the potential of older works and their contributions to a diverse workforce. The outreach efforts highlighted traits that make older workers ideal candidates for employment, including their reliability, commitment, enthusiasm, and a keen know-how that comes with a lifetime of experience.

E32	**Rapid Response (layoff or closure)** AJCC staff provided rapid response activities in the case of a permanent closure or mass layoff at a plant, facility or enterprise, or a natural or other disaster that resulted in mass job dislocation in order to assist dislocated workers in obtaining reemployment as soon as possible. Rapid response activities include, but are not limited to, establishing on-site contact with employers and employee representatives; providing information and access to available employment and training activities; providing an on-site presentation to employees on when to file for, how to file for, and who qualified for Unemployment Insurance; assisting in establishing a labor-management committee; voluntarily agreed to by labor and management, with the ability to devise and implement a strategy for assessing the employment and training needs of Dislocated Workers, and obtaining services to meet such needs; providing emergency assistance adapted to the particular closure, layoff or disaster; and providing assistance to the local community in developing a coordinated response and in obtaining access to state economic development assistance.
E33	**Recruitment at EDD** An employer used an AJCC's facility and scheduling services to screen and interview job- seeking participants.
E34	**Reverse Referral Agreement** AJCC staff established an agreement with an employer that it would provide a handout or poster to encourage job seekers to enroll and enter a résumé in CalJOBS. The rationale for this agreement is that when an employer has openings and lists them in the CalJOBS those job-seekers' résumés can be accessed by the employer. This agreement reduces business interruptions to the employer when there are no openings, and expands the job-seeker participant pool in CalJOBS.
E35	**Résumé Referral** AJCC staff conducted a résumé search to find job-seeking participants' résumés that match an employer's job requirements, and provided those résumés to the employer.
E36	**Career Pathway Programs** AJCC staff informed employers about the Career Pathway programs, located in their local and regional area. This may include inquiring about an employer's interest and/or ability to assist with Career Pathway Programs, including job shadowing, work experience sites, mentoring, speaking engagements, and employer focus groups.
E37	**Targeted Recruitment** AJCC staff coordinated a focused recruitment campaign for a new business venture, or a facility needing a large number of specialized workers.

E38	**Tax Credit Programs** AJCC staff informed an employer about available hiring incentives and tax credits including, but not limited to, the Work Opportunity Tax Credit (WOTC), Empowerment Zone/Renewal Community Tax Incentives, the Disabled Access Credit, and the Architectural and Transportation Tax Deduction. This definition does not include the Veteran Hiring Incentive Program (E43).
E39	**Trade Assistance Act** AJCC staff informed an employer of Trade Assistance Act (TAA) associated programs.
E40	**Training for New Employees** AJCC staff informed an employer of funding available through the Employment Training Panel (ETP) for workforce training programs, and referred it to the ETP website or phone number for additional information.
E41	**Training for Current Employees** AJCC staff informed an employer of funding available through the Employment Training Panel (ETP) for workforce training programs, and referred it to the ETP website or phone number for additional information.
E42	**Unemployment Insurance** AJCC staff sponsored a seminar for employers regarding Unemployment Insurance.
E43	**Veteran Hiring Incentive Program** AJCC staff informed an employer about the Work Opportunity Tax Credit (WOTC) and that "Qualified Veterans" is one of the WOTC target groups that may qualify the employer for a tax credit.
E44	**Welfare Recipient Hiring** AJCC or staff assisted an employer in hiring a welfare recipient.
E45	**Work Experience Programs** AJCC staff coordinated with an employer to provide a participant with a Work Experience Opportunity, and technical assistance throughout the life of the contract. Work Experience is a planned, structured learning experience that takes place in a workplace for a limited time period. It may be paid or unpaid, as appropriate, and may be in the private for-profit sector, the nonprofit sector, or the public sector.
E46	**Workforce Innovation and Opportunity Act (WIOA)** AJCC staff informed an employer of available *Workforce Innovation and Opportunity Act* employer services that include, but are not limited to, customized training, on-the-job- training reimbursement assistance, and training subsidies.

E47	**Work Opportunity Tax Credit (WOTC)** AJCC staff processed an employer's application for Work Opportunity Tax Credit (WOTC) certification. Application processing includes, but is not limited to, ensuring the applicable forms (i.e., IRS 8850 [Pre-screening Notice and Certification Request], ETA 9061 [Individual Characteristics From], and ETA 9154 [Youth Self-Attestation Form]) are accurately completed; conducting an employee background check to ensure the employer received the highest tax credit they are eligible for; inform the employer that the application must be post-marked no later than the 28th calendar day following the new employee's start date; if necessary, sending a request to employer for more information; and sending the employer a certification or denial letter.
E48	**Youth Employment Opportunities** A Youth Employment Opportunity Program (YEOP) Specialist contacted an employer for the purposes of informing the employer about YEOP, and encouraging the employer to hire a Youth participant.
E51	**CalJOBS Suppressed Job Listing Referral** AJCC staff entered a suppressed job listing into CalJOBS, and assisted the employer in filling the opening through either of the following service levels: résumé search service (staff screen and select job-seeking participants and send the résumés of participants who match the job requirements), or mediated staff services (staff screen and select participants and provide them with the employer contact instructions).
E52	**OFCCP Employer Outreach** AJCC staff conducted outreach to a contractor or subcontractor that holds any federal or federally assisted construction contract in excess of $10,000. Services may include assistance with the Office of Federal Contract Compliance Programs (OFCCP) requirements, such as affirmative action and equal employment opportunity.
E54	**Lay-Off Aversion Activities** AJCC staff provided lay-off aversion strategies and activities designed to prevent, or minimize a participant's unemployment. These strategies include, but are not limited to, the following: 1. Ongoing engagement and partnership-building activities with local businesses and community to avert lay-offs, and assist Dislocated Workers in obtaining employment as soon as possible. 2. Provide employers assistance in reduction-in-force management. 3. Fund feasibility studies to determine if the company's operations might be sustained through a buyout or other means. 4. Develop and/or manage incumbent worker programs via connecting companies to state Short-Time Compensation or other programs to prevent layoffs; quickly re-employ Dislocated Workers; business loans for employee skill upgrading, along with other available government and local resources. 5. Establish linkages at the federal, state, and local levels, including the Department of Commerce, state and local resources available for business retention and expansion; partner or contract with business-focused organizations to assess risks to companies and how those risks can be

	ameliorated; analyses of affected company's suppliers to assess their risks and vulnerabilities. 6. Connect businesses and workers to short-term, on-the-job, or customized training programs, and/or apprenticeships before or after lay-offs to facilitate rapid re-employment. Locally-defined lay-off activities.
E55	**Candidate Pre-Screen (on behalf of employer)** AJCC staff provided an employer, employer association, or other such organization, customized screening and referral of qualified participants; or in addition to Wagner-Peyser services, received customized employment-related services on a fee-for-service basis; and/or was provided business services and strategies that met the workforce investment needs of area employers, as determined by the Local Board, and consistent with the local plan.
E56	**Other Referral (referred to other agency for service)** AJCC staff referred an employer/company to another public agency to obtain services not available through WIOA/EDD/TAA programs.
E57	**Follow-Up with Employer on New Hires** AJCC staff contacted the employer to determine if a hired participant was successful, and to provide as-needed additional assistance to the employer to ensure satisfaction with the business services provided by AJCC staff.
E59	**Follow-Up with Employer on Referred Candidate** AJCC staff contacted an employer via phone, email, or in person to follow-up on a candidate referred by staff to a CalJOBS job listing.
E60	**Employer Networking** AJCC staff provided an employer with information regarding AJCC services in an effort to establish a relationship, or to maintain an existing relationship.
E61	**HR Consultation Services** AJCC staff provided the employer with Human Resource (HR) related services, such as pre-employment testing, background checks and assistance in completing the I-9 paperwork, and providing employers with job and task analysis services, and absenteeism analysis.
E62	**Referral to Community Resource** AJCC staff provided a proactive linkage and referral to community resources that support the employer's workforce needs.

E63	**Veteran Employer Council (VEC)** AJCC staff provided an employer information regarding the Veteran Employer Council (VEC), or provided AJCC services to an employer at a VEC event.
E64	**Small Business Downsizing/Closure Assistance** AJCC staff provided services to a small business that is downsizing or expected to go out of business. Assistance may include onsite visits to provide the employer with information on the available AJCC services for affected employees and referrals to appropriate community resources.
E65	**Engaged In Strategic Planning/Economic Development** AJCC staff engaged in workforce investment strategic planning or business growth and economic development strategic planning. These activities include, but are not limited to, participating in community-based strategic planning; sponsoring employer forums; securing information on industry trends; providing information for the purpose of corporate economic development planning; partnering in collaborative efforts to identify workforce challenges; and developing ways to address those challenges.
E66	**Accessed Untapped Labor Pools** AJCC staff established pipeline activities in partnership with the public workforce system to access untapped labor pools. These activities include, but are not limited to: outreach to youth, veterans, individuals with disabilities, older workers, ex-offenders, and other targeted demographic groups; industry awareness campaigns; joint partnerships with high schools, community colleges, or other education programs to improve skill levels; and programs to address limited English proficiency and vocational training.
E67	**Customized Training** AJCC staff provided publicly funded customized training assistance to an employer.
E68	**Incumbent Worker Training** AJCC staff provided publicly funded incumbent worker training assistance to an employer.
E69	**Follow-Up with Employer on Employer Services** AJCC staff contacted the employer to determine if employer services that were provided by the AJCC were successful.
E70	**Youth Outreach and Marketing Presentation** Staff conducted presentations at entities (e.g., employers, community-based organizations, schools, workforce partners) in the community serving youth on the available EDD and partner youth services and resources as part of the YEOP expansion effort.

E71	**Youth Outreach and Marketing Contact** Staff contacted entities (e.g., employers, community-based organizations, schools, workforce partners) serving youth to schedule an appointment to provide information on the available EDD and partner youth services and resources as part of the YEOP expansion effort.
E72	**DOLVETS Hire Medallion Program (HVMP)** Staff provided information regarding the HVMP that recognizes employers who hire and retain veterans throughout the year and have dedicated resources for their veteran employees.
E73	**Reasonable Accommodation** Provided Employer information on reasonable accommodations that may include, but not limited to, physical change, accessible communication and assistive technologies, modified work tasks, and policy enhancements.
E74	**RETAIN – Employer** The Employer received services from a staff member on the Retaining Employment and Talent After Injury/Illness Network (RETAIN). *This code should not be used by staff that are not associated with the Local Area(s) who have received funding to carry out this pilot program.
E75	**RETAIN – Provider** The Health Provider received services from a staff member on the Retaining Employment and Talent After Injury/Illness Network (RETAIN). *This code should not be used by staff that are not associated with the Local Area(s) who have received funding to carry out this pilot program.
E90	**Referred Qualified Applicants** Staff referred client to employer based on their review of the client's resume, skills and qualifications. *This code is system generated at time of client referral.
E92	**Notification to Employer of Potential Applicant** Staff notified client of potential job. *This code is system generated at time of client notification.

Personally Identifiable Information (PII) Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
All programs receiving funding under the Workforce Innovation and Opportunity Act (WIOA) must protect all personally identifiable information (PII) and other sensitive information. All WIOA-funded agencies are required to take aggressive measures to mitigate the risks associated with the collection, storage, and dissemination of sensitive data, including PII.

BACKGROUND
As part of its grant activities, the City of Los Angeles Workforce Development System (WDS) may have in their possession large quantities of PII relating to their organization and staff; partner organizations and their staff; and individual program participants. This information is generally found in personnel files, participant data sets, performance reports, program evaluations, grant and contract files, and other sources.

Definitions

- PII – Information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.
- Sensitive Information – Any unclassified information whose loss, misuse, or unauthorized access to or modification could adversely affect the interest or the conduct of Federal programs or the privacy to which individuals are entitled under the Privacy Act.
- Protected PII and Non-sensitive PII – The United States Department of Labor (DOL) has defined two types of PII: (1) Protected PII and (2) Non-sensitive PII. The differences between protected PII and Non-sensitive PII are primarily based on an analysis regarding the "risk of harm" that could result from the release of the PII.

1. Protected PII is information that, if disclosed, could harm the individual whose name or identity is linked to that information. Examples of protected PII include, but are not limited to, social security numbers (SSNs), credit card numbers, bank account numbers, home telephone numbers, ages, birthdates, marital status, spouse names, educational history, biometric identifiers (fingerprints, voiceprints, iris scans, etc.), medical history, financial information, and computer passwords.
2. Non-sensitive PII, on the other hand, is information that, if disclosed by itself, could not reasonably be expected to result in personal harm. Essentially, it is stand-alone information that is not linked or closely associated with any protected or unprotected PII. Examples of non-sensitive PII include information such as first and last names, e-mail addresses, business addresses, business telephone numbers, general education, credentials, gender, or race. However, depending on the circumstances, a combination of these items could potentially be categorized as protected or sensitive PII.

POLICY AND PROCEDURES

Federal regulations require that PII and other sensitive information be protected. The WDS must secure transmission of PII and sensitive data developed, obtained, or otherwise associated with WIOA funds and must comply with all of the following:

- To ensure that such PII is not transmitted to unauthorized users, all PII and other sensitive data transmitted via e-mail or stored on CDs, DVDs, thumb drives, etc., must be encrypted. The WIOA-funded agencies must not email unencrypted sensitive PII to any entity.
- The City and all WIOA-funded agencies must take the steps necessary to ensure the privacy of all PII obtained from participants and/or other individuals and to protect such information from unauthorized disclosure. All agencies must maintain such PII in accordance with the DOL Employment and Training Administration standards for information security described in this policy.
- The WIOA-funded agencies shall ensure that any PII used during the performance of their agreement with the City has been obtained in conformity with applicable federal and state laws governing the confidentiality of information.
- The WIOA-funded agencies further acknowledge that all PII data shall be stored in an area that is physically safe from access by unauthorized persons at all times.
- The WIOA-funded employees and other personnel who will have access to sensitive/confidential/proprietary/private data (1) must be informed of the confidential nature of such information and of the safeguards required to protect such information; and (2) must be advised that, per federal and state laws, civil and criminal sanctions may be imposed for noncompliance.
- The WIOA requires that funded agencies have in place policies and procedures under which their employees and other personnel acknowledge (1) their understanding of the confidential nature of the data, (2) the requirements with which they are required to comply when handling such data, and (3) that they may be liable to civil and/or criminal sanctions for noncompliance with statutory nondisclosure requirements.
- Grantees must not extract information from data supplied by the CalJOBS℠ system for any purpose not stated in their contract agreement with the City.
- Access to any PII must be restricted to only those employees who need it in their official capacity to perform duties in connection with the scope of work in the agreement with the City.
- All PII data must be processed in a manner that will protect the confidentiality of the records/documents and is designed to prevent unauthorized persons from retrieving such records by computer, remote terminal, or any other means. Data may be downloaded to, or maintained on, mobile or portable devices only if the data are encrypted.
- The WIOA funded agencies must permit city, state, and federal staff to make onsite inspections during regular business hours for the purpose of conducting audits and/or conducting other investigations to assure that the WIOA funded agency is complying with the confidentiality requirements described in this policy.
- The WIOA funded agencies must retain data only for the period of time required to use it for assessment and other purposes, or to satisfy applicable Federal records retention

requirements, if any. Thereafter, all data will be destroyed, including the degaussing of magnetic tape files and the deletion of electronic data.

SUBMISSION PROCEDURES

- Before collecting PII or sensitive information from participants, the WIOA-funded agencies must have participants sign releases acknowledging the use of PII for grant purposes only.
- Whenever possible, use unique identifiers for participant tracking instead of SSNs. While SSNs may initially be required for performance tracking purposes, a unique identifier could be linked to each individual record. Once the SSN is entered for performance tracking, the unique identifier will be used in place of the SSN for tracking purposes. If SSNs are to be used for tracking purposes, they must be stored or displayed in a way that is not attributable to a particular individual, such as using a truncated SSN.
- Use appropriate methods for destroying sensitive PII in paper files (i.e., shredding or using a burn bag) and securely deleting sensitive electronic PII.
- Do not leave records containing PII open and unattended.
- Store documents containing PII in locked cabinets when not in use.
- An agency's failure to comply with the requirements identified in this policy, or any improper use or disclosure of PII for an unauthorized purpose, may result in the termination or suspension of the agreement with the City or the imposition of special conditions or restrictions, or such other actions as the City may deem necessary to protect the privacy of participants or the integrity of data.

REFERENCES

- Privacy Act of 1974
- Computer Security Act of 1987
- Title III of the E-Government Act of 2002
- Office of Management and Budget (OMB) M-0615, Safeguarding Personally Identifiable Information
- OMB M-06-19, Reporting Incidents Involving Personally Identifiable Information and Incorporating the Cost for Security in Agency Information Technology Investments
- Executive Order 13402 established the President's Task Force on Identity Thief

WIOA Data Validation

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance and establishes the procedures regarding the Workforce Innovation and Opportunity Act (WIOA) data validation requirements. Data validation contains various activities that ensure the accuracy of quarterly and annual performance reports, protect data integrity, and encourage the timely resolution of data anomalies and inaccuracies. This policy applies to all WIOA-funded programs within all WorkSource and YouthSource Centers.

BACKGROUND
The State EDD issued WSD 22-04 regarding WIOA Data Validation. The directive indicates Section 116 of WIOA establishes performance accountability indicators and performance reporting requirements to assess the effectiveness of states and Local Workforce Development Areas (Local Area) in achieving positive outcomes for individuals served by the workforce development system's programs. The WIOA provides a historic opportunity to align performance-related definitions, streamline performance indicators, integrate reporting, and ensure comparable data collection and reporting across programs, while also requiring the collection and reporting of program-specific data.

To comply with WIOA regulations, the Employment Development Department (EDD) is required to conduct data validation on program participant files on an annual basis. Data validation is a series of quality assurance techniques established to verify the accuracy, validity, and reliability of data entered into CalJOBS and reported to the Department of Labor (DOL). The data validation ensures that all program data routinely and accurately reflects the characteristics and performance of each program. Ultimately, the purposes of validation procedures are as follows:

- Verify the performance data reported by grant recipients to the DOL are valid, accurate, reliable, and comparable across programs.
- Identify anomalies in the data and resolve issues that may cause inaccurate reporting.
- Outline source documentation required for data elements.
- Improve program performance accountability through the results of data validation efforts.

Data validation compares data entered into CalJOBS against source documentation. The EDD utilizes the data validation findings to assess the accuracy of program participant data pulled from CalJOBS and reported to the DOL.

POLICY AND PROCEDURES
Provides a list of the allowable source documents needed to perform validation on each data element. Most data elements have multiple forms of acceptable source documentation. If there

are multiple documents collected for the same data element and the sources conflict, the most objective source document determines if the data is valid and accurate.

The source documentation types include the following:

1. Crossmatch – A crossmatch utilizes supporting evidence for the data element in a database administered by a WIOA core program. The description of the allowable source documentation for each data element identifies the allowable databases.

2. Self-attestation – Self-attestation (also referred to as a participant or applicant statement) occurs when a participant states their status for a particular data element and then signs and dates a form acknowledging this status.

The key elements for self-attestation are as follows:

a) The participant identifies their status for permitted elements.
b) The participant signed and dated a form attesting to this self-identification. The form and signature can be on paper or in CalJOBS with an electronic signature.

Note that self-attestation is not the primary method of gathering documentation to verify data elements. Self-attestation may be used when an item is unverifiable, or it is unreasonably difficult to obtain. The applicant's difficulty in obtaining documentation does not need to entail hardship or suffering to justify using self-attestation.

3. Case Notes – Case notes refer to either paper or electronic statements by the case manager that identify, at a minimum, the following:

a) A participant's status for a specific data element.
b) The date on which the information was obtained.
c) The case manager who obtained the information.

4. Electronic Records – Electronic records are participant records created, stored, or transferred in a form that only a computer can process and are maintained in CalJOBS.

Program staff are required to maintain source documentation as electronic files in CalJOBS. CalJOBS can maintain electronic documents using the CalJOBS Document Management and Scanning module. This module provides a secure, centralized place to manage source documents.

Staff are responsible for ensuring the data in CalJOBS is accurate and timely. If CalJOBS information is incorrect, staff should submit a CalJOBS Correction Request Form to the LA City MIS Administrator Unit.

REFERENCES

- EDD Workforce Services Directive (WSD) 22-04: WIOA Data Validation (September 1, 2022)

- EDD WSD22-15 - WIOA Data Validation Source Documentation (June 27, 2023)
- WIOA (Public Law 113-128) Section 116(d)(5), Section 185(a)(3)(c), and Section 188
- Title 2 Code of Federal Regulations (CFR) Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), Section 200.334.
- Title 29 CFR Part 97: Retention and Access Requirements for Records (Uniform Guidance), Section 97.42
- Training and Employment Guidance Letter (TEGL) 23-19, Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor (DOL) Workforce Programs (June 18, 2020)
- TEGL 7-18 , Guidance for Validating Jointly Required Performance Data Submitted under the Workforce Innovation and Opportunity Act (WIOA) (December 19, 2018)

Definitions

Definition of Demand Occupations Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance on "in demand" industry to ensure America's Job Center of California/WorkSource provider staff, and One-Stop partners, select appropriate training programs for customers of the WIOA system.

BACKGROUND
The term "in-demand industry sector" means: an industry sector that has a substantial current or potential impact as a result of the high number of job openings or fastest growing occupations within that sector in a given region. These types of jobs lead to economic self-sufficiency and provide increased opportunities for advancement in the state, regional, or local economy, as appropriate; fuel the growth and the stability of feeder and other supporting businesses, as well as the growth of other industry sectors; or an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector, so as to have a significant impact on the state, regional, or local economy.

The determination of whether an industry sector or occupation is in-demand shall be made by the state or local board, as appropriate, using state and regional business and labor market projections, including the use of Labor Market Information (LMI). This information is available online at: www.labormarketinfo.edd.ca.gov

The following are additional sources defining Demand Occupations:

- Los Angeles Economic Development Corporation's (LAEDC) economic research at www.laedc.org http://www.laedc.org/;
- The U.S. Bureau of Labor Statistics website at www.bls.gov has available information on occupations, annual and hourly wages, career tracks, etc.;
- The WDB may define targeted sectors as demand sectors;
- Other additional labor market resources may be used as long as the following information is presented: a) justification of any determination that a particular job is in a demand occupation; b) documentation of any steps taken in reaching that determination; and c) documentation in the file of the particular customer for whom such determination is made.

POLICY AND PROCEDURES
Individual Training Account (ITA) training services made available to eligible adults and dislocated workers must be directly linked to the employment opportunities either in the local area or in another area to which the individual is willing to relocate. Local Workforce Development Areas (LWDA) therefore need to identify "demand occupations." The demand occupations are subsequently used in determining programs of training services that lead to these employment opportunities.

Definition of Gender Equity Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance to ensure equity for women and girls throughout the City of Los Angeles Workforce Development System. The goal of this policy is to address the inherent set of disadvantages and biases women face in obtaining education and training for and placement in high-wage occupations and professions, and to overcome their multiple barriers to full participation and advancement in the labor market.

Definition of Gender Equity
Equity means fairness of treatment of women and girls in the Workforce Development System (WDS) according to their respective needs. This includes equal treatment to men and boys, or treatment that is different, but equivalent in terms of rights, benefits, obligations, and opportunities.

BACKGROUND
In August 2015, Mayor Garcetti issued an Executive Directive requiring each General Manager or Head of a City of Los Angeles Department to submit and implement a Gender Equity Action Plan that:

- Upholds an inclusive work environment that promotes fairness and fosters the equal participation of women in leadership positions at all levels;
- Tracks recruitment in fields where women remain underrepresented (such as public safety, science, technology, engineering, and mathematics) and addresses underrepresentation;
- Tracks contracts and promotes ways to ensure equal contracting opportunities for women-business enterprises;
- Evaluates City services to discover ways to increase gender equity parity and to promote equal opportunities for and the advancement of women and girls;
- Provides any raw data regarding sex and gender on the City's open-data portal;
- Identifies and develops baseline metrics regarding the status of women and girls; and
- Publishes on the online Gender Equity Dashboard metrics and indicators related to the status of women and girls.

In alignment and support of achieving gender equity, the Workforce Development Board (WDB) will undertake immediate and ongoing efforts to integrate a gender perspective into the design, implementation, delivery, monitoring, and evaluation of services provided through the Workforce Development System that produce greater outcomes for women and girls. Additionally, the WDB will actively collaborate with the City of Los Angeles Commission on the Status of Women on the implementation of this Executive Directive.

POLICY AND PROCEDURES

Data Gathering & Reporting

In order to establish a baseline to determine whether all City operated workforce development programs and services meet the unique needs of women and girls, the Economic and Workforce Development Department (EWDD) and its workforce development contractors shall provide the following data to the WDB:

- Enrollment numbers for all women and girls by workforce development program
- Participant characteristics for women and girls enrolled in workforce development programs (e.g., income levels, educational levels, school status, barriers to employment, labor force status, public assistance recipient, veteran, etc.)
- Supportive services provide to women and girls while enrolled in workforce development programs
- Trainings (e.g., occupational skills, work experience, on-the-job, subsidized wage, etc.) facilitated for women and girls enrolled in workforce development programs
- Trainings facilitated for women and girls by occupation and industry sector
- Training resources expended in support of women and girls enrolled in workforce development programs
- Training completions and training-related job placements of women and girls enrolled in workforce development programs
- Job placements of women and girls upon completion of workforce development programs
- Wages (i.e., training and non-training related) achieved by women and girls upon completion of workforce development programs
- Retention rates for women and girls placed in jobs after completion of workforce development programs

The above shall be made available to the WDB upon request, as part of its ongoing efforts to evaluate workforce development programs, and at the mid-year and program year's end. Said data will be used to assess the effectiveness of workforce development service delivery to women and girls.

Outreach Efforts/Training and Recruitment Events

The Economic and Workforce Development Department (EWDD) and its workforce development contractors shall ensure that all marketing/ outreach materials, other than those targeting a specific population, be free from gender bias and stereotypes. Marketing/outreach images of gender bias and stereotypes corresponding to certain occupations must be avoided. Recruitment events conducted for the purposes of training enrollments, training referrals, job placements, etc. shall be free of gender bias and stereotypes, as well.

REFERENCES

- Executive Directive #11, "Gender Equity in City Operations," August 2015

*Definition of Good Jobs Policy

EFFECTIVE DATE: JULY 1, 2024

POLICY STATEMENT
This policy defines good jobs and aims to ensure that the distribution of Workforce Innovation and Opportunity Act (WIOA) resources are directed and informed based on job quality. AJCC operators in the City's Workforce Development System should integrate good jobs strategies into its employer partnerships and workforce training. It also defines what constitutes a living wage for Los Angeles.

BACKGROUND
Good jobs are the foundation of an equitable economy that lifts up workers and families and makes businesses more competitive globally. They allow everyone to share in prosperity and support local communities and the entire U.S. economy. Workers know the value of a good job that provides stability and security for them and their families. All work is important and deserving of dignity. Many companies recognize that providing good quality jobs – that make them an employer of choice – creates a clear competitive advantage when it comes to recruitment, retention, and execution of a company's mission.

WDS stakeholders and partners can play a role in identifying and promoting good jobs to make the workforce system more equitable and responsive to worker and business needs.

DEFINITION
The Departments of Commerce and Labor have partnered to identify what comprises a good job. These eight principles create a framework for workers, businesses, labor unions, advocates, researchers, state and local governments, and federal agencies for a shared vision of job quality. The WDB and EWDD adopt the following framework to define the characteristics of good jobs.

- **Recruitment and Hiring:** Qualified applicants are actively recruited – especially those from underserved communities. Applicants are free from discrimination, including unequal treatment or application of selection criteria that are unrelated to job performance. Applicants are evaluated with relevant skills-based requirements. Unnecessary educational credentials and experience requirements are minimized.
- **Benefits:** Full-time and part-time workers are provided family-sustaining benefits that promote economic security and mobility. These include health insurance, a retirement plan, workers' compensation benefits, work-family benefits such as paid leave and caregiving supports, and others that may arise from engagement with workers. Workers are empowered and encouraged to use these benefits.
- **Diversity, Equity, Inclusion, and Accessibility (DEIA):** All workers have equal opportunity. Workers are respected, empowered, and treated fairly. DEIA is a core value and practiced norm in the workplace. Individuals from underserved communities do not face systemic barriers in the workplace. Underserved communities are persons adversely

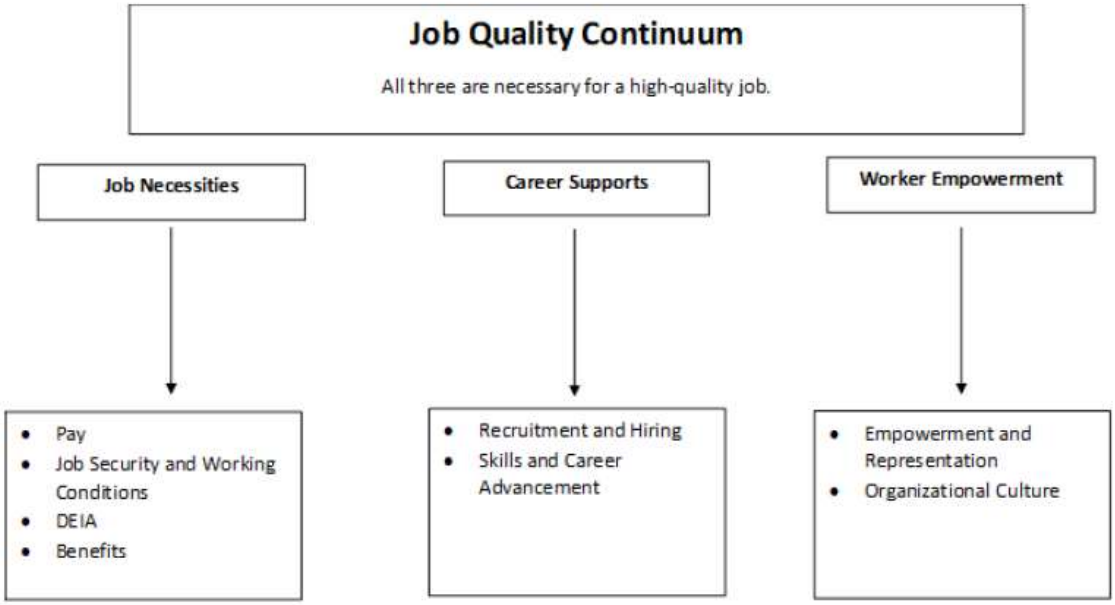
affected by persistent poverty, discrimination, or inequality, including Black, Indigenous, people of color; LGBTQ+ individuals; women; immigrants; veterans; individuals with disabilities; individuals in rural communities; individuals without a college degree; individuals with or recovering from substance use disorder; and justice-involved individuals.

- **Empowerment and Representation:** Workers can form and join unions. Workers can engage in protected, concerted activity without fear of retaliation. Workers contribute to decisions about their work, how it is performed, and organizational direction.
- **Job Security and Working Conditions:** Workers have a safe, healthy, and accessible workplace, built on input from workers and their representatives. Workers have job security without arbitrary or discriminatory discipline or dismissal. They have adequate hours and predictable schedules. The use of electronic monitoring, data, and algorithms is transparent, equitable, and carefully deployed with input from workers. Workers are free from harassment, discrimination, and retaliation at work. Workers are properly classified under applicable laws. Temporary or contractor labor solutions are minimized.
- **Organizational Culture:** All workers belong, are valued, contribute meaningfully to the organization, and are engaged and respected especially by leadership.
- **Pay:** All workers are paid a stable and predictable living wage before overtime, tips, and commissions. Workers' pay is fair, transparent, and equitable. Workers' wages increase with increased skills and experience.
- **Skills and Career Advancement:** Workers have equitable opportunities and tools to progress to future good jobs within their organizations or outside them. Workers have transparent promotion or advancement opportunities. Workers have access to quality employer- or labor-management-provided training and education.

Implementation of these Good Jobs Principles should take into account local context and other circumstances, such as employer size. This means that, while a good job may not necessarily reflect all eight principles equally, an employer interested in providing good jobs should demonstrate commitment to and operationalization of these principles. 15 The workforce system should continually engage with employers to increase good job opportunities and help build partnerships that raise job quality in meaningful ways. The system should engage with employers and help them work to create more good jobs no matter where they are in terms of integrating the Good Jobs Principles.

Attachment I below represents the components of a good job, including what is necessary for a worker to have basic dignity; what career supports help a worker to grow their skills and climb a career pathway; and what worker empowerment opportunities can be embedded into businesses to ensure worker voice is heard and respected. The details of each bullet can change based on local factors, but the broad components of each should exist for a job to be considered a good job.

Attachment I: Sample Job Quality Continuum



POLICY AND PROCEDURES

Job quality expectations are directly related to WIOA. The purpose of WIOA is to help people attain economic self-sufficiency while giving employers opportunities to train, hire, and retain workers. WIOA Section 2(3) declares one purpose of the statute is: "To improve the quality of the workforce, reduce welfare dependency, increase economic self-sufficiency, meet the skill requirements of employers, and enhance the productivity and competitiveness of the Nation." Improving the quality of the workforce and increasing economic self-sufficiency calls for jobseekers to secure good jobs with family-sustaining wages and advancement opportunities. Evidence-based workforce strategies such as career pathways and sector strategies, when appropriately designed and implemented, can increase the quality of jobs that program participants enter and close equity gaps among program participants. The workforce system can design services and develop sector partnerships with employers, educators, labor organizations, and community partners to create good jobs and well-defined career pathways starting from entry-level positions.

Embedding Good Jobs Principles into Workforce Development

As we work towards embedding job quality principles into ongoing workforce development activities, tailored to the economy and community they serve, it will be important for workforce system program staff to be knowledgeable about these Good Jobs Principles, so they can empower workers and employer customers to prioritize job quality.

Below are some techniques the workforce system should implement to ensure job quality discussions are occurring with jobseekers, exiters, and potential employers. This is not an exhaustive list of ways the workforce system can integrate the Good Jobs Principles into its services.

Services to Jobseekers, Workers, and Employers

- Train jobseekers about good jobs. WIOA program staff, grantees, and workforce development partners can help individuals identify quality employment opportunities, understand and navigate benefit options, negotiate pay, and understand their workers' rights and where and how to seek recourse when those rights are violated. AJC workforce programs may also help jobseekers and workers find information about the quality of jobs within an industry, within specific occupations, or with respect to jobs of an individual employer.

- Embed good job discussions in all career services. To improve employment outcomes for program participants, AJC staff should include discussions about job quality as a component of career services. For instance, quality career counseling includes discussions of good job characteristics such as pay, benefits, and career advancement into any career pathways discussion, individualized employment plan, or individualized service strategy. Such discussion is useful at any point in a jobseeker's career.

  For example, workforce development practitioners and other youth workforce development practitioners should work with youth to ensure they are connected to the appropriate work experience or employment opportunity for them, e.g., work experiences that prepare them for a high-wage job, a pre-apprenticeship, or living wage work. Additionally, workforce development practitioners should ensure that women are presented with all employment and training opportunities, including in non-traditional sectors for women. If a participant is already employed but could benefit from better pay and working conditions, AJC and grantee staff can help that individual identify and pursue alternate good job opportunities such as through a Registered Apprenticeship or find training programs convenient for working adults and offer supportive services during training to aid their progress into higher-paying or otherwise good jobs.

- Ensure jobseekers access needed supportive services to attend necessary training that will lead to a good job. AJC program staff should help connect participants to the supportive services they need to complete training or a Registered Apprenticeship—such as transportation, childcare, and housing support—whether via WIOA or a partner program. This is particularly important to help vulnerable individuals stay in a training program or Registered Apprenticeship, rather than taking a lower-quality job or multiple jobs simply to make ends meet.

- Collect data about job quality for program exiters. Workforce grantees can also collect quality information through follow-up conversations and feedback processes for participants post-employment, to share their experiences once on the job such as the employer's benefits, pay, and workers' perceptions of worker empowerment, potential career growth with the employer, and compliance with equal opportunity and anti-discrimination laws and guidelines. Grantees or the local WDB may choose to collect this

feedback as a component of their participant follow-up services or customer satisfaction surveys.

Services to Employers

- Highlight job quality as a recruitment and retention strategy. WIOA program staff and workforce grantees can also incorporate job quality into services for businesses, particularly for smaller or medium sized employers that look to AJCs for recruitment and retention strategies. When examining new ways of increasing labor force participation, hiring, and retaining employees, an easy first step is a comparison of the cost of turnover versus the cost of increased wages or benefits. The Aspen Institute has created a helpful cost of turnover tool, which provides a framework for employers to calculate the total cost of replacing workers, including both direct and indirect costs of employee separation.17 This cost analysis makes the case for investing in workers, whether directly through pay or via training programs and professional development.

- Assist employers in implementing Good Jobs Principles. Business services representatives can help employers attract and retain talent through becoming a Registered Apprenticeship sponsor, exploring pay scale adjustments and benefit options, and providing training on responsibilities for worker safety and health, preventing and addressing harassment in the workplace, and promoting equal opportunity for all. The local WDB and its employers may also choose to create a subcommittee that focuses on fostering the Good Jobs Principles.

- Work closely with local industry associations and employer groups. Local WDBs working to embed job quality can also partner with industry associations to test good job metrics and expand evidence-based strategies to support job quality. Interested employers or industry associations can use tools such as the Good Jobs Scorecard and U.S. Department of Commerce Job Quality Toolkit to self-assess and find opportunities to enhance the quality of their jobs.

Living Wages

Definition: A living wage is what one full-time worker must earn on an hourly basis to help cover the cost of their family's minimum basic needs where they live while still being self-sufficient.

Today, families and individuals working in low-wage jobs make too little income to meet minimum standards of living in their community. MIT developed the Living Wage Calculator to help individuals, communities, employers, and others estimate the local wage rate that a full-time worker requires to cover the costs of their family’s basic needs where they live.

The living wage shown is the hourly rate that an individual in a household must earn to support themselves and/or their family, working full-time, or 2080 hours per year. The tables below provide living wage estimates for individuals and households with one or two working adults and zero to three children. In households with two working adults, all hourly values reflect what one working

adult requires to earn to meet their families' basic needs, assuming the other adult also earns the same.

The poverty wage and state minimum wage are for reference purposes. Poverty wage estimates come from the Department of Health and Human Services' Poverty Guidelines for 2024 and have been converted from an annual value to an hourly wage for ease of comparison. The state minimum wage data is sourced from the Labor Law Center and includes the minimum wage in a given state as of January of that year. Explore the living wage calculator tool for Los Angeles County. The data was last updated on February 14, 2024.

	1 ADULT				2 ADULTS (1 WORKING)				2 ADULTS (BOTH WORKING)			
	0 Child	1 Child	2 Child	3 Child	0 Child	1 Child	2 Child	3 Child	0 Child	1 Child	2 Child	3 Child
Living Wage	$26.63	$48.03	$61.73	$82.05	$35.66	$43.61	$48.36	$53.34	$17.83	$26.12	$33.24	$40.12

REFERENCES

- Training and Employment Guidance Letter (TEGL) 07-22: Increasing Employer and Workforce System Customer Access to Good Jobs (January 18, 2023)
- Department of Commerce and Department of Labor: "Good Jobs Principles" (June 21, 2022)
- Jobs for the Future: Job Quality Start Guide (February 2024)
- Amy K. Glasmeier, "Living Wage Calculator," Massachusetts Institute of Technology, 2024. Accessed on April 1, 2024, https://livingwage.mit.edu/counties/06037.

Definition of the Green Economy and Green Jobs

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy requires that all America's Job Center of California (AJCC), locally known as WorkSource and YouthSource Centers, use the definition of green jobs developed by the DOL's Bureau of Labor Statistics (BLS) to identify the number of green jobs and related training programs reported and tracked in the State's CalJOBS℠ system.

BACKGROUND
The Economic and Workforce Development Department (EWDD) recognizes the transformative and socio-economic importance of the Green Economy for the Los Angeles region. The objective of a green economy is to facilitate economic growth while achieving sustainable development and preservation of the environment.
In March 2010, the Bureau of Labor Statistics (BLS) developed a definition of green jobs as part of their green jobs initiative, with the aim of identifying the number, updated trends, geographical distribution, industrial classification and wages of green jobs in the economy (last modified in January 2013). BLS defines green jobs as either:

- Jobs in businesses that produce goods or provide services that benefit the environment or conserve natural resources
- Jobs in which workers' duties involve making their establishment's production processes more environmentally friendly or use fewer natural resources

Critical to the understanding of the green economy and green jobs, the BLS definition will be the accepted definition throughout the City of Los Angeles Workforce Development system and will be applied throughout the WDS to capture training and employment data in the green economy.

In April 2015, the Mayor's Office released a Sustainable City plan (*pLAn*) that set sustainability as a core value for the City and a course for economic and environmental sustainability. As part of the *pLAn* strategy, the Mayor issued Executive Directive No. 7-Sustainable City pLAn, which orders all General Managers, Heads of Departments/Offices and Commissions to utilize the *pLAn* as a tool for strategic planning and program prioritization and to take ownership of associated components in their respective jurisdictions. In accordance with the *pLAn* and directive, the Workforce Development Board and EWDD work collaboratively with a variety of partners on the creation of services to green businesses and green jobs.

POLICY AND PROCEDURES
Consistent with the definition, all WIOA-funded contractors are required to report participants that have received "green training" and are placed into employment in green jobs. This data should be captured in CalJOBS at the time of closure (exit) of participants.

REFERENCES

- Sommers, Dixie, January 2013 Monthly Labor Review, Bureau of Labor Statistics Green Jobs Overview.
- City of Los Angeles Sustainability Plan
- Executive Directive No. 7, issued by Mayor Garcetti on April 8, 2015

Definition of Industry-Certified Training Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
To the greatest extent possible, participants enrolled in an accredited postsecondary education institution or industry/ occupational skills training program (excluding those in OJT and/or customized training) shall acquire technical skills and information required to perform a specific job or group of jobs and attain a recognized postsecondary credential.

BACKGROUND
The Workforce Innovation and Opportunity Act of 2014 defined the term "recognized postsecondary credential" as a "credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the State involved or Federal Government, or an associate or bachelor's degree." A recognized postsecondary credential is awarded in recognition of an individual's attainment of measurable technical or industry/occupation skills necessary to obtain employment or advance within an industry/occupation. These technical or industry/occupational skills generally are based on standards developed or endorsed by employers or industry associations.

Neither certificates awarded by workforce development boards, nor work readiness certificates, are included in this definition because neither type of certificate documents the measurable technical or industry/occupational skills necessary to gain employment or advance within an occupation. These certificates are also not recognized industry-wide. Credentials must recognize technology or industry/occupational skills for the specific industry/occupation rather than general skills related to safety, hygiene, etc., even if such general skills certificates are broadly required to qualify for entry-level employment or advancement in employment. Credentials/certificates that are not recognized postsecondary credentials include, but are not limited to, Occupational Safety and Health Administration 10-hour course (OSHA 10), Microsoft Office, National Career Readiness Certification, ServSafe Food Handler's Certification, and Cardio Pulmonary Resuscitation (CPR) Certification.

The State Plan calls for the production of one million industry-recognized credentials over the next ten years. In alignment with the vision articulated in the State Plan, the ideal characteristics of a quality industry-recognized credential should be:

- Accessible — Affordable and readily available at places and times convenient for working adults;
- Transparent — Clearly articulated costs and prerequisites; accurate picture of what skills, knowledge and abilities are benchmarked by a given credential, and the value it carries in the labor market;
- Stackable — One of multiple manageable chunks that add up to a more substantial credential and do not require starting over at each new step;
- Portable — Transferable between firms, regions, and educational institutions;

- Meaningful — Has value in the labor market; and
- Connected — Links to a job or an educational pathway.

The goal is for the workforce system to assess credentials based on the industry-recognized characteristics mentioned above.

The Labor Market Information Division (LMID) is the official source for California Labor Market Information by providing analyzed data on the State's labor force, industries, occupations, employment qualifications, employment projections, and wages. The objective is by using the resources provided by LMID, an informed decision regarding a participant's career and educational choices can be made.

POLICY AND PROCEDURES

For the purpose of this policy, EWDD shall apply the above definition of recognized postsecondary credential.

A variety of different public and private entities issue recognized postsecondary credentials (not all credentials by these entities meet the definition of recognized postsecondary credential).

- A state educational agency or a state agency responsible for administering vocational and technical education within a state;
- An institution of higher education described in Section 102 of the Higher Education Act (20 USC 1002) that is qualified to participate in the student financial assistance programs authorized by Title IV of that Act. This includes community colleges, proprietary schools, and all other institutions of higher education that are eligible to participate in federal student financial aid programs;
- A professional, industry, or employer organization (e.g., National Institute for Automotive Service Excellence certification, National Institute for Metalworking Skills, Inc., Machining Level I credential) or a product manufacturer or developer (e.g., Microsoft Certified IT Professional (MCITP), Certified Novell Engineer, Sun Certified Java Programmer) using a valid and reliable assessment of an individual's knowledge, skills, and abilities;
- DOL/ETA's Office of Apprenticeship or a recognized State Apprenticeship Agency;
- A public regulatory agency, which awards a credential upon an individual's fulfillment of educational, work experience, or skill requirements that are legally necessary for an individual to use an occupational or professional title or to practice an occupation or profession (e.g., FAA aviation mechanic license, state-licensed asbestos inspector);
- A program that has been approved by the Department of Veterans Affairs to offer education benefits to veterans and other eligible persons;
- ETA's Job Corps program, which issues certificates for completing career training programs that are based on industry skills standards and certification requirements; or
- An institution of higher education that is formally controlled, or has been formally sanctioned, or chartered, by the governing body of an Indian tribe or tribes.
- The following are acceptable types of credentials that count toward the credential attainment indicator:

- Secondary School diploma or recognized equivalent (Youth participants only. Participants must be employed, or enrolled in an education or training program leading to a recognized postsecondary credential within one year following exit);
- Associate's degree;
- Bachelor's degree;
- Occupational licensure;
- Occupational certificate, including Registered Apprenticeship and Career and Technical Education educational certificates;
- Occupational certification; or
- Other recognized certificates of industry/occupational skills completion sufficient to qualify for entry-level or advancement in employment.

Note: Graduate degrees are not included in the definition of a recognized postsecondary credential. Therefore, graduate degrees do not count towards credential attainment.

Sections 766-769 of the Higher Education Act of 1965 authorize the Model Comprehensive Transition and Postsecondary Programs for Students with Intellectual Disabilities. ED provides grants to institutions of higher education to enable them to create, or expand, high quality and inclusive transition and postsecondary programs for these students to help prepare them for employment. Students may or may not earn a recognized postsecondary credential upon completing these programs. Therefore WIOA core programs must review whether participants who complete these programs earn a credential that meets the definition of a recognized postsecondary credential.

Credential Verification Tool:
Using LMID's Occupation Data tool at labormarketinfo.edd.ca.gov, an individual can research an industry and identify if a credential is required for employment. If a credential is required for employment, then that credential will often qualify for the credential attainment indicator. Contractors are strongly encouraged to access EDD's Labor Market Information Occupational Guides before determining if a credential and/or occupational certificate qualifies under the Credential Attainment indicator.

REFERENCES

- Training and Employment Guidance Letter (TEGL) 10-16, Change 2: Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Core Programs (September 15, 2022)

Definition of Substantial Layoff

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy clarifies the definition of substantial layoff and provides guidance to America's Job Center of California (AJCC)/WorkSource provider staff in determining eligibility for the Dislocated Worker Program.

BACKGROUND
WIOA Section 3(15) defines the term dislocated worker and identifies the various dislocated worker categories. The dislocated worker category relating to substantial layoff is defined as an individual who: "(B)(i) has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise; (ii) is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or (iii) for purposes of eligibility to receive services other than training services described in section 134(c)(3), career services described in section 134(c)(2)(A)(xii), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close." The WIOA regulations allow the local Workforce Development Boards to further define "substantial layoff."

POLICY AND PROCEDURES
The term substantial layoff is defined as the layoff of at least 10 employees from a plant, facility, military installation, or enterprise in a 30-day period.

This policy requires all City of Los Angeles WorkSource Center Operators to use the definition when determining eligibility for individuals applying for the Dislocated Worker program.

Documentation to verify substantial layoff includes, but is not limited to, WARN Notice (Separation Notice) or a Letter of authorization from the State WIOA Administrative Department.

Documenting and verifying the eligibility of participants in WIOA is mandatory. WIOA-funded agencies must confirm eligibility requirements through an examination of documents. Eligibility determination shall be made prior to enrollment in WIOA.

REFERENCES
- WIOA Section 3 (15)
- Final Regulations 680.120
- Final Regulations 680.130

Definition of Unlikely to Return

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy clarifies the definition of "unlikely to return" to previous occupation or industry from employment generally due to plant closures or downsizing and provides guidance to America's Job Center/WorkSource provider staff in determining eligibility for the Dislocated Worker Program.

BACKGROUND
WIOA Section 3(15) defines the term dislocated worker and identifies the various dislocated worker categories. The dislocated worker category relating to "unlikely to return" is defined as an individual who:

"(A)(i) has been terminated or laid off, or who has received a notice of termination or layoff, from employment; (ii)(I) is eligible for or has exhausted an entitlement to unemployment compensation; or (II) has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center referred to in section 121(e), attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and (iii) <u>is unlikely to return to a previous industry or occupation;</u> the WIOA regulations allow the local Workforce Development Boards to further define "unlikely to return."

POLICY AND PROCEDURES
To be considered as unlikely to return to a previous industry or occupation, an individual must meet at least one of the following criteria:

- Worked in a declining industry/occupation, as documented on State or locally developed lists of such industries/occupations; or
- Has had a lack of job offers as documented by local EDD Workforce Services or Unemployment Insurance staff, rejection letters from employers in the area, or other documentation of unsuccessful efforts to obtain employment in the prior industry/occupation; or,
- Is insufficiently educated, does not have the necessary skills or can no longer meet the minimum requirements of jobs available in field or occupation (e.g., a clerical worker without word processing skills) for reentry into the former industry/occupation, as documented through the assessment of the individual's educational achievement, testing, or other suitable means; or
- Has a physical limitation or an injury which limits the individual's ability to perform the job from which they were dislocated or other problems which would preclude reentry into the

former industry/occupation, as documented by a physician or other professional (e.g., psychiatrist, psychiatric social worker, chiropractor, etc.); or

- Has a poor employment history indicating a reduced capacity or ability to be re-employed in the former industry or occupation. Documentation to verify poor employment history may include but is not limited to proof that:
  - Employment has been limited to one or more part-time (20 hours per week or less), or short-term (four months or less), jobs within the prior year, which were for the income maintenance rather than a career path (i.e., employment in "dead-end" jobs, which would not prepare the individual for permanent reemployment in the previous industry or occupation);
  - Unemployment insurance and/or public assistance receipt in the prior year, with little or no employment in interim periods, indicating a poor work history; or
  - Terminated or laid-off due to mechanization ("to do or operate by machinery, not by hand").
- Determination by the service provider staff that an individual's likelihood of returning to his/her previous industry or occupation is unlikely due to circumstances that cause significant barriers to employment. Barriers to employment include:
  - Offender
  - High school dropout
  - Homeless
  - Cultural or language barrier
  - Older worker (Age 55+)
  - Basic skills deficient
  - Referred through the Worker Profiling and Reemployment System
- Has exhausted UI Benefits and has been unable to find a job in their previous industry or occupation
- Has been long term unemployed (12 weeks of the last 20 months) and has been unable to find a job in their former industry or occupation
- Needs additional assistance in order to retain employment leading to self-sufficiency
- Has a change in a family situation that requires higher income, includes a claim of financial hardship supported by documentation. (e.g., pay stubs, bank statements, family or business financial records, tax documents, public benefits award letters)
- Does not have a specific recall date from the employer of the qualifying dislocation within 12 weeks of termination or layoff
- Is likely to enter a new job that is different structurally or organizationally than their previous job.
- Is likely to enter a new job with lower seniority compared to their previous position.
- Has a gap in employment that decreases their chances of returning to the same level of occupation or type of job.
- Has limited employment opportunities in the occupation or industry within the local area.
- Has adequate skills but lacks a credential required by most employers
- Has been actively seeking, but unable to find employment in their previous industry or occupation for a period of 60 days or more

Layoffs/Major Dislocations

The City takes into account the negative economic conditions and the sudden economic impact on industries that the nation is currently experiencing in cases like the current COVID-19 outbreak when determining "unlikely to return to a previous industry or occupation." Individuals are unlikely to return to a previous industry or occupation during a major economic catastrophic event when few job openings do not begin to offset the high unemployment rates.

- **Mass Layoff or Closure** - Layoffs at one or more companies where the dislocation from each company impacts 50 or more workers. If at least one company has a large layoff of 50 or more workers, companies with smaller layoffs may be included if the primary layoff caused or contributed to the smaller layoffs.
- **Industry-Wide Layoffs** - Multiple company layoffs from companies in the same industry, including layoffs of less than 50 workers.
- **Community Impact** - Multiple small dislocations (less than 50 employees) occurring over a period of up to twelve months that have significantly increased the total number of unemployed individuals in a designated regional or local workforce area.

Unlikely to Return - Recently Separated Service Members

Recently separating service members who are within 48 months of discharge (other than dishonorable) or release from active military, naval, or air service automatically meet the dislocated worker requirement that the individual is unlikely to return to his or her previous industry or occupation.

Unlikely to Return – Military Spouses

A military spouse may be documented as "unlikely to return" if the spouse was required to leave employment due to a result of a military member's transfer. These circumstances do not position the spouse to return immediately to his/her previous occupation or industry for the following reasons:

- Even if a spouse resumes employment with the same employer, the employment is in a new location, and may not be the same structurally or organizationally as in the prior location;
- When military spouses do get jobs in their new locations, they often start at lower levels of seniority than the levels of their positions in their prior locations;
- There is frequently a gap in employment, which may lessen their likelihood of returning to the same level of occupation or job;
- The spouse's skills may be obsolete or inadequate to meet the advancing competency needs of the current workforce and economy.

Agency staff may use one of the rationales listed above to indicate that the military spouse is unlikely to return to their previous industry or occupation. As with all documentation, if there is no documentary evidence from an official source, document the failed attempts to obtain the documents, and then a Self-Attestation form may be used.

WIOA-funded agencies may use one of the rationales listed above to indicate that a farmworker or individual who worked seasonally is unlikely to return to their previous industry or occupation.

This policy requires all City of Los Angeles WorkSource Center Operators use the definition when determining eligibility for individuals applying for the Dislocated Worker program.

Documentation to verify "unlikely to return" includes, but is not limited to, internet site that indicates lack of industry occupation availability, insufficient skills or significant wage variable; newspaper employment section that indicates lack of industry/occupational availability; doctor's statement verifying applicant's inability to return to previous occupation/industry due to physical limitations; documentation of IAW Profiling (WPRS); court records/telephone verification from Probation Officer; documents listing age.

REFERENCES

- WIOA 3(15)(A)(iii);
- 20CFR 680.660

Definition of Youth Additional Assistance

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy seeks to define and/or provide clarification on what constitutes a youth who requires additional assistance as described in the Workforce Innovation and Opportunity Act (WIOA).

BACKGROUND

Under WIOA, no more than five percent of In-School (IS) youth enrolled in a given program year may be found eligible based solely on meeting the criterion, "requires additional assistance". This limitation applies to IS youth enrolled on or after July 1, 2015.

Local Boards are responsible for establishing local definitions and eligibility documentation requirements for "requires additional assistance" as it relates to both Out-of-School (OS) and IS youth.

The City of Los Angeles Workforce Development Board shall define Additional Assistance as an individual who meets one or more of the following:

1. Have repeated at least one secondary grade level or is one year over age for grade.
2. Have a core grade point average (GPA) of less than 1.5.
3. For each year of secondary education, are at least two semester credits behind the rate required to graduate from high school.
4. Are emancipated youth.
5. Have aged out of foster care.
6. Are previous dropouts or have been suspended five or more times, or have been expelled.
7. Have received court/agency referrals mandating school attendance.
8. Are deemed at risk of dropping out of school by a school official.
9. Have been referred to or are being treated by an agency for a substance abuse related problem.
10. Have experienced recent traumatic events, are victims of abuse, or resides in an abusive environment as documented by a school official or other qualified professional.
11. Have serious emotional, medical, or psychological problems as documented by a qualified professional.
12. Have never held a job (applies to OS youth).

13. Have been fired from a job within the 12 months prior to application (applies to OS youth).
14. Have never held a full-time job for more than 13 consecutive weeks (applies to OS youth).

Documentation requirements will include a case note in the participant's file indicating the Additional Assistance category that applies and the participant's situation related to the Additional Assistance.

REFERENCES

- WIOA Section 2
- WIOA Section 129
- EDD Directive WSD 17-07
- DOL TEGL 8-15

Definition of Youth Not Attending School

EFFECTIVE DATE: JULY 1, 2024

POLICY STATEMENT

This policy provides clarification on the definition of a youth "not attending school," also referred to as an out-of-school youth under WIOA.

BACKGROUND

Under the Workforce Innovation and Opportunity Act (WIOA), at least 75 percent of available youth funds are to be used for out-of-school youth. An out-of-school youth is defined as an individual who is age 16 to 24 years, not attending any school (as defined by State law), and meets one or more of the following conditions:

- an eligible youth who is a school dropout;
- an eligible youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter;
- an eligible youth who has either graduated from high school or holds a GED, a secondary school diploma, or its equivalent who is low-income and is either basic skills deficient or an English language learner;
- eligible youth subject to the juvenile or adult justice system ;
- a homeless individual, homeless child or youth, a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act, or in an out-of-home placement;
- an individual who is pregnant or parenting;
- a youth who is an individual with a disability; or
- a low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

The WIOA regulations allow the local Workforce Development Boards to further define "not attending school."

Youth "Not Attending School"

1. A youth who is not attending a secondary or postsecondary school. In addition, youth who are enrolled in the following programs would still be considered "not attending school":
    a) WIOA Title II Adult Education, YouthBuild, Job Corps, high school equivalency program, or dropout re-engagement programs. Youth attending high school

equivalency programs funded by the public K-12 school system, who are classified by the school system as still enrolled in school, are an exception.

b) Non-credit bearing postsecondary classes only.

c) A charter school program that provides instruction exclusively in partnership with WIOA, federally funded YouthBuild programs, federal Job Corps training or instruction, California Conservation Corps, or a state certified local conservation corps.

2. A youth who is within age of compulsory school attendance but has not attended for at least the most recent complete school year calendar quarter.

3. A youth who is chronically absent (as defined by LAUSD or other school district), meaning a youth who has missed 25 or more days of school year. *Refer to CDE Bulletin 3720.0 & LAUSD Attendance Manual and Policy & Procedures for Elementary, Secondary & Options Schools*.

4. A youth attending an Adult education program, who is not enrolled in an adult education program leading to a High School diploma or equivalent. *Refer to CDE Bulletin No. 2-74, Bulletin No. 4926.2 and LAUSD Attendance Manual and Policy & Procedures for Elementary, Secondary & Options Schools*

REFERENCES

- WIOA Section 3: Definitions
- EDD Directive WSD17-07 pg. 3-4
- DOL TEGL 21-16
- WIOA Fact Sheet: Youth Program

Eligibility

Authorization to Work Verification Requirements

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance and establishes the procedures regarding verifying authorization to work and making services accessible to all populations.

BACKGROUND
The federal procedures for verifying an individual's authorization to work are included in Title 8 CFR, Section 274a.2. This section specifies that the requirements published in the USCIS Form I-9, Employment Eligibility Verification, are to be used in verifying and documenting that an individual is authorized to work in the United States.

In 1993, the passage of SB 733 created a state-imposed eligibility requirement for WIOA and Wagner-Peyser Act (WPA) services. The law required verification of an individual's citizenship status or authorization to work in the U.S. prior to providing employment services. Additionally, it required America's Job Center of California℠ (AJCC) locations to publicly post that only U.S. citizens and those authorized to work in the U.S. could receive services.

In 2016, Governor Brown signed AB 2532, which repealed these requirements. Therefore, California no longer has a state requirement to verify authorization to work. Additionally, there is no work authorization verification requirement in WIOA. However, the federal Immigration Reform and Control Act requires employers to verify a job seeker's authorization to work documents prior to employment. At the same time, federal immigration regulations authorize state employment agencies to verify authorization to work (Title 8 CFR Section 274a.6).

Generally, WIOA participants receive job referrals during their period of participation in a program. Additionally, at times Local Areas are the employer of record for coordinating services concurrently with an employer. In these instances, an individual cannot participate unless they can provide documentation verifying their right to work in the U.S.

For these reasons, this Policy provides guidance on verification of authorization to work documents, including which services require verification, when to ask, and where to refer individuals for additional services. This policy also provides a pathway to services for those individuals who do not possess authorization to work documents. The WDB seeks to prohibit discrimination and make workforce services accessible to all populations.

DEFINITIONS
Self-Service Basic Career Services – an individual independently uses services at an AJCC with minimal or no staff assistance (e.g., self-service labor market research, job Search, use of AJCC resource room, referral to a partner program, etc.). Self-service also includes staff establishing access to CalJOBS℠ for an individual or looking up a password. Individuals using self-services only

do not count toward performance measures.

Basic Career Services – an individual requires an assessment by a Staff member of the individual's skills, education, or career objectives (e.g. Initial Assessment, proficiency testing, etc.).

Individualized Career Services – an individual receives WIOA-funded services that are appropriate for them to obtain or retain employment (e.g., development of an Individual Employment Plan, English as a second language services, work experience, etc.).

Training Services – an individual receives services that include WIOA-funded training (e.g. Occupational skills training, on-the-job training, skills upgrading and retraining) and/or support and coaching.

POLICY AND PROCEDURES

Authorization to work verification is not required for Basic Career Services that are self-service or information-only activities. For customers who receive self-service or information-only activities, only demographic information is collected and reported.

WorkSource and YouthSource Center staff providing WIOA employment services must verify an individual's authorization to work in accordance with the requirements of the USCIS Employment Eligibility Verification | USCIS, Employment Eligibility Verification. As specified in Form I-9, staff must accept as evidence of employment authorization, any of the documents listed on the last page of Form I-9 (https://www.uscis.gov/i-9). Individuals may present any List A document or a combination of a List B and a List C document. Additional guidance and information on acceptable documents can be found at https://www.uscis.gov/i-9-central/acceptable-documents. When verifying authorization to work, staff must retain either hard copies or scanned copies of the individual's Form I-9 documents. One-Stop operator staff are also required to scan authorization to work documents into CalJOBS. Scanning documents into CalJOBS facilitates a one-time verification process should an individual visit a different America's Job Center of California℠ (AJCC).

Any documents that One-Stop operator staff use to verify right to work must be uploaded into CalJOBS and documentation kept current throughout an individual's period of participation in a WIOA program. The period of participation refers to the period of time beginning when an individual becomes a participant and ending on the participant's date of exit from the program. Exit generally occurs when a participant has not received services for 90 days and has no additional services scheduled. One-Stop operator staff should make note of any right to work documents that are soon to expire, and follow-up with participants to obtain updated documents. If right to work documents expire during program participation One-Stop operators may face disallowed costs for any services provided after expiration of right to work documents as eligibility is no longer current. One-Stop operators may not use any expired document to verify right to work. Possessing authorization to work documents is not only critical for individuals to participate in workforce and training programs, but to fully integrate into society and the local economy. Often vulnerable populations who are legally authorized to work in the United States such as the homeless, ex-offenders, and transient youth lack physical copies of authorization to work documents due to various circumstances. One-

Stop operators are strongly encouraged to enroll such individuals and use supportive services to help the individual obtain authorization to work documents. Supportive services such as legal aid are available to participants enrolled in Basic Career, Individualized Career, or Training services. For participants enrolled in Training services, supportive services may include needs related payments to help cover the cost of obtaining or renewing authorization to work documents.

Staff will also not need to verify the citizenship or authorization to work status for an individual receiving WPA services alone. If an individual is co-enrolled in WPA and WIOA services at the time of determination for WIOA individualized career or training services, staff should follow the WIOA procedures outlined above. Staff may not require UI claimants to present I-9 documentation in order to receive EDD reemployment services. As a result, UI claimants do not need to bring photo identification or employment authorization documentation to RESEA, IAW, or PJSA appointments. Since the EDD UI Branch has already verified a claimant's right to work during the benefit eligibility process, it is sufficient for RESEA, IAW, and PJSA attendees to establish their identity and attendance through self-attestation. As long as the claimant's stated name matches the name staff has for the appointment, identity is considered to have been verified. This process will ensure maximum participation and avoid turning away individuals who do not have photo identification with them at the time.

PUBLIC NOTIFICATION

Because individuals may receive employment services and services from other partners in an AJCC without first providing their right to work documents, operators should remove any public notices that state employment services are available only to individuals who are U.S. citizens or legally authorized to work in the United States. Posting such signs may discourage individuals who are legally entitled to services from entering an AJCC.

REFERENCES

- Title 20 *Code of Federal Regulations* (CFR) "Workforce Innovation and Opportunity Act (WIOA), Final Rule", Sections 677.150, 680.900, and 680.910
- Title 8 Code of Federal Regulations (CFR) "Verification of Identity and Employment Authorization" Part 274a.6
- Workforce Innovation and Opportunity Act (WIOA) (Public Law 113-128), Section 188(a)(5)
- USCIS Form I-9, Employment Eligibility Verification
- Senate Bill (SB) 733 (Russell), Chapter 819, Statutes of 1993
- Assembly Bill (AB) 2532 (Chiu), Chapter 759, Statutes of 2016
- EDD Workforce Services Directive (WSD)18-03 Subject: "Pathway To Services, Referral, And Enrollment" (August 29, 2018)
- Training and Employment Guidance Letter (TEGL) 19-16, *Guidance on Services Provided through the Adult and Dislocated under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules* (March 1, 2017)

- Training and Employment Guidance Letter (TEGL) 10-16 Change 2, *Performance Accountability Guidance for WIOA Title I, Title II, Title III and Title IV Core Programs* (September 15, 2022)
- WSD 23-03: Performance Guidance (November 8, 2023)

Eligibility Determination Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance and establishes the procedures regarding the eligibility verification process. Verifying and documenting participants' eligibility is mandatory. WIOA-funded agencies must confirm eligibility requirements through an examination of documents.

BACKGROUND
Verification of eligibility ensures the participant information system's reliability, guarantees services are provided to persons most in need, and avoids potential disallowed costs. Once an applicant is determined to be eligible, eligibility verification must be completed. Agency staff must enter WIOA participant data into CalJOBS℠ within 30 days from the date of service. WIOA services may only be provided once the participant has finished proof of eligibility to the enrolling agency.

POLICY AND PROCEDURES
Documenting and verifying the eligibility of participants in WIOA is mandatory. WIOA-funded agencies must confirm eligibility requirements through an examination of documents.

Submission Procedure
The procedure for determining eligibility and maintaining participant case records includes the following:

- 100% up-front eligibility documentation will be required for all WIOA applicants **prior** to accessing services.
- Applicants will complete a WIOA Application for WIOA-funded services.
- Verification of supporting eligibility documentation will be recorded in the participant's CalJOBS file and in case notes as needed.
- Initial documentation of applicant eligibility will be based on the date of application.
- Participant records, including all required WIOA forms and eligibility documentation, case notes, and supporting documentation for training activities, will be maintained in the participant's CalJOBS file as appropriate.
- WIOA-funded agencies will scan and upload documents for all fields requiring verification, including eligibility documentation.
- All participant files are subject to monitoring and audit.

REFERENCES
- WIOA Section 3(2), WIOA Section 3(36), WIOA Section 3(24), WIOA 134(c)(2)&(3), 20 CFR 680.110, 20 CFR 680.120, 20 CFR 680.130, CFR 680.600, 20 CFR 680.660

*Self-Sufficiency Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance and establishes the procedures regarding self-sufficiency and the annual update of the Lower Living Standard Income Level (LLSIL) and poverty guidelines to determine low-income status as it relates to WIOA Title I program eligibility for the City of Los Angeles Workforce Development System.

BACKGROUND
The Lower Living Standard Income Level (LLSIL) and poverty guidelines are used to establish low-income status for Workforce Innovation and Opportunity Act (WIOA) Title I programs. The Employment and Training Administration (ETA) releases its update to the LLSIL annually. A Federal Register Notice (FRN) is published later in the year to announce the availability of the LLSIL, which is used in eligibility determinations for workforce programs.

WIOA defines the term "low-income individual'' as one who qualifies under various criteria, including an individual in a family with total family income for a six-month period that does not exceed the higher level of the poverty line or 70 percent of the LLSIL. WIOA Section 3(36)(A) sets the criteria Local Areas must use to determine whether an individual is a low-income individual. These criteria include two sets of data: the poverty guidelines as published by HHS, and the 70 percent of the lower living standard income level (LLSIL) as published by the DOL. For the purposes of WIOA, self-sufficiency means employment that pays at least 100 percent of the LLSIL as illustrated in the table below.

The Local Area must use the higher of these two measures to establish low-income status for eligibility purposes of the WIOA Title I programs. The WIOA requires annual revisions to both sets of data. All Local Areas use the same poverty guidelines. However, the LLSIL identifies maximum qualifying income levels for residents in either of two broad geographic designations: metropolitan and non-metropolitan areas. Metropolitan income levels apply to residents living within Metropolitan Statistical Areas (MSA) as defined by the Office of Management and Budget. Non-metropolitan income levels apply to places with populations under 50,000.

The Lower Living Standard Income Level (LLSIL) reflects the cost of living increases for the Regions and major metro areas by calculating the percentage change in the most recent Consumer Price Index for All Urban Consumers (CPI-U) for an area then applying this calculation to each of the previous year's LLSIL figures.

POLICY AND PROCEDURES
AJCC Operators/ WorkSource Centers shall use the following LLSIL and Poverty Guidelines table to determine youth eligibility, eligibility of employed adults for certain services such as training eligibility, and to determine self-sufficiency.

Training services are available for individuals who, after interview, evaluation or assessment, and case management are determined to be unlikely or unable to obtain or retain employment that leads to self-sufficiency or wages comparable to or higher than wages from previous employment through career services alone.

LLSIL and 2024 Poverty Guidelines

The LLSIL and poverty guidelines indicated below are to be used for determining low-income status for WIOA Title I programs. WIOA program staff should use the higher of either the LLSIL or HHS poverty guidelines for the appropriate family size to determine low-income status.

2024 70% LLSIL and Poverty Guidelines for City of Los Angeles WDS							
Family Size							
	1	2	3	4	5	6	Each Add'l Add
70% LLSIL							
Annual	$13,173	$21,587	$29,638	$36,589	$43,175	$50,499	+$7,324
6 Months	$6,587	$10,794	$14,819	$18,295	$21,588	$25,250	+$3,662
100%	$18,819	$30,839	$42,340	$52,270	$61,679	$72,142	+$10,463
HHS 2024 Poverty Guidelines							
Annual	$15,060	$20,440	$25,820	$31,200	$36,580	$41,960	$5,380
6 Months	$7,530	$10,220	$12,910	$15,600	$18,290	$20,980	$2,690

Since the income received during the six-month period immediately prior to the individual's application for WIOA funded services is used for income determination, each chart below shows the six-months, as well as the annual, figures for each family size.

REFERENCES

- EDD Workforce Services Directive (WSD) 23-02: 70 Percent LLSIL and Poverty Guidelines for 2023 (August 22, 2023)
- Workforce Innovation and Opportunity Act (WIOA) Sections 3(36), 127(b)(2)(C), 132(b)(1)(B)(v)(IV), and 134(d)(1)(A)(x)
- Federal Register, Volume 88, Number 88, WIOA 2023 LLSIL (PDF) (May 8, 2023)
- Federal Register, Volume 89, Number 11, Annual Update of the HHS Poverty Guidelines (January 17, 2024)

Selective Service Registration Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides guidance and establishes the procedures for all programs and services established or receiving assistance under the Workforce Innovation and Opportunity Act (WIOA) which must comply with the Selective Service registration requirements. These requirements apply to both formula and discretionary grants awarded by the Department of Labor Employment and Training Administration under the WIOA. They do not apply to programs funded or solely authorized by the Wagner-Peyser Act.

BACKGROUND

Only those males who are subject to, and have complied with, the registration requirements of the Military Selective Service Act are eligible for participation in WIOA funded programs and services. Section 189(h) of the WIOA requires the Secretary of Labor to ensure that each individual participating in any WIOA program, or receiving any assistance under the Act, has not violated the requirements of Section 3 of the Military Selective Service Act. This section requires that every male citizen and every other male residing in the United States must register with Selective Service between their 18th and 26th birthday. This section also requires the Director of the Selective Service System and the Secretary of Labor to cooperate in carrying out these provisions.

POLICY AND PROCEDURES

Selective Service Registration Requirements

Males born on or after January 1, 1960, are required to register with the Selective Service within 30 days of their 18th birthday and up to, but not including their 26th birthday.

This includes males who are:

- Citizens of the U.S.;
- Veterans discharged before their 26th birthday;
- Non-citizens, including undocumented immigrants, legal permanent residents, seasonal agricultural workers, and refugees who take up residency in the U.S. prior to their 26th birthday; and/or
- Dual nationals regardless of whether they live inside or outside of the U.S.
- For U.S. citizens, Selective Service registration is not required if the male falls within one of the following categories:
- Males who are serving in the military on full-time active duty;
- Males attending the service academies;
- Disabled males who were continually confined to a residence, hospital or institution;

- Males who are hospitalized, institutionalized, or incarcerated are not required to register during their confinement; however, they must register within 30 days after being released if they have not yet reached their 26th birthday; and/or
- Veterans discharged after their 26th birthday.
- For non-U.S. citizens, Selective Service registration is not required if the male falls within one of the following categories:
    - Non-U.S. male who entered the U.S. for the first time after his 26th birthday. Acceptable forms of supporting documentation include:
    - Date of entry stamp in his passport;
    - I-94 with date of entry stamp on it; or
    - Letter from the U.S. Citizenship and Immigration Services indicating the date the male entered the U.S. (shown along with documentation establishing the male's age).
- Non-U.S. male who entered the U.S. illegally after his 26th birthday. He must provide proof that he was not living in the U.S. from age 18 through 25.
- Non-U.S. male on a valid non-immigrant visa.

NOTE: The requirement for transsexual, transgendered, and intersex individuals to register with the Selective Service depends upon the gender recorded on their birth certificate. If an individual is recorded as a male, that individual would need to register for the Selective Service regardless of their present sexual identity (e.g. sex change from male to female). According to the Selective Service website, "[in] the event of a resumption of the draft, individuals born male who have changed their gender to female can file a claim for an exemption from military service if they receive an order to report for examination or induction."

This list of Selective Service registration requirements is not exhaustive; however, additional information regarding these requirements can be found on the Selective Service website at www.sss.gov. This website also provides a quick reference chart listing who must register at: https://www.sss.gov/Portals/0/PDFs/WhoMustRegisterChart.pdf .

Acceptable Documentation

In order to be eligible to receive WIOA-funded services, all males born on or after January 1, 1960, must present documentation showing compliance with the Selective Service registration requirement. Acceptable documentation to determine a person's eligibility for WIOA programs include:

- Selective Service Acknowledgement letter
- Form DD-214 "Report of Separation," (use only if veteran was discharged after his 26th birthday)
- Screen printout of the Selective Service Verification site:
- https://www.sss.gov/Home/Verification For males who already registered, this website can be used to confirm their Selective Service number as well as the date of registration, by entering a last name, social security number, and date of birth.

- Selective Service Registration Card
- Selective Service Verification Form (Form 3A) and/or
- Stamped Post Office Receipt of Registration

Registration Requirements for Males Under 26

Before being enrolled in WIOA-funded services, all males who are not registered with the Selective Service and have not reached their 26th birthday must register through the Selective Service website at www.sss.gov. If a male turns 18 while participating in WIOA-funded services, registration with Selective Service must be completed no later than 30 days after he becomes 18 in order to continue to receive WIOA-funded services. If a male under the age of 26 refuses to register with Selective Service, WIOA-funded services must be suspended until he registers.

Non-Registration by Males 26 and Older

Grantees, subgrantees or contractors, funded or authorized by WIOA, must establish a policy for those potential participants who are 26 or older that failed to register with the Selective Service. This policy may request either a Status Information Letter from a potential participant before making a determination of knowing and willful failure to register; or (2) initiate the process to determine if the potential participant's failure was knowing and willful without first requesting a Status Information Letter. The second option may be preferable for entities that have time limits for enrolling participants (e.g. individuals recently released from incarceration).

Before enrolling in WIOA-funded services, all males 26 and older must provide either:

- Documentation showing they were not required to register; or
- If they were required to register, documentation establishing that their failure to register was not knowing or willful.

Individuals who did not register for the Selective Service or who cannot provide any of the documentation listed in the "Acceptable Documentation" section of this directive must obtain a Status Information Letter from the Selective Service indicating whether they are required to register. The Request for the Status Information Letter form and instructions can be accessed at https://www.sss.gov/Forms . The individual will need to describe, in detail, the circumstances that prevented him from registering (e.g., hospitalization, incarceration, military service) and provide documentation of those circumstances. The documentation should be specific as to the dates of the circumstances.

Status Information Letter

If the Status Information Letter indicates that an individual was not required to register for the Selective Service, then he is eligible to enroll in a WIOA-funded service. If the Status Information Letter indicates that the individual was required to register and did not register, he is presumed to be disqualified from participation in WIOA-funded activities and services until it can be determined that his failure to register was not knowing and willful. All costs associated with grant-funded services provided to non-eligible individuals may be

disallowed.

An individual may obtain a Status Information Letter from the Selective Service if he:

- Believes he was not required to register; or
- Did register but cannot provide the appropriate documentation.

How to Determine "Knowing and Willful" Failure to Register

(Documentation and Model Questions)

If the individual was required but failed to register with the Selective Service, as determined by the Status Information Letter or by his own acknowledgement, the individual may only receive services if he establishes by a preponderance of the evidence that the failure to register was not knowing and willful. The grantee, subgrantee or contractor that enrolls individuals in WIOA-funded activities and is thereby authorized to approve the use of WIOA grant funds, is the entity responsible for evaluating the evidence presented by the individual and determining whether the failure to register was knowing and willful.

Documentation

Evidence presented may include the individual's written explanation and supporting documentation of his circumstances at the time of the required registration and the reason(s) for failure to register. The individual should be encouraged to offer as much evidence and in as much detail as possible to support his case. The following are examples of documentation that may be of assistance in making a determination in these cases:

- Service in Armed Forces. Evidence that a male has served honorably in the U.S. Armed Forces such as a Form DD-214 or his Honorable Discharge Certificate. These documents serve as evidence that his failure to register was not knowing and willful.
- Third Party Affidavits. Affidavits from parents, teachers, employers, doctors and others concerning reasons for not registering may help grantees in making determinations in cases regarding willful and knowing failure to register.
- Self-Attestation. Signed statement that explains the circumstance under which the individual's failure to register was not knowing and willful. This method of documentation may be sufficient if other forms of documentation or third-party corroboration are not available. For template, see Attachment 1 of WSD 16-18.

Model Questions

In order to establish consistency regarding the implementation of the requirement, local areas should consider the following questions as a model when determining whether a failure to register is knowing and willful.

In determining whether the failure was "knowing," authorized organizations should ask:

- Was the individual aware of the requirement to register?

- If the individual knew about the requirement to register, was he misinformed about the applicability of the requirement to him (e.g. veterans who were discharged before their 26th birthday were occasionally told that they did not need to register)?
- On which date did the individual first learn that he was required to register?
- Where did the individual live when he was between the ages of 18 and 26?
- Does the status information letter indicate that Selective Service sent letters to the individual at that address and did not receive a response?
- In determining whether the failure was "willful," authorized organizations should ask:
- Was the failure to register done deliberately and intentionally?
- Did the individual have the mental capacity to choose whether or not to register and decided not to register?
- What actions, if any, did the individual take when he learned of the requirement to register?

Finally, a participant's claim of ignorance (e.g. "I did not know…") regarding Selective Service registration requirements should not suffice as enough evidence to make a determination if his failure was knowing and willful. Ask him for more evidence to support his claim.

Results of Findings

If an authorized organization determines that an individual's failure to register with the Selective Service was not knowing and willful and the individual is otherwise eligible, services may be provided. However, if the authorized organization determines that evidence shows that the individual's failure to register was knowing and willful, WIOA services must be denied. Individuals denied services must be advised of available WIOA grievance procedures. Authorized organizations must keep documentation related to evidence presented in determinations on Selective Service.

REFERENCES

- Workforce Innovation and Opportunity Act (WIOA) (Public Law 133 – 128), Section 189(h)
- Title 50 United States Code, *Military Service Act*, Appendix 453
- Workforce Services Directive WSD 16-18, Subject: *Selective Service Registration* (April 19, 2017)

Youth Eligibility Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance to youth contractors on how to establish participant eligibility for youth enrolled under the Workforce Innovation and Opportunity Act (WIOA).

BACKGROUND
The WIOA seeks to strengthen the workforce development system through innovation, alignment, and improvement of employment training and education programs in the United States by promoting individual and national economic growth.

POLICY AND PROCEDURES
To be eligible to participate in activities carried out under WIOA during any program year, an individual shall, at the time the eligibility determination is made, be an in-school or out-of-school youth as defined below.

An **in-school youth** is defined as follows:

- attending school, including secondary and postsecondary school (as defined by State law);
- not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21;
- a low-income individual; and
- one or more of the following:
  - Basic skills deficient.
  - An English language learner.
  - An offender.
  - A homeless individual, a homeless child or youth a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.
  - Pregnant or parenting (custodial and non-custodial parent including non-custodial fathers).
  - A youth who is an individual with a disability.
  - An individual who requires additional assistance to complete an educational program or to secure or hold employment.

An **out-of-school** youth is defined as:

- not attending any school (not including Title II Adult Education, Job Corps, Youth Build, high school equivalency programs, non-credit bearing postsecondary classes, dropout reengagement programs, or charter schools that provide instruction exclusively in partnership with WIOA, Federally-funded YouthBuild

programs, federal Job Corps training or instruction, California Conservation Corps, or a state certified local conservation corps).;

- not younger than age 16 or older than age 24; and
- one or more of the following:
  - A school dropout.
  - A youth who is within the age of compulsory school attendance but has not attended school for at least the most recent complete school year calendar quarter.
  - A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is—basic skills deficient; or an English language learner.
  - An individual who is subject to the juvenile or adult justice system.
  - A homeless individual or a runaway.
  - An individual in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.
  - An individual who is pregnant or parenting (custodial and non-custodial parent including non-custodial fathers).
  - An individual with a disability.
  - A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

The City was awarded two waivers from the DOL to increase the amount of service dollars being spent on the disconnected youth population. In-school youth enrolled under this waiver do not count against the 25 percent in-school youth enrolment and fiscal expenditures allowance. The criteria are:

- Youth between the ages of 16 and 24, and
- Living within the City of Los Angeles who are current or former foster youth or homeless/runaway youth.
- In addition to the aforementioned items, the WDB has identified the following additional eligibility requirements. Youth must be:
- A current resident of the City of Los Angeles;
- Eligible to work in the United States of America
- In compliance with Section 3 of the Military Selective Service Act (Males only)

REFERENCES

- A homeless individual as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6)),
- a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)),
- a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677)

- California Education code, Title 2. Chapter 3, section 47612.1
- WIOA Section 129 (a).
- SPECIAL RULE. — For the purpose of this subsection, the term “low-income,’’ used with respect to an individual, also includes a youth living in a high-poverty area.
  - EXCEPTION AND LIMITATION. —
  - EXCEPTION FOR PERSONS WHO ARE NOT LOW-INCOME INDIVIDUALS. —
  - DEFINITION — In this subparagraph, the term “covered individual’’ means an in-school youth, or an out-of- school youth who is described in subclause (III) or (VIII) of paragraph (1)(B)(iii).
  - EXCEPTION — In each local area, not more than five percent of the individuals assisted under this section may be persons who would be covered individuals, except that the persons are not low-income individuals.
  - (B) LIMITATION — In each local area, not more than five percent of the in-school youth assisted under this section may be eligible under paragraph (1) because the youth are in-school youth described in paragraph (1)(C)(iv)(VII).

Equal Opportunity/ Complaints/ Incidents

Criminal Record Restrictions and Impact Based on Race and Nationality Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance for employers and agencies within the City of Los Angeles Workforce Development System regarding services to clients with criminal histories.

BACKGROUND
In recent decades, the number of individuals who have had contact with the criminal justice system has drastically increased. In California, it is estimated that about one in four adults now has a criminal history record which often consists of an arrest that did not lead to conviction, a conviction without incarceration, or a conviction for a non- violent crime. This increase has also led to racial and ethnic disparities which may be reflected by higher incarceration rates and by other criminal history records. Federal and state programs have devoted significant resources to reducing barriers to employment of people with criminal records in an effort to also increase public safety. In December 2017, the Mayor and Council adopted the Los Angeles Fair Chance Initiative for Hiring Ordinance. This initiative prohibits City contractors and employers inquiring about criminal history in the initial stages of the hiring process.

POLICY AND PROCEDURES
Employers and agencies within the City of Los Angeles Workforce Development System should be aware of federal, State, and local anti-discrimination laws if they choose to rely on job applicants' criminal history records to help assess potential risk to employees, customers, and business assets. Hiring policies and practices that exclude individuals with criminal records may conflict with laws which prohibit intentional discrimination on the basis of race, national origin, or other protected groups, and policies or practices that have a disparate impact on these protected groups and cannot be justified as job related and consistent with business necessity.

Policies that exclude individuals from employment or other services based on the existence of a criminal history record, and do not take into account the age and nature of an offense, or the relationship of the record to the specific job duties, are likely to unjustifiably restrict the employment opportunities of individuals with conviction histories and, due to racial and ethnic disparities in the criminal justice system, are likely to violate federal, State, or local anti-discrimination laws.

Accordingly, employers and agencies should carefully consider their legal obligations before adopting such policies. Covered entities may also wish to direct employers to the Equal Employment Opportunity Commission (EEOC) website for Reentry Myth Buster

http://www.eeoc.gov/eeoc/interagency/reentry_council.cfm which clarifies that an arrest or conviction record will not automatically bar individuals from employment. The nondiscrimination provisions that apply to the federally assisted workforce system prohibit:

- Disparate treatment - intentionally treating members of protected groups differently based on their protected status.
- Disparate impact - the use of policies or practices that are neutral on their face but have a disproportionate impact on members of protected groups and are not job-related and consistent with business necessity.

Title VII of the Civil Rights Act of 1964, as amended applies to employers with 15 or more employees, and prohibits employment discrimination based on race, color, religion, sex, or national origin. Title VII also contains provisions that specifically address employment agency activities. Entities within the public workforce system like One-Stop Career Centers may be regarded as "employment agencies" under the law and are not permitted to:

- Print, publish, or cause to be printed, any job announcement that discriminates based on race, color, religion, sex, or national origin unless there is a bona fide occupational qualification (BFOQ) for a preference based on religion, sex, or national origin. For example, for airline pilots, mandatory retirement age requirements were allowed because safety was the primary concern and airlines could show that older pilots were significantly less safe once they reached a certain age.
- Refuse to refer an individual for employment or otherwise to discriminate against any individual based on race, color, religion, sex, or national origin.

The EEOC, the federal agency that administers and enforces Title VII, has issued guidance on the use of arrest and conviction records in employment decisions. Based on this guidance: An employer's neutral policy (e.g., excluding applicants from employment based on certain criminal conduct) may disproportionately impact some individuals protected.

Local Laws – In December 2017, the Mayor and Council adopted the Los Angeles Fair Chance Initiative for Hiring Ordinance. This initiative prohibits City contractors and employers from inquiring about criminal history in the initial stages of the hiring process. Employers and Contractors should also be referred to the Los Angeles Chance Initiative for Hiring Ordinance No. 184652 and No. 184653.
Under the ordinance, private employers with at least 10 employees are barred from inquiring about a job applicant's criminal history until a conditional offer of employment has been made.

The "Los Angeles Fair Chance Initiative for Hiring (Ban the Box)," was signed by Mayor Eric Garcetti on Dec. 9, 2017, and went into effect on Jan. 22, 2017. The City of Los Angeles Workforce Development Board, in conjunction with the Mayor's office, helped to fund the California Employers' Fair Chance Hiring Toolkit designed to help employers hire ex-offenders. A copy of this can be found at http://www.rootandrebound.org/resources/ca-employers-fair-chance-hiring-toolkit/.

Incident Reporting

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

The City of Los Angeles, Economic and Workforce Development Department (EWDD) has developed a procedure whereby upon being notified or finding any suspected incidents of Workforce Investment Opportunity Act (WIOA) related fraud, abuse, or other criminal activity, EWDD notifies the Compliance Review Office (CRO) of the Employment Development Department (EDD), the City of Los Angeles, Office of the Controller (Controller) and Ethics Commission. This policy applies to all WIOA-funded programs of EWDD.

DEFINITIONS

Subrecipient - a non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal program but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency. (Uniform Guidance Section 200.93)

Contractor - an entity that receives a contract as defined in 200.22 Contract. (Uniform Guidance Section 200.23)

Subaward - an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract. (Uniform Guidance Section 200.92)

BACKGROUND

Per Title 20 CFR Section 683.600 and 683.620 and DOL Training Employment and Guidance Letter 2-12, Employment and Training Administration (ETA) Grant Recipient Responsibilities for Reporting Instances of Suspected Fraud, Program Abuse and Criminal Conduct (July 12, 2012), information and complaints involving criminal fraud, waste, abuse or other criminal activity must be reported immediately to the Compliance Review Office (CRO) of the Employment Development Department (EDD) and the Department of Labor's (DOL) Office of Inspector General (OIG).

EDD Directive Number WSD20-12 issued May 11, 2021, Workforce Services Incident Reporting (WSDD-208), supersedes Workforce Services Directive Incident Reporting (WSD12-18), dated June 12, 2013 and remains in effect and applicable to WIOA funding until revised by EDD. The City's policy has been revised as necessary to align with this EDD directive.

POLICY AND PROCEDURES

First Tier Reporting – (Subrecipient/Workforce Development Board, City of Los Angeles

As per EDD Directive number WSDD-208 (in effect till revised), all subrecipients that receive WIOA funds shall promptly report to the CRO, all allegations of WIOA-related fraud, abuse, and other criminal activity. The CRO is required to immediately report the allegations through the DOL's Incident Reporting System to the OIG with a copy simultaneously provided to the ETA. In addition to submitting allegations to the CRO, subrecipients may also report allegations directly to the OIG, if deemed appropriate.

"Each subrecipient shall establish appropriate internal procedures to prevent and detect fraud, abuse, and criminal activity. These procedures must include a reporting process to ensure that the CRO is notified immediately of any allegations of WIOA-related fraud, abuse, or criminal activity. Internal procedures must be in writing and include the designation of a person on the subrecipients' staff who will be responsible for such notifications."

Proof of this notification must be maintained in the funding entity's files. Subrecipients detecting the presence or appearance of fraud, abuse or other criminal activity must obtain sufficient information to provide a clear concise report of each incident. Reports must include a statement of all facts, known at the time, as well as any known or estimated loss of WIOA funds resulting from the Incident. It is important that an initial report be made to the CRO within one working day of the detection of the incident. The submission of an Incident Report (IR) should not be delayed, even if all facts are not readily available. Any facts subsequently developed by the subrecipient are to be forwarded in a supplemental IR. Reporting procedures do not supersede the responsibility for subrecipients to safeguard WIOA funds by taking prompt and appropriate corrective action when any evidence of a violation of WIOA or its implementing regulations is found.

The Workforce Development Board (WDB), City of Los Angeles is a subrecipient referenced in EDD Directive WSDD-208. The City of Los Angeles, Workforce and Economic Development Department (EWDD) is the administrative entity for the WDB. EWDD maintains internal procedures in writing, to gather, respond/report and resolve complaints and/or any allegations of WIOA-related fraud, abuse, or criminal activity. EWDD enforces EDD Directive number WSDD-208 by requiring subrecipient contractors to comply with required reporting.

Second Tier Reporting – Contractor(s)/WorkSource Center & YouthSource Center Operators

EWDD issued WDS Directive No. 20-18; Incident Reporting, dated February 20, 2020, which provides procedures for reporting incidents, including but not limited to criminal fraud, criminal abuse or other criminal activity, and noncriminal complaints, such as waste of WIOA funds, to the Economic and Workforce Development Department (EWDD), Compliance Review Office (CRO) of the Employment Development Department (EDD) and the Department of Labor's (DOL) Office of Inspector General (OIG).

The City's Contractors are advised by EWDD that all recipients of WIOA funds have the responsibility to be alert for, and report, any suspected instances of fraud, abuse, or other

criminal activity, or non-criminal activity, including gross waste of funds, mismanagement, and dangers to the public health or safety committed by staff, contractors or program participants. In addition, all "lower tier subrecipients", (i.e. Workforce Development System Contractors) have the responsibility to report all suspected incidents of WIOA related fraud, abuse, or other criminal activity immediately within one workday of detection or discovery of information alleging fraud, abuse or criminal activity involving WIOA funds to the Compliance Review Office (CRO) of EDD and their funding agency, EWDD.

Additionally, Contractors are required to bring WDS Directive No. 20-18 to the attention of all WorkSource/YouthSource Center staff by providing a copy of the directive to all staff funded by WIOA and for them to also acknowledge receipt of the Directive by signing an acknowledgement receipt (See Exhibit I).

REPORTING PROCEDURES

Upon receiving information reporting suspected incidents of WIOA related fraud, abuse or other criminal activity, the detecting entity shall prepare a written Incident Report. The report must be submitted on the Incident Report form, which can be found as an Attachment C to TEGL 2-12 (PDF), or a similar document containing the requested information to the CRO through one of the following methods:

Report IR submission information to the CRO through one of the following methods:

Mail: State of California - Employment Development Department
Compliance Review Office
Compliance Resolution Unit
P.O. Box 826880, MIC 22
Sacramento, CA 94280-0001

Email: PACBROIncidentReports@edd.ca.gov

The Incident Report may also be submitted to the OIG.
Website: www.oig.dol.gov/hotlinecontact.htm

Mail:
Department of Labor, Office of Inspector General
Office of Investigations
200 Constitution Avenue, N.W., Room S-5S14
Washington, D.C. 20210

Tel: 1 (800) 347-3756
Fax: 1 (202) 693-7020

Report IR Submission Information to:
Economic and Workforce Development Department:
Equal Employment Opportunity Section

444 South Flower Street, 14th Floor
Los Angeles, CA 90071
Attn: EO Compliance Officer
Telephone: (213) 744-9351

Allegations considered to be of an emergency nature may be reported by telephone to the Compliance Resolution Office Supervisor at 1 (916) 654-8354 and by calling the OIG Hotline at 1 (800) 347-3756 **followed immediately thereafter by a written report**.

REFERENCES

- Title 20 Code of Federal Regulations (CFR) Sections 683.600 and 683.620
- EDD Directive Number WSDD-208 dated February 7, 2020

Attachments:
Exhibit I – Acknowledgement of Responsibility to Report All Suspected or Proven WIOA Related Fraud, Abuse or other Criminal Activity, or Non-Criminal Activity

EXHIBIT I – Incident Reporting

ACKNOWLEDGEMENT OF RESPONSIBILITY TO REPORT ALL SUSPECTED OR PROVEN WIA/WIOA RELATED FRAUD, ABUSE, OR OTHER CRIMINAL ACTIVITY, OR NON-CRIMINAL ACTIVITY.

I, _____, understand that as an employee
Name (Print)

who is being paid with (Workforce Investment Opportunity Act (WIOA) funding, I have the responsibility to report all suspected or proven WIOA related fraud, abuse, or other criminal activity, or non-criminal activity including gross waste of funds, mismanagement, and dangers to the public health or safety immediately, or within one working day of detection of the incident, to the Office of the Inspector General of the U.S. Department of Labor, Compliance Review Office of the State Employment Development Department, Workforce Development System, EWDD and declare that I have received a copy of the Economic Development Department, WSD Directive No. 20-12 (dated May 11, 2021) regarding Incident Reporting.

Signature:_____ Date Signed_____

WorkSource/YouthSource Center:_____

Nondiscrimination and Equal Opportunity Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides guidance and establishes the procedures regarding the City of Los Angeles Workforce Development Board's (WDB) policy on the nondiscrimination and equal opportunity procedures for the Workforce Innovation and Opportunity Act (WIOA) Title I financially assisted programs or activities, and to ensure that all AJCC operators are responsible for complying with all provisions of Federal, State, and City of Los Angeles Equal Opportunity and Nondiscrimination regulations.

BACKGROUND

Compliance with Federal Equal Opportunity and Nondiscrimination Laws

In administering all aspects of the WIOA and providing employment and training services under the Act, the WDB and WIOA Title I contractors are responsible for complying with all provisions of Federal equal opportunity and nondiscrimination laws including, but not limited to, the following:

- Title VI of the Civil Rights Act of 1964;
- Title VII of the Civil Rights Act of 1964;
- The Age Discrimination Act of 1964, as amended;
- Title IX of the Education Act of 1972;
- Section 504 of the Rehabilitation Act of 1973;
- Pregnancy Discrimination Act of 1978;
- The Americans with Disabilities Act of 1990, as amended;
- Executive Order 13166 of 2000;
- Section 188 of the WIOA (29 CFR 38)
- Fair Employment and Housing Act, Government Code, Section 12900-12996
- Dymally-Alatorre Bilingual Services Act (DABSA), Government Code, Section 7290-7299.8.

Section 188 of the WIOA (final rule became effective January 3, 2017) provides the framework for the nondiscrimination and equal opportunity portions of the Act. Each State is required to establish a Nondiscrimination Plan, and outline how the State plans to ensure compliance with the Nondiscrimination and Equal Opportunity Regulations of Section 188 of the WIOA.

DEFINITION

A WIOA ***recipient*** is any entity to which financial assistance under the WIOA Title I is extended, either directly from the Department of Labor (DOL), through the Governor, or through the Local Area, but excluding the final beneficiaries. One-Stop partners are treated

as recipients and are subject to the nondiscrimination and equal opportunity requirements of 29 CFR 38 to the extent they participate in the One-Stop delivery system.

POLICY AND PROCEDURES

The City of Los Angeles WDB is committed to complying with the provisions of the Nondiscrimination Plan. Most of the requirements have been extended to the contractor level.

The provisions of the Nondiscrimination Plan include:

- Designation of an Equal Opportunity Officer
  The City of Los Angeles WDB has designated an EO Compliance Officer. Each WorkSource and YouthSource Center must designate an EO Complaints Officer, who is responsible for handling complaints, and who is the lead individual in ensuring the Center is in compliance with nondiscrimination regulations. This individual is expected to provide training for the Center staff. The EO Complaints Officer will be the lead person in organizing the annual EO site visit.

Each EO Complaints Officer will be required to attend periodic trainings. Attendance at these trainings will be a factor in the annual Performance Evaluation.

- Notice and Communication
  Initial and continuing notice must be provided by the WorkSource and YouthSource Centers that they do not discriminate on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including Limited English Proficient (LEP)), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I financially assisted program or activity.

The required notices must be:

- posted prominently;
- included in employee and participant handbooks;
- provided to each participant, and a copy with the participant's signature must be kept in the file;
- be provided in alternate formats as needed;
- be provided in other languages as needed.

During each participant orientation, as well as new employee orientation, the WorkSource and YouthSource Centers must include a discussion of rights and responsibilities under the nondiscrimination and equal opportunity provisions of the WIOA Section 188, including the

right to file a complaint of discrimination. This information must be communicated with appropriate languages and in formats accessible for persons with disabilities.

Each participant and employee must acknowledge receipt of the required notices on the receipt form provided by the Local Area (no other forms are allowed). All WorkSource and YouthSource Centers are required to include the following **unaltered** taglines on all forms of media:

This WIOA Title I financially assisted program or activity is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

The wording above **must be used verbatim**. If the flier is for a specific event, such as a job fair, additional information can be added on requesting a reasonable accommodation. These taglines must be included on fliers, brochures, letterhead, and websites that promote WIOA funded services. When the print media or website provides a telephone number, a TTY phone number must be listed as well.

These notices must be provided in languages other than English where the number of individuals whose native language other than English is being served is "substantial." Centers must be prepared to offer Limited English Proficient (LEP) customers meaningful access to programs, services, and information.

1. Assurances
   The nondiscrimination assurances must be contained in all contracts, cooperative agreements (MOUs), individual training account (ITA) contracts, and policies and procedures. The nondiscrimination assurance must state that the parties to the agreement will "comply fully with the nondiscrimination and equal opportunity provisions of WIOA." It is the responsibility of the WorkSource or YouthSource Center to inform their partners and training providers as to the WIOA Complaint Procedures.

2. Universal Access
   It is the responsibility of each WorkSource and YouthSource Center to develop and implement an outreach plan to solicit participation by a wide cross-section of the community. In particular, this outreach plan should address:
   a. LEP individuals: the needs of each community should be identified, and outreach may need to be performed in multiple languages;
   b. Persons with Disabilities
   c. Persons of both sexes, various racial and ethnic groups, and various age groups.

   The City of Los Angeles WDB has appointed an LEP Coordinator and each WorkSource and YouthSource Center must designate an LEP Coordinator. This staff

member should identify all bilingual staff members (including onsite partners), and share this knowledge with all staff. This information should be shared with all staff members so they can quickly guide an LEP customer to a staff member who can assist the individual in their native language. The designated LEP Coordinator will be required to attend periodic trainings. Attendance at these trainings will be a factor in the annual Performance Evaluation.

3. Obligation not to Discriminate on the Basis of Disability
   All WIOA Title I financially assisted programs must not discriminate against persons with a disability based on the disability. The City of Los Angeles has appointed a Disability Resource Coordinator, and each WorkSource and YouthSource Center must designate a Disability Coordinator. This staff member should develop expertise in serving persons with disabilities, including the Ticket to Work program, and should share this knowledge with all staff members.
   All WorkSource and YouthSource Centers must provide reasonable accommodations to participants with a known disability upon request. All Centers must ensure that services to persons with disabilities are provided in the most integrated setting. All Centers must provide for equally effective communication for those who are deaf, hard of hearing, or speech impaired.

   All WorkSource and YouthSource Centers must be physically accessible to persons with disabilities, and in compliance with the Americans with Disabilities Act Architectural Guidelines (ADAAG) as well as Title 24 of the California Building Code. Additionally, all WorkSource and YouthSource Centers must strive to be programmatically accessible, by providing materials in alternate formats, and providing assistance as needed.

4. Data Collection
   All WorkSource and YouthSource Centers are required to collect and input demographic data on their customers, utilizing CalJOBS℠. This data includes:

   a. Race/Ethnicity
   b. Sex
   c. Age
   d. Disability Status, (where known)
   e. Limited English Proficiency
   f. Preferred Language

   This information must be kept confidential; customers should be advised the information will be handled as confidential.

   Any medical or disability-related information obtained about a particular individual, including information that could lead to the disclosure of a disability, must be collected on separate forms. All such information, whether in hard copy, electronic,

or both, must be maintained in one or more separate files, apart from other information about the individual, and treated as confidential. These files must be secured and locked.

5. Monitoring
   All WorkSource and YouthSource Centers are required to perform periodic monitoring of any and all subrecipients, including ITA vendors. A case manager should visit the school at least once during the training, and notate in the case notes. For subrecipients, a written record of monitoring visits should be kept.

   All WorkSource and YouthSource Centers are expected to cooperate fully with the EO Compliance Unit during EO site visits.

5. Complaint Procedures
   All WorkSource and YouthSource Centers must follow the City of Los Angeles' Complaint Procedures. A copy of these procedures must be given to each participant at Orientation, and a signed receipt retained in the participant file.

   WorkSource and YouthSource Centers are not allowed to alter or amend the Complaint Procedures; they must utilize them as published.

   WorkSource and YouthSource Centers are expected to fully cooperate with the EO Compliance Unit during the processing of a complaint. They are also expected to cooperate with other agencies, such as the Department of Labor, Equal Employment Opportunity Commission, and the Employment Development Department.

6. Corrective Actions and Sanctions
   If a WorkSource or YouthSource Center is in violation of these regulations, a Corrective Action Plan may be created. If the Center fails to meet and maintain compliance standards, sanctions may be levied.

REFERENCES

- Training and Employment Guidance Letter (TEGL) 05-23: Complying with Nondiscrimination Requirements: Discrimination Based on Actual or Perceived Religion, Shared Ancestry, or Ethnic Characteristics are Prohibited Forms of Discrimination in the Workforce Development System (November 3, 2023)
- WSD17-05 - Oversight and Monitoring of Nondiscrimination and EO Procedures (August 29, 2017)
- WSD17-01 - Nondiscrimination and Equal Opportunity Procedures (August 1, 2017)
- Section 188 of WIOA
- Title VI of the Civil Rights Act of 1964

WIOA Grievance and Complaint Procedures

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
The principles and procedures set forth in this WIOA Title I Complaint Resolution Procedure shall be used by all WorkSource and YouthSource Centers, and subcontractors with the City of Los Angeles to resolve complaints which arise in connection with programs operated under the WIOA Title I grant funded programs.

BACKGROUND
The City of Los Angeles, Workforce Development Board (WDB) , hereby establishes this Workforce Innovation and Opportunity Act (WIOA) Complaint Resolution Procedure pursuant to Title 20 CFR Section 683.600-683.650, [Subpart F—Grievance Procedures, Complaints, and State Appeals Processes]; and, Title 29 CFR Part 38, [Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act]. The City's Workforce Innovation and Opportunity Act, WIOA, Title I programs are administered by the Workforce Development Division (WDD) of the Economic & Workforce Development Department (EWDD).

POLICY AND PROCEDURES

Retaliation Prohibition
No person, organization or agency may discharge, or in any other manner discriminate or retaliate against any person, or deny any person a benefit to which that person is entitled under the provisions of the WIOA Title I regulations because such person has filed any complaint, instituted or caused to be instituted, any such proceeding or investigation, or has provided information or assisted in an investigation.

Confidentiality
The identity of any person who has furnished information relating to, or assisting in, the investigation of a possible violation of the Act shall be confidential to the extent possible, consistent with a fair determination of the issues.
In any case where the alleged violation of the Act or WIOA Title I regulations is also an alleged violation of another law, regulation or agreement, nothing shall preclude an individual or an organization from filing a complaint or grievance under the other law or agreement with respect to the non-WIOA Title I cause of action, as well as filing a complaint under the WIOA Title I in accordance with the procedures described herein.

Time Frames
All time frames specified in these procedures refer to consecutive calendar days including weekends and holidays. *When the time frame stated refers to a receipt of notice mailed certified return receipt requested, the time frame shall commence when the Postal Service*

first attempts delivery; (i.e., leaves a notice). It is the responsibility of all parties to pick up mail in a timely manner.

"Complaint" means a written expression by a party alleging a violation of the Act, regulations promulgated under the Act, recipient grants, sub-agreements, or other specific agreements under the Act.

WORKSOURCE/YOUTHSOURCE CENTERS' COMPLAINT REQUIREMENTS

Each of the designated WorkSource/YouthSource Centers has the duty and responsibility to ensure that the WorkSource/YouthSource Agency is in compliance with the provisions of the WIOA complaint resolution procedure and shall work cooperatively with the City of Los Angeles' designated EO Compliance Officer to process all complaints filed with their agency involving WIOA Title I funded participant activities.

All recipients and subrecipients of WIOA Title I funds must make reasonable efforts to ensure their policies and corresponding information will be understood by affected participants and individuals, including youth and individuals with limited English proficiency. These efforts must comply with the language requirements of Title 29 CFR Section 38.9.

Local Areas must provide a copy of the local grievance and complaint procedures to each participant. These procedures must include the following:

- Notification that the participant has the right to file a grievance or complaint at any time within one year of the alleged violation.
- Instructions and timelines for filing a grievance or complaint.
- Notification that the participant has the right to receive technical assistance from the Local Area in filing the grievance or complaint.
- Notification that the participant may file an appeal or request a separate review by EDD if they experience an incident of restraint, coercion, or reprisal as a result of filing a complaint.

The local grievance and complaint procedures must be posted in a public location and made available to any interested parties or members of the public.

Local Areas and WorkSource/YouthSource Centers (Centers) have the responsibility to provide technical assistance to complainants, including those filing grievances or complaints against the Local Area or Center. Technical assistance includes, but is not limited to, providing instructions on how to file a complaint, and providing copies of relevant documents such as the WIOA, federal regulations, state laws and regulations, local procedures, and/or contracts. This does not require Local Areas or Centers to violate any rule of confidentiality or provide legal advice.

<u>Orientation</u>

At Orientation, each participant in the WIOA Title I program will be provided with a copy of the Summary of the WIOA Complaint Resolution Procedure. <u>Each participant will sign a</u>

receipt indicating that he or she has received the complaint information and that receipt, along with a copy of the Summary of the Complaint Procedures, shall be maintained in the participant's file. This information shall be provided in other languages and in electronic format upon request.

These procedures will be available for use by all individual entities, including unsubsidized employees in an employment activity operating with WIOA Title I funds, participants in an employment activity operated with WIOA funds, subcontractors of WDB, entities and individuals that are applicants for WIOA program funding, labor unions, community-based organizations, education agencies, private employers and other interested parties.

TYPES OF COMPLAINTS COVERED UNDER WIOA

There are four distinct procedures for filing WIOA complaints. The WIOA Complaint procedures cover the following types of complaints:

1. **Program Complaint (Noncriminal)**
2. **Discrimination Complaint**
3. **Questioned/Disallowed Costs Complaint**
4. **Fraud, Waste and Abuse [20 CFR Part 683, Subpart B, Administrative Rules, Costs, and Limitations]**

Program complaint issues covered by the WIOA are:

Displacement [§683.270 & §680.840]

A participant in a program or activity authorized under Title I of WIOA must not displace (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits) any currently employed employee (as of the date of the participation). Where an employment activity would violate a collective bargaining agreement, the regulations provide that the appropriate affected labor organization and employer must provide written concurrence before the employment activity can be undertaken. The employment or assignment of a WIOA participant or the filling of a position is prohibited when the employer has terminated any regular, unsubsidized employee or otherwise reduced its workforce with the intent of filling the vacancy with a WIOA participant. A WIOA participant may not be employed or assigned to a position where the employer has caused an involuntary reduction to less than full time in hours of an employee in the same or substantially equivalent job.

Health and Safety [§683.280]

Health and safety standards established under the Federal and State Law otherwise applicable to working conditions of employees are equally applicable to working conditions of participants engaged in programs and activities under Title I of the WIOA. Workers' Compensation: To the extent that workers' compensation law applies, workers' compensation must be provided to participants in programs and activities under Title I of

the WIOA **on the same basis as the compensation provided to other individuals in similar employment.**

NOTE: In the case of a complaint alleging a violation of health and safety standards by a contractor (employer), the contractor will be required to demonstrate its compliance with State and Federal regulations governing health and safety requirements for that industry [e.g., CAL/OSHA certification].

Wage and Labor Standards [§683.275 & §684.920]
Individuals in On-The-Job training or employed in activities under Title I of the WIOA must be paid at the same rates, including periodic increases, as trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience and skills. Such rates must be in accordance with applicable law [Fair Labor Standards Act of 1938, Section 6(a)(1) 29 U.S.C. 206(a)(1) or applicable State or local minimum wage law].

Violation of the Act, grant or agreement (including retaliation), [WIOA Section 188(a)]:

Terms and conditions of WIOA participant employment (On-the-Job Training, Customized Training, Work Experience):

Complaints filed under this section relate only to the terms and conditions of WIOA **participant** employment. Typical complaints under this section include disputes over wages or working hours, working conditions, employee and/or training evaluations and disciplinary actions, including termination for cause. The responsibility for resolving the complaint rests initially with the employer and/or contractor.

Discrimination Complaints [WIOA Section 188, 29 CFR Part 38]
All complaints received by the EO Compliance Unit are documented on a continuous basis and provided to the EWDD Workforce Development System (WDS). This information will be included in the Annual WDS evaluation process and is provided to the Workforce Development Board (WDB) every year. This information, however, will not be utilized by the WDS in the evaluation of WorkSource/YouthSource Centers.

Information to be reported:

- Number of complaints from each WorkSource/YouthSource Center
- Category of complaint: WIOA Complaint, Customer Service Issue, or Other Complaint (non-WIOA)

The collected data is provided to the Workforce Development Division (WDD) by the end of the second week of September on an annual basis.

PROGRAM COMPLAINTS: WIOA TITLE 20 CFR §683.600 (Subpart F)

These procedures will guide the receipt, hearing and resolution of noncriminal complaints filed at the City of Los Angles WDB level for complaints relating to WIOA programs and services.

- Only a complaint which alleges a violation of the WIOA, regulations promulgated under the Act, recipient grants, sub-agreements, or specific agreements under the Act, including terms and conditions of **participant** employment, may be filed.
- Complaints may be brought by any individual or organization including, but not limited to: WIOA applicants/participants, contractors, collaborators, vendors (ITA's), staff of the WDB or contractors, applicants for participation or financial assistance, labor unions, community-based organizations or any other interested persons.
- With the exception of complaints alleging fraud or criminal activity, the filing of a noncriminal complaint must be made within one (1) year of the alleged occurrence.
- A complainant who has not exhausted this procedure may appeal directly to the Governor's Office if the WDB has not rendered a decision within the 60 days of the filing of the complaint specified in the procedures, if the complainant believes the WDB's complaint procedure is not in compliance with the WIOA.

FILING OF A WIOA COMPLAINT:

Per WIOA regulations, every complaint must be in writing before the official complaint resolution process will commence. The complaint must be signed and dated. *A written complaint may be submitted via facsimile or scanned and sent as an e-mail attachment.* The complaint must contain the following information:

- The full name, mailing address and telephone number of the Complainant;
- The full name, mailing address and telephone number of the Respondent;
- A clear and concise statement of the facts and dates describing the alleged violation(s);
- The provisions of the Act, regulations, grant or other agreements under the WIOA believed to have been violated. Complaints against individuals, including staff or participants, must indicate how those individuals did not comply with the WIOA law, regulation, or contract;
- Complaints may be amended to correct technical deficiencies at any time up to the time of the hearing. Complaints may not be amended to add new issues. The one (1) year time period in which a complaint may be filed is not extended for complaints that are re-filed with amendments. Complaints may be withdrawn at any time prior to the issuance of the hearing officer's decision;
- The remedy to the complaint which would satisfy the Complainant; If the Complainant fails to cooperate or is unavailable, the complaint may be dismissed upon reasonable notice to the last known address of the Complainant;
- It is the responsibility of both the Complainant and the Respondent to notify the City of Los Angeles' EO Compliance Unit of any change of address.

LEVEL ONE — FILE WITH THE WORKSOURCE/YOUTHSOURCE CENTERS

- The WorkSource Center/YouthSource Center receiving WIOA funds through the Workforce Development Division grant programs agree to adopt the City of Los Angeles' WIOA Complaint Resolution procedures.
- It is the policy of the City of Los Angeles, WDB, that complaints under WIOA should be resolved at the lowest level possible. Therefore, under the City of Los Angeles' WIOA complaint resolution procedures, complaints filed under the WIOA (with the exception of those complaints involving allegation(s) of discrimination) must first be filed with the designated EO Complaints Officer at the WorkSource/YouthSource Center level.
- The WorkSource/YouthSource Center must notify the City WDBwithin 24 hours of the receipt of a written WIOA complaint. The notification should be sent to:

City of Los Angeles
Economic & Workforce Development Department
444 South Flower Street, 14th Floor
Los Angeles, CA 90071

Attn: Richard Cheng, EO Compliance Officer

TTY: **711**
E-Mail: **Richard.Cheng@LACity.Org**

- The City of Los Angeles, WDB, reserves the right to intervene in the processing of any WIOA complaint at the informal resolution stage in order to assist in resolution, clarify the issues, provide technical assistance, conduct the informal resolution meeting or schedule a hearing before an impartial hearing officer in order to ensure due process and compliance with the 60 day time limit required for resolution pursuant to the WIOA regulations.
- The WorkSource/YouthSource Center has ten (10) days from the receipt of the written complaint to schedule and conduct an informal complaint resolution meeting at the WorkSource/YouthSource Center level.
- After the complaint is accepted, the Complainant will be notified by the WorkSource/YouthSource Center, in writing, of the date, time and place of the informal resolution meeting. At the informal resolution meeting an attempt to resolve the complaint will take place. Respondents must make "good faith" efforts to resolve all complaints prior to scheduling an administrative hearing in the matter.
- Failure on the part of any party in the complaint to exert good faith efforts shall not constitute a basis for dismissing a complaint, nor shall this be considered to be a part of the facts to be judged in the resolution process. The WDBor sub-grantees must assure that every complaint not resolved informally is given a formal hearing, regardless of the complaint's apparent merit or lack of merit.
- In the event of an informal resolution of the WIOA complaint at the WorkSource/YouthSource Center level, the WorkSource/YouthSource Center will

provide a written settlement agreement to the Complainant which describes the issues, provides the date of the informal resolution meeting, the attendees, and the terms of the agreement which has been reached by the parties as full and complete settlement of the complaint. The written agreement will be signed by the Executive management or their authorized representative and the Complainant. A copy of the signed settlement agreement will be maintained in the Complainant's participant file, in the complaint log of the WorkSource Center and at the WDB level for audit purposes. A copy of the signed settlement agreement will be faxed to the City WDBEO Compliance Unit within 24 hours.

- If no resolution is reached, the Complainant will be notified immediately in writing of the impasse and his/her right to request an administrative hearing. The WorkSource/YouthSource Center will also mail a copy of the notice of impasse certified mail return receipt requested. The request for administrative hearing must be made in writing; it may be transmitted by facsimile or e-mail.

Individual Training Account (ITA) Complaint Procedures

A. Denied Training Complaint Procedures

Should a participant be dissatisfied with a denial of request for training, the participant may request a WorkSource/YouthSource Center (WSC/YSC) ITA Panel review. A participant's request for WSC ITA Review Panel must be made within five (5) working days of the notification of the denial of the request for training. The WSC ITA Review Panel will **only** review requested training denial that is determined not to be in a demand occupation, or on issues relating to the assessment process. Denial based on training requests exceeding maximum limit ($7,500 for 12 months technical training) is reviewed on a case-by-case basis.

The WSC ITA Review Panel will be comprised of staff with decision-making authority and business members with industry-specific knowledge of technical skill sets. The panel should establish a written policy formulating the procedures the panel will follow in reviewing training denials.

The WSC ITA Review Panel must complete its review within five (5) working days of the request for review. The decision of the WSC ITA Review Panel must be made in writing and be included in the participant's file. The WSC must notify the participant and the City WDBEO Compliance Unit of a panel denial. The WSC also must notify the participant of the right to request a review by the City WDB within five (5) days of the notification of denial.

The complaint must be in writing, signed and dated; and addressed to the City of Los Angeles Economic & Workforce Development Department at the address provided above.

B. Individual Training Accounts (ITA) Program Complaint Procedures

Participants who have program complaints while attending training must file their complaint with the WorkSource Center's EO Complaints Officer. The WorkSource Center

shall maintain procedures for resolving disputes involving ITA participants in accordance with the requirement of the WIOA and City WDB Complaint Procedures. The WorkSource Center must forward a copy of a complaint filed with them against an ITA provider school to the City WDB within 24 hours of the receipt of a written WIOA complaint.

ITA Program Complaints, including claims that the training received at the ITA vendor school was incomplete or deficient, are handled by the WorkSource Center's EO Complaints Officer in accordance with the WIOA Complaint Procedures. The WorkSource Center shall have ten (10) days from the date of the receipt of the written complaint to schedule and conduct an informal resolution meeting with the participant and, if applicable, the ITA training provider in order to resolve the complaint informally. The WorkSource Center will then memorialize in writing the outcome of the informal resolution meeting to resolve the complaint. The WorkSource Center will provide the Complainant with a written copy of the outcome (i.e., settlement agreement, a statement of impasse) within five (5) days of the informal resolution meeting.

*ITA complaints alleging discrimination are to be filed with the City of Los Angeles WDBEO Compliance Unit***.**

Participants' Terms & Conditions of Employment Complaints (OJT)
Each WorkSource/YouthSource Center is required to establish procedures for resolving complaint matters relating to the terms and conditions of **participant** employment. In addition, third party contractors (OJT/Customized Training) are also required to establish and maintain procedures for resolving disputes involving the terms and conditions of **participant** employment. At a minimum these procedures must include the following:

- Written notice, upon enrollment into employment or training programs, of the scope and availability of such procedures. Contractors' complaint procedures shall be set forth in a written document and shall stipulate that a complaint will be resolved within 20 days of the date the complaint was filed. A copy of the contractors'/OJT employers' complaint resolution procedure shall be provided to each participant upon his/her enrollment into the program and at the time of placement into the job.
- Written notice, at the time the complaint is filed, of the procedures under which the complaint will be processed.
- Written notice to the City WDBEO Compliance Unit of the complaint within 24 hours of receipt of the written complaint.
- Written notification of the disposition of the complaint, and the reasons therefore, which shall be issued within 25 days of the filing of the complaint. *If the employer is required to use a certain grievance procedure under a covered collective bargaining agreement, then these procedures should be followed for the handling of the WIOA complaints under this Section*.

- Written notification of the Complainant's right to request a review of the WorkSource Center or third party contractor's decision by the City of Los Angeles Economic & Workforce Development Department. Such requests for review must be filed within five (5) days upon the receipt of the contractor's written decision. The request for review shall include the following information:

  - ❑ The full name, telephone number and mailing address of the party requesting the review;
  - ❑ The name, address and telephone number of the other party;
  - ❑ A copy of the written decision issued by the employer and/or WIOA contractor;
  - ❑ A statement of why the request for review is being made and/or the section of the decision to be reviewed;
  - ❑ A statement of the relief (i.e., remedy) being sought.

Requests for review should be sent to:

City of Los Angeles
Economic & Workforce Development Department
444 South Flower Street, 14th Floor
Los Angeles, CA 90071

Attn: Richard Cheng, EO Compliance Officer
TTY: 711
E-Mail: Richard.Cheng@LACity.Org

LEVEL TWO — REVIEW BY THE CITY OF LOS ANGELES WDB

If an informal resolution cannot be reached at the WorkSource Center level, the Complainant may request that an administrative hearing be scheduled before an impartial hearing officer. Request for an administrative hearing at the WDB level should be made within five (5) days of the Complainant's receipt of the written decision at the WSC level that an impasse has been reached in settling the complaint matter. This request can be transmitted by facsimile or e-mail. The request should be sent to the City of Los Angeles' Economic & Workforce Development Department at the address above.

- If time permits and the parties agree, the WDB may conduct an informal resolution meeting prior to scheduling the hearing.
- Prior to the hearing, the Complainant may amend his/her complaint to correct technical deficiencies but not to add issues. The amendment must be submitted in writing to the City of Los Angeles' EO Compliance Officer at the address given above.

- Prior to the hearing, the Complainant and Respondent are entitled to technical assistance from the City WDB EO Compliance Unit. However, the City WDB EO Compliance Unit *cannot provide legal advice*.
- Prior to the hearing, the Complainant and Respondent are entitled to reasonable discovery requests for production of documents by the date specified in the notice of administrative hearing. In the event of a dispute, the hearing officer shall make the final determination of reasonable request for document production.
- Prior to the hearing, the Complainant and Respondent are entitled to request witnesses by the date specified in the notice of administrative hearing. Please note that the City WDB *does **not** have subpoena power* in these matters. Neither the Complainant nor the Respondent has the right to conduct a deposition of prospective witnesses.
- The recommendation(s) of the hearing officer are reviewed by the General Manager, Economic & Workforce Development Department. The General Manager may adopt or reject, in whole or in part, the findings and/or recommendation(s) of the hearing officer and will render the Final Determination for the City of Los Angeles Local Workforce Development Area (WDB) within 60 days of filing of the complaint.

ADMINISTRATIVE HEARING [For Both Program & Discrimination Complaints]

- The administrative hearing will be conducted by an impartial hearing officer who has been appointed by the General Manager, Economic & Workforce Development Department.
- Hearings on any complaint will be conducted within 30 days of the filing of the complaint.
- Within ten (10) days of the hearing, written notice of the date, time and place of the hearing, the manner in which it will be conducted, the issues to be decided and the rights of the parties will be sent to the Complainant and Respondent(s) by Certified Mail/Return Receipt Requested.
- Interested parties may also apply for the notice of hearing by contacting the EO Compliance Office. An interested party is defined as a person or organization potentially affected by the outcome. The notice to other interested parties will include the same information furnished to the Complainant and Respondent and state whether such interested parties may participate in the hearing and, if applicable, the method by which they may request such a hearing.
- Any request to withdraw a complaint *must be in writing* and received prior to the scheduled hearing.
- Requests to reschedule a hearing must also be made in writing and for good cause. Requests must be made at least 72 hours prior to the scheduled hearing. The General Manager, Economic & Workforce Development Department, will make the final decision on such requests. *Should any party fail to appear at the hearing without prior notice, the hearing officer may rule to continue the hearing in their absence.*
- Any party may be represented by an attorney or other representative at his/her own expense. The City WDB cannot appoint an attorney to represent either party nor can

the WDB provide legal advice to either party. Any party represented by an attorney or other representative shall inform the EO Compliance Unit in advance of the hearing.

- Either party may bring witnesses and documentary evidence.
- Either party may have records or documents relevant to the issues produced by their custodian when such records or documents are kept by either party in the ordinary course of business. The Complainant may also request that the employees and/or participants of the Respondent, who have knowledge of the pertinent facts in the complaint, be available to testify at the hearing. Any requests for records, documents, and/or persons serving as witnesses must be made in writing and must first be submitted to the EO Compliance Unit of the Economic & Workforce Development by the date specified on the notice of administrative hearing. The request must specify which records, documents, and/or individuals are presumed to be relevant to the issue(s) set forth in the complaint.
- The hearing officer will have the discretion to determine issues of relevancy at the time of the hearing. Failure on the part of either party to supply information and/or make persons available that have been requested may result in sanctions imposed by the hearing officer and/or the City WDB. If the failure is on the part of the Respondent (e.g., WIOA service provider/contractor) it may be considered a breach of the Respondent's WIOA contractual agreement with the City.
- The hearing will be conducted in an informal manner with strict rules of evidence not being applicable. Both parties have the right to present written and/or oral testimony and arguments; the right to call and question witnesses in support of their position; the right to examine records and documents relevant to the issues; and the right to be represented. The hearing will be recorded electronically.

FINAL DETERMINATION

No later than 60 days after the filing of the *program* complaint or 90 days after the filing of a *discrimination* complaint, the General Manager, Economic & Workforce Development Department, will notify the Complainant and Respondent in writing of the recommendation(s) of the hearing officer and the "Final Determination" of the Economic & Workforce Development Department. The written decision will contain the following information:

- The name(s) of the parties involved;
- A statement of the alleged violation(s) and the issues related to the alleged violations;
- A statement of the facts;
- The hearing officer's recommended decision and the reasons for the decision;
- The General Manager's review of the hearing officer's recommendation(s) and the Final Determination at the WDB level;
- A statement of corrective action or remedies for violations, if any, to be taken; and,
- Notice of the right of either party to request a review of the decision by the State Review Panel within ten (10) days of the receipt of the decision.

Appeal of Decision/Final Determination of a Program Complaint
If the Complainant does not receive a decision at the WDB level within 60 days of the filing of the complaint, or receives an adverse decision, the complainant has the right to file an appeal with the State. The Complainant may request a State hearing by submitting a written notice of appeal to:

Chief, Compliance Review Division, MIC-22-M
Employment Development Department
P.O. Box 826880
Sacramento, CA 94280-0001

LEVEL THREE – STATE APPEAL PROCESS FOR PROGRAM COMPLAINTS

- The State Review Panel (SRP) will review appeals of decisions issued at the WDB level. The SRP will not conduct any evidentiary hearings, but will review the record established by the WDB and issue a decision on the basis of the information contained therein.
- A request for a State review of the WDB's decision must be filed in writing and mailed to the Compliance Review Division (CRD) within ten (10) days of the receipt of the decision by the appealing party. The request for review should contain the following information:
    - Full name, telephone number, and mailing address of the Complainant;
    - Full name, telephone number, and mailing address of the Respondent;
    - A copy of the local hearing officer's decision;
    - A copy of the Final Determination issued by the WDB;
    - A brief statement of the reasons a State review is being requested. The statement must specify the errors of fact and/or statutory and regulatory interpretations that are alleged to have been made by the hearing officer/WDB. If appropriate, the statement must identify the elements of the hearing officer's decision to be reviewed; and,
    - A statement of the remedy sought by the appellant. If not provided elsewhere in the appeal, the appellant must provide a statement setting forth the arguments presented to the local hearing officer that the appellant considers to support the appropriateness of the remedy he or she is seeking.

On receipt of the Complainant's appeal of the adverse decision, the State shall provide for an independent review by SRP. The CRD will notify the parties concerned and the WDB administrative entity or sub grantee by first class mail of the request for the State review of the local hearing officer's decision. The SRP's decision will be final and issued to both the Complainant and the respondent by first class mail.

STATE GRIEVANCE COMPLAINT PROCEDURES FOR PROGRAM COMPLAINTS

- If no decision has been issued at the WDB or sub grantee-level within the 60 day time limit, a Complainant may file a complaint with the State.

- A request for an initial State hearing must be filed within 15 days, or if mailed, postmarked within 15 days of one of the following dates:
    - The date on which the WDB or sub grantee should have issued a decision regarding a locally filed grievance complaint.
    - The date after the filing of complaint when an instance of restraint, coercion, reprisals, or discrimination was alleged to have occurred as a result of filing the complaint.
- A request for a State hearing relating to allegedly deficient WDB and sub grantee complaint procedures, and to allegations of improper actions as a consequence of a grievance complaint, should be filed immediately.

Requests for State hearings shall be filed in writing to the Compliance Review Division (CRD), at the address listed below and must include the following information:

- Full name, telephone number, and mailing address of the Complainant;
- Full name, telephone number and mailing address of the WDB or sub grantee;
- A statement of the basis of the request;
- Copies of the relevant documents, such as the grievance complaint filed at the WDB or sub grantee.

Employment Development Department
Compliance Review Division, (CRD)
P.O. Box 826880, MIC-22M
Sacramento, CA 94280-0001

On receipt of the request for State hearing, if an evidentiary hearing was held at the WDB level, the State shall request the record of the hearing from the WDB and shall review the record without scheduling an additional hearing. If an evidentiary hearing was not held at the WDB level, the State shall instruct the WDB to hold a hearing within 30 days of receipt of the appeal or request for EDD review.

LEVEL FOUR – FEDERAL APPEAL PROCESS FOR PROGRAM COMPLAINTS

- If the State Review Panel (SRP) has issued an adverse decision regarding a grievance or complaint, or has not issued a decision within 60 days of receipt of a local level appeal, request for EDD review, or grievance or complaint, the complainant may file an appeal with the Secretary. This appeal process applies to grievances and complaints that originated at the local or state level.
- Appeals of an adverse decision must be filed within 60 days of receipt of the adverse decision from the SRP. In cases where the SRP did not issue a decision, the complainant must file an appeal within 120 days of either of the following:
    - The date on which the complainant filed the appeal of a local level decision or request for EDD review with the state.

    - The date on which the complainant filed the grievance or complaint with the state.
- All appeals to the Secretary must be sent to the DOL National Office via certified mail with return receipts requested. Copies of the appeal must simultaneously be provided to the DOL Employment and Training Administration (ETA) Regional Administrator and the respondent. Mailing addresses for the DOL National Office and ETA Regional Administrator are included below:

DOL National Office:
Secretary of Labor
Attn: Assistant Secretary of ETA
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

ETA Regional Administrator:
Office of Regional Administrator
U.S. Department of Labor
P.O. Box 193767
San Francisco, CA 94119-3767

- Grievances or complaints filed directly with the Secretary that were not previously filed with the Local Area and/or state will be remanded to the Local Area or state, as appropriate.
- The Secretary shall issue a final determination no later than 120 days after receiving the appeal.

REMEDIES

- Remedies that may be imposed for a violation of any requirement under WIOA Title I shall be limited to the following:
    - Suspension or termination of payments under WIOA Title I.
    - Prohibition of placement of a participant with an employer that has violated any requirement under WIOA Title I.
    - Reinstatement of an employee, where applicable, payment of lost wages and benefits, and reestablishment of other relevant terms, conditions, and privileges of employment.
    - Other equitable relief, where appropriate.
- None of the above shall be construed to prohibit a complainant from pursuing a remedy authorized under another federal, state, or local law for a violation of WIOA Title I.

DISCRIMINATION COMPLAINTS

RESOLUTION OF WIOA COMPLAINTS ALLEGING DISCRIMINATION ON THE BASIS OF RACE, COLOR, RELIGION, SEX (INCLUDING PREGNANCY, CHILDBIRTH AND RELATED MEDICAL CONDITIONS, SEX STEREOTYPING, TRANSGENDER STATUS, AND GENDER IDENTITY), NATIONAL ORIGIN (INCLUDING LIMITED ENGLISH PROFICIENCY), AGE, DISABILITY, POLITICAL AFFILIATION OR BELIEF, RETALIATION, PARTICIPATION IN A WIOA PROGRAM, AND CITIZENSHIP, WHERE APPROPRIATE.

The City of Los Angeles, Workforce Development Board (WDB) has assured the U.S. Department of Labor (DOL) and the State of California Employment Development Department (EDD) that no one enrolled in the City's WIOA program will be discriminated against because of race, color, religion, sex (including pregnancy, childbirth and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including Limited English Proficiency), age, disability, political affiliation or belief, retaliation, participation in a WIOA program, and citizenship, where appropriate. This means that:

- No benefits may be denied a WIOA participant because of race, color, religion, sex (including pregnancy, childbirth and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including Limited English Proficiency), age, disability, political affiliation or belief, retaliation, participation in a WIOA program, and citizenship, where appropriate while being registered, interviewed, counseled, tested, or while working, engaged in a work activity or attending class as part of the program;
- WIOA participants must be provided with the same opportunities to use all the facilities available in the program as any other participants;
- Fair employment practices shall be provided to all employees with regard to recruitment, selection, assignment, transfer, promotion, training, compensation, benefits and termination regardless of race, color, religion, sex (including pregnancy, childbirth and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including Limited English Proficiency), age, disability, political affiliation or belief, retaliation, participation in a WIOA program, and citizenship, where appropriate;
- In addition, sexual harassment is against the law. Acts of sexual harassment are grounds for a discrimination complaint based under Title VII of the Civil Rights Act of 1994;
- A discrimination complaint may be filed within 180 days of the alleged discrimination, either with the City of Los Angeles, Local Workforce Development Area (WDB) grant recipient, or with the Department of Labor, Civil Rights Center (CRC).

PROCEDURES FOR DISCRIMINATION COMPLAINTS FILED WITH THE CITY OF LOS ANGELES WDB

Any person who believes that he or she or any specific class of individuals has been, or is being, subjected to discrimination prohibited by the nondiscrimination and equal

opportunity provisions of the WIOA regulations may file a written complaint or a representative may file the complaint on his or her behalf. Complaints filed with the City WDB should be mailed directly to:

City of Los Angeles
Economic & Workforce Development Department
444 South Flower Street, 14th Floor
Los Angeles, CA 90071

Attn: Richard Cheng, EO Compliance Officer
TTY: 711
E-Mail: Richard.Cheng@LACity.Org

Complaints should be filed in writing and shall:

- Be signed and dated by the Complainant or his/her representative;
- Contain the Complainant's name, address, telephone or other means of contacting him/her;
- Identify the Respondent; and,
- Describe the Complainant's allegation in sufficient detail to allow the WDB EO staff to determine whether: (1) WDB or CRC has jurisdiction over the complaint; (2) the complaint was filed timely (i.e., within 180 days of the occurrence); and (3) the complaint has apparent merit, (i.e., whether the allegations, if true, would violate any of the nondiscrimination and equal opportunity provisions of the WIOA);
- Each Complainant and Respondent has the right to be represented by an attorney or other individual of his or her own choice;
- *Complaints may be submitted by facsimile but not by e-mail.*

The EO Compliance Officer will issue a written acknowledgement of receipt by the WDB of the complaint alleging discrimination by a WIOA Title I recipient. The notice will include the Complainant's right to representation in the complaint process. A copy of the complaint will be forwarded to the Equal Employment Opportunity Office, Employment Development Department.

Alternative Dispute Resolution (ADR)
The Complainant will be offered ADR immediately upon receipt of the discrimination complaint. *The choice of whether to use ADR rests with the Complainant*. The preferred form of ADR is mediation.
Mediation is a voluntary process during which a neutral third party assists both parties (Complainant and Respondent) in communicating their concerns and come to an agreement to resolve a dispute. The mediator does not make decisions, rule as to who is right or wrong, nor take sides or advocate for one side or the other. The role of the mediator is to help with communication so that the parties can reach an understanding about how to resolve their differences.

As the law allows, mediation proceedings and the information shared are confidential and no information divulged during this mediation may be used in court or any legal or administrative proceedings.

If the parties do not reach an agreement under ADR, the Complainant may file directly with the Civil Rights Center (CRC) as described below. A party to any agreement reached under ADR may file a complaint with the CRC in the event the agreement is breached. In such circumstances, the following rules apply:

- The non-breaching party may file a complaint with the CRC within 30 days of the date on which the non-breaching party learns of the alleged breach.
- The CRC will evaluate the circumstances to determine whether the agreement has been breached. If the CRC determines that the agreement has been breached the Complainant may file a complaint with the CRC based upon his or her original allegation(s), and the CRC will waive the time deadline for filing such a complaint.

CONCILIATION

If the Complainant elects not to participate in the ADR process, the EO Officer will investigate the circumstances underlying the complainant. At any point in the investigation of the complaint, the Complainant, the Respondent, or the EO Officer may request that the parties attempt conciliation. The EO Officer shall facilitate such conciliation efforts.

Conciliation is a process whereby the parties to a dispute agree to utilize the services of a conciliator, who then meets with the parties separately in an attempt to resolve their differences. Conciliation differs from mediation in that the goal is to conciliate, most of the time by seeking concessions.

If the conciliator is successful in negotiating and understanding between the parties, said understanding will be committed to writing and signed by the parties. The "agreement" then becomes a legally binding contract and falls under contract law.

The WDB has 90 days to issue a Notice of Final Action.

For complaints filed with the City WDB, an investigation of the complaint shall be conducted and a written report shall be prepared and sent to the Complainant and the Respondent, and an attempt to resolve the complaint informally shall take place within 30 days of the filing of the complaint.

- A notice of administrative hearing shall be issued within ten (10) days of the request for hearing. A notice of Final Determination shall be issued within 90 days of the filing of the complaint. The "Notice of Final Determination" shall include notification of the right to file a complaint with the Department of Labor, Civil Rights Center (CRC).
- If the Complainant is dissatisfied with the resolution of the complaint, they may file a complaint with CRC within 30 days of the date that the Complainant received notice of the WDB's proposed resolution. If the Complainant has not received

notice of resolution within 90 days of filing, the Complainant may file the complaint with the CRC.

- If the Complainant wishes to file a complaint with CRC, the Complainant must wait until the WDB issues a decision or until 90 days have passed since the filing of the original complaint with the WDB.

Discrimination Complaints filed with the Center of Civil Rights (CRC):
A complaint filed pursuant to this part must be filed within 180 days of the alleged discrimination. The CRC, for good cause shown, may extend the filing time. In order to receive an extension, the Complainant must be notified by the WDB that a waiver letter is to be filed with CRC. The waiver letter should include the reason the 180 day time period elapsed.
This time period for filing is for the administrative convenience of the CRC and does not create a defense for the Respondent. Complaints filed with the Civil Rights Center should be mailed directly to:

Director
Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue N.W., Room N-4123
Washington, D.C. 20210.

- Complaints should be filed, in writing, and shall:
  - Be signed by the Complainant or his or her representative;
  - Contain the Complainant's name, address, or other means of contacting him or her;
  - Identify the Respondent;
  - Describe the Complainant's allegation in sufficient detail to allow the CRC to determine whether: (1) the CRC or the WDB, has jurisdiction over the complaint; (2) the complaint was filed timely (i.e., within 180 days of the alleged occurrence); and, (3) the complaint has apparent merit, (i.e., whether the allegations, if true, would violate any of the nondiscrimination and equal opportunity provisions).
  - Both the Complainant and the Respondent have the right to be represented, at their own expense, by an attorney of other individual of their own choice.

Actions by CRC:

- The CRC determines acceptance of a complaint filed pursuant to Title 29 CFR Section 38.72. When CRC accepts a complaint for investigation it shall:
- Notify the WDB or sub grantee and the Complainant of the acceptance of the complaint for investigation; and,
- Advise the WDB or sub grantee and Complainant on the issues over which the CRC has accepted jurisdiction;
- The WDB, sub grantee, the Complainant, or a representative may contact the CRC for information regarding the complaint filed.

- When the complaint contains insufficient information, the CRC will seek the needed information from the Complainant. If the Complainant is unavailable after reasonable means have been used to locate him or her, or the information is not furnished within 15 days of the receipt of such request, the complaint file may be closed without prejudice upon notice sent to the Complainant's last known address.
- The CRC may issue a subpoena to the Complainant to appear and give testimony and/or produce documentary evidence, before a designated representative, relating to the complaint being investigated. Issuing a subpoena can be done anywhere in the United States, at any designated time or place.
- Where the CRC lacks jurisdiction over a complaint, the CRC shall:
    - Advise the Complainant, indicating why the complaint is not covered by the nondiscrimination and equal opportunity provisions outlined in WIOA or Title 29 CFR Part 38; and
    - Refer the Complainant to the appropriate federal, state, or local authority when possible.
- The CRC will contact the Complainant when a claim is not to be investigated and explain the basis for that determination.
    - The CRC will refer complaints governed by the Age Discrimination Act of 1975 to mediation as specified in Title 45 CFR Section 90.43(c)(3).
    - If the Complainant alleges more than one kind of complaint, "joint complaint," (e.g., individual employment discrimination, age discrimination, equal pay discrimination, etc.), the CRC shall refer such joint complaint to the Equal Employment Opportunity Commission (EEOC) for investigation and conciliation procedures for joint complaints at Title 29 CFR Part 1691. The CRC will advise the Complainant, the WDB, and the subgrantee of the referral.
    - At the conclusion of the investigation, the CRC shall issue an Initial Determination. The Initial Determination shall notify the Complainant and the WDB, or subgrantee, in writing of:
        - Specific findings of the investigation;
        - Proposed corrective or remedial action and the time by which the corrective or remedial action must be completed;
        - Whether it will be necessary for the WDB or subgrantee to enter into a written agreement and;
        - The opportunity to participate in voluntary compliance negotiations.
- Where no cause determination is made, the Complainant and the WDB or sub grantee shall be notified in writing. Such determination represents the final agency action of the Department.

Corrective Actions/Sanctions for Discrimination

Letter of Findings, Notice to Show Cause, or Initial Determination issued pursuant to Title 29 CFR Section 38.87; shall include the steps and the specific time period it will take the

WDB or subgrantee to achieve voluntary compliance. (See Section 38.90 for corrective action steps.) **Monetary corrective action may not be paid from federal funds.**
The "Final Determination" will be mailed to the Complainant and Respondent. The "Final Determination" will contain the information as described above, with the exception that the Complainant has the right to file a complaint with the Department of Labor Civil Rights Center (refer to Alternative Dispute Resolution section).

QUESTIONED/DISALLOWED COSTS COMPLAINTS

Initial Determination

The contractor will be notified in writing by letter of the Initial Determination based on the audit review by the Workforce Development Division (WDD), or Audit Section Financial Management Division (FMD), as appropriate. The Initial Determination letter will include:

- A list of all questioned costs;
- Whether the costs are allowed or disallowed, including the reasons with appropriate citations for such actions;
- Acceptance or rejection of any corrective action taken to date, including correction on administrative findings;
- Possible sanctions; and,
- The opportunity for an informal resolution of no more than 60 days from the date of the Initial Determination.

Informal Resolution

- The contractor will have ten (10) days in which to request an informal resolution of the audit issues. The request must be in writing to the EO Compliance Unit.
- During the informal resolution, the contractor may provide documentation to support allowability of costs and proposed action of administrative findings. Negotiations of repayments may be initiated at this time.

Final Determination

- The FMD will issue a Final Determination. The Final Determination will include:
    - Reference to the Initial Determination;
    - Summation of the informal resolution meeting, if held;
    - Decisions regarding the disallowed costs listing each disallowed cost and noting the reason for each disallowance;
    - Questioned costs that have been allowed by the WDB and the reason for the allowance;

  - Demand for payment of the disallowed costs;
  - Description of the debt collection process and other sanctions that may be imposed if payment is not received;
  - Rights to a hearing;
  - Status of each administrative finding.

- The contractor will have 21 days after the Final Determination is issued to submit a written request for hearing with the EO Compliance Unit, EWDD. *If there is no appeal request, the Department's Final Determination shall be submitted to the Mayor for consideration by the Economic Development Committee (EDC) of the City of Los Angeles City Council*.
- The contractor will receive written notice of the scheduled hearing at least ten (10) days before the hearing. The ten (10) day notice may be shortened with the written consent of both parties. The contractor may withdraw the hearing request; the withdrawal request must be submitted in writing.
- The hearing officer's report, which will be completed within 20 days after the conclusion of the hearing, and any other reports or documentation, will be submitted to the Mayor for transmittal to the EDC. The EO Compliance Unit, EWDD, will notify the contractor of the date of the EDC meeting and provide the contractor with a copy of the Department's report to the Mayor on the hearing officer's findings and recommendations.
- For appeal of costs over $500,000, the hearing officer's report, which will be completed within 20 days after the conclusion of the hearing and any other reports or documentation, will be submitted to the Mayor for transmittal to the EDC. EO Compliance Unit, EWDD will notify the contractor of the date of the EDC meeting and provide the contractor with a copy of the Department's report to the Mayor, on the hearing officer's findings and recommendations.
- The EDC will review the matter and may allow testimony by the parties in accordance with its rules and procedures.
- The recommendation of the EDC will be sent to the City Council and Mayor for final consideration. The contractor will be notified in writing of the final decision of the City Council and Mayor. The written notification will include the items listed in Section C and shall be given 60 days from the date of the receipt of the contractor's request for appeal.
- In the event costs in addition to those recommended for disallowance by EWDD are disallowed by the Mayor and Council, the opportunity for a hearing concerning the additional disallowed cost matter will be at the Mayor, and Council level.
- If the contractor does not appeal the final finding of the Workforce Development Board(WDB), the contractor shall agree to a repayment plan within 30 days of the final decision of the City Council, and Mayor, or program funds may be discontinued.

FRAUD & PROGRAM ABUSE COMPLAINTS

The reporting requirements for Fraud and Program Abuse require that "information and complaints involving criminal, fraud, waste, abuse or other criminal activities shall be reported through the Department's Incident Reporting System, directly and immediately to the Department of Labor, Office of Inspector General, with a copy provided simultaneously to the Employment Development Department." WIOA contractors are required, therefore, to establish internal management procedures which insure that the City of Los Angeles WDB is *notified immediately* of any discovery of possible fraud, program abuse, or criminal activities.

Types of fraud include, but are not limited to: embezzlement, forgery, theft, falsification of records and claims regarding trainees (e.g., knowingly enrolling ineligible participants); misapplication of funds (e.g., intentional service to ineligible participants, violation of contact procedures); gross mismanagement (e.g., un-auditable records, unsupported costs, inaccurate fiscal and/or program reports and payroll deductions not made to the Internal Revenue Service of the State of California Franchise Board).

The WDB is not permitted to release information concerning an ongoing investigation except with the consent of the investigation agency/authority. Notification of any such discovery should be made within **24 hours** to:

City of Los Angeles
Economic & Workforce Development Department
444 South Flower Street, 14th Floor
Los Angeles, CA 90071

Attn: Richard Cheng, EO Compliance Officer
TTY: 711
E-Mail: Richard.Cheng@LACity.Org

REFERENCES

- WIOA Section 181
- Title 20 CFR §683.600
- Title 29 CFR §38.35

Fiscal Management

Administrative Cost Limitation Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This Policy provides a definition and information related to administrative costs and limitations to their expenditure as set forth and defined in the Workforce Innovation and Opportunity Act (WIOA) 20 CFR Part 683.215. The City has implemented this policy and established a lower administrative costs cap for all its WIOA and other workforce-related programs.

BACKGROUND

The Workforce Innovation and Opportunity Act imposes an administrative cost limit of ten percent (10%) of the grant award. This limit is shared by the Economic and Workforce Development Department (EWDD), the Workforce Development Board, City Controller, City Attorney, Personnel Departments, WorkSource and YouthSource Centers, and other service providers.

Under WIOA 20 CFR Part 683.215, the costs of administration are those expenditures associated with the functions described in the following paragraph and which are not related to the direct provision of workforce investment services, including services to participants and employers. These costs can be both personnel and non-personnel and both direct and indirect.

Overall general administrative functions and coordination of those functions under title I of WIOA:

- Accounting, budgeting, financial and cash management;
- Procurement and purchasing;
- Property management;
- Personnel management;
- Payroll;
- Coordinating the resolutions of findings arising from audits, reviews, investigations and incident reports;
- Audit;

- General legal services;
- Developing systems and procedures, including information systems, required for these administrative functions; and
- Fiscal agent responsibilities;
- Oversight and monitoring responsibilities related to WIOA administrative functions;
- Costs of goods and services required for administrative functions of the program, including goods and services such as rental or purchase of equipment, utilities, office supplies, postage, and rental and maintenance of office space;
- Travel costs incurred for official business in carrying out these administrative activities; and
- Costs of the information systems related to administrative functions.

Additional Guidelines

- Awards that are solely for the performance of administrative functions are classified as administrative costs.
- Personnel and related non-personnel costs of staff who perform both administrative functions and programmatic services or activities must be allocated as administrative or program costs to the benefitting cost objectives/categories.
- Specific costs charged to an overhead or indirect cost pool that can be identified directly as a program cost are to be charged as program cost. Documentation of such charges must be maintained.
- Continuous improvement activities are charged as administrative or program based on the purpose or nature of the activity to be improved. Documentation of such charges must be maintained.
- Costs of the following information systems including the purchase, systems development, and operational costs are charged as program category:
    - Tracking or monitoring of participant and performance information;
    - Employment statistics information, including job listing information, job skills information, and demand occupation information;
    - Performance and program cost information on eligible training providers, youth activities, and appropriate education activities;
    - Local area performance information; and
    - Information relating to supportive services and unemployment insurance claims for program participants.

- Where possible, all entities must make efforts to streamline administrative services to reduce administrative costs by minimizing duplication and effectively using information technology to improve services.

As a policy, EWDD follows the WIOA regulations and guidelines for WIOA and all other workforce grants. However, other grantors generally impose a strict administrative budget and may have varying definitions for what may be considered an administrative function.

POLICY AND PROCEDURES

In order to stay within WIOA's administrative cost limitation, other grantors' administrative budget, and meet various program expenditure thresholds, EWDD imposed an administrative cost cap for all its service providers.

Therefore, service providers are required to track and report administrative costs, including the administrative component of indirect costs recovered using an approved indirect cost rate, incurred during the contract period. The total administrative costs must not exceed the administrative cap set forth in the City contract and/or approved budget, generally set at 4% of the total City award.

Any administrative costs in excess of the administrative cap and/or administrative costs reported as program costs will be disallowed or subject to repayment.

REFERENCES

- 20 CFR Part 683.215

Allowable Cost Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides guidance on general cost principles and allowable costs under the 2 CFR 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Federal Acquisition Regulation Part 31.2, and other applicable Federal, State, Los Angeles County, City of Los Angeles, and other private sources awards regulations.

POLICY AND PROCEDURES

In general, to be an allowable charge, a cost must meet the following criteria:

- Be necessary and reasonable for the proper and efficient program performance and administration of the grant;
- Be allocable to the grant. A grantee may charge costs to the grant if those costs are clearly identifiable.as benefitting the grant. In order to be allocable, a cost must be treated consistently with like costs and incurred specifically for the program being operated;
- Conform to any limitations or exclusions set forth in the award;
- Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the non-federal entity;
- Be accorded consistent treatment;
- Be determined in accordance with generally accepted accounting principles;
- Be adequately documented; and
- Not be used to meet cost sharing or matching requirements of any other federally financed program (without prior approval from the City).

The matrix below lists the various cost items referenced in Title 2 CFR Sections 200.420 through 200.475 (consideration for selected items of cost) and whether an item of cost is:

- A - Allowable,
- AP - Allowable with prior approval,
- AC - Allowable with condition,
- U - Unallowable, or
- NS - Not specified in the Uniform Guidance, the specific CFR sections, or in the comments section.

	Cost Item	Allowability	Uniform Guidance Section	Comments
1	Advertising and public relations	A/U	200.421	1) Unallowable if the costs are to promote other activities of the entity. 2) Costs for promotional items & memorabilia are unallowable.
2	Advisory councils	AC/U	200.422	Unallowable unless authorized by statue, the federal awarding agency or as an indirect cost.
3	Alcoholic beverages	U	200.423	
4	Alumni/ae activities	U	200.424	
5	Audit services	AC/U	200.425	Any cost of auditing a non-federal entity that is exempted (Federal expenditures less than $750,000) from having an audit conducted under the Single Audit Act is unallowable.
6	Bad debts	U	200.426	
7	Bonding costs	A	200.427	
8	Collection of improper payments	A	200.428	
9	Commencement and convocation costs	AC/U	200.429	Unallowable except as indirect costs.
10	Compensation – personal services	A/U	200.430	Incentive compensation is allowable if it is based on cost reduction, or efficient performance, suggestion awards, safety awards, etc., is determined to be reasonable and entered into in good faith between the non-federal entity and the employees before the services were rendered. Per City guidelines, bonuses are not allowable.
11	Compensation – fringe benefits	A /U	200.431	Allowable provided that the benefits are reasonable and are required by law, non-federal entity-employee agreement, or an established policy of the non-federal entity.
12	Conferences	A	200.432	Under DOL guidelines, food is allowable under this section

	Cost Item	Allowability	Uniform Guidance Section	Comments
13	Contingency provisions	AC/U	200.433	Allowable under strict conditions. Any type of "reserve" is unallowable.
14	Contributions and donations	U	200.434	
15	Defense and prosecution of criminal and civil proceedings, claims, appeals, and patent infringement	AC/U	200.435	Allowable if a specific term or condition of the federal award or a specific written direction of an authorized official of the federal awarding agency.
16	Depreciation	AC	200.436	Must be capitalized based on GAAP and no depreciation may be allowed on any assets that have outlived their depreciable lives. Use allowance method is no longer allowed. Where the depreciation method is introduced to replace the use allowance method, it must be computed as if the asset had been depreciated over its entire life. Also, the acquisition costs must be reduced by any portion of the cost of buildings and equipment borne by or donated by the Federal Government.
17	Employee health and welfare costs	A	200.437	Must be included in the organization's written policy.
18	Entertainment costs	U/AP	200.438	Allowable where specific costs that might otherwise be considered entertainment have a programmatic purpose and are authorized either in the approved budget for the federal award or with prior written approval of the Federal awarding agency.
19	Equipment and other capital expenditures	AP/U	200.439	Allowable with prior written approval of the federal awarding agency or pass-through entity.
20	Exchange rates	AP	200.440	
21	Fines, penalties, damages and other settlements	U/AP	200.441	Unallowable except when incurred as a result for compliance with specific provisions of the federal award.

	Cost Item	Allowability	Uniform Guidance Section	Comments
22	Food Cost	U	City Policy	Cost of food for any purpose cannot be charged to the grant. However, see Conferences 200.432.
23	Fundraising and investment management costs	U/AP/A	200.442	Allowable if fund raising costs are for the purposes of meeting the Federal program objectives with prior written approval from the Federal awarding agency.
24	Gains and losses on disposition of depreciable assets	AC	200.443	Must be included in the year in which they occur as credits or charges to the assets.
25	General cost of government	U	200.444	
26	Goods or services for personal use	U/AP	200.445	1) Unallowable regardless of whether the cost is reported as taxable income to the employees. 2) Costs of housing, housing allowances and personal living expenses are only allowable as direct costs and must be approved in advance by the federal awarding agency.
27	Idle facilities and idle capacity	AC/U	200.446	Idle Facilities: Unallowable except to the extent that: 1) They are necessary to meet fluctuation in workload requirements; 2) Although not necessary to meet fluctuations in workload, they were necessary when acquired and are now idle because of unforeseen causes; 3) Allowable for a reasonable period, ordinarily not to exceed one year, depending on the initiative taken to use, lease, or dispose of such facilities. Idle Capacity: Allowable if reasonably anticipated to be necessary to carry out the purpose of the Federal award or was originally reasonable and is not subject to reduction or elimination by use on other Federal awards.
28	Insurance and	AC/U	200.447	Allowable:

	Cost Item	Allowability	Uniform Guidance Section	Comments
	indemnification			a) Costs of insurance required or approved and maintained, pursuant to the federal award; b) Actual losses incurred under nominal deductible insurance coverage if in keeping with sound management practice; c) Minor losses not covered by insurance which occur in the ordinary course of operations. Allowable but subject to limitations: a) a) Costs of insurance in connection with the general conduct of activities; b) b) Contributions to a reserve for certain self-insurance programs including workers' compensation, unemployment compensation, and severance pay. c) Unallowable: d) Actual losses which could have been covered by permissible insurance.
29	Intellectual property	A/U	200.448	Costs of patents, copyrights and royalties are allowable if required by the Federal Government and by the federal award.
30	Interest	AC/U	200.449	1) Interest on borrowed capital, temporary use of endowment funds, or the use of the non-Federal entity's own funds, however represented, are unallowable. 2) Financing costs (including interest) to acquire, construct, or replace capital assets are allowable but subject to specific conditions.
31	Lobbying	U	200.450	
32	Losses on other awards or contracts	U	200.451	
33	Maintenance and repair costs	A	200.452	Allowable if necessary to keep property in an efficient operational condition and: a) Does not add to the permanent value of the property; and/or b) Does not prolong the property's intended life.

	Cost Item	Allowability	Uniform Guidance Section	Comments
34	Material and supplies costs, including costs of computing devices	A	200.453	City requires prior approval for computers and other electronic equipment
35	Memberships, subscriptions, and professional activity costs	A/U	200.454	Allowable: a) Costs of the non-federal entity's membership in business, technical, and professional organizations. b) Costs of the non-federal entity's subscriptions to business, professional, and technical periodicals. c) Costs of membership in any civic or community organization are allowable with prior approval by the federal awarding agency or pass-through entity. Unallowable: a) Costs of membership in any country club or social or dining club or organization. b) Costs of membership in organizations whose primary purpose is lobbying.
36	Organization costs	U/AP	200.455	Unallowable except with prior approval of the federal awarding agency.
37	Participant support costs	AP	200.456	Allowable with prior approval of the federal awarding agency. Participant support costs as defined in the annual plan are allowable.
38	Plant and security costs	A	200.457	
39	Pre-award costs	AP	200.458	Allowable if: a) Incurred directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work. b) They would have been allowable if incurred after the effective date; and c) Only with the written approval of the Federal awarding agency. Not allowable per City guidelines
40	Professional services costs	A	200.459	To determine allowability, consider the following factors;

	Cost Item	Allowability	Uniform Guidance Section	Comments
				(1) The nature and scope of the service rendered in relation to the service required. 2) The necessity considering the non-Federal entity's capability in the particular area. (3) The past pattern of such costs, particularly in the years prior to federal awards. (4) The impact of federal awards on the non-federal entity's business. (5) Whether the proportion of Federal work to the non-federal entity's total business is such as to influence the non-federal entity in favor of incurring the cost. (6) Whether the service can be performed more economically by direct employment rather than contracting. (7) The qualifications of the individual or concern rendering the service and the customary fees charged, especially on non-federally funded activities. (8) Adequacy of the contractual agreement for the service. Retainer fees must be supported by evidence of bona fide services available or rendered. All professional services costs (including but not limited to single audit, audit and related services, and accounting) must be procured and have prior written approval from the City's program monitor.
41	Proposal costs	A	200.460	Costs of preparing bids, proposals, or applications on potential Federal and non-Federal awards or projects, including the development of data necessary to support the non-federal entity's bids or proposals. Should be treated as indirect costs and allocated currently to all activities of the non-federal entity.
42	Publication and printing costs	A	200.461	

	Cost Item	Allowability	Uniform Guidance Section	Comments
43	Rearrangement and reconversion costs	A/AP	200.462	(a) Costs incurred for ordinary and normal rearrangement and alteration of facilities are allowable as indirect costs. (b) Costs incurred specifically for a Federal award are allowable as a direct cost with the prior approval of the federal awarding agency or pass-through entity.
44	Recruiting costs	A/U	200.463	Allowable to the extent that such costs are incurred pursuant to the non-federal entity's standard recruitment program and with prior approval from the City's program monitor. Unallowable: a) Salaries, fringe benefits and allowances incurred to attract professional personnel that do not meet the test of reasonableness and/or do not conform to the non-federal entity's established hiring practices. b) Relocation costs incurred incident to recruitment of a new employee have been funded in whole or in part to a federal award, and the newly hired employee resigns for reasons within the employee's control within 12 months after hire.
45	Relocations costs of employees	AC/U	200.464	Allowable with prior approval from the City's program monitor and: 1) The move is for the benefit of the employer. (2) Reimbursement to the employee is in accordance with an established written policy consistently followed by the employer. (3) The reimbursement does not exceed the employee's actual (or reasonably estimated) expenses. Limitations do exist.
46	Rental costs of real property and equipment	AC/U	200.465	Allowable to the extent that the rates are reasonable: a) Rental arrangements should be reviewed periodically to determine if circumstances have changed and other options are available; b) Rental costs under "sale and lease back" arrangements are allowable only up to the

	Cost Item	Allowability	Uniform Guidance Section	Comments
				amount that would be allowed had the non-federal entity continued to own the property. Unallowable: Rental of any property owned by any individuals or entities affiliated with the non-federal entity, to include commercial or residential real estate, for purposes such as the home office workspace.
47	Scholarships and student aid costs	AC	200.466	1) Costs of scholarships, fellowships, and other programs of student aid at IHEs are allowable only when: a) The purpose of the federal award is to provide training to selected participants; and b) Approved by the federal awarding agency. 2) Tuition remission and other forms of compensation paid as, or in lieu of, wages to students performing necessary work are allowable provided that: a) The individual is conducting activities necessary to the Federal award; b) Provided in accordance with established policy of the IHE; and consistently provided in a like manner to students in return for similar activities conducted under Federal awards as well as other activities; and c) Payments are reasonable compensation for the work performed and are conditioned explicitly upon the performance of necessary work. d) It is the IHE's practice to similarly compensate students under federal awards as well as other activities.
48	Selling and marketing	U/AP	200.467	Costs of selling and marketing any products or services of the non-Federal entity are unallowable, except: a) As direct costs, with prior approval by the federal awarding agency; and b) When necessary for the performance of the federal award.
49	Specialized service facilities	AC	200.468	Costs of services provided by highly complex or specialized facilities operated by the non-federal entity, such as computing facilities,

	Cost Item	Allowability	Uniform Guidance Section	Comments
				wind tunnels, and reactors are allowable with conditions.
50	Student activity costs	U/AP	200.469	Costs incurred for intramural activities, student publications, student clubs, and other student activities, are unallowable, unless specifically provided for in the federal award. DOL exception: Unallowable unless the activities meet a program requirement and have prior written approval from the federal awarding agency.
51	Taxes	AC	200.470	Taxes that a governmental unit is legally required to pay are allowable.
52	Termination costs	AC/U	200.471	Reasonable costs that would not have arisen had the Federal award not been terminated.
53	Training and education costs	A	200.472	The cost of training and education provided for employee development are allowable.
54	Transportation costs	A	200.473	
55	Travel costs	AC	200.474	Allowable with the prior written approval of the Federal awarding agency or pass-through entity when they are specifically related to the Federal award.
56	Trustees	A	200.475	Travel and subsistence costs of trustees are allowable.

Subrecipients may use the matrix above as an initial tool, rather than as a final authority for making a determination of whether or not a cost would be considered allowable. When determining whether the cost of an item is allowable, subrecipients must also refer to the applicable sections of the Uniform Guidance, and other federal, state, and local grant regulations and City contracts.

If a cost item is denoted with two or more legend keys, subrecipients should look further into the various information sources as they may provide the additional clarity that is needed. The “NS” legend key means that information may not be readily available. The “AP” legend key means that prior written approval will be required from the City.

Prior Written Approval

The Uniform Guidance lists the following cost items that are allowable only with prior written approval.

Circumstance	Section
Use of grant agreements (including fixed amount awards), cooperative agreements, and contracts	§200.201, paragraph (b)(5)
Cost sharing or matching	§200.306
Use of program income including interests earned	§200.307 City contract section 404
Revision of budget and program plans	§200.308
Real property	§200.311
Equipment	§200.313
Fixed amount sub awards	§200.332
Direct costs	§200.413, paragraph (c)
Compensation – personal services	§200.430, paragraph (h)
Compensation – fringe benefits	§200.431
Entertainment costs	§200.438 For non-DOL programs, unallowable for DOL programs
Equipment and other capital expenditures	§200.439
Exchange rates	§200.440
Fines, penalties, damages and other settlements	§200.441
Fund raising and investment management costs	§200.442
Goods or services for personal use	§200.445
Insurance and indemnification	§200.447
Memberships, subscriptions, and professional activity costs	§200.454, paragraph (c)
Organization costs	§200.455
Participant support costs	§200.456
Pre-award costs	§200.458
Rearrangement and reconversion costs	§200.462
Selling and marketing costs	§200.467
Taxes (including Value Added Tax)	§200.470
Travel costs	§200.474

Subrecipients should thoroughly review the Uniform Guidance sections referenced above, all applicable Federal, State, City and Local guidelines to determine when prior written approval must be obtained from the City's program monitor and assess if their specific circumstance(s) require prior approval from the City. Please note that inclusion of item(s) in the budget when awarded **does not** constitute prior approval. Subrecipients must still follow all applicable policies and procedures outlined in this directive.

Property procurements with a unit acquisition cost of $5,000 or more must have prior written approval. A non-property related purchase or circumstance that fits into one of the above referenced categories may still require prior written approval, regardless of the dollar amount.

Prior Written Approval Procedures

Subrecipients must complete and submit the City's Prior Written Approval Request Form (Attachment 2) to their assigned program monitor along with all necessary supporting documentation, to their assigned Program Monitor no less than 30 days before the requested action is to occur.

The EWDD will consider the following factors in its review of the requests:

- Is this purchase necessary and reasonable?
- Have the best products been selected?
- What other costs are associated with the purchase?
- If applicable, what procurement method will be used?
- If applicable, was a lease option considered in lieu of the purchase?

REFERENCES

- Title 2 Code of Federal Regulations (CFR) Parts 200 and 300, 2400, 2800, 2900,
- WIOA (Public Law 113-128) Sections 184(a)(3), 134(4)-(d), and 129;
- Federal Acquisition Regulation Part 31.2 Contracts with Commercial Organizations;
- US DOL One-Stop Comprehensive Financial Management Technical Assistance Guide (TAG), Part II Chapters 11-13, Cost Principles; Chapter 11-14 Allowable Costs;
- Workforce Services Directive (WSD) 16-16: Allowable Costs and Prior Written Approval (February 21, 2017).
- Los Angeles County Directive Number CD-15-14, Cost Principles and Allowable Costs, August 25, 2015
- City of Los Angeles Contract, Section 403, Allowable and Unallowable Costs
- Training and Employment Guidance Letter (TEGL) 03-23: Allowable Uses of Funds for Outreach Activities for Federal Formula and Competitive Grant Awards (September 6, 2023)

Budget Submission Guidelines

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides guidance and requirements for the preparation and submission of contractor budgets.

BACKGROUND

A budget is an expenditure plan created to forecast any anticipated transactions. It identifies planned expenditures and provides estimated costs for those expenditures. The purpose of the budget is to ensure an organization's success by providing a framework within which management develops and implements financial plans necessary to achieve both long-term and short-term contract goals.
Financial control is achieved by carefully monitoring the budget in comparison to actual expenditures during the term of the contract. The financial control enables fiscal managers to assess whether the organization is operating within planned parameters.

PROCEDURES

The Workforce Innovation and Opportunity Act (WIOA) Formula, LA RISE and County of Los Angeles Youth@work programs each have various funding streams; therefore, a budget must be prepared for each funding stream. However, a single budget may be all that is required for some of the special programs, which may be either Discretionary Grant funds or possibly even private funds.

There are basic guidelines applied to the Formula programs that require compliance by its recipients. The requirements are as follows:

- A four percent Administrative cap on all three streams
- With the advent of Senate Bill (SB) 734, there is a mandated training set-aside except for the Youth.
- Additional guidelines may be stipulated by EWDD depending on the program.
- State of California required a minimum percentage of Formula Adult and Dislocated Worker, not including Youth, funds be spent on training services. A portion of this amount may be met by using leveraged resources (no more than ten percent) This amount must be reported to the State each year.

The program analyst is instrumental in calculating what the WorkSource Centers must set-aside from their budget, including what they can leverage, in order for EWDD to meet this requirement. The program analyst verifies this calculation as a percentage of the budget.

SUBMISSION PROCEDURES

Initial Submission

The initial budget for the Program Year (PY), which traditionally runs from July 1 to June 30, should be submitted to an assigned Program/Budget Analyst for review no later than **July 31** to ensure that the agency has an approved budget in place by **August 31**. As mentioned in the Overview, an agency may be paid for the first month of the PY as long as their contract has been executed. However, expenses incurred after August 31, cannot be reimbursed without an approved budget.

Contractors are required to use current budget templates provided by the program analyst. Any budgets submitted using old templates will not be reviewed. In addition to the five budget forms, support documentation for the budgeted items will need to be submitted to the program analyst. This includes but is not limited to; facility and equipment leases, salary ranges, position descriptions, organizational chart, personnel handbook(s), telephone, insurance, utility bills, and maintenance or janitorial service statements. Bonus and Incentive payments are not allowable under the City's WIOA grant program.
The Spending Plan should be used to implement a realistic future cash needs and should not reflect the funding allocation divided by twelve months or longer, depending on the term of the contract. When utilized appropriately, the spending plan can serve as a safeguard against prematurely exhausting the funding allocation prior to the end of the contract term.

While some of the expenditures such as cost of the lease are usually fixed and can be allocated equally over the contract term, there are other costs that should either be paid upfront or may vary at specific period(s) during the program term. Other costs are estimated by reviewing the history of actual expenditures by line item in past years, and considering fluctuations in program activity levels, implementation of new initiatives, along with various other anticipated operational and funding changes such as reduced or increased funding, new policies and procedures, application of Workforce Development Board (WDB) priorities and staff changes.

If furniture and equipment purchases are being requested, bids and technical specifications need to be submitted to the program analyst for approval prior to purchase. Should the cost of the furniture or equipment purchase exceed $4,999 in single unit cost, approval from the State of California Employment Development Department (EDD) must be obtained **prior to purchase.** EWDD will make this request on behalf of the Contractor. If subcontractors are listed in the budget, then procurement documents and the signed subcontracts themselves must also be submitted for review and approval. The Procurement Policy in the appropriate PY Annual Plan for the City of Los Angeles Workforce Development Board must be adhered to. Should an agency request a Return on Investment (ROI), the procedures outlined in WDS Directive No. 12-13 (issued on February 14, 2012) must be followed.

Contractors may be paid for the first month of their contract without an approved budget in place as long as they have an executed contract. In order to be paid for the remaining term, a complete budget must be submitted by July 31 and be reviewed and approved by the EWDD staff on or before August 31. A complete budget is made up of five sections. They are the Summary, Detail, Schedule of Personnel, Spending Plan, and Narrative.

Revisions

A budget may be revised within the PY with the consent of the program analyst. To process a budget modification, the agency should provide the program analyst with the request and the reason for the changes. Revisions should be kept to a minimum, and the Contractor should consider the complexity of the intended modification and allow ample time for analysis and approval. Supplemental documentation should also be provided if required.

Final Submission

The final budget modification of the PY should be submitted to the program analyst no later than the third quarter of the contract term, which is on **March 31**. This allows ample time for the agency to project expenditures through the end of the contract term, and for the Workforce Development Division to provide the Financial Management Division (FMD) an approved budget with which to process invoices. Modifications may only be submitted after that deadline due to unforeseeable circumstances, and at the discretion of EWDD management.

REVIEW PROCESS

All budgets should be submitted electronically. Once the budgets are submitted the program analyst will review the documentation for completeness to ensure that all five budget forms have been submitted. A thorough analysis begins at this point to validate the mathematical calculations. Each budget must reflect the specific funding amount and term of the contract. The budget forms are in Excel format and are linked to each other. The narrative section of the budget form is used as supporting documentation to validate the dollar figures presented and to describe the specific line items. Agencies are encouraged to provide as much information as possible in the narrative. If the program analyst is unclear about what a line item represents, or how a calculation was derived, they may need to contact the agency via e-mail or phone, which could cause potential delays in the approval of the budget.

Traditionally, the Schedule of Personnel is the highest percentage of the budget, so an in-depth review of that form occurs. The position descriptions, organizational chart, and salary range are matched against the Schedule to ensure accuracy. All positions listed in the Schedule must have names attached to them. Any positions without names will be made exceptions until filled.

The Schedule is completed by:

- Employee's monthly salary X the percentage of time they worked on the program X the number of months they will work on the program.
- This equates to the Total City Share.
- The calculated salaries must be broken down into Program and/or Admin based on the appropriate function of the position.
- The Subtotal:
- Salaries of all employees are then multiplied by the Fringe Benefits Rate to determine the Subtotal
- Fringe Benefits. When added together, this provides the Total Personnel Costs.
- FICA, comprised of Medicare and Social Security, is set at **7.65%**. The program analyst may request proof of any of the Fringe Benefits percentages.

The program analyst also verifies the calculations of the anticipated expenditures reported in the Spending Plan Worksheet, Budget Summary, and the Budget Detail. The program analyst will review each line item on the Detail page to verify that the item indicated is allowable under grant regulations and that there is a need for the requested amount. Any items that cannot be verified at the time of initial review will be made temporary exceptions and noted as such.

If there are issues with the budget or the letter itself, the budget coordinator will meet with the analyst for clarification or return the budget package to the program analyst for correction. The entire budget process is tracked from analyst review to distribution in the Coordinator Budget Tracking Report system for YouthSource, WorkSource, and Special Project contracts.

APPROVAL/DISTRIBUTION PROCESS

Once the review is complete, the program analyst will prepare a budget approval letter addressed to the Executive Director of the agency and submit the complete budget package on behalf of the contractor for the budget coordinator to review. After the approval of the budget package by the budget coordinator, the Workforce Development Director will provide final approval. An electronic copy of the approved budget will be emailed to the agencies Executive Director.

Cash Advance Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides the requirements to receive cash advances from the Economic and Workforce Development Department (EWDD).

BACKGROUND
The Uniform Guidance 2 CFR 200.305, Subpart D, states that payment methods must minimize the time elapsing between the transfer of funds and the disbursement of funds. In order to be allowed to receive cash advances, a subrecipient must be able to demonstrate that it meets the financial management system standards as set forth in the Uniform Guidance.

POLICY AND PROCEDURES

Requirements
A subrecipient receiving awards from the City will not automatically be allowed to receive cash advances. To receive cash advances, a subrecipient must submit a written request to EWDD's Financial Management Division (FMD) and meet the following conditions:

- Satisfactory cash management review by FMD,
- Satisfactory risk assessment by EWDD-FMD, and
- Submission of a Special Bank Account Agreement signed by the subrecipient and the bank where cash advances will be deposited.

A separate depository account for cash advances is not required. However, the subrecipient must be able to account for the receipt, obligation, and expenditure of funds.

Cash advances must be deposited and maintained in insured and interest-bearing bank accounts. Interest earned on cash advances is considered must be reported on the monthly Expenditure Report and returned to the City quarterly and with the final closeout report.

Cash Advance Payments
Subrecipients who have been approved for cash advance payments may request for an initial cash advance payment to cover the **first month** of the contract period. Subsequent cash advance requests will only be allowed with an approved budget.
A request for cash advance is limited to cover the subrecipient's anticipated cash needs of not more than **one month** and may be submitted to FMD on the **20th day** of each month.

Cash advances may be disallowed, withheld or reduced under the following conditions:

- Cash advance request is not in accordance with the approved Spending Plan and no explanation or justification was provided for the discrepancy;
- Delinquent submission of required financial reports --- i.e., Expenditure Reports (ER) and supporting schedules and/or supporting documentation (requested by FMD Auditor), attachments, General Ledger (GL), GL and ER reconciliation report, etc.;
- Subrecipient has fiscal monitoring review and/or audit findings related to cash management controls;
- Delinquent Single Audit report;
- Expired insurance coverage;
- Grant only allows cost reimbursements (e.g., LA County grants, Gang Injunction Curfew Settlement, Prison to Employment Initiative – P2E);
- A "specific condition" was imposed as a result of serious and/or repeated fiscal review and/or audit findings;
- Outstanding refund due to disallowed costs;
- High risk assessment during EWDD's risk assessment process; and/or
- Other special conditions.

If the subrecipient is determined to be in violation of requirements, EWDD may rescind the cash advance approval and place the subrecipient on cost reimbursement method of payment.

REFERENCES

- WIOA (Public Law 113-128)
- Office of Management and Budget (OMB), Title 2 Code of Federal Regulations (CFR) Part 200: "Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Awards" (Uniform Guidance)
- Office of Management and Budget (OMB), Title 2 Code of Federal Regulations (CFR) Part 200.305 "Payment" (Uniform Guidance)
- Office of Management and Budget (OMB), 2 CFR 200.302, Financial Management
- Office of Management and Budget (OMB), 2 CFR 200.303, Internal Controls.
- City Contract, Section 801, Defaults
- City Contract, Section 404 (B), Program Income
- See Uniform Guidance 2 CFR 200.208 - Specific Conditions and 200.339 – Remedies for Non-Compliance.

Disallowed Cost Resolution and Repayment Policy and Procedures

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy and procedures provides guidelines and establishes procedures for the resolution and repayment of disallowed costs determined as a result of audits, fiscal and program monitoring reviews, and/or special investigations conducted by Federal, State or local agencies, City of Los Angeles monitors and auditors, and other independent auditors conducting a Single Audit.

Disallowed costs, as defined in 2 CFR 200.1, are those charges to a Federal award that are found to be unallowable or unauthorized, in accordance with the applicable Federal statutes, regulations, or the terms and conditions of the federal award. As a policy, the City of Los Angeles follows this same definition for all federal and non-federal grants passing through the City and for all City-funded programs.

POLICY AND PROCEDURES

RESOLUTION OF DISALLOWED COSTS

Initial Determination
The subrecipient is responsible for addressing all findings and questioned costs identified in an audit, EWDD fiscal or program review reports, and/or other special investigations. If the subrecipient fails to provide the necessary support or fails to address the findings, then EWDD will issue a Final Resolution/Initial Determination letter. The Initial Determination letter will include:

- A list of all questioned costs;
- Determination as to whether the costs are allowed or disallowed, including the reason(s) with appropriate citations for such actions;
- Acceptance or rejection of any corrective action taken to date, including correction on administrative findings;
- Possible “specific conditions” or sanctions imposed (e.g., withholding of future payments, requiring additional reports and/or supporting documentation, etc.); and
- The opportunity for an informal resolution of no more than sixty (60) days from the date of the Initial Determination.

Informal Resolution
Following the issuance of the Initial Determination, the subrecipient will have ten (10) days to request an informal resolution of the findings. The written request must be sent to the EWDD's EO Compliance Unit as follows:

City of Los Angeles
Economic and Workforce Development Department (EWDD)
Attn: Richard Cheng
EO Compliance Unit
444 South Flower Street, 14th Floor
Los Angeles, CA 90071
Email Address: Richard.Cheng@lacity.org

During the informal resolution, the subrecipient may provide documentation to support allowability of costs and proposed action on administrative findings. Negotiations of repayments may be initiated at this time.

Final Determination
EWDD will issue a Final Determination, which will include the following:

- Reference to the Initial Determination;
- Summation of the informal resolution meeting, if held;
- Decisions regarding the disallowed costs listing each disallowed cost and noting the reason(s) for each disallowance;
- Questioned costs that have been resolved and the reason(s) for the resolution;
- Demand for repayment of the disallowed costs;
- Description of the debt collection process and other sanctions that may be imposed if payment is not received;
- Rights to a hearing; and
- Status of each administrative finding.

Administrative Hearing
The subrecipient will have twenty-one (21) days after the Final Determination is issued to submit a written request for hearing with the EO Compliance Unit, EWDD**. If there is no timely appeal request, the Final Determination shall constitute as the City's final action. The subrecipient shall pay the questioned and /or disallowed costs as set forth herein and implement the corrective action(s) on each administrative finding.**
If there is an appeal, the subrecipient will receive written notice of the scheduled hearing at least ten (10) days before the hearing. The 10-day notice may be shortened with the written

consent of both parties. The subrecipient may withdraw the hearing by submitting a written request.

The hearing officer's report, which should be completed within twenty (20) days after the conclusion of the hearing, and any other reports or documentation, will be submitted to the Mayor for transmittal to the Economic Development Committee (EDC). The EO Compliance Unit, EWDD, will notify the subrecipient of the date of the EDC meeting and provide the subrecipient with a copy of the Department's report to the Mayor on the hearing officer's findings and recommendations.

Note: Any hearing and issuance of the Final Determination are the final level for appeal of disallowed costs of up to $500,000.

The EDC will review the matter and may allow testimony by the parties in accordance with its rules and procedures.

The recommendation of the EDC will be sent to the City Council and the Mayor for final consideration. The subrecipient will be notified in writing of the final decision of the City Council and Mayor. The written notification will include a summation of the issues identified and determinations and shall be given 60 days from the date of the receipt of the subrecipient's request for appeal.

If the subrecipient does not appeal the final finding, the subrecipient shall agree to a repayment plan within thirty (30) days of the final decision of the City Council and Mayor.

PAYMENT OF DISALLOWED COST

If the subrecipient agrees with the findings and the related questioned costs or if the disallowed costs have been determined and finalized under the City and applicable grant's resolution procedures, the subrecipient shall:

1. Pay the questioned and /or disallowed costs by issuing a check payable to the City of Los Angeles – EWDD;
2. Request for a repayment plan by submitting a written request to the General Manager of EWDD and comply with the approved repayment plan; and/or
3. Request to use stand-in costs in accordance with the conditions set forth by the City.

Upon notice to the subrecipient, the EWDD may withhold questioned or disallowed costs from amounts due to the subrecipient pending resolution or payment of questioned or disallowed costs.

INQUIRIES

If you require further information regarding this policy, please contact your EWDD Program Monitor or the Financial Management Division at (213) 744-9000.

REFERENCES

- Title 20 Code of Federal Regulations (CFR) 683.420-What procedures apply to the resolution of findings arising from audits, investigations, monitoring, and oversight reviews?
- Title 2 Code of Federal Regulations (CFR) 200.207, Specific Conditions
- 68 Controller General 247, B2088712, February 9. 1989, Procurement Payment/-Costs-Substitution
- U.S. Department of Labor One-Stop Comprehensive Financial Management Technical Assistance Guide Part II, Chapter 11-12, Audit and Audit Resolution pages12- 11--6 to 17.
- https://www.doleta.gov/grants/pdf/TAG_PartII_July2011.pdf
- Employment Development Directive WIADO05-17, May 25, 2006, Audit Resolution
- City of Los Angeles Workforce Innovation and Opportunity Act (WIOA) Complaint Resolution Procedures (rev. Oct. 2017)
- Workforce Development System (WDS) Directive No. 20-10, December 4,2019, Transmittal of Updated Summary of the City of Los Angeles Local Workforce Development Area (LWDA) Complaint Resolution Procedures and Signature Receipt
- EDD Workforce Services Directives (WSD) 22-06: Audit Resolution (November 14, 2022)
- EDD Workforce Services Directives (WSD) 22-07: Debt Collection (November 14, 2022)

Financial Reporting Procedure

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides the financial reporting requirements for all subrecipients of the Economic and Workforce Development Department (EWDD).

BACKGROUND

EWDD's Financial Management Division (FMD) is responsible for submitting required financial reports to grantors and City officials. Grant reporting requirements and submission deadlines vary based on each grantor's reporting requirements and any obligation and expenditure restrictions that may be in place. EWDD's financial reporting instructions for subrecipients are in place in order to allow FMD to manage the cash needed for continued operations, meet grantors' financial reporting requirements, and obtain critical financial information for the department's oversight and monitoring responsibilities over grant funds.

POLICY AND PROCEDURES

The Uniform Guidance 2 CFR 200 and the City Contract require that expenditures reported be accounted for in the grantee's financial systems and accounting records and supported with adequate documentation.

1) **Monthly Reports**
   EWDD's subrecipients must submit the following reports, commonly known as the "invoice", on a monthly basis:

   a) **Cash Request**
   The Cash Request is used to request for cash as advance or cost reimbursement for expenditures incurred.

   b) **Expenditure Report**
   The Expenditure Report is used to report the following:

      1) Actual cumulative expenditures incurred as of the reporting period, including accruals, by approved budget line item,

2) Expenditure breakdown, if required – e.g., administrative and program costs, micro enterprise and technical assistance, work experience, etc.,

3) Program income earned and expended by budget line item,

4) Non-federal match, if required, and

5) Total cash received, total disbursements made, and cash balance as of reporting period.

Since grantors may impose varying and/or additional financial reporting requirements, subrecipients should verify with FMD if a special Expenditure Report must be prepared for a specific grant that is different from the standard form attached to this policy, prior to incurrence of expenditures. This ensures that a subrecipient's financial system and reporting methodology is prepared to track financial information for reporting purposes.

c) Attachment to the Expenditure Report

The Attachment to the Expenditure Report is used if additional financial information not included in the Expenditure Report is required. As with the Expenditure Report, subrecipients should verify with FMD if this report is required for reporting purposes.

d) Schedule of Personnel Costs

The Schedule of Personnel Costs is used to report employee salaries and fringe benefits charged to each City contract. This report should reflect actual direct or allocated hours worked by each employee, program income earned and expended for personnel costs, and non-federal matching share, if required.

e) **Schedule of Leveraged Resources,** if required.

Due Dates

Subrecipients who have been approved to receive cash advances may submit the Cash Request ten (10) days prior to the month the advance is for.

Subrecipients on cost reimbursement basis must submit the Cash Request together with the Expenditure Report and all required supporting schedules listed above on or before the applicable dates below following the reporting period:

LA County Grants	5th day of each month
Prison to Employment Initiative	10th day of each month
All Other Grants	15th day of each month

If the deadline falls on a weekend or a holiday, the reports are due on the preceding business day of that weekend or holiday.

If necessary, earlier or later deadlines may be established as a result of a grantor's reporting deadlines, audit findings, and/or other special conditions.

For final closeout reports, FMD will issue a closeout directive with detailed instructions prior to the end of the fiscal year or grant's program year. If a subrecipient fails to submit a final closeout report, FMD will unilaterally close a contract based on the most recent Expenditure Report submitted.

Delinquent reporting may impede payment of invoices and will have a negative impact on a subrecipient's Annual Performance Evaluation.

II. Quarterly Reports

For the quarters ending September 30, December 31, March 31, and June 30, the following must also be submitted with the Expenditure Report:

- General Ledger,
- Reconciliation of General Ledger and Expenditure Report,
- Payroll register,
- Individual Training Account (ITA)/On-the-Job Training (OJT) agreement, and payments to ITA/OJT providers,
- Support services payments, and
- Bank and cash reconciliation

<u>Due Dates</u>

These are due by the end of the month following each quarter (i.e., October 31st, January 31st, April 30th, and July 31st.).

III. Other Reporting Requirements

As part of the City's fiscal monitoring review process, FMD may request for additional reports and/or documentation. Below are examples:

- Time sheets to support payroll registers,

- Payroll registers,
- Cost/Time allocation schedules,
- Supporting documentation for any selected samples, and/or
- Other accounting records.

Additionally, FMD may impose specific conditions on high risk subrecipients and/or subrecipient with recurring and/or serious findings resulting from FMD's fiscal monitoring reviews, the subrecipient's Single Audit and/or special investigations. Depending on the reason for the specific condition, FMD may withhold payment, require additional reporting and/or documentation requirements, impose additional expenditure restrictions, etc. These specific conditions will be in place until FMD determines that deficiencies have been corrected and necessary corrective actions have been implemented.

REFERENCES

- WIOA (Public Law 113-128),
- Office of Management and Budget (OMB), Title 2 Code of Federal Regulations (CFR) Part 200: "Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Awards" (Uniform Guidance),
- Office of Management and Budget (OMB), Title 2 Code of Federal Regulations (CFR) Part 200.305 "Payment" (Uniform Guidance),
- State of California EDD WSD 19-05: "Monthly and Quarterly Financial Reporting Requirements",
- Financial Management Division (FMD) Directive 17-001: "New Financial Reporting Requirements for Workforce Innovation and Act (WIOA) Adult, Dislocated Worker, Youth, Governor's Discretionary, 25% Additional Assistance, and Special Grants,
- Financial Management Division (FMD) Directive 17-002: "New Financial Reporting Requirements Quarterly Submission of General Ledger.

Fiscal Monitoring Review Policies and Procedures

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy establishes procedures for the performance of a fiscal monitoring review and resolution of any subsequent findings and observations.

BACKGROUND
The Economic and Workforce Development Department (EWDD) awards federal, state, and local grants to for-profit and non-profit organizations (Subrecipient). It is the policy of the department to conduct desk and on-site fiscal monitoring reviews every fiscal year to determine the subrecipient's compliance with federal, state, local, and City grant regulations, including the requirements set forth in 2 CFR 200.331(d) – Requirements for Pass-Through Entities, and the audit requirements specified in 2 CFR 200.500 to 200.521, and ensure the resolution of any findings and questioned and/or disallowed costs.

The EWDD's Financial Management Division (FMD) Audit Section is responsible for conducting the fiscal monitoring reviews of subrecipients. The objectives of the fiscal reviews are to determine if:

- Subrecipient has good internal controls and adequate financial management systems in place to account for City funds;
- Funds are used for allowable activities;
- Expenditures are appropriately allocated to funding sources and required cost categories;
- Proper fiscal records are maintained and are auditable;
- Grant regulations and contract provisions are complied with; and
- Corrective actions from prior fiscal reviews and audits are being implemented.

POLICY AND PROCEDURES

I. PREPARATION FOR FISCAL REVIEW

A. Scheduling of the Site Visit
The FMD Auditor must coordinate with the subrecipient to schedule the field work. The date should be scheduled at least **ten business days** prior to the start of the field work to allow the subrecipient to prepare for the visit.

Once the dates have been confirmed, the FMD Auditor must send an appointment letter to:

- Confirm the dates of the site visit;
- Inform the subrecipient of records that should be ready and available for review; and
- Send a fiscal review checklist that must be completed and submitted by the subrecipient on or before the Entrance Conference.

B. Preparation for the Field Work

Prior to the field work, the FMD Auditor must perform a risk assessment and audit plan by reviewing the following:

- Background information about the subrecipient – current news, organization's website, etc.,
- Contracts,
- Status of specific conditions imposed, if any,
- Prior year's fiscal review reports and status of findings and corrective actions,
- Latest Single Audit report,
- Prior year closeout Expenditure Reports,
- Latest Expenditure Report,
- Approved budget,
- Latest indirect cost rate proposal,
- Program monitoring report and status of findings and corrective actions,
- Invoice payment analysis,
- General ledger and Expenditure Report reconciliation ,
- Documentation of sampled expenditures, if any; and
- Others, as necessary.

II. FIELD WORK

The length of the field work ranges from **five to twenty business days**, depending on the results of the risk assessment, size, complexity and structure of the organization, the availability and auditability of fiscal records, availability and responsiveness of staff, and the number of contracts and fiscal years to be covered.

A. Entrance Conference

The entrance conference is the initial meeting with the subrecipient staff and starts off the field work. At this meeting, the following must be discussed:

- Objectives of the fiscal review,
- City contract(s) and fiscal year(s) to be covered,
- Planned on-site field work dates,
- Fiscal review procedures that will be performed and the standard timeline,
- Financial records to be reviewed,
- Completed Fiscal Review Checklist,

- Any changes in the subrecipient's accounting system, executive and fiscal personnel, etc.
- Subrecipient's other non-City funding sources,
- If preferred by the subrecipient, the assignment of a Single Point of Contact (SPOC) or contact persons for specific areas of the review,
- Requests for FMD Auditor working space, and
- Other questions and concerns the subrecipient may have.

It is preferable that the subrecipient's Executive Director attend the Entrance Conference in order to ensure full cooperation from staff most familiar with the financial system, internal control structure, and financial transactions. At the minimum, the subrecipient's Chief Financial Officer and senior accounting staff should attend the meeting.

B. Review

The FMD Auditor should conduct the review immediately after the entrance conference and perform the fiscal review procedures as discussed during entrance meeting.

During the review, the FMD Auditor must:

- Make every effort to minimize the disruption to the subrecipient's daily operations by scheduling interviews in advance and by coordinating requests for information and documentation in an organized and clear manner;
- Prepare Requests for Documentation for additional records or supporting documentation needed. Issue a Notice of Insufficient Documentation if documentation requested is incomplete or not received within **three business days**;
- When deemed necessary, offer or provide technical assistance on financial related matters such as grant regulations, proper internal controls, EWDD's financial reporting requirements, cost allocation, cost allowability, indirect cost proposals, fiscal monitoring, Single Audit, etc.; and
- Follow-up on any outstanding desk review and prior year fiscal review findings and Single Audit issues and/or deficiencies.

C. Exit Conference

The exit conference concludes the field work. At the meeting, the FMD Auditor must provide the subrecipient with an Exit Report that lists all preliminary findings and discuss the following:

- Elements of each preliminary finding --- i.e., criteria, condition, cause, effect, and recommendation;
- Any questioned costs;
- Additional information and/or supporting documentation the subrecipient can provide to resolve preliminary findings and questioned costs and when these should be submitted (See Section III-A);

- Implication of questioned costs becoming disallowed costs and the process for repayment to EWDD;
- Process for using stand-in costs; and
- Timetable for issuance of draft and final reports.

III. DRAFT REPORT

A. Pre-Issuance of Draft Fiscal Review Report

Within **five business days** after the date of the exit conference, the subrecipient must be allowed to:

- Submit additional information and/or supporting documentation to resolve any potential findings, as agreed upon at the Exit Conference or

- Submit a written request and justification for an extension to the deadline, subject to the review and approval of the FMD Audit Section head.

B. Issuance of Draft Fiscal Review Report

The FMD Auditor must issue the draft fiscal review report within **ten business days** from the date of the exit conference, the submission of the additional information and/or supporting documentation or the extended deadline.

The draft fiscal review report will include the following:

- Subrecipient's background information;
- City Contracts, funding sources and period covered by the fiscal review;
- Findings and resulting questioned costs, if any, that were not resolved during the field work and pre-issuance period;
- Applicable Federal, State, and/or local grant regulations and directives (e.g., 2 CFR 200) and City contract provisions that were violated, if any;
- Supporting schedules;
- Recommended corrective actions;
- Status of Prior Year's Fiscal Review findings;
- Status of Single Audit report deficiencies and findings;
- Other matters of concern; and
- Deadline to submit a written response to each finding.

IV. FINAL FISCAL REVIEW REPORT

A. Pre-Issuance of Final Fiscal Review Report

Upon issuance of the draft fiscal review report, the subrecipient has **fifteen business days** to submit a written response. During this fifteen-day period, the subrecipient may request for a meeting if necessary and/or if assistance is needed. If no written response is received from the subrecipient by the 10th business day, the FMD Auditor must make a follow-up on the status. If additional time to respond is needed, the subrecipient must send a written

request and justification, at least **five business days** before the deadline and subject to the review and approval of the FMD Director,

B. Issuance of Final Fiscal Review Report

The FMD Auditor must issue the final fiscal review report within **ten business days** after receipt of the subrecipient's response. If no response was received from the subrecipient, the FMD Auditor must issue the final fiscal review report within **three business days** after the subrecipient's response was due.

The final fiscal review report must include all information included in the draft fiscal review report **plus** the following:

- Subrecipient's response (or lack of) to the findings;
- Status of findings and any changes in recommended corrective actions based on subrecipient's response;
- Amount of unearned grants and/or disallowed costs, supporting computations, and instructions on how to return funds to EWDD;
- Specific conditions and/or sanctions that may be imposed (e.g., withholding of cash request); and
- Other areas of concern.

C. Distribution of the Final Fiscal Review Report

The final fiscal review report must be sent to the subrecipient's:

- Executive Director and
- Chief Finance Officer.

The fiscal review report will be posted on EWDD's intra-departmental website with copies sent to the following EWDD managers:

- Program Monitor,
- Program Division Director,
- Program Assistant General Manager, and
- General Manager.

V. FINAL DETERMINATION AND RESOLUTION OF FINDINGS

Upon issuance of the final fiscal review report, the subrecipient has **ten business days** to submit a written response to the remaining outstanding issues. The FMD Auditor must send the subrecipient a reminder letter if a written response is not received **three business days** before the due date.

If the subrecipient requests a meeting with the EWDD's Executive Management, the FMD Director must:

- Advise the subrecipient to contact the EWDD's Assistant General Manager and
- Brief the EWDD's Assistant General Manager of unresolved issues.

Within **ten business days** from the date the written response is due or received from the subrecipient, the FMD Auditor must issue a final resolution report that includes the subrecipient's additional responses and the FMD Auditor's final determination/resolution and recommended corrective actions, including the following:

- Reason(s) justifying the final determination/resolution for each finding,
- Questioned costs resolved and the reason(s) for allowance,
- Disallowed cost and the reason(s) for disallowance,
- Instructions for the repayment of disallowed costs,
- Instructions on how to request for installment payment arrangement for the disallowed costs,
- Sanctions that will be imposed for non-payment,
- Subrecipient's rights under the WIOA Complaint Resolution Procedures, and
- Other areas of concern.

VI. REPORT TO THE WORKFORCE DEVELOPMENT BOARD

Upon instruction of the General Manager, the FMD Director shall report to the Workforce Development Board a list of service providers with disallowed costs and/or financial stability issues.

VII. SUMMARY OF TIMELINE

Task	**# of business days**
Preparation for field work	5
Field work	20
Draft fiscal review report – including review of additional supporting documentation	15
Subrecipient response	15
Final fiscal review report	15
Subrecipient response to remaining outstanding findings	10
Final determination and resolution letter	10
Total # of business days	**90**

VIII. SUBRECIPIENT'S APPEAL RIGHTS

If the subrecipient disagrees with FMD Final Fiscal Review Determination/Resolution Report, it may exercise its appeal rights in accordance with the rules and regulations applicable to the grant affected. In the case of WIOA, the City of Los Angeles Workforce Innovation and Opportunity Act (WIOA) Complaint Resolution Procedures shall be followed. In such case, the FMD Final Fiscal Review Resolution shall constitute the Initial Determination. Accordingly, fiscal review resolution shall follow the three-part process under the WIOA Complaint Resolution Procedures.

IX. PAYMENT OF DISALLOWED COST

If the subrecipient agrees with the findings and the related questioned costs or if the disallowed costs have been determined and finalized under the City and applicable grant's resolution procedures, the subrecipient shall pay the disallowed costs as follows:

- Issue a check payable to the City of Los Angeles – EWDD;
- Apply stand-in costs in accordance with the conditions set forth below; and/or
- Request for a repayment plan through the FMD Director for approval of the General Manager and comply with the approved repayment plan.

Upon notice to the subrecipient, the EWDD may withhold questioned or disallowed costs from amounts due to the subrecipient pending resolution or payment of questioned or disallowed costs.

X. STAND-IN COSTS

A subrecipient may propose the use of stand-in costs to substitute for questioned or disallowed costs during the audit resolution process. To be acceptable, the stand-in cost must meet the following criteria:

- It must be incurred for allowable program costs that have not been charged to the program.
- The cost must be included within the scope of the audit, accounted for in the subrecipient's financial system, and adequately documented as all other program costs.
- It must have been expended in support of the same grant, title and funding stream for WIOA grants, and program year as the costs they propose to replace.
- It must not cause a violation of the cost limitations (e.g., administrative cost limitation) and must be actual expenses paid with non-federal funds.
- The proposal to replace disallowed costs with stand-in costs must be submitted before the end of the informal resolution period.
- Stand-in costs may not be considered as a substitute for disallowed costs for which non-federal cash repayment is required.

EWDD will not accept proposed stand-in costs if costs were disallowed as result of fraud.

REFERENCES

- 2 CFR 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- 2 CFR 200 Sub Part D - Post Federal Awards Requirements- Subrecipient Monitoring and Management;
- 2 CFR 200.331 Requirements for Pass-thru Entities;
- 2 CFR 300 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – Department of Health and Human Services;
- 2 CFR 1000 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – Department of Treasury
- 2 CFR 2800 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – Department of Justice;
- 2 CFR 2900 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – Department of Labor;
- 31 CFR Part 35 Pandemic Relief Programs, Subpart A. Corona Virus State and Local Fiscal Recovery Funds – Department of Treasury
- Workforce Innovation and Opportunity Act, Subtitle E- Administration, Section 185(f)(2) Reports; Record Keeping; Investigations.
- 68 Controller General 247, B2088712 , February 9, 1989, Procurement Payment/-Costs-Substitution;
- 86 FR 4182, Department of the Treasury, Coronavirus Relief Fund for States, Tribal Governments, and Certain Eligible Local Governments;
- City Contract, Section 608 Audits and Inspections

Indirect Cost Rate Policy

EFFECTIVE DATE: JULY 1, 2024

POLICY STATEMENT

This policy provides guidelines and establishes the procedures for requesting approval for an indirect cost rate from the subrecipient's Federal cognizant agency for indirect cost or from EWDD.

DEFINITIONS

Federal Cognizant Agency for Indirect Costs:

The federal agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals developed on behalf of all Federal agencies. (2 CFR 200.19)

Indirect (Facilities & Administrative (F&A) Costs:

Those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. To facilitate equitable distribution of indirect expenses to the program, function, activity, award, organizational division, contract, or work unit served (2 CFR 200.28, Cost objective), it may be necessary to establish a number of pools of indirect (F&A) costs. Indirect (F&A) cost pools must be distributed to benefitted cost objectives on bases that will produce an equitable result in consideration of relative benefits derived. (2 CFR 200.56)

Indirect Cost Rate:

The ratio between the total indirect expenses and some direct cost base. The indirect cost allocation methods used by each organization depend on its own structure, program functions, and accounting system. The use of an indirect cost rate enables the organization to determine the proportion of indirect cost each program should bear.

Indirect Cost Proposal:

The documentation to substantiate the request for the establishment of an indirect cost rate (2 CFR 200.57)

POLICY AND PROCEDURES

SUB-RECIPIENTS WITH FEDERAL COGNIZANT AGENCY FOR INDIRECT COST

- Develop and submit an Indirect Cost Rate Proposal to your Federal cognizant agency for indirect cost. The requirements for negotiation and approval of indirect cost rates are in the following:

    - 2 CFR 200 - Appendix III for Institutions of Higher Education (IHE),
    - 2 CFR 200 - Appendix IV for Non-Profits,
    - 2 CFR 200 - Appendix VII for State and Local Government (2 CFR 200.414(e), 2 CFR 200.57), and
    - Federal Acquisition Regulations (FAR), Part 31.2, Contracts with Commercial Organizations, and FAR Part 42.7, Indirect Cost rates, for commercial entities (https://www.acquisition.gov/Far/).

The U.S. Department of Labor, Office of Cost Determination, has also issued a Guide for Indirect Cost Determination (https://www.dol.gov/oasam/boc/dcd-2-cfr-guid.pdf) that may be used as a guide.

Subrecipients must follow these requirements and regulations.

- Upon negotiation and approval of an Indirect Cost Rate, submit copies of the following to EWDD Financial Management Division:

    - Indirect Cost Rate Agreement from the Federal cognizant agency for indirect costs and

    - Indirect Cost Rate proposal submitted.

- This Indirect Cost Rate Agreement will be the basis for EWDD's approval of the sub-recipient's indirect cost rate, subject to funding availability and grant restrictions.

- For WIOA and other workforce-related City contracts subject to an administrative cost cap/limit (generally at 4% of total City contract or actual expenditures, if lower), the subrecipient must submit a detailed breakdown of its indirect cost components into administrative and program costs and the calculation of the proportion (percentage) of each category to the total indirect costs. If this breakdown and calculation is not submitted, indirect costs will be considered 100% administrative costs. In addition, indirect costs classified as program costs must be fully documented.

As a practice, EWDD uses the WIOA definition of administrative costs found in 29 CFR 683.215.

- The procedures or methodology for calculating indirect administrative and program costs are as follows:
    - Review all the costs included in the indirect pool and label them as program or administrative costs based on the WIOA definition (20 CFR 683.215, What WIOA functions and activities are subject to cost limitations);
    - Calculate the proportion (percentage) of total costs for each of the two categories;
    - Calculate the total dollar amount of indirect costs attributable to the particular WIOA program (i.e., apply the negotiated indirect cost rate to the specified base); and
    - Apply the percentages of administrative and program as calculated to the total dollar amount of indirect costs to establish the dollar amount that is to be recorded/reported as administrative costs and the amount that is program costs for that particular program

(Please see the U.S. Department of Labor One-Stop Comprehensive Financial Management Technical Assistance (TAG) Guide Part II) for additional guidance.)

SUBRECIPIENTS WITHOUT A FEDERAL COGNIZANT AGENCY

The subrecipient may do one of the following:

(1) Request to use an approved indirect cost rate negotiated with another pass-through entity;

(2) Select to use a direct allocation method for its indirect costs;

(3) Select to use a 10% de minimis rate (discussed below); or

(4) Submit an indirect cost rate proposal package to EWDD FMD. The package must include the following:

- Worksheet(s) showing the computation of the indirect cost rate – (including notes for adjustments);
- Audited financial statements – The direct and indirect costs in the worksheet should be traceable and reconcilable with the costs in the audited financial statements;
- A breakdown of its indirect cost components into administrative and program and the percentage of each to the total indirect costs in accordance with 20 CFR

683.215 and One-Stop Comprehensive Financial Management Technical Assistance Guide Part II (TAG);

- Certificate of Indirect Costs signed by a staff at a level no lower than Executive Director or Chief Financial Officer;
- A cost policy statement that identifies what the agency consider as direct and indirect costs and the rationale to support those costs;
- Latest Organization Chart;
- A cover letter forwarding these documents to the Director, Financial Management Division; and
- All other documents that EWDD may require.

If the proposal is complete and approved, EWDD FMD will issue a formal letter stating the following:

- Approved final or tentative indirect cost rate and period covered and
- Direct cost base (example direct salary, or total direct cost).

The tentative rate will be revised and a final rate approved for the same period when a new indirect cost rate proposal is submitted the following year.

DUE DATES TO SUBMIT AN INDIRECT COST PROPOSAL

For Direct Federal Award Recipients:

A subrecipient which has not previously established an indirect cost rate with a Federal agency must submit its initial indirect cost proposal immediately after the organization is advised that a Federal award will be made and, in no event, later than three months after the effective date of the Federal award, except when the organization has elected to use the 10% de minimis rate. (2 CFR 200, Appendix IV C (2) (b))

A subrecipient with previously submitted or established rates must submit a new indirect cost proposal to the Federal cognizant agency for indirect costs within six months after the close of each fiscal year, unless an extension has been approved in accordance with the procedures stated below. (2 CFR 200, Appendix IV C (2) (c))

For Subrecipients Requesting Approval from EWDD:

EWDD follows the same deadlines as described above for direct Federal award recipients.

EXTENSIONS

A subrecipient that has a current federally negotiated indirect cost rate may apply for a one-time extension of the rates in that agreement for a period of up to four years. This extension will be subject to the review and approval of the Federal cognizant agency for indirect costs.

If an extension is granted, the subrecipient may not request a rate review until the extension period ends.

At the end of the 4-year extension, a subrecipient must re-apply to negotiate a rate.

Subsequent one-time extensions (up to four years) are permitted if a renegotiation is completed between each extension request (2 CFR 200.414(g)).

These rules on submission and extensions shall apply to indirect cost rates negotiated with the City.

10% DE MINIMIS RATE

2 CFR 200.414(f) allows any non-Federal entity (NFE) that does not have a current negotiated indirect cost rate to charge a *de minimis* rate of 10% of **modified total direct costs (MTDC)**. The City follows this same rule for all City contracts.

In accordance with the provisions of the Uniform Guidance 2 CFR §200.414 (f), Indirect (F&A) Costs, the use of the 10% de minimis rate shall be based on meeting the following eligibility criteria and requirements:

- The subrecipient does not have a current negotiated indirect cost rate from any Federal agency or from EWDD;

- The 10% rate will be applied to Modified Total Direct Costs (MTDC), as defined in 2 CFR §200.68.

- MTDC shall include:

    - All direct salaries and wages, applicable fringe benefits,
    - Materials and supplies,
    - Services,
    - Travel, and
    - Up to the first $25,000 of each sub award (regardless of the period of performance of the sub awards).

- MTDC shall exclude:

    - Equipment, capital expenditures,
    - Charges for patient care,
    - Rental costs,
    - Tuition remission, scholarships and fellowships,
    - Participant support costs, and
    - The portion of each sub award in excess of $25,000.
    - Other items when necessary to avoid a serious inequity in the distribution of indirect costs.

- Participant related costs such as Individual Training Accounts (ITAs) and On-the-Job Training (OJTs) are considered flow-thru or pass-thru funds, These costs shall be excluded from MTDC when they cause distortion in the distribution of indirect costs;

- Costs must be consistently charged as either indirect or direct and not double charged or inconsistently charged as both (2 CFR §200.403, Factors affecting allow ability of costs);
- The subrecipient is responsible for the proper use and application of the de minimis rate;

- The subrecipient must disclose its election to use the 10% de minimis rate in its budget proposals or modifications with EWDD;

- The subrecipient must track all administrative costs as defined in 20 CFR §683.215 separately from program costs, including the administrative cost portion of the indirect cost pool. The total administrative costs may not exceed the established administrative cost limit (generally set at 4% of your award or actual expenditures, if lower).

The subrecipient must also provide a breakdown of the indirect costs between administrative and program indicating the percentage of each to the total indirect cost. The same breakdown must be used in reporting its monthly expenditures. The EWDD will not reimburse administrative costs in excess of the administrative cost limit and/or costs that are inherently administrative but are classified and reported as program without adequate supporting documentation.

Upon review of the request to use 10% de minimis rate, EWDD-FMD will issue a formal letter approving/disapproving the request based on the above criteria and requirements.

EWDD FMD will verify the organization's compliance with 2 CFR §200.414(f), 2 CFR §200.68, 2 CFR §200.403, 20 CFR §683.215, and City requirements.

The 10% de minimis indirect cost rate may be used indefinitely until the subrecipient elects to negotiate an indirect cost rate.

CHARGING INDIRECT COSTS TO CORONAVIRUS RELIEF FUNDS

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) established the Coronavirus Relief Fund (CRF). Based on the latest update (as of January 15, 2021) to Federal Register 86 FR 4182 issued by the Department of the Treasury, indirect cost rates may not be applied to CARES Act funds. However, a recipient/subrecipient may use these funds to cover employee salaries and benefits for time spent on **necessary** administrative work --- which may include disbursing payments, managing the program, and other related administrative work as long as the program qualifies as responding to a COVID-19 public health emergency and second-order effects of the emergency.

The Guidance, therefore, allows charging of indirect costs as **eligible direct costs** if:

(a) Proper timekeeping records were maintained to **track actual time spent on the program** and

(b) If these costs are **not** recovered either as direct or indirect costs from another Federal program.

REFERENCES

- Title 2 Code of Federal Regulations (CFR) Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements;
- Title 2 Code of Federal Regulations (CFR) Part 2900 Uniform Administrative Requirements, Cost Principles, and Audit Requirements – Department of Labor;
- 2 CFR 200.414 – Indirect (F&A) costs;
- 20 CFR 683.215, What WIOA administrative functions and activities constitute the costs of administration subject to administrative cost limitation?
- 86 FR 4182, Document No. 2021-00827 – Coronavirus Relief Fund for States, Tribal Governments, and Certain Eligible Local Governments – Department of the Treasury;
- U.S. Department of Labor One-Stop Comprehensive Financial Management Technical Assistance Guide Part II, Chapter 11-5, Cost Classification, Indirect Costs pages 11-5-6 to 11-5-7. https://www.doleta.gov/grants/pdf/TAG_PartII_July2011.pdf
- Federal Acquisition Regulations (FAR), Part 31.2, Contracts with Commercial Organizations, and FAR Part 42.7, Indirect Cost rates. (https://www.acquisition.gov/Far/)
- City Contract, Section 301 (F) Indirect Cost

Leveraged Resources Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance to the City of Los Angeles America's Job Center of California℠ (AJCC) operators, locally known as WorkSource Centers (WSC) and YouthSource Centers (YSC), on reporting leveraged resources that support program participants. In addition, the policy provides specific guidance for the AJCCs on reporting training leveraged resources mandated by California Senate Bill (SB) 734 as modified by California Assembly Bill (AB) 1149.

BACKGROUND
Leveraged resources are defined as federal and non-federal resources (cash contributions and in-kind contributions) used to support grant activity and outcomes that would normally be paid for using grant funds. Leveraged resources must be allowable and auditable under the Workforce Innovation and Opportunity Act (WIOA) program. Leveraged resources supplement WIOA formula funding, allowing centers to provide needed services, especially in times of decreasing funding.

General Leveraged Resources (WSC and YSC)
In the procurement of WSC and YSC contractors, proposers were required to identify a minimum amount of leveraged resources they would secure to support their WIOA programs. WSC. These amounts were incorporated into WSC and YSC contracts as performance requirements. The Economic and Workforce Development Department (EWDD) requires all WSC and YSC operators to report all leveraged resources on a regular basis.

Training Leveraged Resources (WSC Only)
California Senate Bill (SB) 734 imposed a training expenditure requirement on local Workforce Development Boards carrying out WIOA funded programs that allowed a portion of the minimum training expenditure requirement may be met by applying specific leveraged resources used for training services. In 2017 the Governor signed into law Assembly Bill (AB) 1149, which expanded the types of services to which leveraged funds may be applied to include Supportive Services for those in training, and expanded the sources of leveraged funds that may be applied(See Training Expenditure Requirement Policy for additional information on training expenditure requirements related to SB 734 and AB 1149)

On January 31, 2019, the State of California Employment Development Department (EDD) issued Directive WSD 18-10 incorporating the modifications AB 1149 made to SB 734 requirements. Attached to that Directive was a Summary of Training Leveraged Resources form (Attachment 2) to capture the leveraged training resources. The Summary of Training Leverage Resources form listed the twelve categories that EDD will accept EWDD has modified that form for use by WSC contractors to report training leveraged resources. EWDD issued Directive 20-13 on January 24, 2020, detailing the reporting requirements for both training leveraged resources, as well as those that do not count towards the training requirement. The Directive contained three forms; Match Funds form Employer Paid Portion of On-the-Job Training, Summary of Training Leveraged Resources Form, and an internal EWDD form to capture all other leveraged resources.

PROCEDURES

At the start of each fiscal year, which runs from July 1 through June 30, agencies are required to submit a Budget/Expenditure Plan that lists all planned leveraged resources separated by Cost Category. The total amount of leveraged resources (training and general) each WSC operator must report is determined by their response to the most recent Request for Proposals (RFP). EWDD requires all YouthSource operators to report $200,000 in leveraged resources. Adult Non-Training Leverage Resources and Youth Leveraged Resources may include those Personnel Costs, Other Costs (facility, materials, copiers etc.), Participant Related Costs (including supportive services and those forms of adult training that do not meet SB 734 and AB 1149 requirements), Subcontractor Costs, Furniture and Equipment Costs, and Indirect Costs that are not paid for with WIOA formula funds.

Each month WSC and YSC operators are to determine and validate through support documentation the amount of leveraged resources utilized for that month. For the WSCs this includes both those that qualify under AB 1149 as training leveraged resources, and those that do not. The Leveraged Resources forms must be completely filled out indicating the source, type, description, amount, program year, and the number of participants served. All forms should reflect a cumulative program year amount of leveraged resources.

For the WSCs the Summary of Training Leveraged Resources form also needs to be completed for training leveraged resources. As with invoices, one version of each form (training and non-training) needs to be completed for the Adult funding stream and one needs to be completed for the Dislocated Worker funding stream. This equates to four (4) possible leveraged resource forms that WSCs need to submit each month.
Monthly Invoices are due to the Financial Management Division (FMD) no later than the 15th of the month for expenses incurred in the prior month. Contractors must include leveraged resources forms with their expenditure reports, both of which are due the 15th of each month. Two copies of each form need to be **submitted each month, including for months where no new leveraged resources were utilized.** One copy of each form needs to be submitted to FMD, and one copy of each form needs to be submitted to an agency's assigned budget/program analyst. FMD does allow invoices to be e-mailed prior to the

actual signed copy submission, so if e-mailing FMD, an agency must copy their analyst. When the agency submits hard copies, one copy must also be sent to the assigned Budget analyst.

FMD will compile the data and make that information available for use in the agency's annual performance evaluation. This information will also be made available to the Operations Division to help program analysts track their agency's progress throughout the program year and subsequently verify information during a site visit. Failure to conform to this requirement may adversely affect an agency's performance results.

REFERENCES

- SB 734 (DeSaulnier), Chapter 498, Statues of 2011
- AB 1149 (Arambula), Chapter 423, Statutes of 2017
- EDD Workforce Services Directive (WSD) 18-10: WIOA Training Expenditure Requirement (January 31, 2019)

Property/Equipment – Purchasing, Inventory, and Disposition Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides guidance and establishes the procedures for the purchasing, inventory, and disposal of property and equipment using WIOA funds. The intent is to ensure that purchases of property and equipment are procured properly through fair and open competition, and managed according to proper inventory, maintenance, and disposition procedures.

DEFINITIONS

Property- real property or personal property (Uniform Guidance Section 200.81)

Intangible Property – property having no physical existence, such as a trademark, copyrights, patents and patent applications and property, such as loans, notes and other debt instruments, lease agreements, stock, and other instruments of property ownership (whether the property is tangible or intangible) Uniform Guidance Section 200.59)

Real Property – land, including land improvements, structures, and appurtenances thereto, but excludes movable machinery and equipment (Uniform Guidance Section 200.85).

Personal Property – property other than Real Property. It may be tangible, having physical existence or intangible (Uniform Guidance Section 200.78).

Equipment – tangible, personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or $5,000 (Uniform Guidance Section 200.33).

General Purpose Equipment – equipment which is not limited to research, medical, scientific, or other technical activities. Examples include office equipment and furnishings modular offices, telephone networks, information technology equipment and systems, air conditioning equipment, reproduction and printing equipment, and motor vehicles (Uniform Guidance Section 200.48).

Supplies – all tangible personal property other than Equipment (as defined above). A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-federal entity for financial statement purposes or $5,000, regardless of the length of its useful life (Uniform Guidance Section 200.94).

Information Technology systems – computing devices, ancillary equipment, software, firmware, and similar procedures, services (including support services), licensing or subscriptions to software and software support services, and related services (Uniform Guidance Section 200.58). This includes fees for licensing or subscriptions to software and software support services. Even if a monthly subscription fee is under $5,000, if the total annual cost for the subscription exceeds $5,000, then prior approval must be obtained (WSD 16-10).

Hardware – physical components of computer systems.

Software – programs, procedures, data, and routines used, accessed, and/or stored by computers.

Subscription – the regular remittance of pay for the licensed use of services, application/software, equipment, or property with a cost of $5,000 or more per unit, or cumulative cost within a twelve-month period.

Budget Plans
A contractor may occasionally submit budget plans that include a request to purchase property. However, the approval of the budget plan DOES NOT constitute approval of the purchase request. The contractor will be required to submit required procurement documentation per the contract to the Program Analyst for review and approval.

PURCHASE CONSIDERATIONS

To ensure funds are being spent in a fiscally prudent and efficient manner, subrecipients need to consider the following prior to purchasing property:

- Is the purchase reasonable?
- Why is the purchase needed?
- Have the best products been selected?
- What procurement method will be used?
- Has a lease option been considered?
- Does the State/City already provide the item, service, or software being considered for rent, purchase, or subscription?

PURCHASE PROCEDURES
Contractors should anticipate purchases prior to the start of each Program Year, and budget accordingly. Unanticipated purchases are still allowable, but must be accounted

for in a revised budget, complete with a narrative justifying the need for purchase. Contractors must obtain prior approval from the Economic and Workforce Development Department (EWDD) to purchase any equipment or property using WIOA funds.

Purchases must be made in accordance with the Procurement Policy as set forth in the Workforce Development Board's Annual Plan. The required documentation, including specifications and pricing, must be submitted to the Program Analyst for review. EWDD will make a decision and notify the contractor in writing of the decision.

Items with a per-unit cost of $5,000 or more also require prior approval from the State of California Employment Development Department (EDD). Once the documentation is provided to the Program Analyst, EWDD will submit a request to the State for the purchase. Contractor will be notified in writing of the State's decision.

All purchases using WIOA funds must be used for allowable activities under the terms of the contract, grant, or other agreement. Failure to follow these procedures may result in questioned or disallowed costs.

LEASING CONSIDERATION

The decision to lease or buy personal property should be governed by considerations of economy. Consideration for leasing may differ by property type and according to market conditions. The length of the contract period of the lease should also be considered. Leasing with an option to purchase is generally preferable to straight leasing. However, for real property, administrative requirements make leasing the *only* option, as the construction or purchase of real property is not allowed under the WIOA program except in certain limited circumstances, with prior written approval of the DOL Secretary (WSD 16-10).

INVENTORY RECORDS

Contractors must maintain an inventory control of all equipment and property purchased with WIOA funds. Items should be tagged with the assistance of the Program Analyst, and all pertinent information (description of property, purchase date, serial number, cost, location, tag number, condition, etc.) recorded on the City's Equipment Inventory form. Title to property and supplies purchased with WIOA funds are vested in EWDD. Contractors must take a physical property inventory and reconcile the inventory with the property records at least once every two years.

The transfer or removal of any equipment from the contractor's assigned inventory is prohibited unless first approved by EWDD. Contractors must also ensure adequate safeguards to City property to prevent loss, damage, or theft of such property. In the event that an item of City property is lost, vandalized, or stolen, the contractor has the responsibility to act promptly and notify local law enforcement and the City documenting the surrounding circumstances. If the City property is vandalized or stolen, the contractor must submit a copy of the police report to the assigned EWDD Program Analyst.

DISPOSITION

If property with a per unit fair market value (FMV) of $5,000 or more is no longer needed for the original project or program, the contractor may use the property for other activities currently or previously supported by the Department of Labor (DOL). FMV is defined as the selling price of an item that is sold through auction, advertisement, or a dealer.
If the property is not needed for a DOL program/project, the contractor may either retain or sell the property and reimburse the State (via the City) for the WIOA federal funds' share. The amount of reimbursement is computed by applying the percentage of WIOA funds used to purchase the items to the current FMV of the property.

The City will send the funds from any sale of equipment to the following address:

Attn: Cash Control Unit
Fiscal Programs Division, MIC 70
Employment Development Department
P.O. Box 826217
Sacramento, CA 94230-6217

If the contractor has no further use for tagged and inventoried property, and wishes to dispose of it in a manner other than selling, they must request City approval in writing prior to disposition. Contractors should contact their assigned City Monitor for a copy of the "Computer and Cellular Telephone Devices Salvage Certification Form" and "Request for Sale/Reuse" form. Property must be cataloged with its inventory numbers and an explanation for why the item is being salvaged. If the property disposition includes computers, then the contractor will need to submit a plan on how it intends to clear and erase the hard drives in order to prevent confidential information from being obtained. Once approved, the City will arrange the best pick up time for property disposition. Should the item be salvaged, the Inventory form must be kept and updated for any transaction in accordance with record retention procedures.

REFERENCES

- Title 2 Code of Federal Regulations (CFR) Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)
- Workforce Services Directive WSD 16-10, Subject: Property – Purchasing, Inventory, And Disposal (November 10, 2016)

Salary and Bonus Limitations for Calendar Year 2024

EFFECTIVE DATE: January 1, 2024

POLICY STATEMENT

This policy provides the salary and bonus limitations for individuals compensated by Department of Labor-Employment and Training Administration (DOL ETA) funded programs for the calendar year 2024. It applies to all City subrecipients expending Workforce Innovation and Opportunity Act (WIOA) and Department of Justice (DOJ) Second Chance funds.

BACKGROUND

On June 15, 2006, President Bush signed into law an emergency supplemental appropriation bill, Public Law 109-234. Section 7013 of this public law limits salary and bonus compensation for individuals who are paid by funds appropriated to DOL ETA and provided to recipients and subrecipients. Specifically, Section 7013 states:

"*None of the funds appropriated in Public Law 109-149 or prior acts under the heading 'Employment and Training' that are available for expenditure on or after the date of enactment of this section shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II, except as provided for under section 101 of Public Law 109-149.*

This limit shall not apply to vendors providing goods and services as defined in OMB Circular A-133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer the Federal programs involved including Employment and Training Administration programs."

Subsequently, on August 15, 2006, the DOL ETA issued TEGL 05-06. The State of CA Employment Development Department (EDD) also issues a directive every year, the latest of which is WSD 22-10, issued on March 21, 2023, applicable for 2023. These directives inform states and other DOLETA-funded recipients and subrecipients of limitations on salary and bonus payments, the programs affected by this provision, effective dates and funding cycles, covered individuals and transactions, application of the limitation, and related grant and contract modifications.

POLICY AND PROCEDURES

Public Law 109-234 sets the limit on salary and bonus compensation at a rate equivalent to no more than an Executive Level II. A salary table providing this rate is listed on the federal Office of Personnel Management website, under Policy, Data, Oversight "Pay and Leave" Executive Order for 2024 Pay Schedules . **These levels are adjusted annually**. The levels for 2024 and the last two years are as follows:

Year	Limit	Effective Date
2022	$203,700	January 1, 2022
2023	$212,100	January 1, 2023
2024	$221,900	January 1, 2024

Additional guidelines regarding the limitation:

- It applies to both the gross amounts of salaries and bonuses. The sum of all bonuses received over the twelve-month period when added to the employee's salary may not, at any time, exceed the limitation.
- It does not apply to benefits that are not salaries and bonuses. For example, fringe benefits, insurance premiums, and/or pension plans are not included in the calculation.
- **It is prorated based on the amount of time the employee is dedicated to the DOL ETA-funded program(s).**

Example #1:
Executive Director's 2024 W-2 Gross Compensation is $175,000. He worked part-time (.60 FTE) all year but 100% of his time benefited the City WIOA contract:

Description	Amount
2024 Salary & Bonus Limit	221,900
Prorated Salary & Bonus Limit [$221,900 x (.60 x 100%)]	133,140
Executive Director's Total Gross Compensation	175,000
Salary Benefiting City WIOA Contract ($175,000 x 100%)	175,000
Compensation in Excess of Limitation ($175,000 - $133,140)	41,860

Example #2:
Executive Director's 2024 W-2 Gross Compensation is $175,000. He worked part-time (.50 FTE) all year and only 80% of his time benefited the City WIOA contract.

Description	Amount
2024 Salary & Bonus Limit	221,900
Prorated Salary & Bonus Limit [$221,900 x (.50 x 80%)]	88,760
Executive Director's Total Gross Compensation	175,000
Salary Benefiting City WIOA Contract ($175,000 x 80%)	140,000
Compensation in Excess of Limitation ($140,000 - $88,760)	51,240

Example #3:
Executive Director's 2024 W-2 Gross Compensation is $175,000. He worked full-time all year but only 50% of his time benefited from the City WIOA contract.

Description	Amount
2024 Salary & Bonus Limit	221,900
Prorated Salary & Bonus Limit ($221,900 x 50%)	110,950
Executive Director's Total Gross Compensation	175,000
Salary Benefiting City WIOA Contract ($1750,000 x 50%)	87,500
Compensation in Excess of Limitation ($87,500 < $110,950)	**0**

- It applies to salaries and bonuses regardless of whether they are paid as a direct or an indirect cost.
- It does not apply to "contractors" as defined in 2 CFR 200.23.
- The City will use the limitation imposed by the State EDD if and when it sets a limit below Executive Level II.

REFERENCES

- Public Law 109-234
- DOL Training and Employment Guidance Letter (TEGL) 05-06: Implementing the Salary and Bonus Limitations in Public Law 109-234 (August 15, 2006)
- U.S. Office of Personnel Management (OPM) Executive Senior Level - Pay Table of Rates of Pay for the Executive Schedule for 2024
- State of California Employment Development Department Workforce Services Directive, WSD 22-10, Salary and Bonus Limitations for 2023, dated March 21, 2023.

Single Audit Policy and Procedures

EFFECTIVE DATE: JULY 1, 2024

POLICY STATEMENT

This policy provides guidance to all Economic and Workforce Development Department (EWDD) subrecipients on the revised audit requirements for Federal awards in accordance with the provisions of the Uniform Guidance 2 CFR 200, Sub Part F, 200.500 to 200.521, Audit Requirements.

POLICY AND PROCEDURES

Requirement for Audit
The Uniform Guidance 2 CFR 200.501 requires subrecipients that expend $750,000 or more of Federal awards and sub-awards during the entity's fiscal year to have a single audit or a program-specific audit.

Single Audit
A subrecipient that expends $750,000 or more of Federal awards and sub awards during the entity's fiscal year must conduct a single audit.

Program-Specific Audit
When a subrecipient expends $750,000 or more during the entity's fiscal year under only one Federal program, the subrecipient may elect to have a program-specific audit conducted in accordance with the provisions of the Uniform Guidance. The cost of a program specific audit is allowable to that program.

Exemption from Audit
When Federal awards and sub-awards expended are less than $750,000 during the entity's fiscal year, a subrecipient is exempt from Federal audit requirements for that year. In those instances, EWDD requires the subrecipient to submit a written certification stating the exemption.

For-profit Subrecipient
The audit requirements in 2 CFR 200.500 to 200.521 do not apply to for-profit subrecipients. Those requirements make the pass-through entity responsible for establishing requirements, as necessary, to ensure compliance by for-profit subrecipients. In accordance with that direction, EWDD requires all for-profit subrecipients to follow the guidance established in this policy and procedures for the conduct of audits, either single audits or program specific audits, depending on whether the entity is multi-funded or

receives only one source of Federal funds, and the level of total Federal expenditures incurred in the organization's fiscal year.

Subrecipients and Contractors
An auditee may simultaneously be a subrecipient and a contractor. Federal awards expended as a subrecipient are subject to audit. The payments received for goods or services provided as a contractor are not Federal awards.

Frequency of Audits (2 CFR 200.504)
Audits must be performed annually.

Sanctions (2 CFR 200.505)
In cases of continued inability or unwillingness to have an audit conducted in accordance with these requirements, the EWDD will impose sanctions which may include but are not limited to suspension of payments or termination of City contract(s). EWDD may, at its sole discretion, have a single audit or program specific audit conducted in accordance with the provisions of the Uniform Guidance. The cost of such audit will be chargeable to the subrecipient.

Auditee Responsibilities (2 CFR 200.508)

The auditee must:

- Procure or otherwise arrange for the audit (2 CFR 200.509, Auditor Selection);
- Provide EWDD with a copy of the engagement letter no later than 6 months prior to the audit submission due date;
- Prepare the appropriate financial statements and the schedule of expenditures of Federal awards for the fiscal year audited (2 CFR 200.510, Financial Statements);
- Promptly follow up and take corrective action on audit findings, including preparation of a summary schedule of prior audit findings and a corrective action plan (2 CFR 200.511, Audit Findings); and
- Provide the auditor with access to personnel, accounts, books, records, supporting documentation, and other information as needed for the auditor to perform the audit (2 CFR 200.508(d)).

Report Submission

- The single audit report package must be completed and submitted electronically to the Federal Audit Clearinghouse (FAC) within the earlier of 30 calendar days after receipt of the auditor's report(s) or nine months after the end of the audit period (2 CFR 200.512, Report Submission).

- A copy of the single audit report must also be submitted within the same period stated above to:

City of Los Angeles
Economic and Workforce Development Department
Attn: Financial Management Division (FMD)–Audit Section
444 South Flower Street, 14th Floor
Los Angeles, CA 90071

- If the due date falls on a weekend or Federal holiday, the reporting package is due the next business day.

- The auditee must make copies available for public inspection. Auditees and auditors must ensure that their respective parts of the reporting package do not include protected personally identifiable information.

Audit Documentation and Access to Documentation (2 CFR 200.517)

The auditee must ensure that the auditor retains audit documentation and reports for a minimum of three years after the date of issuance of the auditor's report(s) to the auditee, unless the auditor is notified in writing by the cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or EWDD to extend the retention period.

When the auditor is aware that the Federal agency, EWDD, or auditee is contesting an audit finding, the auditor must contact the parties contesting the audit finding for guidance prior to destruction of the audit documentation and reports.
Audit documentation must be made available upon request from the cognizant or oversight agency for audit or its designee, cognizant agency for indirect cost, the General Accounting Office, and/or EWDD and its representatives at the completion of the audit, as part of a quality review, to resolve audit findings, or to carry out oversight responsibilities. Access to audit documentation includes the right of the above agencies to obtain copies of audit documentation, as is reasonable and necessary.

REFERENCES

- Uniform Guidance 2 CFR 200, Sub Part F, Audit Requirements, 200.501 to 200.521
- Uniform Guidance 2 CFR 200, Sub Part D, Post Federal Awards Requirements, 200.331, Requirements for Pass-Thru Entities
- WSD 20-03 Audit Requirements
- City Directive FMD 17-003, Audit Requirements-Policies and Procedures
- City Contract, Section 608, Audit and Inspections

Stand-In Cost Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy establishes guidelines for the proposal and approval of stand-in costs to replace disallowed costs.

BACKGROUND

Stand-in costs are non-Federal costs that may be substituted for disallowed costs identified through monitoring, audits, special investigations, and/or other types of review, when certain conditions are met. This policy applies to all funded programs of the Economic and Workforce Development Department (EWDD).

POLICY AND PROCEDURES

Stand-in costs must meet the following criteria to be considered and accepted:

- Must be allowable costs that were actually incurred for the benefit of the funded program and paid by non-Federal funding sources. Thus, for example, the dollar value of in-kind donations cannot be recognized as stand-in costs. Additionally, since costs must be net of credits under the governing cost principles, the dollar value of discounts cannot be considered allowable costs.

- Must have been included within the scope of the organization's single audit (not necessarily tested but potentially subject to testing). This means that the costs must be recorded and included in the financial statements presented by the agency to the auditor for audit. Failure to include unbilled costs disqualifies the costs for stand-in consideration.

- Must have been accounted for in the subrecipient's financial system. This means that the unbilled expense must be recorded and documented in the books of accounts. It cannot be presented as a separate consideration outside the entity's accounting system.

- Must be adequately documented in the same manner as all other program costs. This means that the unbilled expense must be treated in a manner consistent with cost principles affecting other expenses, including but not limited to the cost allocation methodology and supporting documentation requirements.

- Must be reported to the City in the period in which it was incurred. The subrecipient must report stand-in costs on the Stand-in line item in its report of expenditures to the City. The subrecipient shall submit a written request to use stand-in costs stating the purpose, amount of stand-in and disallowed costs to be substituted, and the documentation to support the stand-in for City audit. City staff will make a determination whether the stand-in costs will be accepted as a resolution for disallowed costs.

The source of stand-in costs is intended to be limited to the same entity that incurred the disallowed costs. If the cause of the disallowed costs was fraud, the City will not consider proposals of stand-in costs to substitute for such costs.

Examples of Stand-In Costs:

- Staff salaries and benefits paid from the subrecipients' own funds;
- Facility costs paid for by the subrecipient from its own funds,
- Supplies, transportation expenses, and other program related expenditures paid for by the subrecipient's own funds,
- Cash match (i.e., expenditures of the organization used as non-federal match share) in excess of the required match may also be considered for use as stand-in costs.

Exclusions to Stand-in Costs:

Stand-in costs cannot be created using circumstances or conditions that appear to be legitimate liabilities if no actual costs are incurred by any entity. Certain costs, including in-kind contributions, are not considered unpaid program liabilities but rather as in-kind match. Therefore, they cannot be used as stand-in costs because they cannot be charged to the federal grant.

Examples of other costs that are not allowable as stand-in costs are:

- Uncompensated overtime;
- Unbilled premises costs associated with fully depreciated publicly owned buildings;
- Discounts and rebates;
- Allocated costs derived from an improper allocation methodology; and
- Any State share of the cost of State and community college tuition.

REFERENCES

- Workforce Innovation and Opportunity Act, Subtitle E- Administration, Section 185(f)(2) Reports; record keeping; investigations

- US Department of Labor One-Stop Comprehensive Financial Management Technical Assistance Guide Part II, Chapter 12, Audits and Audit Resolution, pages 12-12 to 12-14, https://www.doleta.gov/grants/pdf/TAG_PartII_July2011.pdf

- 68 Comptroller General 247, B-208871.2, February 9, 1989, Procurement Payment/Discharge - Costs – Substitution https://www.gao.gov/products/464734

- Employment Development Directive WIAD05-17, Audit Resolution https://www.edd.ca.gov/jobs_and_training/Active_Directives.htm

Stevens Amendment – Public Communications Regarding Federally Funded Programs

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

The Stevens Amendment is an appropriations provision that requires a federal grant funding disclosure statement on all state and local projects or programs using federal funds to promote transparency and accountability.

BACKGROUND

The Stevens Amendment requires grantees, including pass-through entities, of the U.S. Department of Labor (DOL), Department of Health and Human Services (HHS), and the Department of Education (ED) to include a federal grant funding disclosure when communicating projects that are federally financed in whole or in part for a grant project or program.

All grantees, including pass-through entities, who receive funding from the aforementioned agencies are required to comply with the Stevens Amendment. This requirement is part of the terms and conditions in grant agreements and contracts, as applicable.

POLICY AND PROCEDURES

When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole, or in part, with Federal money, a federal grant funding disclosure statement must clearly state the following:

- The percentage of the total costs of the program or project which will be financed with federal money.
- The dollar amount of federal funds for the project or program.
- The percentage and dollar amount of the total costs of the project or program that will be financed with non-federal sources.

The federal grant funding disclosure statement is required on any public-facing communication that describes a program or project that is funded in whole or in part with federal money. Additionally, the federal funding disclosure statement will be included in all project-related grant agreements.

The term "other documents" refers to any public-facing communication including, but not limited to, public statements, social media, toolkits, resource guides, websites, and visual presentations. The Stevens Amendment provision requirement does not apply to internal policy documents, program intake or application forms, invoices, etc.
The general format should include the following: "This [Insert Name of Project or Publication] was funded by [a grant award] totaling [insert total allocation amount and percentage from the [insert name of federal agency] with [insert total allocation and percentage] financed from non-federal sources.

EXAMPLES

Example #1 – Federal disclosure statement with zero financed from non-federal sources:

This Equity and Special Populations Grant Program is funded by a grant award totaling $11.5 million (100%) from the US Department of Labor, with $0.00 (0%) financed from non-federal sources.

Alternatively:

This Equity and Special Populations Grant Program is fully funded by a grant award totaling $361,633 (100%) from the US Department of Labor.

Example #2 – Federal disclosure statement with multiple funding sources, with some financed by non-federal sources:

This Equity and Special Populations Grant Program is funded by grant awards totaling $1,000,000 (85%) from the US Departments of Labor, Health and Human Services, and Education, with $176,470 (15%) financed from State and local sources.

Example #3 – Federal disclosure statement with multiple funding sources, with zero financed by non-federal sources stated:

The Equity and Special Populations Grant Program is fully funded by grant awards totaling $1 million (100%) from the US Departments of Labor, Health and Human Services, and Education, with $0.00 (0%) financed from non-federal sources.

Subcontractor Monitoring Policies and Procedures

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy establishes guidelines and procedures for the performance of subcontractor monitoring and resolution of any subsequent findings and concerns or observations by all Economic and Workforce Development Department (EWDD) subrecipients.

DEFINITIONS
Concern or Observation – statement or comment on a matter which the monitor believes may possibly result in a finding if not addressed. Generally, a concern or observation does not require a corrective action plan.

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

Finding – A violation of a specific compliance requirement contained in laws, regulations, federal, state and City policies and directives, Uniform Guidance, and grant terms and conditions that requires specific corrective action plan. Findings may result in questioned costs, and/or disallowed costs.

Monitoring – The monitoring review is an oversight activity that may lead to opportunities for technical assistance and/or corrective action. A monitoring review is a process used to measure progress, identify areas of compliance, offer opportunities for technical assistance to help resolve non-compliance issues, and ensure that federal funds are used responsibly.

Oversight – Performed by subrecipients in various ways such as on-site monitoring, risk assessment, desk reviews, and analysis of performance and financial reports.

Subrecipient – A non-federal entity that expends federal awards received from the City as pass-through entity to carry out a federal program but does not include an individual that is a beneficiary of such a program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency. 2 CFR Section 200.93). Characteristics which support the classification of the non-Federal entity as a subrecipient include when the non-Federal entity:

(1) Determines who is eligible to receive what Federal assistance;
(2) Has its performance measured in relation to whether objectives of a Federal program were met;
(3) Has responsibility for programmatic decision making;

(4) Is responsible for adherence to applicable Federal program requirements specified in the Federal award; and
(5) In accordance with its agreement, uses the Federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the benefit of the pass-through entity.

Subcontractor – in this policy and procedures, is an entity that receives funding from a subrecipient to carry out a part of federal or City program and is subject to federal, state and City compliance requirements. The subrecipient's other contracts/vendor agreements are not covered in this policy and procedures.

POLICY AND PROCEDURES
The Economic and Workforce Development Department (EWDD) awards federal, state, and local grants to for-profit and nonprofit subrecipients. It is the policy of the department to require its subrecipients to conduct desk and on-site monitoring reviews of their subcontractors every fiscal year to assure compliance with federal, state, local, and City grant regulations. Desk and on-site monitoring reviews provide the sub recipients with sufficient fiscal oversight of their subcontractors, ensuring that public funds are safeguarded and utilized for goods and services necessary for program operations.

Subcontractor monitoring must include the following procedures:

- Evaluation of the subcontractors' internal control systems,
- Verification of expenditures against supporting documents,
- Review of the necessity and reasonableness of billed expenses,
- Verification of recording in the books of accounts,
- Verification of compliance with the subcontractor agreement, and
- Performance of additional procedures as appropriate.

Subcontractor monitoring may be conducted using one or a combination of on-site visit or desk review. Subrecipients' approach will depend on whether or not the subcontractor is at the same time a subrecipient of EWDD or receives direct funding from EWDD. EWDD shall provide a list of subrecipients annually.

- **On-site Visit** – Use this approach if the subcontractor does not receive direct funding from EWDD.
    - Visit subcontractor on-site and perform the above monitoring procedures.

    - **Desk Review** – Use this approach if the subcontractor receives direct funding from EWDD.

    - Require subcontractor to submit general ledgers,
    - Verify reported expenditures against the subcontractor's general ledgers,

- Review supporting documentation for selected samples,
- Review and ensure adherence to the approved budget, expenditure cost limitations, cost classifications, and other reporting requirements, and
- Obtain, a copy of the latest fiscal review report and single audit report from EWDD and note relevant findings and concerns.

Subrecipients must maintain documentation of subcontractor monitoring, be it on-site or desk review. At a minimum, the subrecipient must have on file for EWDD verification, a written report or memorandum communicating to the subcontractor the results of the review including the findings and basis, if any, and their resolution. Subrecipients may take appropriate action, such as withholding of funds, if a subcontractor fails to comply with these sub monitoring requirements and/or be nonresponsive in providing the necessary documents for review. In such cases, the subrecipient should immediately notify EWDD in writing stating the reasons for withholding funds, and if applicable, return funds to EWDD.

Subrecipients may request technical assistance or guidance from EWDD fiscal and program monitors regarding on-site program and fiscal monitoring and desk review procedures, federal, state, local, and City grant regulations.

REFERENCES

- 2 CFR 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- 2 CFR 200 Sub Part D - Post Federal Awards Requirements- Performance and Financial Monitoring and Reporting (200.327, 200.328)
- 2 CFR 200 Sub Part D - Post Federal Awards Requirements- Subrecipient Monitoring and Management; (200.330, 200.331)
- 2 CFR 300 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – Department of Health and Human Services;
- 2 CFR 2800 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – Department of Justice;
- 2 CFR 2900 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – Department of Labor;
- 20 CFR 683.400 (C) (1), (D) - What are the Federal and State monitoring and oversight responsibilities.
- 20 CFR 683.410 (a) (1) through (4) – What are the roles and responsibilities of recipients and subrecipients.
- Employment Development Department Directive WSD 18-06, Subrecipient and Contractor Determination.
- Employment Development Department Draft Directive WSSD 210, Standards for Oversight and Instruction for Substate Monitoring.

*Supportive Services/Needs-Related Payments/Stipends and Incentive Payments Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance and establishes the procedures to the City of Los Angeles America's Job Center of California (AJCC)℠ Operators, locally known as WorkSource and YouthSource Centers, in providing supportive services that are necessary to enable WIOA eligible individuals who cannot afford to pay for such services to participate in authorized Workforce Innovation and Opportunity Act (WIOA) activities. This policy also sets procedures for needs-related payments, stipends and incentive payments.

Further, this policy provides general guidance for non-WIOA service providers or programs (such as LA:RISE, Californians for All, City General Fund, Youth at Work, and other special non-WIOA formula grants).

BACKGROUND
Supportive Services provide participants of WIOA activities with key assistance beyond career and training services necessary to achieve success. Supportive services, like assistance with transportation or child care, allow participants to successfully engage with WIOA career and training activities, such as Registered Apprenticeships or classroom training, that are vital to entering or re-entering the workforce.

Supportive Services are available for WIOA Title I Adult, Dislocated Worker, and Youth programs and other non-WIOA special grants funded by EWDD.

All Support Service costs must be necessary, reasonable, and allowable.

WIOA regulations allow Workforce Development Boards to establish limits on the provision of supportive services or provide the WorkSource and YouthSource Centers with the authority to establish such limits, including a maximum amount funding and maximum length of time for supportive services (including needs-related payments) to be available to customers.

WorkSource Centers shall include a minimum amount of $10,000 for Support Services in their annual budget. YouthSource Centers shall allocate funds for Support Services in their annual budget based on the amounts required in contracts. Procedures may also be established to allow WorkSource and YouthSource Centers to grant exceptions to the limits established under this provision.

Additionally, WIOA regulations mandate that post-employment follow-up services must be made available for a minimum of 12 months after registered customers are placed into

unsubsidized employment; WIOA regulations require that Youth be provided follow-up services for not less than 12 months after the completion of participation. Follow-up services may include supportive services, provided the services are clearly documented in a participant's CalJOBS profile.

DEFINITION

Supportive services are customer services that are necessary to enable WIOA eligible individuals, who cannot afford to pay for such services, to participate in authorized WIOA activities. For Youth participants, (those enrolled in a YouthSource Center, or programs funded for youth participants, typically ages 14-24), such activities must correspond to the required WIOA Elements or other authorized Workforce Development Youth Programs.

Supportive Services may include, but are not limited, to the following:

- Assistance with Childcare and dependent care for dependents of the participant.
- Assistance with uniforms or other appropriate work attire and work-related tools, including such items as eyeglasses, protective eye gear and other essential safety equipment while participating in WIOA activities and during job interviews.
- Assistance with Housing - Temporary shelter, housing assistance and referral services;
- Linkages to community services - Alcohol/drug/gang intervention counseling, drop-out prevention, pregnancy prevention, money management, tutoring or other purposes;
- Referrals to medical services/health care - Referral services to appropriate medical service providers;
- Reasonable accommodations for individuals with disabilities;
- Assistance with Transportation - Expenses for commuting to and from WIOA and special program activities such as public transportation fare, carpool arrangement, or gas for personal auto;
- Assistance with educational testing;
- Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes;
- Payments and fees for employment and training-related applications, tests, and certifications.
- Emergency Support Services – these are services exclusively allowed depending on the funding availability, parameter, and guidelines of special projects such as State Additional Assistance, National Dislocated Worker, or other emergency grants. Such services may include but are not limited to utility assistance, rental assistance, and food insecurity;
- Needs-related payments, as described in the policy below;
- Other – Program-specific services that are consistent with these policies and when justification is maintained in the participant's CalJOBS profile.

Disallowed Supportive Services
Supportive services will not be provided for expenses incurred prior to participant's enrollment in WIOA career services and training. Some examples of disallowed supportive services may include, but are not limited, to the following:

- Fines, penalties, interest payments, traffic violations, late finance charges, damages and other settlements;
- Refundable deposits;
- Taxes;
- Child support payments;
- Membership fees (i.e fitness club, social club, annual fees, etc.)
- Entertainment;
- Auto loan or mortgage payment;
- Alcohol, tobacco or recreational drugs;
- Pet products;
- Plants or plant supplies;
- Items for family members, friends, or anyone who is not the participant; or
- Personal medical/health expenses
- Cell phone bills
- Expenses incurred prior to enrollment or after participation in a WIOA program.

Note: Please contact your assigned program monitor for additional technical assistance. For more information on allowable program costs, see the Allowable Cost Policy.

POLICY AND PROCEDURES

I. Supportive Services Policy

Eligible Customers
Supportive Services are available for customers enrolled in WIOA Title I Adult, Dislocated Worker, and Youth programs. Support services are also available for customers enrolled in other EWDD non-WIOA formula special grants.

Supportive Services provide participants of WIOA activities with key assistance beyond career and training services necessary to achieve success. Supportive services, like assistance with transportation or child care, allow participants to successfully engage with WIOA career and training activities, such as Registered Apprenticeships or classroom training, that are vital to entering or re-entering the workforce.

The utilization of Supportive Services is determined on an individual basis. Fund distribution is determined by the AJCC operator with guidance from the Case Manager as needed. Eligibility or enrollment in WIOA does not constitute entitlement to Supportive

Services. Supportive Services dollars are not guaranteed as they are based on availability of program funds.

Supportive Service Purpose and Justification

All Support Service costs must be necessary, reasonable, and allowable.

Supportive Services may only be provided to participants when it is necessary to enable individuals to participate in activities tied to a specific service. Such needs are typically identified through the objective assessment process and outlined in the Individual Employment Plan (IEP). Supportive services are payments made to or on behalf of eligible participants for one-time or temporary services required to support the IEP. WIOA Title I will only pay for expenses incurred while a participant is enrolled in the program and actively participating in activities authorized under WIOA.

Supportive Services are not intended to assist in paying for expenses refundable to the participant. All Supportive Services must be approved in advance by the AJCC Case Manager. As a part of the objective assessment process and development of the IEP, determine a participant's need for Support Services and appropriate community resources and referrals.

Supportive services are services that are reasonable and necessary to enable a participant to take part in other services and activities related to their Employment Plan.
Supportive services should not duplicate a service a participant could receive from another program in the community.

Supportive Services are not intended to meet every need of the participant. Rather, they provide temporary assistance. For this reason, staff should assist the participant in developing a plan to cover the supported costs once WIOA Title I funds are no longer appropriate for the individual. This plan must be documented in a CalJOBS case note.

AJCC Procedures and Responsibilities
The AJCC operator shall ensure the costs for Support Services are reasonable, necessary, and allowable under federal guidelines and City of Los Angeles EWDD policies.

Support Service Documentation

WIOA Documentation:
Supportive services must be documented and uploaded into a participant's CalJOBS profile, and identified as a barrier as part of the individual's Individual Employment Plan (IEP), or Youth Individual Service Strategy (ISS). This should also include a needs assessment for how the supportive services will assist with the barrier and justification for supportive services, amount of planned funding, and verification that services were received. This should be thoroughly documented in customer's case notes.

Documentation of supportive services must include a receipt and affidavit in the participant's CalJOBS profile to validate that services were received and to ensure that payments are made for authorized WIOA services. Contracted providers must utilize CalJOBS to update Case Notes and report actual date support services were provided. Documentation will be verified by WDD monitors in CalJOBS.

Non-WIOA and Special Grants Documentation:
Supportive services must be documented and uploaded into a participant's CalJOBS profile. For non-WIOA Workforce Development program Youth participants and other special grants, supportive services shall be provided if there is a need for items or services to aid in the successful completion of the program in which the youth is enrolled. For non-WIOA Workforce Development Youth programs, documentation of supportive services must include program enrollment verification, justification (dress code requirements from employers, class syllabus, and similar documents indicating the items requested are needed), receipts, and a document to validate that services/items were received by the youth participant.

Direct Payment to Vendors
AJCC Operators/WIOA Youth Providers must strive to pay vendors directly whenever possible to ensure that Supportive Services are administered in a reasonable manner on behalf of the participant. If unable to pay vendors directly, the AJCC Operators have the responsibility of reviewing receipts for reimbursements to ensure costs are allowable.

Basic Documentation for Monitoring and Audits
In all cases, contractors must always have the following basic documentation in a participant's CalJOBS profile, which must always be made available for review by EWDD program and/or fiscal monitors, and grant auditors:

1. Approved Budget for current fiscal year with support service line items
2. Program Eligibility of Recipient
3. Request for Support Service (service provider internal process)
4. Case Manager's identification and evaluation of supportive service
5. Approval of Support Service and amount (including EWDD approvals if required)
6. Verification of Support Service received (participant certification/signature, proof
7. of check, vendor payment, vendor receipt)
8. Vendor Receipt, Billing statement for purchased items/services rendered
9. Vendor/Service Provider Name Address, Phone no., Purchase/Service dates
10. Supportive services are to be documented in the participant's profile, reported in CalJOBS, and case noted accordingly.

Following are types of "Allowable" support services and the type of acceptable documentation:

Supportive Services*		
Types of Supportive Services	**Applicable Programs**	**Acceptable Documentation**
Childcare	WIOA Adult, Dislocated Worker, WIOA Youth, Youth at Work, Californians for All and City General Fund and Measure H (when applicable)	• Day Care Agreement/Contract, Invoice, and Proof of Enrollment
Clothing	WIOA Adult, Dislocated Worker, WIOA Youth, Youth at Work, Californians for All and City General Fund and Measure H (when applicable)	• Interview Clothing Receipts • Work Uniform Receipts
Housing	WIOA Adult, Dislocated Worker, WIOA Youth, Youth at Work, Californians for All and City General Fund and Measure H(when applicable)	• Rental Agreement and Current Rental invoice or receipt that shows total cost. • Current Utility Bill • Dept of Water and Power (DWP) • Gas Company • Internet Provider (Internet ONLY, may not extend to “bundle” of cable) • Phone (Cellphone or landline) • YOUTH - temporary dwelling receipt (i.e. hotel, motel) • Invoice or Room Bill with name of location, total cost incurred and check in date
Transportation	WIOA Adult, Dislocated	• Gasoline Reimbursement

	Worker, WIOA Youth, Youth at Work, Californians for All and City General Fund and Measure H (when applicable)	• Driver's License, Proof of Insurance, registration, and gas receipts • Rideshare Services (Uber, Lyft), Metro Bus Pass (Daily, Weekly or Monthly) copy of pass (front and back) and receipt of purchase
Food	WIOA Youth and City General Fund	• Original Receipts • Sign-in Attendance Sheets • Agendas • Invoices *For detailed information on allowable costs and documentation, please see the Food as a Supportive Service Policy below.*
Other	WIOA Adult, Dislocated Worker, WIOA Youth, Youth at Work, Californians for All and City General Fund and Measure H (when applicable)	• Work equipment such as boots, tools or eyeglasses and protective eye gear. • Items for school such as books and required materials. • Other Youth program-specific items as needed.
**This table does not include all acceptable supportive service and corresponding documentation. For program-specific guidance, please contact the assigned program monitor for additional technical assistance. For more information on allowable program costs, see the Allowable Cost Policy.*		

Note: *For certain non-WIOA formula Special Grants - Self Attestation may be considered acceptable documentation, if no other documentation can be made available by the enrolled participant. The operator must maintain details related to failed attempts to obtain documents in the participant's file. This may not be used as the primary method of verification for supportive services, and prior approval must be obtained from the City. Mortgage payments may also be considered an allowable support for these special grant projects. The participant must first provide proof of an attempt to lower payments, or enter forbearance, through the lender. Additionally, supporting documentation showing the cost of the mortgage and participant's obligation will be required. For other non-WIOA formula special program guidance, please contact the assigned program monitor for additional technical assistance.*

Supportive Services and Follow-up Services for Adults and Dislocated Workers
Follow-up services must be provided to all participants for a minimum duration of 12 months. Supportive services may be provided to WIOA title I adult and DW participants as necessary to enable an individual to participate in career services and/or training services. As stated in TEGL 19-16, individuals identified as needing ongoing supportive services must still be participating in career services (other than follow-up), training activities, or both to continue to receive supportive services. Follow-up services may be provided to participants placed in unsubsidized employment, for not less than 12 months after the first date of employment as appropriate. For performance reporting purposes follow-up services do not extend the exit date but can take place after exit and therefore do not make an individual a participant on their own.

Supportive Services and Follow-Up Services for YouthSource Center customers
Follow-up services, which for youth may include supportive services, must be provided to all participants for a minimum duration of 12 months.

Supportive services can be provided to WIOA title I Youth during program participation and during follow-up services. There are no specific requirements for when to provide supportive services. They may be provided based on the needs of the participant as identified in the youth's Individual Service Strategy (ISS). Supportive services are 1 of the 5 types of WIOA title I Youth program elements that may be provided during follow-up as discussed in 20 CFR 681.580. If supportive services are provided as a follow-up service, they do not extend the date of exit.

II. Needs-Related Payments Policy

Needs-related payments are supportive services in the form of monetary assistance necessary to enable individuals to participate in training services. Needs-related payments are provided through cash assistance or arrangement with another human resource agency.

- Needs-related payments may be provided to participants in the WIOA Adult or Dislocated Worker programs.
- Needs-Related Payments may be provided during the entire length of time that a customer utilizes a WIOA training program or unpaid work experience but may not be continued after the customer completes training. If necessary, needs related payments may be provided to an eligible participant within 30 calendar days of acceptance into a training program.
- Needs-related payments may be provided to WIOA Youth participants at any level of the provision of WIOA Youth services during the entire length of time that a Youth participant remains in the WIOA Youth program. Needs-related payments are not an allowable post-exit follow-up service.

- Needs-related payments must be documented in a participant's CalJOBS profile and include justification for services, amount of planned funding, and verification that services were received by customer(s).
- Eligibility for Needs-related payments:
    - Adults must be unemployed, not qualify for or have ceased to qualify for unemployment insurance (UI) and be enrolled in a program of training services under WIOA.
    - In addition, a Dislocated Worker may be eligible to receive needs-related payments, only if such worker was enrolled in training services:
    - By the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility for employment and training activities for dislocated worker; or
    - If later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed 6 months; or
    - Dislocated Workers must be unemployed and cease to qualify for UI or trade adjustment allowance under Trade Adjustment Assistance (TAA) and be enrolled in a program of training services.
    - All WIOA Youth participants may receive need-based payments. An urgent need for such payments must be demonstrated and uploaded into the participant's CalJOBS profile.
- Limits on payments
    - For adults, establish that the maximum is the current minimum wage for every hour of documented participation in WIOA classroom training. Payment may not exceed the applicable weekly level of the UI.
    - For dislocated workers, payments must not exceed the greater of the following two levels:
    - For customers who were eligible for UI as a result of a qualifying dislocation, payment may not exceed the applicable weekly level of the UI. Payment is based on every hour of documented participation in WIOA classroom training.
    - For customers who did not qualify for UI as a result of a qualifying layoff, the weekly payment may not exceed the poverty level for an equivalent period. Payment is based on every hour of documented participant in WIOA classroom training.
    - For Youth, the maximum needs-based payment is $1,200 per participant per year.
    - A participant may not receive needs-related payments for either post-employment or post exit follow-up services as he/she is no longer

participating in an eligible WIOA activity but may still receive all other support services for up to 12 months after exiting the program.

III. Food Policy (Youth Only)

The WIOA Youth program allows providers to pay for food as a supportive service when needed to enable youth and young adults to fully participate in the program. Food may be provided to WIOA youth participants when it will assist or enable the participant to participate in youth program activities and to reach their employment and training goals, thereby achieving the program's overall performance goals.

Youth service providers should coordinate with other programs to ensure that participants who are eligible for the Supplemental Nutrition Assistance Program (SNAP) or other food services are enrolled in such programs.

Note: *For additional guidance on food as an allowable supportive service, please contact your program monitor.*

IV. Stipends and Incentive Payments Policy

Stipends and incentive payments can be made available to eligible participants enrolled in WIOA Title I Adult, Dislocated Worker and Youth programs or State of California General funds. Non-WIOA formula special grants shall also follow this guidance unless explicit language exists stating that stipends or incentive payments are not allowable activities under the grant program. Stipends and incentive payments to participants are strong motivators that help enable participation and lead to more successful outcomes for workforce program participants. Stipends can help alleviate financial stress by providing participants with the funds they need in order to be successful in the program. Stipends cover the costs associated with attending training, lost wages due to time spent in training, and ultimately ensure that participants do not drop out and return to lower wage, lower skilled occupations to meet immediate financial needs. Stipends cannot be used to replace wages.

Incentive payments, on the other hand, are provided as recognition for achievements, and can help motivate participants to achieve successful outcomes that will lead to long term financial self-sufficiency. Incentives are considered awards and are used to encourage participants to complete training, remain in jobs, or complete program activities. Incentives may be given for a participant's achievement in training, education, work readiness skills and/or an occupational skills attainment goal as identified in the Individual Service Strategy (ISS) or Individual Employment Plan (IEP). These payments may be awarded in the form of cash, check, gift card, or other type of card.

Definitions

Stipends - Fixed payments paid to program participants for participation in a training or other workforce activity that requires a substantial regularly scheduled time commitment. Stipends are a form of financial support paid to a participant to help cover the costs

associated with living expenses, travel, and/or materials needed to be successful in training or other workforce activities.

Incentives - Payments paid to program participants for recognition and achievement directly tied to work experience, education, and training.

For WIOA Youth, incentive payments are funds paid to Youth participants in the form of cash and/or gift cards based on attendance, successful performance, or completion of an activity that leads to attainment of a goal as identified in the participant's Individual Service Strategy. Such payments are intended to provide participants with an incentive to remain in the activity or be a reward for good performance. Incentives may be provided when participants reach certain milestones such as credential attainment, measurable skill gains, completion of Career Assessment, Job-Readiness Training, or Grant specific task, and employment and retention.

Note: Each program year, WorkSource and YouthSource Centers must establish their internal limits for stipends and incentive payments and submit their own written Incentive Payments Policy to EWDD for review and approval prior to the implementation of stipends and incentive payments. For more information on these requirements, please contact the Adult or Youth Operations Unit at EWDD.

Requirements for the Provision of Stipend Payments

Stipends must enable individuals to achieve their goals; and cannot be paid in lieu of wages. In order to provide stipends to program participants, recipients of funding from the City must have policies and procedures in place that meet the following criteria:

A. Provides appropriate justification for how the provision of stipends is aligned with the goals of the specific program(s), including who is being served, what type of training, and why stipends are needed for participants to be successful.

B. Aligns with the local program's organizational policies.

C. Is in accordance with the requirements contained in 2 CFR part 200. (e.g., federal funds must not be spent on entertainment). This applies to federal funds through 2 CFR part 200 and is adopted to apply to state funds, by incorporation in this Directive.

D. Outlines that stipends will not be used to replace wages. In cases where wages are the most appropriate form of payment to the participant, wages must be paid in accordance with existing work based learning and other policies.

E. Outlines methodology for the determination of need for stipends, the determination of stipend amounts, and how determinations will be documented.

F. Appropriately differentiates criteria between stipends and incentives if both types of payments are allowed within the program.

Requirements for the Provision of Incentive Payments
Incentive payments must be for the recognition and achievement directly tied to training activities and work experiences; and cannot be paid in lieu of wages. In order to provide incentives to program participants, recipients of funding from the state must have policies and procedures in place that meet the following criteria:

A. Provides appropriate justification for how the provision of incentives is aligned with the goals of the specific program(s), including who is being served, and what type of activities and outcomes are being incentivized with the payments.
B. Aligns with the local program's organizational policies.
C. Is in accordance with the requirements contained in 2 CFR part 200 (e.g., federal funds must not be spent on entertainment). This applies to federal funds through 2 CFR part 200 and is adopted to apply to state funds, by incorporation in this Directive.
D. Outlines that incentives will not be used to replace wages. In cases where wages are the most appropriate form of payment to the participant, wages must be paid in accordance with existing work-based learning and other policies.
E. Outlines methodology for determining the appropriate use of incentives based on how they will help participants achieve goals, milestones, or outcomes, incentive amounts, and how determinations will be documented.
F. Appropriately differentiates criteria between stipends and incentives if both types of payments are allowed.

Appropriate Incentives: Per WIOA Sec 129; 20 CFR § 681.640; 2 CFR Part 200 incentives must not include entertainment, such as movie or sporting event tickets or gift cards to movie theaters or other venues whose sole purpose is entertainment. Additionally, there are requirements related to internal controls to safeguard cash, which also apply to safeguarding of gift cards, which are essentially cash. Contracted providers will establish limits for incentives.

Documentation of Stipends and Incentive Payments

All stipends and incentive payments must be documented in CalJOBS through case notes and appropriate activity code(s). When providing stipends and/or incentive payments, the following must be documented in the participant case file (case note): (1) Justification for why stipends and/or incentives are being provided, (2) the contribution it makes to the participant's success, and (3) how the stipend or incentive payment was calculated and why the dollar amount provided is necessary and reasonable.

Stipends must also be recorded using the appropriate activity code:

- Stipends to Adult participants must be recorded using activity code 197 Supportive Services: Stipends

- Stipends to Youth participants must be recorded using activity code 494 Supportive Services: Stipends

Incentive Payments must also be recorded using the appropriate activity code:

- Incentive Payments to Adult participants must be recorded using activity code 183 Supportive Service: Incentives/Bonuses
- Incentive Payments to Youth participants must be recorded using activity code 419 Incentive Payment

For more information, refer to Attachment 1 of WSD19-06.

Recipients of funds from the state must maintain appropriate and identifiable expenditure records of stipends and incentive payments for the purposes of local, state, and federal monitoring/audits. When writing stipend and incentive policies, the EDD encourages entities to adhere to Internal Revenue Service guidelines to understand the differences between stipends, incentives, and wages. It is critical to correctly identify payments to avoid a disallowed cost if deemed as wages. The recipient of funds is responsible for properly educating participants on any potential tax implications or impact to public benefits, like federal disability benefits or other benefit types that are impacted by earned or unearned income.

Eligibility Requirements: Participants are eligible for incentives provided for recognition and achievement directly tied to training activities and work experiences. Incentive payments must be tied to the goals of the specific program; outlined in writing before the commencement of the program that may provide incentive payments; align with the local program's organizational policies; and are in accordance with the requirements contained in 2 CFR part 200.

V. Expenditure Reporting Requirements

Service providers should not assume the allowability of support services expenses (reference 2 CFR 200 Subpart E – Cost Principles & EWDD's Allowable Costs Policy). WorkSource Centers shall include a minimum amount of $10,000 for Support Services in their annual budget.

YouthSource Centers shall allocate funds for Support Services in their annual budget based on the amounts required in contracts.

At the start of each fiscal year, which runs from July 1 through June 30, agencies are required to submit a Budget/Expenditure Plan that lists the total amount set aside for Supportive Services.

The AJCC or service provider should establish their own Supportive Services policy and procedures to support expenditures. At a minimum, the policy should make considerations to:

- Review and verify if participants are eligible,
- Review and verify the amounts that were paid on behalf of participants, and
- Review and verify participant acknowledgement, request forms, and official receipts.

For WIOA, the Monthly Expenditure Reports are due to the Financial Management Division (FMD) of the EWDD no later than the 15th of the month for support services provided in the prior month. Agencies need to include those support services provided, as well as those support services leveraged and report them accordingly on to the Non-training Leverage Resources Form.

A copy of the Non-training Leverage Resources Form should reflect the supportive services provided to Adult and Dislocated Worker participants. The form should include the participant's name, grant code, description of support services and amount.

Two copies of each form must be submitted each month. One copy of each form must be submitted to FMD, and one copy of each form must be submitted to your assigned budget/program analyst. FMD does allow invoices to be e-mailed prior to submitting a signed/hard copy. If emailing FMD, ensure your assigned analyst is copied in your electronic submission. If the agency only submits hard copies, one copy needs to be sent to the assigned analyst.

REFERENCES

- WIOA (Public Law 113-128) Sections 3 and 134
- SB 734 (DeSaulnier), Chapter 498, Statues of 2011
- EWDD Workforce Development System Directive 20-13
- Workforce Services Directive (WSD) 18-10: WIOA Training Expenditure Requirement (January 31, 2019)
- WIOA Sec 129; 20 CFR § 681.640; 2 CFR Part 200
- Training and Employment Guidance Letter (TEGL) 09-22: Workforce Innovation and Opportunity Act Title I Youth Formula Program Guidance (March 2, 2023)
- Uniform Guidance at 2 CFR 200.403
- EDD Workforce Services Directive (WSD) 17-07: WIOA Youth Program Requirements (January 16, 2018)
- EDD Draft Directive WSDD-253: Stipends and Incentive Payments (December 6, 2023)

Procurement and Contracting

Assignment of WorkSource and YouthSource Center Agreements Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

Contractors must immediately inform the City of any facts that may materially affect the performance of their agreements or impact the City's decision to continue an agreement with the Contractor. Contractors shall not transfer their agreement to another entity without prior City approval. If there is a need to replace a contractor, specific procedures will be followed as described herein.

BACKGROUND

The AJCC locations are the core of California's workforce system. The AJCC Operators and Adult and Dislocated Worker Career Services Providers play a critical role to ensure that AJCCs are serving as all-inclusive access points to education and training programs for a wide range of customers.

Local Boards are required to conduct an open and competitive process to select their AJCC Operators. The Local Board, with the agreement of the Chief Elected Official and the Governor, may provide Adult and Dislocated Worker Career Services, or by awarding contracts. Although not required by statute, Local Boards are encouraged to use a competitive process to select their Adult and Dislocated Worker Career Services Providers, similar to the AJCC Operator, to promote efficiency and effectiveness of these roles by regularly examining performance and costs.

POLICY AND PROCEDURES

Contractors must immediately provide the City written notice of any facts that may materially affect the performance of their agreements or impact the City's decision to continue an agreement with the Contractor. Among the items to be disclosed are negotiations leading to the sale, merger or acquisition of the Contractor. Contractor may not assign, delegate, or transfer their agreements, nor assign or transfer any right, interest or obligation in their agreements, including the right to payment, without the prior written consent of the City.

When any City Workforce Innovation and Opportunity Act (WIOA) funded WorkSource or YouthSource Center operator proposes to assign their agreement to another organization due to sale, acquisition or merger, the Department shall submit to the Workforce

Development Board (WDB) a recommendation as to whether or not to accept said assignment.

If the Department and/or WDB do not approve the contractor's request to assign their agreement or when any City WIOA WorkSource or YouthSource Center operator:

- Proposes to assign their agreement to another organization for reasons not stated above,
- Fails to meet certification requirements, or
- Proposes termination of their agreement for any other reason.

The Department shall submit to the WDB a recommendation whether to continue WorkSource or YouthSource Center operations at the specified location.
If the WDB agrees to continue operations at the specified location, the selection of the replacement operator shall be made based on the established Replacement Operator Policy.

The Department shall maintain a list of qualified replacement operators based on proposers to the WorkSource and YouthSource Requests for Proposals (RFP) who attained a predefined passing score. The list shall remain in effect for the same term as the underlying RFP.

REFERENCES

- EDD Workforce Services Directive (WSD) 22-13: Selection of AJCC Operators and Career Service Providers (May 1, 2023)
- WIOA (Public Law 113-128)
- Title 2 Code of Federal Regulations (CFR) Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)
- Title 2 CFR Part 2900: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Department of Labor [DOL] Exceptions)
- Title 20 CFR Part 678: Description of the One-Stop Delivery System Under Title I of the Workforce Innovation and Opportunity Act
- Title 20 CFR Part 679: Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act
- Training and Employment Guidance Letter (TEGL) 15-16, Competitive Selection of One-Stop Operators (January 17, 2017)

Conflict of Interest Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

The City's Agreement(s) and Directives prohibit Contractors from allowing employees who work in a decision-making capacity from engaging in any activity, including participation in the selection, award, or administration of a sub-grant or contract where there is a conflict of interest, either real or perceived. Additionally, no employees shall be allowed to be members of its Board of Directors if the employee receives any financial benefit from the City Agreement. This policy applies to all funded programs of the Economic and Workforce Development Department (EWDD).

BACKGROUND

EWDD is funded by several grant sources, each with different regulations related to prohibiting conflicts of interest. The City is required to apply conflict of interest laws cumulatively, meaning the strictest law is what controls a given situation.

All Contractors are required to ensure that none of its directors, officers, employees, or agents shall participate in selecting, or administering any sub-contract supported (in whole or in part) by City funds (regardless of source) where such person is a director, officer, employee or agent of the subcontractor; or where the selection of subcontractors is or has the appearance of being motivated by a desire for personal gain for themselves or others such as family business, etc.; or where such person knows or should have known that:

1. A member of such person's immediate family, or domestic partner or organization has a financial interest in the subcontract; or
2. The subcontractor is someone with whom such person has or is negotiating any prospective employment; or
3. The participation of such a person would be prohibited by the California Political Reform Act, California Government Code §87100 et seq. if such person were a public officer, because such person would have a "financial or other interest" in the subcontract.
4. Definitions:
    a. The term "immediate family" includes but is not limited to domestic partner and/or those persons related by blood or marriage, such as husband, wife, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law.

b. The term "financial or other interest" includes but is not limited to:

i. Any direct or indirect financial interest in the specific contract, including a commission or fee, a share of the proceeds, prospect of a promotion or of future employment, a profit, or any other form of financial reward.

ii. Any of the following interests in the subcontractor ownership: partnership interest or other beneficial interest of five percent or more; ownership of five percent or more of the stock; employment in a managerial capacity; or membership on the board of directors or governing body.

iii. A subcontract is any agreement entered into by Contractor for the purchase of goods or services with any funds provided by this Agreement.

5. Minutes of Board Meetings must reflect disclosure of transactions where Board Members may have had a direct or indirect interest/benefit in the action.
6. No director, officer, employee (or agent) of the Contractor may be on the Board of Directors if they receive any financial benefit provided by any City Agreement.
7. The Contractor further covenants that no officer, director, employee, or agent shall solicit or accept gratuities, favors, anything of monetary value from any actual or potential subcontractor, supplier, a party to a sub agreement, (or persons who are otherwise in a position to benefit from the actions of any officer, employee, or agent).
8. The Contractor shall not subcontract with a former director, officer, or employee within a one-year period following the termination of the relationship between said person and the Contractor.

POLICY AND PROCEDURES

All new contractors will be provided a copy of the City's current Code of Conduct/Policy on Conflict of Interest and required to adopt or provide documentation of compliance with requirements of the City's Code of Conduct via Board Resolution. City staff will provide all new contractors with standardized Board Resolution forms that need to be completed by the Contractor as part of conditions precedent to execution of a contract. Upon discussion and adoption of the City's Code of Conduct/Policy on Conflict of Interest by the Board of Directors, the Contractor shall complete the required forms and return them to their assigned program monitor for further review.

The City will not execute any Agreements and/or Amendments with Contractors where an employee (an individual who is paid or receives any financial benefit from funds from the

Agreement with the City), is a member of the Board of Directors. The Board minutes must reflect this requirement.

All Contractors/Sub-Contractors are required to notify the City immediately upon discovery that a potential conflict of interest situation exists or may come into existence due to upcoming contractual/business dealings prior to each year's execution of a new City Agreement or Amendment.

If an existing or pending conflict of interest situation(s) is not brought to the attention of the City prior to execution of the Agreement or Amendment, and subsequent audit or monitoring visits determine that a conflict of interest does exist, the City will **NOT** approve a Contractor/Sub-Contractor's request for waiver/exception of the conflict of interest. Further, the City will question and may disallow any and all costs associated with the conflict of interest.

All exceptions/waivers to conflicts of interest that have been previously granted must be reviewed before execution of a new City funded Agreement or Amendment.

REFERENCES

- EWDD WDS Directive No. 17-08 Policy on Conflict of Interest or subsequent Directives that are issued to supersede WDS Directive No. 17-08,
- §x STANDARD PROVISIONS, subsection "x". The section and/or subsection number may vary dependent on program; Refer to "Conflict of Interest" in table of contents within EWDD Contract.
- Political Reform Act – Gov. Code Section 87100 et seq Conflict of Interest

Contract Execution Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides guidelines and timeframe for the execution of City of Los Angeles Workforce Development System (WDS) contracts.

BACKGROUND

The Workforce Development Board (WDB), along with the City Council and the Mayor develop the WDB Annual Plan. The Annual Plan outlines how the City will deliver services and meet workforce development needs through the WDS. The WDS requires over 200 contracts and amendments be executed throughout the program year.

POLICY AND PROCEDURES

The WDS will make its best effort to execute contracts within 60 days of final approval from the Workforce Development Board (WDB), City Council, and/or Mayor, whichever occurs last. The WDS will track the contract execution cycle, and report to the WDB any contracts that do not meet this standard.

Contractors shall submit to the Economic and Workforce Development Department (EWDD) all documentation required for contract execution, including signature pages, within 10 working days following issuance of their final contract package. Contractors must provide timely notification of their inability to meet any deadlines to EWDD's Contract Unit and their assigned program analyst.

*Procurement and Contract Execution Guidelines

EFFECTIVE DATE: JULY 1, 2024

POLICY STATEMENT
The purpose of these procedures is to ensure that all procurement activities conducted by the Economic and Workforce Development Department (EWDD) are in accordance with established federal, state, and local guidelines, and that all procurement is conducted in an ethical, legal, consistent, and timely manner. These procedures shall serve as guidelines both for EWDD and for EWDD-funded subrecipients.

BACKGROUND
Procurement provides EWDD with the mechanism to identify organizations that have the integrity, business ethics, financial, personnel and physical plant resources, demonstrated ability and the overall potential ability to deliver the services solicited by EWDD in a timely manner and at a reasonable price. It will also ensure the avoidance of the purchasing of unnecessary or duplicate items or services.

POLICY AND PROCEDURES

Management of Procurement
Procurement shall be managed by EWDD's Procurement and Contract Development (PCD) staff. If procurement is conducted by other staff in EWDD, documents that are identified in the "Maintenance of Records'' section of these Guidelines shall be submitted to PCD to be maintained in the Procurement Central Files.

Authority to Procure
City Council and Mayor approvals are required to conduct any procurement, with two exceptions: 1. Transactions less than $25,000, which the EWDD General Manager has the authority to execute; and 2. Workforce Innovation and Opportunity Act [WIOA] transactions less than $250,000, for which only Workforce Development Board [WDB] approval is required.

A request to the City Council and the Mayor for approval to conduct procurement shall be prepared in the form of a Committee Transmittal Report. The draft procurement document shall not be included with the transmittal.

Lease vs. Purchase Consideration
The decision to lease or buy personal property should be governed by considerations of economy. Consideration for leasing may differ by property type and according to market conditions. The length of the contract period of the lease should also be considered. Leasing with an option to purchase is generally preferable to a straight lease.

Methods of Procurement

Within the context of open competition, there are five methods by which agencies may procure goods and services: micro-purchase, small purchase, sealed bids, competitive proposals, and noncompetitive proposals. For a transaction of less than $150,000, the small purchase method may be used. However, the sealed bid and competitive proposal may also be selected. For transactions of $250,000 or more, the sealed bid or competitive proposal must be used.

Micro-Purchase Procurement – This method shall be used for the purchase of goods or services, the aggregate dollar amount of which does not exceed $50,000. To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the entity considers the price to be reasonable.

Anticipated Price	Required Action
Up to $50,000	May be awarded without quotes if the entity considers the price to be reasonable

Small Purchase Procurement – This method shall be used for the purchase of goods or services up to $250,000:

Anticipated Price	Required Action
$50,001 to $250,000	Three or more written quotations

Quotations must be solicited from vendors that can reasonably be expected to provide the goods or services needed. Such quotations should include vendor contact information, and a description of the goods or services being offered.

For small purchases between $50,001 and $250,000, a Request for Quote (RFQ) must be used. The RFQ shall be provided in writing (including fax or email) to the vendors and should specify the quantity, time frames, and all the requirements of the product or services being sought. Three or more written quotes must be obtained with this method. All responses shall be in writing. A memorandum to file that identifies the selection process, the written solicitation, and all written responses shall serve as sufficient documentation.

For all quotations, the lowest price estimate shall serve as the primary criterion for selection. If the selected proposers did not offer the lowest price, justification must be incorporated into the memorandum to file documenting the criteria for selection and the relevance of the criteria to the need and benefit.

Proper documentation for a small purchase includes:

- The reason for selecting the small purchase method.
- An estimate of the potential purchase price.

- A description of the goods or services being purchased, including the quantity and any additional criteria used to determine the procurement decision. A copy of the RFQ would suffice.
- All providers contacted/considered and the prices offered using current catalogs, price lists, prior sales receipts, or formal quotes depending on the amount of the purchase.
- Why the provider was selected, including how the provider met any additional criteria, and the price analysis.
- Copy of the purchase document (sales receipt, contract).

Sealed Bids – This method shall be used when the nature of the good or service to be purchased will be more than $250,000 and can be precisely defined. Sealed bids shall be solicited publicly for a fixed-price contract through an Invitation for Bids (IFB), also known as Requests for Bids (RFB). The IFB/RFB will be publicly solicited or advertised through the Regional Alliance Marketplace for Procure (RAMP), newspapers, local advertising and/or trade papers. IFB/RFB defines the quantity, timeframes, and product requirements.

Vendors are notified of the purchase requirements and submit a sealed bid to a specified location by a specified date and time. The bids are then opened at a specific date and time. A diligent effort should be made to secure at least three competitive bids. The responsible bidder (a bidder that can meet the technical requirements of the procurements), that submits the lowest bid is usually awarded the contract. Any bidder that falls outside of the parameters will normally have their bid rejected. Award of a firm fixed-price or fixed unit price contract by written notice is sent to the lowest responsible bidder. If only one bid is obtained and that bidder is deemed to be responsible, then the noncompetitive or sole source process may be used. Contract offers shall be made to the most responsible bidder whose bid conforms to all of the material terms and conditions of the IFB/RFB and is the lowest price.

Proper documentation for a sealed bid purchase includes:

- The reason for selecting the sealed bid method.
- An estimate of the potential purchase price.
- A copy of the IFB/RFB.
- Bids received.
- Determination of the responsibility of the bidder.
- Why the provider was selected.
- Copy of the award document.

IFB/RFB versus RFP

The IFB/RFB is used when there is a clear understanding of the project requirements, scope of work and technical specifications. The Request for Proposal (RFP) is used in cases where the specific requirements and technical specifications of a project are of a functional nature or unclear. The RFP then provides a guideline for potential proposers to use in preparing a bid/proposal.

Competitive Proposals (RFP) – This method shall be used for procurements in excess of $250,000 when the nature of the goods or services to be acquired cannot be defined as required by the sealed bid method; specifically, when factors other than price are important in the selection decision. Competitive proposals shall be managed through a RFP process with the objective to offer a fixed-price or cost-reimbursement type of contract.

The RFP must indicate the scope of work, the deadline for receipt of proposals, and the appeals process. The RFP will be made available on the City's Regional Alliance Marketplace for Procurement (RAMP) at RAMPLA.org. A bidders' conference will be held to present the RFP to interested parties. Bidders are required to submit their proposals to a specified location by a specified date and time. Each RFP is reviewed and evaluated as to the merits of the proposal. This review includes a cost reasonableness analysis. There should be a documented methodology for technical evaluation of each proposal. Careful documentation of the successful bidder selection should be maintained for reference. A public notice of intent to award is issued, followed by the award and the execution of the contract. If only one proposal is obtained and that proposal is deemed to be responsible, then the noncompetitive or sole source process may be used.

Proper documentation for a competitive proposal purchase includes:

- The reason for selecting the competitive proposal method.
- An estimate of the potential purchase price.
- A copy of the RFP.
- Questions and answers posed during the RFP process.
- Bids received.
- The scoring criteria and the evaluation/scoring sheets for each proposal, including determination of the responsibility of the bidder and the cost analysis.
- Why the provider was selected.
- The public notice of intent to award.
- Copy of the award document.

Noncompetitive Proposals (Sole Source) – This method of procurement may be used only when the award of a contract is not feasible under Small Purchase Procedures, Sealed Bids or Competitive Proposals, and one of the following circumstances applies:

- The goods and/or services are available only from a single source; or
- The public exigency or emergency need for the goods and/or services is too immediate to undergo the competitive solicitation process, and the procurement is for a limited time only; or
- The awarding agency (e.g., State of California, U.S. Department of Housing and Urban Development, U.S. Department of Labor) authorizes the specific noncompetitive procurement (upon a formal request for approval); or
- After the solicitation from a number of sources, the competition is determined inadequate.

- This method of procurement requires written justification for provider selection, a cost analysis, and City Attorney approval all of which must be carefully documented and maintained.
- Proper documentation for a sole source purchase includes:
- The reason for selecting the sole source method, including why the procurement was infeasible under one of the other procurement methods and which of the additional sole source conditions the procurement met.
- An estimate of the potential purchase price.
- A determination of the responsibility of the bidder and the cost analysis.
- Why the provider was selected.
- Copy of the award document.

To the greatest extent possible, this method of procurement shall be avoided.

Piggyback Method – This method of procurement may be used when an organization has been procured by another federal, state, local agency, or City department within the past two years and EWDD seeks to contract with that organization for comparable services. In this instance, EWDD shall secure and retain copies of the other agency's procurement document, a detailed summary of the procurement process, and elected official approval of the procurement process and selection. EWDD shall prepare written justification for such action and secure City Attorney approval.

EWDD may authorize a funded subrecipient to use a vendor that has been procured by the City without requiring a further procurement process.

Request for Qualifications – This method of procurement may be used when EWDD is seeking to establish a list of qualified organizations that provide highly specialized or technical services. By establishing the list of qualified organizations, EWDD or its subrecipients may elect to contract with one or more of the organizations on an "as needed" basis.

Cost Analysis vs. Price Analysis

A cost or price analysis must be performed with the method and degree of analysis dependent on the facts surrounding the particular procurement situation. Cost analysis is the review and evaluation of each element of cost to determine reasonableness, allocability, and allowability.

As a starting point, grantees must make independent estimates before receiving bids or proposals. A cost analysis must be performed when the offeror is required to submit the elements of their estimated cost (e.g., under professional, consulting, and architectural engineering services contracts). A cost analysis will be necessary when adequate price competition is lacking, and for sole source procurements, including contract modifications or change orders. A cost analysis may not be necessary if one can establish price reasonableness on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or based on prices set by law or regulation. A price analysis will be used in all other circumstances to determine the

reasonableness of the proposed contract price. Price analysis may be accomplished in various ways, including the comparison of price quotations submitted, market prices and similar indicia, together with discounts.

Competition
To the greatest extent possible, procurement shall be conducted in a manner that provides full and open competition. The following are examples of requirements that are restrictive of competition and must be avoided:

- Placing unreasonable requirements on firms or organizations as conditions to qualify to do business.
- Requiring unnecessary experience or excessive bonding.
- Imposing noncompetitive pricing practices between firms or organizations, or between affiliated companies or organizations.
- Granting noncompetitive awards to consultants that are on retainer contracts.
- Organizational conflicts of interest.
- Specifying only "brand name" products.
- Imposing overly restrictive specifications.
- Imposing any arbitrary action in the procurement process.

Procurement Cycle
Funding of an organization through any one of the procurement methods shall be for a period of up to four years.

Development and Release of Request for Proposals or Request for Qualifications
PCD shall designate a Procurement Coordinator for each procurement process. It shall be the responsibility of the Procurement Coordinator to ensure compliance with the procedures set forth herein, and to ensure that all procurement is conducted in a confidential manner.

A determination shall be made and concurred with by the City Administrative Officer (CAO) and the Personnel Department that the services to be procured cannot be performed by City staff, in accordance with Charter Section 1022.

The Procurement Coordinator shall ensure that no conflict of interest exists for any individual, firm, or organization participating in the rating process. This process refers to internal and external raters of procurements and a conflict of interest form shall be signed.

Guiding principles and a procurement schedule shall be presented to the appropriate Commission or Board for comment and or approval.

EWDD shall include projected annual funding levels based on its own budget estimate.

Clear evaluation criteria and a standard proposal evaluation instrument shall be developed. At a minimum, all proposals shall be evaluated for Demonstrated Ability (requiring a minimum of two years of experience within a defined period of time in providing comparable services), Program Design, and Cost Reasonableness.

All attempts should be made so that the criteria for Demonstrated Ability shall neither favor nor discriminate against existing City contractors or entities that have not contracted with the City.

PCD will develop a worksheet or checklist for determining the eligibility and responsiveness of each proposal. If a proposer is found to be ineligible or non-responsive, their proposal will not be scored.

Prior to its release, PCD shall submit the procurement document to the City Attorney for review and approval as to form and legality.

PCD will brief the EWDD General Manager on the procurement document and associated schedule on a regular basis.

PCD will work with the EWDD Information and Technology Division to issue public notification through an announcement in a local public medium, the EWDD webpage, the City's Early Notification System, Regional Alliance Marketplace for Procurement (RAMP) at RAMPLA.org, and other customary and reasonable means of notifying the public, advising of the release of the procurement document.

EWDD may request a mandatory Letter of Intent to Propose from potential proposers.

PCD will advise all EWDD staff of the release of the procurement document together with instructions that staff is prohibited from assisting any proposer in the preparation of a proposal; from discussing the process and/or the merits of any potential proposer with any third party; and to forward any unattended procurement documents left in common areas to the Procurement Coordinator.

All procurement documents shall remain open for a minimum of three (3) weeks from the date of release.

Any modifications and amendments to a procurement process will be publicly noticed and incorporated into the procurement document through posting on the RAMPLA.org website.

A minimum of one (1) Bidders' Conference shall be conducted per procurement. The date, time and location of the session shall be specified in the procurement document.

All technical assistance questions from potential proposers shall be posed through e-mail communication, and all responses provided by EWDD shall be shared with all potential proposers on the RAMPLA.org website.

Acceptance of Proposals

One of two methods will be identified in the procurement document for the submission of proposals:

<u>On-line Submission</u>

All proposals must be completed and submitted per the instructions set forth in the procurement document using the on-line platform identified.

Proposals submitted by any other manner including those hand-delivered will not be accepted or considered for funding. Also, on-line submissions not meeting the deadline, as set forth in the procurement document, will have no standing for an appeal.

Hard-Copy Submission:
One (1) week prior to the deadline for submission, all EWDD staff shall be advised of the proposal deadline and instructed to direct any proposers attempting to submit proposals immediately to the EWDD Front Desk staff for formal receipt and to have their proposals be date- and time-stamped.

On the day of the deadline for the submission of proposals, as set forth in the procurement document, PCD staff shall be stationed to receive proposals. Such proposals shall immediately be stamped with the date and time of the receipt of each proposal.

Following the deadline for proposal submission, the receiving staff shall immediately deliver all date- and time-stamped proposals to the designated Procurement Coordinator.
Proposals not received by the deadline, as set forth in the procurement document, shall not be accepted.

Review of Proposals
The Procurement Coordinator shall coordinate the review and evaluation of proposals and assign staff responsibilities.

PCD staff shall prepare and maintain a log that identifies all proposers, funds requested, collaborators, services to be provided, area to be served, number of individuals to be served, proposed outcomes, and any other elements of the proposal that shall serve as the executive summary of all proposals received.

PCD staff shall conduct an eligibility and responsiveness review to determine if each proposer is eligible to apply, including whether the proposer has been debarred by the State of California and whether all sections of the proposal have been completed as identified on the proposal checklist.

PCD staff shall ensure that each proposer has complied with the City's RAMP and Business Inclusion Program (BIP) requirements.

PCD staff shall review the documentation that all subcontractors identified in a proposal have been competitively procured by the proposer prior to submission of the proposal.

PCD staff shall be responsible for the review and evaluation of the non-narrative sections of the "Demonstrated Ability" and "Cost Reasonableness" categories of the proposals.

To the extent possible, the review and evaluation of proposals shall be conducted by individuals ***independent of the City of Los Angeles***, who are experts in the subject matter of the procurement. All reviewers must be briefed on and acknowledge in writing that they will abide by the Conflict of Interest requirements described in the Code of Conduct section of this policy. For procurements in which EWDD was not successful in identifying sufficient outside raters, the PCD may utilize internal raters as long as there are no financial conflicts of interest.

Formal training sessions shall be conducted by the Procurement Coordinator for all individuals who are to review proposals. Training materials shall include the procurement document, the evaluation instrument, and the conflict of interest declaration.

Proposals shall be reviewed by a team of at least two raters, with each rater reviewing proposals independently of one another and then convening to form a single, consensus final evaluation score.

Each review team shall be assigned to review and evaluate multiple proposals that focus on specific communities, populations, or services. For example, a team would be assigned to review proposals submitted to serve the East Region, while another team would review proposals submitted to serve the North Valley Region, in order to achieve a consistency of scoring within a specific region.

Consensus meetings for each review team shall be facilitated by EWDD staff. The consensus meeting will result in a single consensus scoring document for each proposal, which will be submitted to EWDD.

EWDD staff shall review all scores provided by the raters to ensure that there is consistency in the review of the proposals and that consensus has been reached by the raters.

For existing EWDD contractors, Demonstrated Ability shall be evaluated on the basis of past performance as documented in the Annual Performance Evaluation completed by EWDD.

To promote open competition, a Performance Verification form that allows non-City contractors to certify their demonstrated ability on performance measures that mirror those against which City contractors are evaluated shall be included, when appropriate. The certification shall include contact information of third parties who can verify the proposer's performance.

Determination of cost reasonableness will be evaluated by EWDD. This analysis may include a comparison of each proposed contract price to: 1) all other proposals received; 2) current contract prices; 3) published market prices; 4) EWDD's own cost estimate; and 5) various metrics such as the cost per individual served.

All proposed costs shall also be reviewed to determine that they are allowable, reasonable, and necessary in keeping with federal, state and City procurement guidelines.

Proposed costs that cannot be accurately determined as a result of errors and/or omissions in preparation of the proposed budget shall not be considered reasonable and shall not be scored.

All proposed indirect costs shall be supported by a letter from the cognizant federal agency.

All proposed profit must be reviewed to determine that it is in accordance with any relevant Directives that are current for the proposed contract period.

To maintain the integrity of the process, a minimum of two (2) staff members shall review sections of proposals that cannot be reviewed by outside reviewers.

In the event that the EWDD Operations (OPS) notifies PCD of its intent to respond to a procurement issued by PCD, a clearly defined firewall must be established between PCD as the administrator of the procurement and OPS as the proposer.

The following actions shall be taken:

- The EWDD General Manager and the Assistant General Managers of Workforce Development and Finance and Administrative Services shall be notified in writing of such intent;
- EWDD Operations (OPS) staff shall be prohibited from participating, discussing, or inquiring of PCD staff in any way, regarding the development, review, and/or scoring of such proposal, with the exception of any publicly held meeting of which the procurement and proposal are the subject; and
- PCD staff and OPS staff, including the respective Assistant General Managers, are prohibited from engaging in any discussions regarding the procurement until the procurement review has been concluded and the scores have been formally released to the proposers and to the appropriate governing board.

In the event that a City Department notifies PCD of its intent to respond to a procurement issued by PCD, a clearly defined boundary must be established between PCD, as the administrator of the procurement, and the City Department as the proposer.

The following actions shall be taken:

- The EWDD General Manager and the Assistant General Managers of Workforce Development and Finance and Administrative Services shall be notified in writing of such intent;
- City Department staff shall be prohibited from participating, discussing, or inquiring of PCD staff in any way, regarding the development, review, and/or scoring of such proposal, with the exception of any publicly held meeting of which the procurement and proposal are the subject; and
- PCD staff and City Department staff, including the respective Assistant General Managers, are prohibited from engaging in any discussions regarding the procurement until the procurement review has been concluded and the scores have been formally released to the proposers and to the Workforce Development Board.

To be considered for funding, a proposal must receive a score of at least 70 percent of attainable points. However, a score of 70 percent or more is not a guarantee of funding. In addition, a high score does not necessarily guarantee funding.

EWDD shall reserve the right to determine that a procurement process has failed. The basis for failure may include a lack of sufficient responses and/or a lack of responses that meet the requirements of the procurement document.
In the event that EWDD determines that procurement has failed, EWDD shall notify all proposers of such determination in writing.

Release of Results and Funding Recommendations
All proposers shall be notified in writing signed by the Assistant General Manager of Workforce Development of the outcome of the procurement.
Funding Recommendation Letters shall include: 1) the score awarded; 2) the amount of funds being recommended to the proposer; 3) the right to appeal the procurement process; and 4) a caveat that the recommendations remain subject to approval by the appropriate governing board, City Council and Mayor, and are contingent upon the availability of funds.
The results of the procurement may be concurrently released to the appropriate governing board.

Presentation of Scores and Funding Recommendations to Appropriate Governing Board
PCD shall present the results of the procurement, including the scoring, to the appropriate committee on the governing board in a Funding Recommendation Report addressed to the relevant Board president.

The Funding Recommendation Report shall provide:

- The summary of the facts pertaining to the procurement;
- The purpose of the procurement;
- When the procurement was conducted;
- The number of proposals received;
- The method of evaluating the proposals;
- The meeting(s) conducted with proposers; and
- The results of any appeals hearing(s).

The results of the procurement may be concurrently released to the proposers. The relevant committee shall meet within a reasonable time following the conclusion of the review process and consider EWDD's recommendations.

Appeals Procedures
Appeals shall be limited to issues arising from the procurement process only.
All proposers shall be advised of their right to appeal the procurement process.
For all WIOA-funded procurements, the Appeals Board shall be established in accordance with the WDB/LEO (Local Elected Official) agreement.
All Appeals Board hearings are public hearings; however, if necessary, a part of the meeting may be conducted in closed session. Closed sessions may be called during the course of a meeting or public hearing in order to allow the members to obtain advice from counsel. Members are not permitted to deliberate among themselves unless in an open, public session.

All Appeals Board members shall be provided with a copy of the procurement document, a copy of this document (Procurement Guidelines), a summary of facts regarding the specific procurement

that includes a written summary of the procurement process, and each written appeal together with a departmental response.

In the Appeals Hearing, appellants shall have five (5) minutes to make their oral presentation, which shall be followed by a question and answer period not to exceed fifteen (15) minutes at the discretion of the Board.

At the conclusion of the Appeals Hearing, the Board shall take one (1) of the following actions:

- Uphold the score awarded by EWDD; or
- Sustain the appeal and remand the proposal to EWDD with direction.
- For WIOA-funded programs, the Appeals Board's decision shall be considered final.
- The results of the Appeals Hearing shall be compiled into a report and submitted to the executive committee of the appropriate commission or board.

Approval of Funding Recommendations by Commission and/or Board
Upon approval of the funding recommendations by the Executive Committee of the appropriate governing board, EWDD shall prepare a City Council Committee transmittal that outlines the procurement process and results.

In accordance with EWDD policy, all transmittals shall be executed by EWDD executive staff and the General Manager at the regularly scheduled transmittal meeting. Transmittals that pertain to the use of WIOA funds shall be jointly addressed to the Mayor and City Council and signed by both the EWDD General Manager and the WDB Chair. PCD shall draft an "Offer Sheet" to be issued to successful proposers. The Offer Sheet contains a summary of the services to be provided, the cost of such services, performance goals, and the term of the agreement.

No proposer shall be recommended for funding if the State of California or the City of Los Angeles has established that there is a debt against a proposer that has not been repaid, or for which a repayment agreement has not been executed.

No proposer shall be recommended for funding that has been debarred, suspended, or otherwise excluded from participation in federal assistance programs. All contracts shall include a self-certification by the subrecipient that it is not a debarred party. The federal government System for Award Management website (www.sam.gov) shall be searched for exclusion records, and a copy of said search shall be maintained with scoring documents.
Notwithstanding a designation of being "high risk," a proposer may be recommended for funding where there is documentation of the proposer's demonstrated ability to perform under the agreement.

High Risk is defined as having a demonstrated history of unsatisfactory performance, financial instability, poor administrative practices, or failure to comply with the terms and conditions of previously awarded agreements.

In the event a high-risk proposer is recommended for funding, special conditions shall be imposed and set forth in the agreement with the City. Such special conditions shall include:

- Compensation to the subrecipient solely on a cost-reimbursement basis with no opportunity for the receipt of advance payments for services performed;
- Requiring the subrecipient to subcontract with a third party to perform those duties and responsibilities that the subrecipient has a demonstrated inability to perform, or to secure technical assistance;
- Increased monitoring by the City and/or increased reporting by the subrecipient;
- Requiring prior approvals of personnel and other actions.

The subrecipients shall be advised of any special conditions included in the agreement prior to the execution of the agreement with the City and the reasons for the imposition of such special conditions. The process for requesting the reconsideration or termination of such special conditions shall be set forth in the agreement.

City Council and Mayor Approval
Upon approval by the City Council and Mayor of EWDD's funding recommendations under the procurement, PCD shall notify all proposers in writing of the final results of the procurement.

The letter shall include an offer to contract, a.k.a. the Offer Sheet, to the successful proposers.

The letter shall include a request that the successful proposer accept, in writing, the terms set forth in the Offer Sheet within five (5) days of receipt. If the successful proposer does not accept the terms, the proposer may request a meeting to negotiate the outstanding terms.

Contract Negotiations and Execution
OPS is responsible for all contract negotiations and contract execution, in accordance with EWDD's Contracting Procedures.

Maintenance of Records
EWDD shall maintain records documenting each procurement, including:

- A copy of the procurement document.
- The cost or price analysis, if procurement is in excess of the Simplified Acquisition Threshold.
- Document showing check of Excluded Parties List System (SAM.gov) to verify the entity is not excluded or disqualified.
- The scoring instrument.
- A description of the scoring methodology.
- The public notice of release of the procurement.
- Technical assistance questions and answers.
- A copy of proposals.
- A copy of the letters notifying the proposers of their scores.

- A copy of the report to the governing authority seeking approval of the scores awarded.
- A copy of the materials provided to the Appeals Board, if convened.
- A copy of the letters notifying the proposers of the Appeals Boards' action(s) and their funding recommendations, if appeals process was required.
- A copy of the report to the governing authority advising of the Appeals Boards' actions(s) and requesting approval of the funding recommendations, if the appeals process was required.
- A copy of the transmittal to the Council and Mayor documenting the procurement process and requesting approval of the proposal results, if necessary.
- A copy of the final City Council and Mayor action, if necessary.
- A copy of letters to the proposers notifying them of the City Council and Mayor approved action.

Such records shall be electronically archived and placed in a location that is accessible for monitoring and auditing purposes.
Records shall be retained for a minimum of three (3) years following termination of the agreement and after final disposition of pending matters. Pending matters include audits, litigation, and other business associated with the procurement process. EWDD shall consult with the City Attorney prior to the destruction of any records.

Public Records Requests
Requests to review scoring instruments, the scores of other proposals, time and date stamp logs, or any other documents that are part of the procurement process must be submitted in writing in accordance with the California Public Records Act. The Communications Group of EWDD shall be notified any such request. EWDD shall seek City Attorney guidance prior to responding to any such requests.

Code of Conduct
No staff of the Economic and Workforce Development Department (EWDD) who works in a decision-making capacity shall engage in any activity, including participation in the selection, award, or administration of a sub-grant or contract, where there is a conflict of interest, either real or perceived. A conflict of interest would arise where the EWDD staff member, any member of that person's immediate family, domestic partner, or organization that employs, or is about to employ, a member of the staff member's immediate family has a financial or other interest in the firm or organization competing for an award under an EWDD procurement.

The term "immediate family" includes those persons related by blood or marriage, such as husband, wife, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, brother-in-law, son-in-law and daughter-in-law.

The term "financial or other interest" includes:

- Any direct or indirect financial interest in a specific contract including a commission or fee, a share of the proceeds, the prospect of a promotion or of future employment, a profit, or any other form of financial gain.
- Any of the following interests in the subrecipient ownership: a partnership interest or other beneficial interest of five (5) percent or more; the ownership of five (5) percent or more of stock; employment in a managerial capacity; or membership on the board of directors or governing body.

No EWDD staff member shall solicit or accept gratuities, favors, or anything of monetary value from proposers, subrecipients, potential subrecipients or parties to sub-agreements.
All Strategic Planning and Research section staff members that are assigned to participate in a procurement process shall participate in the City's ethics training program.

Request for Proposals (RFP) Format
The following shall serve as a general guideline for the content of an RFP document.

Cover Page – The cover page should identify the funding source, program, issuance date, submission deadline, anticipated term of contracts, submission address, and information on technical assistance.

Table of Contents (TOC) – TOC should note all sections below along with identifying all exhibits, forms, appendices and attachments.

Background/Introduction – The background shall include a discussion of EWDD as the administrative entity for the RFP, a brief overview of the solicitation, and the purpose of the solicitation.

RFP Specifications – This section shall include a discussion of the contract term, eligibility requirements, source of funds and funding request amounts, a preliminary schedule, the proposer's conference, technical assistance, deadline for submission, proposal review process, proposal award, and appeals process.
Program Design – This section shall include a discussion of the scope of the work solicited.

Evaluation Criteria – This section shall include an overview of the major proposal evaluation categories and maximum points possible for award.

Proposal Package – This section shall include a description of the narrative responses to be prepared by the proposer and general proposal preparation guidelines.

General Proposal Preparation Guidelines – This section shall include a discussion of specific required proposal guidelines, including but not limited to:

- Overview – Guidelines for completion and submission of proposal
- Proposal Contents Checklist

- Required Documents Submitted with Proposal
- General RFP and City Contracting Information – This section may include:
- Costs Incurred by Proposers
- Best Offer
- Alternatives
- Proposal Errors
- Waiver of Minor Administrative Irregularities
- Interpretations and Clarifications
- Optional Materials/Services
- Accuracy and Completeness
- Withdrawal of Proposals
- Addendum
- Representations
- Acceptance of Terms and Conditions
- Multiple Proposals
- Applicable Laws and Regulations
- Standard Provisions for City Contracts
- Standing of Proposer
- Proprietary Interests of the City
- Discount Terms
- Assurances

Additional RFP and City Contracting Information and Documents – This section may include:

- Municipal Lobbying Ordinance
- Contractor Responsibility Ordinance
- Equal Benefits Ordinance
- Living Wage and Service Worker Retention Ordinance
    - Nondiscrimination, Equal Employment Practices and Affirmative Action Program
- Slavery Disclosure Ordinance
- Americans with Disabilities Act
- Child Support Assignment Orders
- First Source Hiring Ordinance
- Federal Funding Accountability and Transparency Act Reporting
- Articles of Incorporation and By-Laws
- Current roster of proposing company's Board of Directors with contact information
- Resolution of Executorial Authority – PCD will review this document, along with board minutes listing attendees, to verify board authorization to submit proposal and execute contract. PCD may also interview Board Chair or designee, if necessary.
- Bidder Certification City Ethics Commission (CEC) Forms
- Certification Regarding American Disabilities Act
- Business Inclusion Program Outreach

- Nonprofit Status Documentation from the Internal Revenue Service
- City Business Tax Registration Certificate
- Audited financial statements from those organizations not previously funded by the Department

Contract Execution Requirements – This section may include, but is not limited to, the description of the following requirements and information:

- Insurance Certificates
- Corporate Documents
- City Business License Number
- Proof of IRS Number
- Certifications
- Affirmative Action Plan
- Collaboration
- Contracting Method/Payment for Services
- Program Income
- Contract Cost
- Records Retention
- Security Clearance and TB Testing
- Governing Law
- Commitment to Carry out All Contractor Responsibilities
- City Attorney Contract Approval
- Contractor Non-Performance
- Breach of Contract
- Amendments/Modifications/Change Orders
- Prime Contractor
- Subcontractors/Joint Ventures
- Copies of Subcontractor Agreements
- Supplier Performance Feedback Meeting
- Periodic Independent Audit
- Financial Audit
- Contractor Evaluation Ordinance – Including notification of prospective proposers that their performance on a City service contract will be subject to City evaluation
- Federal Award Identification Number (FAIN) including Award Date and identification of whether award is Research & Development
- SAM.gov search results to verify non-exclusion

In drafting a Request for Proposals, EWDD staff shall use the most recently released RFP as an exemplar. Given that City contracting requirements are subject to revision, the draft will always be reviewed by the City Attorney to ensure that it is current and accurate.

REFERENCES

- OMB Memo #M-18-18: Implementing Statutory Changes to the Micro-Purchase and the Simplified Acquisition Thresholds for Financial Assistance (June 20, 2018)
- 2CFR200.320. Methods of procurement to be followed.

Replacement Operator Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides guidance and establishes the procedures to be followed if there is a need to replace an America's Job Center of CaliforniaSM (AJCC) operator, locally known as WorkSource or YouthSource Centers, in the City of Los Angeles Workforce Development System.

BACKGROUND

From time to time, it may become necessary to either terminate service or replace current WorkSource or YouthSource agreements at certain centers. Such instances include, but are not limited to, when:

1. The Contractor provides the City written notice of any facts that may materially affect the performance of their agreements or impact the City's decision to continue an agreement with the Contractor;
2. The Contractor fails to meet certification standards; and/or
3. The Department and/or Workforce Development Board (WDB) do not approve the contractor's request to assign their agreement.

POLICY AND PROCEDURES

In the event WorkSource or YouthSource Center agreements are to be terminated with an existing contractor, the Economic and Workforce Development Department (Department) staff shall prepare a report to the WBD regarding the impact of such actions on the community, together with recommendations to either discontinue services or identify a replacement operator.

Proposers to the WorkSource and YouthSource Requests for Proposals (RFP) who attain a passing score shall be placed on the Qualified Operator Replacement List (list of eligible providers). Inclusion on this list does not automatically result in a contract; rather, it establishes a list of qualified operators from which the City may select a replacement operator, if needed. The list shall remain in effect for the same term as the underlying RFP.

The Department shall, at all times, maintain a list of qualified replacement operators.

Replacement operators may only be drawn from the list of eligible replacement operators. All efforts to prevent or minimize a disruption in services to existing customers must be considered. If there is a need to replace a current operator, the evaluation factors to be reviewed may consist of:

1. The replacement operator's original proposed area of service and/or final score;
2. The replacement operator's financial stability at the time of evaluation;
3. The replacement operator's current program and fiscal performance;
4. The replacement operator's partnering and leveraging of community resources (preferably in the region to be assumed); and

Responsibilities of the selected replacement operator shall be as follows:

If assuming an existing location:

a) Assume the management of the day-to-day operations of an existing WorkSource/YouthSource Center;
b) Transition existing WorkSource/YouthSource Center staff to the replacement operator's payroll, in accordance with the City's Worker Retention Ordinance;
c) Assume a facility lease from the City or negotiate a new lease;
d) Assume all responsibility for the WorkSource/YouthSource Center facility management, including all City-owned furniture and equipment;
e) Assume responsibility for all active WorkSource/YouthSource Center customers and exited customers in follow-up;
f) Assume all active Individual Training Accounts (ITA), on-the-job training, customized training, and work experience (WE) agreements, and any other agreements which may have been entered into by the previous WorkSource/YouthSource Center operator.

If establishing a new service location:

a) Locate and negotiate a lease for the new service location of the WorkSource/YouthSource Center in the designated service delivery area;
b) Coordinate the transition of City-owned furniture and equipment to the new location;
c) Transition existing WorkSource/YouthSource Center staff to the replacement operator's payroll, in accordance with the City's Worker Retention Ordinance;
d) Manage the day-to-day operations of the WorkSource/YouthSource Center;
e) Assume responsibility for all active WorkSource/YouthSource Center customers and exited customers in follow-up; and
f) Assume all active ITA, on-the-job training, customized training, and WE agreements and any other agreements which may have been entered into by the previous WorkSource/YouthSource Center operator.

REFERENCES

- WSD22-13 - Selection of AJCC Operators and Career Services Providers

WDB Notification Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

The Workforce Development Board (WDB) of the City of Los Angeles, is to be notified by the City of Los Angeles, Economic and Workforce Development Department (EWDD) upon finding or being notified of any performance and/or administrative issues, sanctions, disallowed costs, financial stability concerns, or any official government investigations involving a service provider(s) to EWDD, funded by Workforce Innovation Opportunity Act (WIOA) funds.

BACKGROUND

The Workforce Development System (WDS) currently reports performance and administrative issues to the WDB annually through its Annual Performance Evaluation. Additionally, EWDD currently makes all funding and contract renewal recommendations for existing contractors to the WDB prior to executing new agreements through the Annual Plan approval process.
EWDD has updated its policies and procedures to ensure that the WDB is notified of performance and/or administrative issues, sanctions, or disallowed costs, financial stability concerns, and any official government investigations involving a WorkSource (WSC) or YouthSource (YSC) Center provider subject to confidentiality parameters and approval by the Los Angeles City Attorney.

POLICY AND PROCEDURES

EWDD will notify the WDB through a WDB Report when a WSC or YSC service provider has been deemed to have any outstanding disallowed costs, financial stability concerns or any investigations in addition to performance and administrative issues. Additionally, all complaints received by EWDD's Equal Opportunity (EO) Compliance Unit will be documented on a continuous basis. Information pertaining to the number and category of complaints received relative to each WSC/YSC will be reported to the WDB on an annual basis.

Service providers will be provided due process with regards to ongoing performance and/or administrative issues, sanctions, questioned or disallowed costs, financial stability concerns and any official government investigations, prior to the WDB being notified.

Thresholds to be reached include:

Fiscal

- Financial Management Division (FMD) to have commenced and completed its Fiscal Resolution process to determine if a questioned cost is disallowed.
- Financial Management Division (FMD) to have commenced and completed its audit process to determine that an organization has financial stability concerns.

Administrative

- EWDD Incident Response (IR) Group to determine that an ongoing internal or external investigation can be reported to the WDB, subject to confidentiality parameters and approval by the Los Angeles City Attorney. IR Group includes, EWDD Executive Staff, affected Division Directors, City Attorney and IR Coordinator.

Upon reaching the necessary thresholds, EWDD will prepare and deliver a report to the WDB.

Reporting Timeframes

The WDB shall be updated as to the status of WSC service providers with performance, administrative, outstanding questioned and/or disallowed costs, financial stability concerns or any pending investigations:

- Annual Plan Process: March - June
- Performance Evaluation Process: November - December
- As needed when Certification may be revoked or an agreement may be terminated due to extenuating circumstances such as but not limited to, poor performance or confirmed organizational findings of fraud and abuse, and/or financial issues discussed herein.

Program Monitoring

*AJCC Operator Annual Performance Evaluation Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides guidance and establishes the procedures regarding the Annual Performance Evaluation of all America's Job Center of California (AJCC) operators, locally known as WorkSource and YouthSource Centers, henceforth known as contractors by the City of Los Angeles Workforce Development Board (WDB), and requires they be successful in meeting annual contract performance goals.

BACKGROUND

The WIOA establishes a framework under which Local Boards are responsible for maintaining a network of high-quality, effective AJCCs that align a wide variety of publicly or privately funded education, employment, and training programs.

Annual Performance Evaluation Guidelines

Contractors shall be evaluated by the WDB, on an annual basis, through a formal performance evaluation.

Performance Evaluation

Evaluations will be conducted annually at the completion of the program year, evaluating results for the entire 12 months. Additionally, a six-month progress report will be prepared. Contractors will be evaluated in four categories:

- Customer Satisfaction
- Performance Outcomes
- Customer Flow
- Administrative Capability (Financial, Human Resources & Organizational Effectiveness)

Success rates for performance measures compare actual performance with performance goals. Generally, success rates are expressed as a percentage and are computed by dividing actual performance by the performance goal.

The Department may develop criteria to recognize outstanding performance. Evaluation results, including any outstanding performance and administrative issues related to WSC/YSC operators, and certification recommendations will be compiled by the Department and presented to the appropriate WDB Committee(s) following the end of the program year. See Attachment I for a reference of the local Annual Performance Evaluation Measures.

ATTACHMENT I: Annual Performance Evaluation Measures - Measures may include, but are not limited to the following:

1. Satisfaction

Measure	WorkSource	YouthSource
a. Customer Satisfaction (intercept/telephone)	X	X
b. Exiter Satisfaction (telephone)	X	

2. Outcomes (Products & Services)

a. Employment Rate (WSC)/ Employment/Education Rate (YSC) 2nd Quarter after exit	X	X
b. Employment Rate (WSC)/ Employment/Education Rate (YSC) 4th Quarter after exit	X	X
c. Median Earnings 2nd Quarter after exit	X	X
d. Attainment of a Postsecondary Credential, or secondary school diploma (or equivalent) if employed/in education or training for postsecondary credential.	X	X
e. Measurable Skills Gains	X	X
f. Effectiveness in Serving Employers (pilot)	X	

3. Flow (Customers Served)

a. Number of Enrolled and/or Exited Customers (including Hard to Serve Adults for WorkSource)	X	X
b. Percentage of Out-of-School Youth Served		X
c. Number of Employer Customers	X	
d. Number of walk-in customers (served through system of support, not enrolled in WIOA)		X
e. Total number of youth receiving educational assessments from the PSA Counselor		X
f. As implemented by the LAUSD PSA Counselors, a system goal for the number of out-of-school youth meeting with PSA Counselors who return to school		X
g. Minimum number of enrollments by December 31.	X	X

4. Administrative Capability/Annual Plan Priorities

a. Assessment of contractor administrative practices related to work performance, timeliness, and financial processes.	X	X
b. Assessment of fiscal capability, including any audit issues.	X	X

c. Expenditure of a minimum 42% of funding on training (may include up to an amount equal to 14% of funding in approved leveraged resources)	X	
d. Expenditure of a minimum 23% of funding on Work Experience		X

REFERENCES

- Workforce Services Directive (WSD) 23-05: Comprehensive, Affiliate, and Specialized AJCC Certification (January 26, 2024)
- EWDD WDS Directive NO. 18-15: WIOA Adult Program Certification (February 23, 2018)
- Workforce Innovation and Opportunity Act (WIOA) (Public Law 113-128) Sections 121(g) and 188
- Title 20 CFR Part 679: Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act, Section 679.370(q)
- Title 34 CFR WIOA, Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions (WIOA Joint Final Rule)
- Training and Employment Guidance Letter (TEGL) 16-16: One-Stop Operations Guidance for the American Job Center Network (January 18, 2017)
- TEGL 04-15, Vision for the One-Stop Delivery System Under the WIOA (August 13, 2015)
- Workforce Services Directive (WSD) 22-13: Selection of AJCC Operators and Career Services Providers (May 1, 2023)
- WSD18-12, WIOA Memorandums of Understanding (April 30, 2019)
- Workforce Services Information Notice WSIN12-43, New One-Stop Branding – America's Job Center of California Network (March 15, 2013)

*Program Monitoring Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy establishes procedures for Program Monitoring to ensure compliance and identify areas of strength and weakness in operations, which leads to improved program operation, management capabilities, and overall performance improvement.

POLICY AND PROCEDURES
This policy establishes the guidelines and procedures for Program Monitoring of grant-funded workforce contracts such as the Workforce Innovation and Opportunity Act (WIOA). Program Monitoring is conducted to ensure compliance with the regulations and requirements of the funding source, to review progress toward achieving contract performance goals, and to identify both best practices for effectively serving clients and opportunities for improvement.

Program Monitoring is essential to ensure compliance with applicable laws, WIOA regulations, state and local policies, procedures, and quality of service delivery expectations. Program Monitoring for WIOA formula funded programs will be conducted on a quarterly basis to produce a total of four (4) Monitoring Reports for each Program Year (PY) that includes two (2) Desk Reviews and one (2) Quality of Service On-Site Visits. Notification of the monitoring schedule and focus topics will be communicated to Contractors by their assigned Program Monitor.

Desk Reviews which will include a review of participant files will be followed by a Monitoring Progress Report which will identify compliance issues including data integrity and compliance issues, suggested action required and/or request for a Corrective Action Plan (CAP) to ensure that contractor is achieving performance objectives on schedule and within budget. The Quality of Service On-Site Visits will be followed by a Quality of Service Observation and Monitoring Report which will capture issues observed including physical location and facility, signage, equipment check, and compliance with customer flow and integrated customer flow procedures.

Special Projects
Special Projects include, but are not limited to; programs that are funded with WIOA non-formula and/or discretionary federal grants, Community Development Block Grant (CDBG) funds, discretionary state grants, local grants, etc.. Special Projects will be monitored at minimum of one (1) time per year and may follow a similar monitoring process to the one used for WIOA to produce one (1) Desk Review Monitoring Report or one (1) Quality of Service Observation and Monitoring Report. For additional guidance, please contact your assigned program monitor.

Training and Employment

Alternative Training Programs Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides instructions on alternative training programs for the City of Los Angeles Workforce Development System. In order to open sector and other training to a wider and more diverse participant base, the City of Los Angeles Workforce Development Board (WDB) adopted an alternative training policy for special populations with multiple barriers to employment to provide Vocational English as a Second Language (VESL) instruction, academic preparation, transitional work, and bridge programs for participants unable to qualify initially for Individual Training Accounts (ITA) and sector-based training.

BACKGROUND
This policy is applicable to WIOA Title I Adult, Dislocated Worker, and Youth programs. Except for certain types of customized, incumbent, and On-the-Job training, transitional jobs, and WDB contracts with institutions of higher learning, only training providers through their training programs listed on the Eligible Training Provider List (ETPL) are eligible to receive Workforce Innovation and Opportunity Act (WIOA) funds to train adults and dislocated workers through participant ITAs.

However, in order to provide special populations with multiple barriers to employment maximum opportunities to benefit from WIOA programs, alternatives to traditional ITA training programs may be employed. For example, short-term pre-vocational services, including development of learning and communication skills, may be provided as “Career Services” and do not require the establishment of an ITA.

PROCEDURES
In lieu of traditional ITA training, contracts for alternative training programs may be authorized when:

- Such services are on-the-job training provided by an employer, or customized training.
- The WDB determines that it would be most appropriate to contract with an institution of higher education or other provider of training services in order to facilitate the training of multiple individuals in in-demand industry sectors or occupations, provided that the contract does not limit customer choice.
- The WDB determines that there are an insufficient number of eligible providers of training services in the local area involved to accomplish the purposes of a system of individual training accounts.
- The Local Plan must describe the process to be used in selecting the providers under a contract for services.

- This process must include a public comment period for interested providers of at least 30 days.
- The WDB determines that there is a training services program of demonstrated effectiveness offered in the local area by a community-based organization or another private organization to serve targeted low-income special participant populations that face barriers to employment. Special participant populations that face barriers to employment include:
    - Displaced homemakers;
    - Low–income individuals;
    - Native Americans;
    - Individuals with disabilities;
    - Older individuals, i.e., those aged 55 or older;
    - Ex-offenders;
    - Homeless individuals;
    - Youth who are in or have aged out of the foster care system;
    - Individuals who are English language learners, individuals who have low levels of literacy, and/or individuals facing substantial cultural barriers;
    - Eligible migrant and seasonal farmworkers;
    - Individuals within two years of exhausting lifetime eligibility under TANF; or
    - Other groups determined by the Governor to have barriers to employment.

The following criteria will be used to determine demonstrated effectiveness of training service programs:

- Financial stability of the organization;
- Demonstrated performance in the delivery of services to individuals with barriers to employment through such means as program completion rate; attainment of skills, certificates, or degrees the program is designed to provide; placement after training in unsubsidized employment; and retention in employment;
- How the specific program relates to the workforce investment needs identified
- in the local plan; and
- How the use of the program supports WDB priorities.

Those training providers operating under the ITA exceptions still must qualify as eligible providers. Qualifying is as follows:

- Appropriate service providers may be selected as long as the WDB takes into consideration the specific geographic and demographic factors where the program operates, and the characteristics of the special population being served.
- The WDB must require performance data for all WIOA Title I funded participants participating in any program of contracted training services.

Progress Reports and Attendance Records
A participant enrolled in a training program that can bypass the CA ETPL upon the determination of the Workforce Development Board for reasons, such as higher education, lack of providers, barriers to employment, etc. This activity should be coded in CalJOBS℠ as 330- Local Board Determination Training and requires staff to provide justification in CalJOBS℠ under case notes.

In addition, the alternative training providers must provide evidence on the participant's progress and attendance to the WorkSource Center staff on a regular basis to ensure the participant is attending classes. The WorkSource Center staff must file the progress reports and attendance sheets in the participant's profile. If the participant fails to attend school, the training provider must inform the WorkSource Center staff within three (3) days of consecutive non-attendance. All information obtained from the training provider must be entered into CalJOBS℠.

REFERENCES

- Training and Employment Guidance Letter (TEGL) 21-22: Increasing Equitable Service Access and Employment Outcomes for All Jobseekers in Workforce Innovation and Opportunity Act Adult and Dislocated Worker Programs (June 9, 2023)
- Training and Employment Guidance Letter (TEGL) 19-16: Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules (March 1, 2017)
- Training and Employment Guidance Letter (TEGL) 08-19: Workforce Innovation and Opportunity Act (WIOA) Title I Training Provider Eligibility and State List of Eligible Training Providers (ETPs) and Programs (January 2, 2020)
- President Biden issued Executive Order (EO 13985) Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (January 20, 2021)
- Training and Employment Guidance Letter (TEGL) 10-16, Change 2: Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Core Programs (September 15, 2022)

Apprenticeship Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides guidance and establishes the procedures regarding the use of Workforce Innovation and Opportunity Act (WIOA) funds for individuals in occupations with available apprenticeships, including pre-apprenticeship training. It is the shared vision of the City of Los Angeles Mayor, City Council, and Workforce Development Board (WDB) to have a robust apprenticeship policy that leads the nation in apprenticeship development, placement, and outcomes.

BACKGROUND

Both the Workforce Innovation and Opportunity Act (WIOA) and the California State Unified Plan (SUP) promote the "earn and learn" training model, which the SUP defines as "using training and education best practices that combine applied learning opportunities with material compensation while facilitating skills development in the context of actual labor market participation." This definition is echoed in Senate Bill 342 (H.B. Jackson, Chapter 507, Statutes of 2015).

The State of California issued draft directive WSDD-178 in late March 2018, entitled "Quality Apprenticeship and Pre-Apprenticeship Opportunity." WSDD-178 applies to Local Workforce Development Boards (WDB) and Local Workforce Development Areas and includes only state-imposed requirements.

In 2011, Assembly Bill (AB) 554 modified California Unemployment Insurance Code (CUIC) Section 14230(e) to require Local WDBs to ensure that WIOA-funded programs and services involving apprenticeships and pre-apprenticeships are coordinated with apprenticeship programs already approved by the Department of Industrial Relations-Division of Apprenticeship Standards (DIR-DAS) under specific conditions, and include the fostering of collaboration between community colleges and approved apprenticeship programs.

Other specifications include increasing the representation of women in pre-apprenticeship programs in the building and construction trades; following Multi-Craft Core Curriculum (MC3) in building and construction; and providing the apprenticeship and pre-apprenticeship programs and services geared toward the geographic location of the apprenticeable industries.

DEFINITION

The Workforce Innovation and Opportunity Act (WIOA) defines Registered Apprenticeship as a proven model of job preparation that combines paid on-the-job training (OJT) with related instruction to progressively increase workers' skill levels and wages. Graduates of Registered Apprenticeship programs receive nationally- recognized, portable credentials, and their training may be applied toward further post- secondary education.

All Registered Apprenticeship programs consist of the five core components:

- Direct Business Involvement – Businesses must play an active role in building Registered Apprenticeship programs and are involved in every step of their design and execution.
- On-the-Job Training (OJT) – Every Registered Apprenticeship program includes structured OJT. Companies hire apprentices and provide hands-on training from an experienced mentor. This training is developed by mapping the skills and knowledge the apprentice must learn over the course of the program to be fully proficient at the job.
- Related Instruction – Apprentices receive related instruction or classroom style training which can be provided at the school, online, or at the work site that complements the OJT. This instruction helps refine the technical and academic skills that apply to the job.
- Rewards for Skills Gain – Apprentices receive progressive wage gain as their skills and knowledge increase.
- National Occupation Credential – Every graduate of a Registered Apprenticeship receives nationally recognized credential issued by the USDOL or a federally recognized SAA. Many of the high-growth industries offer interim credentials as apprentices master skills as part of a career pathway.

The length of training and the skills and competencies required for mastery of an occupation are set by the industry. The Registered Apprenticeship system currently approves time-based, competency based and hybrid programs.

POLICY AND PROCEDURES

The Economic and Workforce Development Department's (EWDD) Apprenticeship Policy emphasizes the following key principles:

1. Build a robust apprenticeship program (which includes non-traditional industries) across the Los Angeles Region;

2. Leverage strategic partnerships with the WorkSource Center (WSC) and YouthSource Center (YSC) systems, businesses/corporations, economic development organizations, sector intermediaries, community colleges, K-12, trade unions/associations, State and local government, and government workforce groups, as well as develop key partnerships with the Department of Corrections to service the re-entry population, and with The Department of Industrial Relations-Division of Apprenticeship Standards and the Department of Labor;

3. Implement an apprenticeship program that will include participation across City departments to ensure stated goals are met Citywide;

4. Actively promote and enroll eligible candidates from the City's WSC and YSC programs.

Per WSDD-178, the Local WDB must follow the guidelines in CUIC Section 14230(e), which include conducting the WIOA-funded apprenticeship programs and pre-apprenticeship training "in coordination with one or more apprenticeship programs approved by the Division of Apprenticeship Standards for the occupation and geographic area." Additionally, a policy must be developed regarding "fostering collaboration between community colleges and approved apprenticeship programs in the geographic area to provide pre-apprenticeship training, apprenticeship training, and continuing education in apprenticeable occupations through the approved apprenticeship programs."

Furthermore, per CUIC Section 14230(e), WIOA-funded apprenticeships and pre-apprenticeship training must, "to the maximum extent feasible," align with and follow MC3, and work to increase representation of women in pre-apprenticeship training.

WSDD-178 also notes that Local WDBs "must establish the following:

- WIOA funded programs are operated in coordination with at least one DIR-DAS approved apprentice program in the relevant geographic area for the relevant apprenticeable occupation.
- WIOA funded pre-apprenticeship training in the building and construction trades utilizes the MC3 curriculum.
- Pre-apprenticeship program operators funded with WIOA have a plan detailing, in writing, how they will conduct outreach to and ensure the retention of women in the pre-apprenticeship program."
- Local WDBS are also required by WSDD-178 to:
- Retain a list of all programs they work with, noting which ones are WIOA-funded and "who the relevant DIR-DAS approved apprentice programs are for the relevant geographic area and occupations, and the manner in which the WIOA funded apprentice and pre-apprentice programs are coordinating with the relevant programs";

- Retain "a copy of all written outreach and retention plans developed to meet the statutory and policy mandates detailed in this policy directive. Local Boards may be required to submit the foregoing information as part of their Local Plans and any future High-Performance Board Certifications."

The Department of Labor (DOL) Employment and Training Administration (ETA) encourages the workforce system to use WIOA funds to support Registered Apprenticeships. WIOA Title I funds can be used to support Registered Apprenticeship (RA) programs in following ways:

- Individual Training Accounts (ITA) – RA sponsors are able to use ITA funds to support the education portion (i.e., related instruction component) of the registered apprenticeship for eligible apprentices.
- On-the-Job Training (OJT) – WIOA expands the potential for utilizing OJT to support RA. Unlike the related instruction component, the OJT is supported by contract, not an ITA. In certain circumstances, up to 75 percent of the apprentices' wages may be reimbursed by the public workforce system contributions if the employer meet criteria for a designated period of time.
- Customized Training – Local WDBs can support RA program sponsors and apprentices through customized training agreement.
- Contracted Classes for Training Cohort for Related Instruction – In certain circumstances a Local WDBs may contract with ETP to train a cohort of apprentices in in-demand industry sectors or occupations instead of an ITA. The grantees must ensure that contracts with training providers, including for profit training providers, meet the procurement standards found in the Uniform Guidance.
- Supportive Services – WIOA funds can provide for a variety of supportive services for apprentices, including books, supplies, childcare, transportation, tools and uniform.

REFERENCES

- EDD WSDD-178: Quality Apprenticeship and Pre-Apprenticeship Opportunity (March 12, 2018)
- Senate Bill 342 (H.B. Jackson, Chapter 507, Statutes of 2015)
- WIOA, Public Law 113-128
- California Unemployment Insurance Code Section 14230(e)
- Assembly Bill (AB) 554, Chapter 499, Statutes of 2011
- AB 2288, Chapter 692, Statutes of 2016

- Title 8 regulations, California Apprenticeship Council, Chapter 2, "Subchapter 1. Apprenticeship" (Sections 200-242.6), at https://www.dir.ca.gov/t8/ch2sb1.html (Note: Sections 204, 211, 214, 216, 217, 219, 220 through 223, 225 [Article 8], 226, 231.1 through 231.4, 233, 234, and 242 [Article 12] have been repealed)
- Department of Labor, https://www.dol.gov/apprenticeship/
- TEN 20-15, Change 1: New ApprenticeshipUSA Brand Information and Updated Technical Assistance Resources for Expanding and Modernizing Registered Apprenticeship Programs (January 5, 2023)
- TEGL 13-16, Change 1: Registered Apprenticeship Provisions and Opportunities under WIOA (May 17, 2021)
- TEGL 8-19, Change 1: Eligible Training Providers and Eligible Training Provider Lists under WIOA (May 17, 2021)

Customized Training Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides the guidance and establishes the procedures regarding Customized Training under the Workforce Innovation and Opportunity Act (WIOA) for the City of Los Angeles Workforce Development System.

BACKGROUND

Customized training is designed to meet the specific requirements of an employer or group of employers with the commitment that the business, or businesses employ an individual(s) upon successful completion of the training. In most instances, the business must pay for a significant portion of the cost of training, as determined by the WDB.

POLICY AND PROCEDURES

Certified AJCC contractors or Sector Intermediary Organizations may submit Customized Training proposals. An evaluation of Customized Training proposals will be determined by the Economic and Workforce Development Department. Both WorkSource and YouthSource Centers may enter into Customized Training agreements.

Individuals considered for customized training must meet eligibility requirements for WIOA Adult, Dislocated Worker, or Youth programs. Employed individuals may be considered for customized training under specific conditions.

Each Customized Training participant must receive an objective assessment and have completed the Individual Employment Plan (IEP) or Individual Service Strategy (ISS) documents supporting the need for the Customized Training as the best option for obtaining secure employment. No individual may be placed in a WIOA employment activity if a member of that person's immediate family is directly supervised by or directly supervises that individual.

Criteria for approval of employers to participate in customized training:

The employer must:

1. Be current in unemployment insurance and workers' compensation taxes, penalties and interest, or related payment plan;
2. Be in need of assistance in training future or current employees;

3. Be able to contract for customized, short term, training services (typically between six to twelve months.
4. Not have laid off any other individual from the same or any substantially equivalent job. WIOA Section 181. (b). (3). (A-C)
5. Not have any real, implied, or apparent conflict of interest with the service (training) provider.

To be considered for customized training, proposals should include the following:

- Identify employer or industry group with projected growth in the industry by labor market information and obtain a written commitment by the participating employer(s) to hire a minimum of 80 percent of those participants that successfully complete the training.
- Include Vocational English as a Second Language (VESL) component, when appropriate.
- Include both a classroom and worksite training component (classroom training does not have to appear on the State ETPL).
- Include subsidies and/or needs based payments for time spent in classroom training.
- Be in a demand occupation and within a target training sector defined and/or allowed by the Workforce Development Board (WDB) and identify a career ladder.
- Result in a wage at placement that meets or exceeds the City's Living Wage Standard, and which includes medical benefits.
- Identify Employment (2nd & 4th quarters) Rates and Median Earnings (2nd quarter after exit) that will assist the City in meeting its Department of Labor performance standards.
- Include a detailed line-item budget that identifies a minimum 50 percent cash match or in-kind contribution by the participating employer(s) or industry group. Employer contributions of less than 50 percent are subject to prior approval. In considering such approval, the Department may consider:
    - The size of the employer;
    - The number of training participants;
    - Wage and benefit levels (at present and anticipated upon completion of training);
    - Relation of the training to the competitiveness of the trainee; and
    - Other employer-provided training and advancement opportunities.

- Demonstrate a regional approach by detailing the participation of other WorkSource Centers or YouthSource Centers and their job seekers.
- Customized Training of an eligible employed individual may be provided for an employer or group of employers when:
- The employee is not earning a self-sufficient wage as stated in the Annual Plan Self-Sufficiency Policy or wages comparable to or higher than wages from previous employment; and
- The Customized Training relates to the introduction of new technologies or new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, other appropriate purposes identified by the WDB.

Progress Reports and Attendance Records

In addition, the customized training provider must provide evidence on the participant's progress and attendance to the WorkSource Center staff on a regular basis to ensure the participant is attending classes as part of the customized training agreement. The WorkSource Center staff must file the progress reports and attendance sheets in the participant hard file. If the participant fails to attend school, the training provider must inform the WorkSource Center staff within three (3) days of consecutive non-attendance. All information obtained from the training provider must be entered into CalJOBS℠.

REFERENCES

- Training and Employment Guidance Letter (TEGL) 21-22: Increasing Equitable Service Access and Employment Outcomes for All Jobseekers in Workforce Innovation and Opportunity Act Adult and Dislocated Worker Programs (June 9, 2023)
- Training and Employment Guidance Letter (TEGL) 08-19: Workforce Innovation and Opportunity Act (WIOA) Title I Training Provider Eligibility and State List of Eligible Training Providers (ETPs) and Programs (January 2, 2020)
- Training and Employment Guidance Letter (TEGL) 10-16, Change 2: Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Core Programs (September 15, 2022)

High-Growth Sector Strategy Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

The goal of this strategy is to develop industry sector expertise within the WorkSource Centers (WSC) to fully utilize sector-based employment strategies that lead to career pathways for program participants. A sector strategy is a dual customer approach because it meets the needs of employers while taking into consideration the needs of jobseekers. This strategy offers effective ways to create pathways to sustainable careers through job placements linked to post-secondary education and career ladders with opportunities for growth.

BACKGROUND

Targeting the right sectors is essential and requires that policy makers use economic and labor market data to determine which industry sectors are best positioned to make gains if investments in workforce development are made. Investment decisions may be contingent on the degree to which a sector faces critical workforce supply problems.

The Workforce Development Board (WDB) has identified and prioritized several industry sectors regionally in Los Angeles based on economic trends and indicators of growth industries that can create opportunities to meet the employment needs of businesses to help produce better employment outcomes. These sectors include: Advanced/Clean Manufacturing, Construction, Financial Services, Renewable Energy/Green Technology, Healthcare, Entertainment/Film Industry, Hospitality, Logistics, Utilities, Biotechnology/Biosciences, and Information Technology.

POLICY AND PROCEDURES

Sector investments should be prioritized where overall economic returns are likely to be highest, specifically in those sectors that will generate significant gains in terms of jobs and income. Investments should take into consideration the quality of jobs for which training resources are being made available. Training should result in livable wage jobs with benefits.

Individual WSCs are required to formally incorporate the High-Demand Industry Occupation strategies adopted by the WDB into the WSC program design. Individual WSCs are required to specialize in specific sectors as approved by the Economic and Workforce Development Department (EWDD). WorkSource Centers specializing in a specific sector are expected to implement program designs that are inclusive of all city residents and

businesses representing the specific sector. WSCs will collaborate with regional and system WSCs in the implementation of Sector Strategies.

The WDB may prioritize additional sectors as long as it can be demonstrated through current labor market data that new initiatives meet the criteria for sector initiatives.

Incumbent Worker Training Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides a definition and guidance related to Incumbent Worker Training (IWT) based on information provided by the Workforce Investment and Opportunity Act (WIOA).

BACKGROUND

Under WIOA, IWT provides both workers and employers with the opportunity to build and maintain a quality workforce and increase both participants' and employers' competitiveness. IWT is a type of work-based training and upskilling designed to ensure workers can acquire and develop the skills necessary to avert layoff or increase the skill levels of employees so they can be promoted within the company and create backfill opportunities for employers.

Definitions

An "incumbent worker" is a worker who is:

- Employed;
- Meets the Fair Labor Standards Act (FSLA) requirements for an employer-employee relationship;
- Has an established employment history with the employer for 6 months or more, with the following exception: In the event that the incumbent worker training is being provided to a cohort of employees, not every employee in the cohort must have an established employment history for 6 months or more as long as a majority of those employees being trained do meet the employment requirement; and
- Meets the Selective Services requirements

An incumbent worker does not necessarily have to meet the eligibility requirements for career and training services for adults and dislocated workers under WIOA, unless they are also enrolled as a participant in the WIOA adult or dislocated worker program.

Incumbent Worker Training is:

- Designed to meet the special requirements of an employer (including a group of employers) to retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment, and/or provide training that will result in progression on a career pathway and income mobility.
- Conducted with a commitment by the employer to retain or avert the layoffs of the incumbent worker(s) trained for a period of six months following completion of the training, or promote incumbent workers to higher paying positions,
- Increases the competitiveness of the employer or employee, and
- Gives employees the opportunity to progress on their career pathway by providing opportunities to obtain certificates or credentials based on the employer's need.

Local areas may reserve up to 20 percent of their combined total of adult and dislocated allotments for incumbent worker training. Note – Incumbent worker training expenditures can be counted toward the training expenditure requirement in Assembly Bill (AB) 1149. (Reference the *Training Expenditure Requirement Policy*) The employer contributions for incumbent worker training can be counted as leveraged dollars.

POLICY AND PROCEDURES

To the greatest extent possible, incumbent worker training shall be provided utilizing California Employment Training Panel Funds: http://www.etp.ca.gov/

Before providing incumbent worker training with WIOA formula funds, local areas must submit a request to their Regional Advisor requesting access to the grant codes associated with incumbent worker training.

IWT contracts with WIOA formula funds are subject to EWDD approval and oversight. In order for an employer to be eligible to receive incumbent worker training funds, the following must be considered:

- The characteristics of the participants in the program;
- The relationship of the training to the competitiveness of a participant and the employer;
- The number of employees trained;
- Wages and benefits including post-training increases; and
- The existence of other training opportunities provided by the employer.

Employers are required to pay for a significant cost of training for those participants in incumbent worker training; this can be done through both cash and/or in-kind payments. The wages paid to participants while in training may be considered as a source of matching funds. The minimum amount of the employer share in the incumbent worker training depends on the size of the employer:

- At least 10 percent of the cost, for employers with 50 or fewer employees;
- At least 25 percent of the cost, for employers with 51 to 100 employees; and
- At least 50 percent of the cost, for employers with more than 100 employees.

The WIOA defines IWT as a business service, therefore, the delivery of incumbent worker training does not require the use of an Individual Training Account or that the training program be listed on the Eligible Training Provider List.

Monitoring

All documentation, including certificates of completion for each incumbent worker training initiative must be retained in participant files by the WorkSource Center / AJCC operator. Funds spent on incumbent worker training must be tracked and reported to the EWDD Financial Management Division (FMD) and assigned program monitors.

CalJOBS℠ Reporting

All recipients of incumbent worker training must be reported to DOL, regardless of whether they become a participant in one of the other WIOA programs. Individuals who participate in incumbent worker training must be registered in CalJOBS℠. Additionally, employers participating in incumbent worker training must be registered as a preferred employer (recruiting employer) in CalJOBS℠. It is the WorkSource Center / AJCC operator's responsibility to capture and enter credential information, according to the following guidelines:

- Title I – Workforce Development Application with an Incumbent Worker eligibility date entered. The application and eligibility requirements for IWT requires minimal information.

- On the Eligibility Summary tab of the Title I application: set 'Incumbent Worker Eligibility" to yes. Add the appropriate IWT grant code, then select [Finish] to save the application.

- CalJOBS℠ Activity Code 308 – IWT should be added to the application and associated with the appropriate funding stream for the duration of the IWT. If utilizing WIOA formula funds, staff must associate grant code 2284 – Incumbent Worker Training Formula to the 308 – IWT activity code.

To reduce the reporting burden on employers and the WorkSource Center / AJCC operator, the DOL encourages the collection of Social Security Numbers (SSNs) as part of the training contract with the employer. For all individuals where an SSN is collected, the EDD will conduct a base wage match to obtain their employment and earnings. For those individuals that have a pseudo-SSN, it is the WorkSource Center / AJCC operator's responsibility to provide supplemental data.

REFERENCES

- Workforce Innovation and Opportunity Act (WIOA) (Public Law) Sections, 122(h)(i), 134(d)(4), 134(G)(ii), 134(c)(3)(H), and 194(4)
- Title 20 Code of Federal Regulations (CFR) Sections §680.780 – 680.820
- DOL Training and Employment Guidance Letter (TEGL) 10-16, Change 2: Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Core Programs (September 15, 2022)
- EDD Workforce Services Directive (WSD) 19-01: Incumbent Worker Training (July 2, 2019)
- TEGL 19-16: Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the WagnerPeyser Act Employment Services (ES) as amended by title III of WIOA, and for Implementation of the WIOA Final Rules (March 1, 2017)
- TEGL 21-22: Increasing Equitable Service Access and Employment Outcomes for All Jobseekers in Workforce Innovation and Opportunity Act Adult and Dislocated Worker Programs (June 9, 2023)
- Workforce Services Directive (WSD) 18-10: WIOA Training Expenditure Requirement, (January 31, 2019)
- 20 CFR 680.790

Individual Training Accounts (ITA) Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides guidance regarding the requirements for establishing an Individual Training Account (ITA) in conformance with the State approved, Eligible Training Providers List (ETPL).

BACKGROUND

Training services for eligible individuals are typically provided by training providers who receive payment for their services through an ITA. The ITA is a payment agreement established on behalf of a participant with a training provider. Per the Workforce Innovation and Opportunity Act (WIOA) regulations for an Individual Training Accounts (ITA) may be established on behalf of customers to purchase classroom-training services from the State approved, Eligible Training Providers List (ETPL).

A WorkSource / YouthSource Center or America's Job Center of California (AJCC) may issue an Individual Training Account (ITA) to fund training for adults and dislocated workers who after an interview, evaluation, or assessment, and after career planning have been determined by the one-stop operator or one-stop partner, as appropriate, to be in need of training to obtain employment or remain employed. The individual can then compare the offerings on the ETPL, and, with the advice of One-Stop staff, select the most appropriate training program. In this way, the ETPL helps to provide customer choice, while also supporting quality training programs.

WIOA Section 122 requires states to establish and maintain a list of training providers who are eligible to receive WIOA Title I, subtitle funds for training services. An AJCC may issue an Individual Training Account (ITA) to a WIOA Title I, subtitle B eligible individual (out of school youth aged 16-24, adult or dislocated worker) to fund training services. The Employment Development Department (EDD) is the entity responsible for publishing, disseminating, and maintaining the comprehensive California (CA) ETPL with performance and cost information.

In cooperation with stakeholders, the State has adopted the following principles when developing the CA ETPL policies and procedures:

1. **Simplicity**- Avoid imposing burdens that inhibit the participation of quality training providers.

2. **Customer Focus**- The policies and procedures support the collection and presentation of easily accessible and reliable training program information for both individuals seeking career and occupational training information, and career planners who assist participants eligible for training services.
3. **Informed Customer Choice**- The CA ETPL includes locally approved training programs that lead to self-sustainable careers in the local regional economy, as supported by current labor market information identifying industry sectors and occupational clusters that are high-growth, high demand, projecting skills shortages, and/or vital to the regional economy.
4. **Training Delivery Flexibility**- Policies and procedures that support the inclusion of various types of training delivery that expand opportunities for consumer choice.
5. **Quality**- Ensure a comprehensive list of quality training programs that meet minimum performance standards and provide industry-valued skills in priority industry sectors. Information must be accurate, transparent, accessible, and user friendly.
6. **Respect for Local**- The policy remains supportive of the autonomy WIOA grants to the Local Boards.

In addition, this policy and Local Boards policies should align with three policy objectives outlined in the California United Strategic Workforce Development Plan:

1. **Fostering demand- driven skills attainment**- Workforce and education programs need to align program content with the state's industry sector needs so as to provide California's employers and businesses with the skilled workforce necessary to compete in the global economy.
2. **Enabling upward mobility for all Californians**- Workforce and education programs need to accessible for all Californians, especially populations with barriers to employment, and ensure that everyone has access to marketable set of skills and is able to access the level of education necessary to get a good job that ensures both long-term economic self-sufficiency and economic security.
3. **Aligning, coordinating, and integrating programs and services**- Workforce and education programs must economize limited resources to achieve scale and impact, while also providing the right services to clients, based on each client's particular and potentially unique needs, including any needs for skills-development.

POLICY AND PROCEDURES

With the exception of certain types of customized, incumbent, and On-the-Job Training (OJT);WDB contracts with institutions of higher learning; and the alternatives to traditional ITA training programs described in the Alternative Training Programs Policy, only training providers who have their training programs listed on the ETPL are eligible to receive WIOA

funds to train adults and dislocated workers. This list is available on the Internet at: Workforce Services – California's Eligible Training Provider List (ETPL) | California EDD Eligible Training Provider List (ca.gov). ITAs may be established for City of Los Angeles WIOA customers of both the WorkSource and YouthSource Centers and only if the conditions set herein are met:

- The customer is unemployed or employed at a wage that is below the level of self-sufficiency consistent with the adopted policy of self-sufficiency approved by the Workforce Development Board (WDB).
- The customer was determined unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services.
- The customer was determined to need of training services to obtain or retain employment that leads to self-sufficiency or wages comparable to or higher than wages from previous employment.
- The customer was determined to have the skills and qualifications to successfully participate in the selected program of training services.
- The customer has been unable to secure other financial assistance to cover the cost of training. WorkSource Centers must coordinate training funds available and make funding arrangements with one-stop partners and other agencies to apply this provision.
- WorkSource Centers must consider the availability of other sources of grants to pay for training costs such as Temporary Assistance for Needy Families (TANF), state-funded training funds such as Employment Training Panel (ETP) funds, and Federal Pell Grants, so that WIOA funds supplement other sources of training grants.
    - An ITA may be provided to individuals who require assistance beyond that made available under other grant assistance programs, including Federal Pell Grants.
    - In regards to Pell Grants:
        - Registered participants ineligible for Pell Grant assistance will not be denied access to training.
        - A participant may enroll in a WIOA-subsidized training while his/her application for a Pell Grant is pending as long as the WorkSource Center operator has made arrangements with the training provider and the participant regarding allocation of the Pell Grant. The training provider must reimburse the WorkSource Centers operator for the amount the Pell Grant subsequently awarded to customer. Reimbursement is not required from the portion of Pell Grant assistance disbursed to the WIOA participant for education-related expenses.

- If training services are provided through the adult funding stream, the customer must be determined eligible in accordance with the Priority of Service Policy.
- The customer has not participated in WIOA funded ITA training for 24 months following their last date of attendance in, or completion of, a WIOA funded training through the City of Los Angeles. In cases where there is a viable reason to provide additional training within 24 months, the service provider must obtain prior City approval.
- The customer has been unable to identify and/or enroll in a comparable course offered by local public educational institution.
- The customer has selected a training course or combination of courses from the ETPL in consultation with a case manager and consistent with customer's Individual Employment Plan (IEP).
- The training must lead to employment in a demand or growth occupation with a defined career ladder. The determination of demand or growth occupations must be consistent with the Annual Plan's policy regarding the definition of demand occupations and utilize to the fullest extent possible the labor market information system of the EDD.
- The training must result in a wage at placement, which meets or exceeds the City's Living Wage standard, with the goal of attaining self-sufficiency.
- The training must result in the attainment of an industry-recognized certificate, if available, or the attainment of skills of a generally accepted standard.

Other Conditions

- Any customer who has met the above conditions, it is recommended they be referred to the training provider of choice unless the program has exhausted training funds for the program year. The program year approved budget shall reflect the training funds available.
- An AJCC operator or AJCC partner is not required to conduct a new interview, evaluation, or assessment of a participant if the one-stop operator or one-stop partner determines that it is appropriate to use a recent interview, evaluation, or assessment of the participant conducted pursuant to another education or training program.
- An individual is not required to receive career services prior to receiving training services.
- All classroom training providers are required to be on the ETPL. and offer a certificate of completion or state credential.
- Supportive services and needs based payments <u>must be</u> provided consistent with the WDB approved policy on Supportive Services and Needs Based Payments;

unless, through a financial needs assessment, it has been determined that the customer is ineligible for such support or has sufficient resources to remain in training. The assessment should be documented and be part of the IEP and placed in individual participant folder.

- EDD Directive WIAD06-17 requires a policy on the amount and duration of an ITA, based on the market rate for local training programs. Therefore, this policy establishes that no customer shall be referred to a course offering with a total tuition of greater than $7,500 or duration longer than twelve months without prior City approval. Customers may, however, use other sources of funds to cover those costs that exceed $7,500. The customer's file should show the leveraging of funds for the customer covering either the full training or payment in excess of $7,500 in training fees.
- Notwithstanding the leveraging of funds, in cases where there is a viable reason to subsidize a training costing in excess of $7,500 and/or provide training longer than twelve months in duration, the service provider shall obtain prior City approval. In such cases, this policy prohibits the issuance of a training voucher prior to the approval of the City; therefore, it is the sole responsibility of the service provider to submit its written request, indicating the reasons for the exemption(s), in a timely manner so as not to impede the registration of the WIOA customer in the course of choice consistent with his/her Individual Employment Plan (IEP).
- Priority for ITAs funded through the adult and dislocated worker programs must be given first to WIOA qualified job seekers who are Veterans and/or their eligible spouses (EDD Directive WSD19-04 (Priority of Service (Veterans) - Final - Directive Template.docx (ca.gov), then for training services funded with WIOA adult funds, priority of service must be given to recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.
- The City reserves the right to prohibit the referral of customers to schools that have poor performance records in serving City customers.
- Any revisions to the ITA policy after an Annual Plan has been released for the program year shall be issued through a City Directive. The City's WDB adopted policies and City Directives on ITA shall not be inconsistent with those requirements mandated by DOL and EDD.
- A copy of this approved policy, together with a complete explanation of the limited funds available, should be shared with potential ITA customers before training services are provided.

Progress Reports and Attendance Records

The training provider must provide evidence on the participant's progress and attendance to the WorkSource Center staff on a regular basis to ensure the participant is attending classes as part of the ITA Agreement. The WorkSource Center staff must file the progress

reports and attendance sheets in the participant hard file. In the event that the participant fails to attend school, the training provider must inform the WorkSource Center staff within three (3) days of consecutive non-attendance. In the event the student is terminated for non-attendance, the school must refund the unused WIOA training funds within ten (10) working days of the student's last date of attendance. All information attained from the training provider must be entered into CalJOBS.

Training Agreement Invoice

WorkSource/YouthSource subrecipients should obtain the designated training provider's standard policy regarding the amount of tuition that must be paid in advance to enroll or accept a participant. The Department of Labor's One-Stop Comprehensive Financial Management Technical Assistance Guide (TAG) Section II-6-10 states that "unless specifically required as a condition of attendance, as in a tuition payment required before beginning a formal training course, payment should not be made in advance of the receipt of services." Subrecipients should negotiate any advanced payments with the training provider in order to minimize out of pocket expense prior to the start of training.

The assigned Center staff must receive an invoice from the contracted training provider within ten (10) working days of the first negotiated milestone (if any). Any such invoice should be processed for payment by the Center within 30 days. The final payment should be made by the Center for any remaining ITA amount once the participant completes the training and the Center staff has received all required attendance records, progress reports and certificate of completion.

Recovery of Unused WIOA Training Monies

To ensure prompt return of any unused training monies, Center staff shall track the participant's monthly progress. An internal ITA Tracking system needs to be developed to track participant activity. Center staff is responsible for immediately notifying the Program Manager when there is an early ITA termination of a participant's training. The Program Manager will notify the Fiscal section and update the ITA tracking system to reflect the early termination of training. The Center's Fiscal section is responsible for the collection process of any outstanding training and/or tuition refund.

Case managers must verify the following:

- The refund policy of the training provider for early termination from the training program
- A requirement for the training provider to notify the case manager of early participant dropout
- The percentage of the advanced payment to be returned
- Turnaround timeframe for the refund
- Time spent in training before a refund will no longer be honored.

Participant File Documentation

Justification for, and continued funding of an ITA must be supported by the following documentation located in the participant file or case notes.

1. Assessment results supporting the selected program of study. The assessment must support the need for training including a determination by a case manager that the participant will be unlikely or unable to obtain or retain employment that leads to self- sufficiency or higher wages from previous employment through career services alone; and that the selected program of study will result in employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment.
2. Completed IEP documenting the selected program of study, anticipated and actual start/end dates and training outcomes
3. Eligibility for other training grant funding
4. Case Notes documenting that the training provider is on the Eligible Training Provider List (ETPL)
5. Documentation of the participant's progress and attendance.
6. A Certificate of completion or state credential which should be uploaded onto CalJOBS.

ETPL RECIPROCAL AGREEMENTS

The LA City WIOA WSC system can utilize an approved reciprocal agreement to send eligible program participants who qualify for an ITA to an Out-of-State training provider's program approved to be on that state's ETPL. WSC cannot use the approved reciprocal agreement to send program participants to Distance Education Training Providers, Apprenticeship programs, or providers with a training site(s) in CA. For additional information on In-State and Distance Education Training Providers.

In an effort to support CA businesses, priority must be provided to CA ETPL training programs; a reciprocal agreement should only be leveraged if an equivalent program within a reasonable commute is not eligible, or is not willing, to be listed on the CA ETPL.

When sending a program participant to training program on another state's ETPL, the following items must be in CalJOBS:

- The training provider and program news to be created as a local provider. This ensures the training-related information is available for federal reporting purposes.
- CalJOBS Activity Code 346 - Out-of-State Training Provider other ETPL (requires case-note to indicate other state's ETPL) must be added to their program

application and associated with the local training provider created. Please note that this activity code is set up as a non-ITA activity code in CalJOBS; however, the training must be funded through an ITA.

- A case note indicating the others state's ETPL and a justification for the use of the reciprocal agreement must be added.
- Local Boards are responsible for collecting and tracking any credentials of measurable skills gains received as a result of the training.

REFERENCES

- 20 CFR §680.300-310
- EDD Directive WSD21-03: ETPL Policy and Procedures (November 10, 2021)
- EDD Directive WSD 22-08: ETPL Reciprocal Agreements (January 17, 2023)
- Training and Employment Guidance Letter (TEGL) 21-22: Increasing Equitable Service Access and Employment Outcomes for All Jobseekers in Workforce Innovation and Opportunity Act Adult and Dislocated Worker Programs (June 9, 2023)

On-the-Job Training Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides a definition and information related to On-The-Job-Training (OJT) based on information provided by the Workforce Investment and Opportunity Act (WIOA).

On the Job Training (OJT) is provided under the contract with an employer in the public, private non-profit, or private sector. Through the OJT contract, occupational training is provided for the WIOA participant in exchange for reimbursement of up to 50 percent of the wage rate to compensate for the employer's extraordinary costs of training.

BACKGROUND
Through the effective use of OJT activities, eligible WIOA participants are afforded employment opportunities that provide occupational skills training while earning a sustainable income. OJT is a permissible training expenditure under WIOA Section 134(c)(H). OJT is critical to providing businesses with qualified participants who are eager to work but need the specialized training only an employer can provide. OJT can be used to defray a portion of the extraordinary costs of this training through the partial reimbursement of the trainee's wages. This encourages businesses to utilize OJT as a low-risk high-value means to hire new talent, mitigate the learning curve for new employees, minimize business disruption while providing training, and ultimately benefit the business with improved operations and an excellent return on investment.

Definition
The Workforce Innovation and Opportunity Act (WIOA) Section 3, Definitions (44), defines on-the-job training (OJT) as:

Training by an employer that is provided to a paid participant while engaged in productive work in a job that:

- "Provides knowledge or skills essential to the full and adequate performance of the job;
- Is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, except as provided in section 134(c)(3)(H),* for the extraordinary costs or providing the training and additional supervision related to training; and
- Is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

In considering this definition, four key concepts should be noted:

- OJT is a training program;
- The trainee is referred to and hired by an employer;
- Productive work, which is the actual training is defined by the employer and performed by the individual; and
- The work and prearranged training in the OJT contract are related to knowledge or skills that are essential to performing the job.

GENERAL INFORMATION AND STANDARDS

1. An OJT is allowable for both the WorkSource Center and YouthSource Center participants.
2. OJT participants must meet WIOA program eligibility requirements.
3. The minimum wage should be $16.78 an hour with a minimum of 32 per week based on LA County requirements after July 2023.
4. OJT contracts must be limited to the period time required for a participant to become proficient in the occupation for which the OJT is being provided. In determining the appropriate length of the contract, consideration should be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, prior work experience, and the participants' IEP or Individual Service Strategy (ISS). This shall be documented in the participant file through the assessment process and subsequent IEP/ISS development and included in the case notes.
5. Segregation of Duties as it pertains to OJT, the WorkSource Center staff person who brokers the OJT shall not be the same staff person who will do the monitoring of the training agreement. This will preclude collusion or appearance of it and provides effective and efficient oversite.
6. As required by WIOA Section 181(b)(3) and 20 CFR Section 683.270(c), a WIOA participant may not be employed in, or assigned to, a job if any of the following is true:
    - Any other individual is on layoff from the same or any substantially equivalent job.
    - The employer has terminated the employment of any regular, unsubsidized employee or otherwise caused an involuntary reduction in its workforce with the intention of filling the vacancy created with the WIOA participant.
    - The job is created in a promotional line that infringes in any way on the promotional opportunities of currently employed workers as of the date of the participation.

OJT Oversight

Service providers issuing the OJT agreement shall monitor the OJT employer or the entity performing the training during the term of the agreement. The purpose of monitoring the OJT agreement is to:

- Ensure that the validity and propriety of amounts claimed for reimbursement are substantiated by payroll and time attendance records
- Ensure that the training is being provided as specified in the agreement
- Ensure that all parties are adhering to the contract provisions

- Ensure that the WIOA participant will acquire the industry recognized occupational skill, and that the employer will issue to the WIOA participant a Performance Review and Certificate of Completion upon successful completion.

OJT Participants
While the sequence of services is eliminated under WIOA, training should still be made available to individuals only after an interview, assessment or evaluation determines that the individual requires training to obtain employment or remain employed.

An appropriate OJT participant:

- Has received an objective assessment and has completed the Individual Employment Plan (IEP) documents supporting the need for OJT as the best option for obtaining secure employment;
- Is not already been hired in the same or similar job (except for skills upgrades); and
- Will not work for their previous employer unless the OJT is for the purpose of skills upgrade.

Before developing an IEP for each OJT enrollee, the participating WorkSource center will work with the participating employer to identify needed, job-specific skills. OJT agreements may be written for eligible employed workers when:

- The employee is not earning a self-sufficient wage as described in the Annual Plan's Self-Sufficiency Policy, or subsequent directives, or wages comparable to or higher than wages from previous employment; and
- The OJT 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.

Employer Requirements

- OJT is provided under an agreement with an employer or registered apprenticeship sponsor in the public, private non-profit or private sector.
- Pre-screening will be conducted prior to an agreement to ascertain the employer meets the standards set forth in the OJT Agreement, and the employer can provide both training and long-term employment to the OJT participant.
- Agreements must not be entered into with an employer that received payments under previous OJT agreements under WIOA if the employer has exhibited a pattern of failing to provide OJT participants with continued long-term employment as a regular employee with wages, employee benefits, or working conditions at the same level as other employees performing the same type of work for the same length of time.

Employer Reimbursement
OJT payments are to be compensation to the employer for the extraordinary costs associated with training participants and potentially lower productivity of participants while in the OJT. Generally, extraordinary costs are those costs the employer has in training participants who may not yet have the knowledge or skills to obtain the job through an employer's normal recruitment process.

Employers may be reimbursed up to 50 percent of the wage rate of an OJT participant. Local Boards may increase the reimbursement rate for OJT agreements up to 75 percent, when taking into account the following factors:

- The characteristics of the participants taking into consideration whether they are "individuals with barriers to employment," as defined in WIOA §3(24);
- The size of the employer, with an emphasis on small business;
- The quality of employer-provided training and advancement opportunities (for examples for an in-demand occupation and will lead to an industry-recognized credential; and
- Other factors the local board may determine to be appropriate, which may include the number of employees participating, wage and benefit levels of the employees (both at present and after completion, and relation of the training to the competitiveness of the participant.

Local Boards must document the factors used when deciding to increase the wage reimbursement levels above 50 percent*.

Recordkeeping - OJT Attendance and Progress Reports
WorkSource Centers shall maintain records to support participant attendance, compensation, participant progress and provision of services as well as adherence to CalJOBS℠ data entry requirements. Hard copy documents must be maintained in participant file to facilitate audits and file reviews.

REFERENCES

- EDD Workforce Services Directive (WSD) 19-02: Worker Displacement Prohibition (July 11, 2019)
- Training and Employment Guidance Letter (TEGL) 21-22: Increasing Equitable Service Access and Employment Outcomes for All Jobseekers in Workforce Innovation and Opportunity Act Adult and Dislocated Worker Programs (June 9, 2023)
- *WIOA section 134(c)(3)(H) describes situations in which the Local Board may increase the reimbursement rate for OJT agreements from 50 percent up to 75 percent.
- ** Special grants, i.e. NEGs (non-formula WIOA) may limit OJT training to certain timeframes and may be subject to upper limits of hourly wages used to calculate employer reimbursement.
- *** OJT's are excluded from the credential attainment goal

Rapid Response Services Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides an overview of required Rapid Response activities and processes in collaboration with the Workforce Development System.

BACKGROUND
The City's Rapid Response Program is designed to assist employers and employees affected by industry declines, economic dislocations, and natural disasters by quickly maximizing public and private resources. Through linkages with the U.S. Department of Labor (DOL), various divisions of the State of California Employment Development Department (EDD), City of Los Angeles WorkSource Center system, and other public and private partners, the City's deployment of its Rapid Response Coordinators (RRC) mitigate the disruption of layoffs by providing affected workers with early intervention, information on private resources and public assistance, and information on economic opportunities that can lead to them quickly reentering the job market. The RRC also assists employers by exploring human resource solutions that offer alternatives to layoffs, and referrals to other business service needs.

Layoff Aversion is a significant strategy under Rapid Response that helps retain workers in their current jobs and/or provides rapid transitions to new employment, minimizing periods of unemployment. This strategy includes "early warning systems" that include (but is not limited to) close communication with employer representatives, industry groups, local elected officials, organized labor, utilities, or local media. This close communication is intended to identify an "at-risk" company well in advance of layoffs, get executive level commitment to work together, assess the needs of the company, and deliver services to address risk factors.

The City's Rapid Response Program also complies with the State's required activity which directs the Local Area to provide a "rapid response" to Worker Adjustment and Retraining Notifications (WARNs) that are issued by employers whenever there are impending business closures and/or worker layoffs of fifty or more individuals. The RRC, however, responds to all layoffs, plant closures, and/or hour reductions regardless of the number of affected employees (Non-WARN).

POLICY AND PROCEDURES
City of Los Angeles Rapid Response Coordinators (RRCs) will contact affected employers within 48 hours of WARN or Non-WARN notification. RRCs will coordinate with EDD (Workforce Services & Unemployment Benefits), Department of Labor, City of Los Angeles WorkSource System, Labor Unions, and other relevant and key partners to schedule a planning meeting, orientations, and any other services requested by the affected employer and employees at times and dates convenient to them. In addition, RRCs will:

- Work with EDD to determine if affected employers are eligible for the California's Work Sharing program (which allows for the payment of unemployment insurance benefits to individuals whose wages and hours have been reduced) as an alternative to layoffs.
- Provide WorkSource Centers (WSCs), who attend a Rapid Response Orientation, with copies of the Rapid Response Questionnaires (forms collecting basic contact, employment & education information, and service needs) completed by affected workers (within 48 hours). When more than one WSC attends, the Questionnaires are divided in equal numbers and at random.
- Provide a "Verification of Employer Service(s)" form, when warranted, to each WSC for purposes of documenting businesses served. Issuance of this form will be determined on a case-by-case basis by the RR Unit based on the guidelines specified on the form. See attached.

Note: For WSCs to count their participation in this process towards meeting their goal of 70 businesses to be served during the program year, WSCs are to have an established relationship with the employer prior to the layoff and be the entity that referred the affected employer to the Rapid Response Unit.

- Provide each WSC a Rapid Response Dislocated Worker roster with contact information of all individuals completing a Questionnaire who live within their designated zip codes on a quarterly basis (City & County zip codes have been pre-assigned to each WSC based on location).
- As needed, provide talking points to the WSC representative participating in the RR Orientation to ensure the message is clear and consistent throughout the presentations, and provide any other technical assistance as requested by the WSC in support of services to Dislocated Workers (DWs) - provided resources are available to meet request.
- Partner with WSCs to ensure the best available services are provided to the Dislocated Workers and promote each of the City's WSCs cadre of services available to DWs and their families beyond the WIOA required activities.
- WORKSOURCE CENTERS (WSCs) form an integral partnership with the City and are key to the effectiveness of its rapid response and layoff aversion strategy. The WSCs shall support rapid response activities by sharing pertinent information with the RRC assigned to their facility, participating in rapid response activities, and by engaging workers who may potentially be laid-off or dislocated workers who have been recently separated from employment. WSCs are to notify their designated RRC of impending layoffs, plant closures, or hourly reductions for workers as this information becomes available. Further, the WSCs are required to:
- Assess the DWs to determine if they are eligible for customized training or incumbent worker training as alternatives to layoffs.
- Participate in Rapid Response Planning Meetings and/or Orientations to present the "WorkSource System", upon confirmation with the employer, and as requested by the RRC. In addition, participate, as needed in other Dislocated Worker-related Rapid Response activities (such as Hiring Fairs, workshops, etc.).

- Contact potential DWs within 48 hours of having received copies of the questionnaires collected during a Rapid Response Orientation by the RRC.
- Contact the individuals listed on the Dislocated Workers quarterly rosters (generated by zip codes) and report their status within 2 weeks of receipt (e.g., employed, unemployed, retired, name of WSC visited, etc.) to their lead RRC. Individuals who are contacted and express a need for dislocated worker services shall be assessed for eligibility and enrolled in the DW program.
- Track the number of DWs visiting the City's WorkSource System following a Rapid Response Orientation by developing an internal process that identifies and tracks individuals who attended a Rapid Response Orientation. This may include adding a self-identifying question at Intake, collecting Rapid Response Referral cards issued to participants during a live Orientation, and/or reviewing internal Dislocated Workers rosters. A program year cumulative roster that includes the name of the WSC, participants' name, former company, lay off date, and services being provided shall be submitted quarterly to the Rapid Response Unit as follows: October 10th, January 10th, April 10th, and July 10th.
- Provide the RRC available WSC-specific promotional flyers, etc., they want to be made available at all Orientations regardless of the session location (RRCs can provide further outreach as participants in each Rapid Response Orientation come from the Greater L.A. area)
- Designate a key staff member to act as their Rapid Response Liaison (RRL) who will be responsible for coordinating services and maintaining on-going communication with the RRC. Also, notify the Rapid Response Unit Manager of Liaison changes to schedule Rapid Response training for the new staff within 5 working days of change.
- Track RR Orientation participants who become employed because of on-site recruitment or other WSC activities and Report to the RRC all participants employed within forty-five days from the official layoff date. In order for the City to report these individuals as "Layoff Aversion" re-employment outcomes to the State, provide the following information:
    - Participant Name
    - Name of the employer participant was laid off from
    - Layoff Date
    - Name of New Employer
    - Hire Date
    - Employment verification (such as correspondence on new employer letterhead or new employer direct email to WSC indicating the hire date; or Dislocated Worker earnings statement; etc.)
- Partner with the City's Layoff Aversion Provider (Economic & Workforce Development Corporation of Los Angeles County – LAEDC) as needed to maximize available resources to meet business needs.

REFERENCES

- EDD WSD 16-04: Rapid Response and Layoff Aversion Activities (July 22, 2016)

Training Expenditure Requirement Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy establishes certain requirements for the amount of formula funding that must be expended on training activities as defined by WIOA.

BACKGROUND

State Senate Bill (SB) 734 imposed training expenditure requirements on local boards carrying out WIOA funded programs. Local boards are required to spend at least 30 percent of their adult and dislocated worker WIOA formula fund allocations on workforce training services (this minimum training expenditure requirement does not apply to the youth formula fund allocations). A portion of the minimum training expenditure requirement (an amount of up to 10 percent of the adult and dislocated worker formula fund allocation) may be met by applying designated leveraged training resources (as defined in this policy) used for training services.

State Assembly Bill (AB) 1149, signed September 27, 2017, expanded the types of services to which leveraged funds may be applied to include supportive services and expands the types of leveraged funds that may be applied to the 10% credit, described above, to include specified federal, local, state, and private funds. In addition to the seven categories of leveraged resources permitted under SB 734, AB 1149 allows the following types of leveraged funds to count toward meeting the local area's 30 percent minimum training expenditure requirement:

- Temporary Assistance for Needy Families (TANF) funds spent on supportive services,
- TANF funds spent on transitional and subsidized employment,
- Local, state, or federal funds spent on training or supportive services, and
- Any other public or private funds spent on training or supportive services, for individuals enrolled in training. Subject to State Board approval.

POLICY AND PROCEDURES

In order to be applied toward the training expenditure requirement, training services must meet the following criteria:

1. Must be provided to WIOA adult or dislocated worker participants enrolled in a training activity in CalJOBS℠.

2. Must meet the definition of training services provided in WIOA Section 134(c)(3)(D). Training services may include the following:
    a. Occupational skills training, including training for nontraditional employment.
    b. On-the-job training.
    c. Incumbent worker training.
    d. Programs that combine workplace training with related instruction, which may include cooperative education programs.
    e. Training programs operated by the private sector.
    f. Skill upgrading and retraining.
    g. Entrepreneurial training.
    h. Transitional jobs.
    i. Job readiness training provided in combination with any of the services in (a)-(h)
    j. Adult education and literacy activities provided concurrently or in combination with any of the services in (a)-(g).
    k. Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.
3. Must meet the definition of a training service as provided in Title 20 CFR Section 680.420: A program of training services is one or more courses or classes, or a structured regimen that provides the services in Title 20 CFR Section 680.200 and leads to one of the following:
    a. An industry-recognized certificate or certification, a certificate of completion of a registered apprenticeship, a license recognized by the state involved or the federal government, an associate or baccalaureate degree.
    b. A secondary school diploma or its equivalent.
    c. Employment.
    d. Measurable skill gains toward a credential described in (a) or (b) above, or employment.
4. Must pass the following three-pronged test:
    a. Is the service defined as a basic or individualized career service under WIOA? If so, the service cannot be counted toward the training expenditure requirement.
    b. Is the service defined as training under WIOA section 134(c)(3)(D)? If so, the service can be counted toward the training expenditure requirement.

c. Is the service not listed under WIOA section 134(c)(3)(D) but meets the definition of training in Title 20 CFR Section 680.420? If so, the service can be counted toward the training minimum.

   The determining factors are whether the services are provided through a structured learning process and whether this learning process leads to the attainment of skills or competencies needed to perform work duties during the course of the workday. In summary, the service should lead to employment and/or greater labor productivity on the job.

With the exception of certain types of Customized and On-the-Job training (OJT), and the alternatives to traditional ITA training programs described in the Alternative Training Programs Policy, only training providers through their training programs listed on the ETPL are eligible to receive WIOA funds to train adults and dislocated workers.
Formula funds and leveraged resources allocated to WIOA Career Services may not be applied toward the minimum training expenditure requirement. Only resources spent to provide "training services" as defined above to WIOA participants may be applied.

Leveraged Resources

Local boards and contractors may apply leveraged resources used for training services toward meeting a portion of their minimum training expenditure requirement (an amount of up to 10 percent of their adult and dislocated worker formula fund allocation for local boards). Local boards and contractors may apply only the following leveraged funds as part of the credit:

1. Federal Pell Grants established under Title IV of the Higher Education Act of 1965.
2. Public programs authorized by the Workforce Innovation and Opportunity Act of 2014 (e.g., Job Corps, Migrant and Seasonal Farm Worker, Rapid Response, WIOA Title II Adult Education and Literacy, national and state WIOA discretionary grants, WIOA youth program, etc.). This category of leveraged resources does not include WIOA adult and dislocated worker formula funds. Local Boards are permitted to apply youth formula funds expended on training for individuals ages 18-24 as a leveraged resource if: (1) the individuals are co-enrolled in either the WIOA adult or dislocated worker program, and (2) the training meets all requirements set forth in this Directive.
3. Trade Adjustment Assistance.
4. Department of Labor National Emergency Grants.
5. Match funds from employers, industry, and industry associations (including the employer paid portion of customized training, the wages of an apprentice during the apprenticeship period, and the employer paid portion of on-the-job training). Note – Match funds from the employer paid portion of on-the-job training may only include the employer's cost attributed to the participant's training. See Attachment 2 to the

State of California Workforce Services Directive WSD 18-10 for further details. https://www.edd.ca.gov/Jobs_and_Training/pubs/wsd18-10.pdf

6. Match funds from joint labor-management trusts.
7. Employment Training Panel grants.
8. Supportive services as defined by WIOA and the corresponding sections of the CFR, but only for those individuals enrolled in training services for occupations in demand by industry, as defined in Section 3174(c)(3)(D) of Title 29 of the United States Code and the corresponding sections of the CFR. Supportive services may include, but are not limited to, the costs of trainees' or students' books, safety and lab equipment, tools and any payment of costs permitted under WIOA rules and corresponding regulations pertaining to supportive services expenditures, including the rule that these supportive services costs are necessary for the individual to participate in training.
9. TANF funds spent on supportive services as defined by WIOA and the corresponding sections of the CFR, for TANF enrolled individuals co-enrolled in and receiving training services for occupations in demand by industry through WIOA. Supportive services may include, but are not limited to, the costs of trainees' or students' books, safety and lab equipment, tools and any payment of costs permitted under WIOA rules and corresponding regulations pertaining to supportive services expenditures, including the rule that these supportive services costs are necessary for the individual to participate in training.
10. TANF funds spent on transitional and subsidized employment for TANF enrolled individuals co-enrolled in and receiving training services through WIOA.
11. Any other local, state, or federal funds spent on training or supportive services for individuals enrolled in training, provided the individuals are enrolled in WIOA for performance reporting and tracking purposes.
12. Any other public or private funds source approved by the State Board used to provide training or supportive services to individuals enrolled in training, provided the individuals are enrolled in WIOA for performance reporting and tracking purposes.

Local Areas seeking approval for funds under this category must submit a letter to the State Board. City of Los Angeles AJCC Contractors must submit a letter requesting approval of funds under this category to their program monitor. EWDD will then submit a formal request to the State Board. State Board approval is required before such funds can be counted towards an AJCC's training leveraged resources. EWDD will notify the Workforce Development System once the status of such funds has been determined by the State Board.

Adult WorkSource Requirements

Training services are primarily provided through the Adult WorkSource Centers (WSCs). As such, certain requirements must be imposed upon the centers to ensure the local area meets its goals for training expenditures. Specifically, WSCs must expend an amount equal to or greater than thirty (30%) of their adult and dislocated worker WIOA formula fund allocations enumerated in their Individual Training Agreements (ITA contracts) on workforce training services as defined in this policy. A portion of the minimum training expenditure requirement, as enumerated in their contracts, may be met by applying designated leveraged resources (as defined in this policy) used for leverage training services. Only the training services included in the State's requirements will be counted towards each WSCs goal. This policy may be amended by directive.

REFERENCES

- SB 734 (DeSaulnier), Chapter 498, Statues of 2011
- AB 1149 (Arambula), Chapter 423, Statutes of 2017
- EDD Workforce Services Directive (WDS) 18-10: WIOA Training Expenditure Requirement (January 31, 2019)

WIOA/TAA Co-Enrollment Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
The Trade Adjustment Assistance (TAA) Code of Federal Regulations dictates that all TAA eligible workers must have access to core and intensive services through the America's Job Center of California network. Co-enrollment in the TAA and Workforce Innovation and Opportunity Act (WIOA) will ensure workers are connected to education, training, information resources, and employment in a timely and effective manner following displacement.

BACKGROUND
The TAA program is a federal program that assists U.S. workers who have lost or may lose their jobs because of foreign trade. This program provides adversely affected workers with opportunities to obtain the skills, credentials, resources, and support necessary to become reemployed. The Federal Regulations of the TAA program require coordinating the administration of the TAA program with the WIOA program to ensure trade-affected workers obtain all the benefits and services they are eligible to receive. With a state and federal goal of 100 percent statewide compliance, this federal mandate is met through 'WIOA/TAA co-enrollment.

Co-Enrollment means enrollment in more than one program at a time to allow for coordination of training and services. Co-enrollment across funding streams helps leverage limited resources, eliminates duplication of services, and helps meet the needs and expectation of all customers.

Co-enrollment entails a high level of communication and coordination among WIOA and TAA partners. Because of this, through a Memorandum of Operation (MOO), the City of Los Angeles has negotiated WIOA/TAA co-enrollment guidelines with the California Employment Development Department (EDD) to be implemented by the WorkSource System. Co-enrollment procedures include areas of responsibility relating to assessments for TAA workers, TAA case management, service planning, training services, client data entry, supportive services, post-training placement assistance, and follow-up services.

POLICY AND PROCEDURES
Per the executed MOO with EDD, effective July 1, 2023**,** the WDS is committed to delivering customer-focused, integrated, and coordinated services; to sharing relevant customer program information and records (with the participant's written consent), including referrals, assessment results, training plans, progress reports, sign-in sheets, and job development strategies; to coordinating cohesive and consistent services, that complement and strengthen the services offered by each of the organizations; and to

motivating respective customers to utilize the full spectrum of each partner's services to enhance successful program outcomes.

Co-enrollment procedures are clearly delineated in the Trade Act Co-enrollment Technical Assistance Guide (TAG), DE 8306 Rev 5, dated June 2015 and such shall be adhered to in the implementation of TAA and WIOA co-enrollment practices.

EWDD and EDD have further agreed that the City's Rapid Response Unit serves as the starting point of co-enrollment and a front-line marketing tool for both the WIOA and TAA programs. As outlined in TEN31-11, City Rapid Response Coordinators are required to coordinate each session with all applicable partners and/or include all required Rapid Response material at each Rapid Response/TAA session.

WorkSource Centers shall:

1. Designate WSC staff, including Case Managers, to attend EDD's TAA/WIOA Co-Enrollment training at minimum once per year.

2. Designate a point of contact to attend an EWDD-facilitated forum where co-enrollment issues and concerns are addressed timely.

3. Ensure WSC staff adheres to the EDD's Trade Act Co-Enrollment Technical Assistance Guide DE8306 Rev 5 (6-15), which includes the purpose and policy of WIOA/TAA co-enrollment; roles and responsibilities; and step by step WIOA/TAA co-enrollment procedures.

4. Ensure all WSC decisions relative to the provision of services to the TAA/WIOA eligible clients are made in the best interest of the clients and in alignment with local, state, and federal policies.

5. Maintain a paper-based case file with the original and/or copies of all applicable TAA/WIOA co-enrollment documentation (such as, referral form DE 8308)

6. Provide services in accordance with the following procedures:

    a. Participate in TAA Orientations as coordinated by the City's Rapid Response Unit when invited by EDD staff;

    b. Case Management: Discuss career goals, barriers, career changes, and any discussions involving advice or guidance to a WIOA/TAA co-enrolled worker;

    c. Barriers to Employment: Discuss and document lack of transportation, language barriers, and/or educational levels;

d. Provide Comprehensive Assessment: An extensive examination testing a client's proficiency in a specific field and/or their education level. A comprehensive assessment is a tool to measure a client's proficiency levels in math, English, etc.;

e. Job Referrals: Assist TAA clients with suitable job referrals;

f. Job Placement: Assist TAA clients in finding jobs that match their skills and abilities; and

g. Supportive Services (20 CFR, 663.800): Whenever necessary and if funds exist, provide TAA clients with WIOA allowable supportive services assistance.

EDD will ensure that:

1. WSCs receive the administrative/policy guidance and available resources for the necessary TAA-funded services required by each participant's Individual Employment Plan (IEP).

2. EDD will further provide and support staff development activities that enhance the implementation of this TAA/WIOA Co-Enrollment Policy.

3. City's Rapid Response Unit obtains a copy of TAA Orientation sign-in sheets to track who has been to both Rapid Response and TAA Orientations with the understanding that participant information will ONLY be used for this purpose and will not be shared with any third party or used for marketing purposes until EDD has obtained the WIOA/TAA co-enrollment/referral form (DE8308), which must be signed by the customer, partner, and EDD Representative.

4. EDD Workforce Services Division runs a QMF to enhance outreach efforts, contingent on the City providing appropriate justification.

5. Participants receive all TAA related forms in their native language (once these are developed).

6. TAA services are provided in accordance with the following procedures:

   a. TAA Orientations: Led and facilitated by TAA;
   b. Case Management: Discuss career goals, barriers, career changes, and any discussions involving advice or guidance to a WIOA/TAA co-enrolled worker;
   c. Barriers to Employment: Discuss and document lack of transportation, language barriers, and/or educational levels;
   d. Job Referrals: Assist TAA clients with suitable job referrals;

e. Job Placement: Assist TAA clients in finding jobs matching their skills and abilities;
f. Training Support: Fund client training through the TAA program; and
g. TAA Benefits and Services: Provide TAA benefits and services in accordance with published TAA guidance (i.e., current, and published TAA Policy and Procedure Checklist).

NOTE: There are no retroactive reimbursements for services rendered through WIOA prior to TAA certification. However, once WIOA participants enrolled in a training program are deemed eligible under TAA, the following options may proceed based on what best meets the needs of the participant and funding guidelines:

1. WIOA funded training continues its course until a natural break occurs (e.g., semester ends, module completion, etc.), then if deemed necessary, TAA funds any additional training;

2. WIOA expends up to the maximum $7,500 training cap, and TAA funds any additional training not to exceed its maximum allowance; and

3. WIOA remains the only funding source for training when training does not meet the 6 criteria for approved TAA funding.

REFERENCES

- EDD WSD14-15: WIOA and TAA Co-Enrollment Policy and Procedures (June 26, 2015)
- TEGL 07-23: Ongoing Operations of the Trade Adjustment Assistance (TAA) for Workers Program During Phase-Out Termination (January 3, 2024)
- Chapter 2 of Title II of the Trade Act of 1974, as amended (Pub. L. 93-618) (Trade Act)(codified at 19 U.S.C. §§ 2271 et seq.)
- Pub. L. 114-27, Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015)
- Pub. L. 112-40, Trade Adjustment Assistance Extension Act of 2011 (TAAEA)
- Pub. L. 111-5, Trade and Globalization Adjustment Assistance Act of 2009 (TGAAA)
- Pub. L. 107-210, Trade Adjustment Assistance Reform Act of 2002 (TAARA 2002)
- Pub. L. 113-128, Workforce Innovation and Opportunity Act (WIOA), 29 U.S.C. 3101 et seq.
- TAA Final Rule, 20 CFR Part 618, 85 FR 51896 (August 21, 2020)

*WIOA Training Policy and Procedures

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT
This policy provides guidance and establishes the procedures for participant enrollment into training programs and services available under the Workforce Innovation and Opportunity Act (WIOA) Title I Adult, Dislocated Worker, and Youth programs for the City of Los Angeles Workforce Development System.

BACKGROUND
Under WIOA, training services may be provided if the America's Job Center of California (AJCC) staff, including partner programs' staff, determines after conducting an interview, an evaluation, or assessment, and career planning, that training is necessary to assist a participant.

Training is available through Eligible Training Providers (ETPs)—entities determined eligible to receive funds through WIOA title I—that are on the State list of Eligible Training Providers and Programs (ETPL). The ETPL ensures the accountability, quality and labor-market relevance of programs, and ensures informed customer choice for individuals eligible for training. Training must be provided by an ETPL provider, except for On-the-Job Training (OJT), Incumbent Worker Training (IWT), Customized Training, Transitional Jobs, and some unique situations as defined in this policy.

Only training providers through their training programs listed on the ETPL are eligible to receive WIOA funds to train participants through Individual Training Accounts (ITAs). However, in order to provide special populations with multiple barriers to employment more opportunities to benefit from WIOA programs, alternatives to traditional ITA training programs may be employed. For example, short-term pre-vocational services, including development of learning and communication skills, may be provided as "Career Services" and do not require the establishment of an ITA.

POLICY AND PROCEDURES

Individual Training Account (ITA)
Training services for eligible individuals are typically provided by training providers who receive payment for their services through an Individual Training Account (ITA). The ITA is a payment agreement established on behalf of a participant with a training provider. Per WIOA regulations, an ITA may be established on behalf of customers to purchase classroom-training services from the State approved, Eligible Training Providers List (ETPL).
A WorkSource / YouthSource Center, or AJCC, may issue an ITA to fund training for adults, dislocated workers, or youth who after an interview, evaluation, or assessment, and after career planning have been determined by the AJCC operator to be in need of training to obtain employment or remain employed. The individual can then compare the offerings on the ETPL,

and, with the advice of AJCC staff, select the most appropriate training program. In this way, the ETPL helps to provide customer choice, while also supporting quality training programs.

For more information on ITAs, reference the Individual Training Accounts Policy.

List of WIOA Training Programs and Services
WIOA allows states and local areas to fund training through a variety of approaches. Following are allowable types of training programs and services:

Table 1. Allowable Types of Training Programs and Services in WIOA

Training Type	Definition	Procedures/ Requirements
Alternative Training	In order to open sector and other training to a wider and more diverse participant base, the City of Los Angeles Workforce Development Board (WDB) adopted an alternative training policy for special populations with multiple barriers to employment to provide Vocational English as a Second Language (VESL) instruction, academic preparation, transitional work, and bridge programs for participants unable to qualify initially for Individual Training Accounts (ITAs) or sector-based training. *For more information on this training, reference the Alternative Training Policy.*	For a participant enrolled in a training program that can bypass the CA ETPL upon the determination of the WDB, an activity code requires staff to provide justification in CalJOBS under case notes.
Apprenticeship	Registered Apprenticeships are an employer-driven, "learn while you earn" model that combines on-the-job training with job-related instruction in curricula tied to the attainment of industry-recognized skills standards. The OJT is provided by the employer who hires the apprentice, although some employers also provide the job-related instruction. WIOA funds may be used to support placing participants in both the classroom and OJT portions of the program. Pre-apprenticeships are programs designed to prepare individuals to enter and succeed in	Progress reports must document substantive skill development the participant has achieved. Examples include the following: ● Training reports on milestones completed as the individual masters the required job skills, or steps to complete the training program.

	a registered apprenticeship program, which includes: - Training and curriculum that aligns with the skill needs of employers in the economy of the State or region - Access to educational and career counseling, and other supportive services - Hands-on, meaningful learning activities that are connected to education and training activities, such as exploring career options, understanding how skills acquired through coursework can be applied to a future - Career Opportunities to attain at least one industry-recognized credential; and - A partnership with one or more registered apprenticeship programs that assists in placing individuals who complete the pre-apprenticeship into a registered apprenticeship. *For more information on this training, reference the Apprenticeship Policy.*	● Increase in pay resulting from newly acquired skills. ● Increase in performance based on newly acquired skills. ● Completion of a specific milestone of a registered apprenticeship program.
Customized Training	Customized training is designed to meet the specific requirements of an employer or group of employers with the commitment that the business, or businesses employ an individual(s) upon successful completion of the training. In most instances, the business must pay for a significant portion of the cost of training, as determined by the WDB. *For more information on this training, reference the Customized Training Policy.*	Customized training may be provided when the following criteria are met: 1. The participant is not earning a self-sufficient wage as determined by the WDB policy. 2. The above paragraph's requirements are met. 3. The customized training relates to on-the-job training contracts for employed workers, or other appropriate purposes identified by the WDB.

Incumbent Worker Training	Incumbent Worker Training (IWT) is designed to meet the needs of an employer or group of employers to retain a skilled workforce or avert layoffs. IWT can be used to either: ● Help avert potential layoffs of employees; or ● Obtain the skills necessary to retain employment, such as increasing the skill levels of employees so they can be promoted within the company and create backfill opportunities for new or less-skilled employees. *For more information on IWT, please refer to the Incumbent Worker Training Policy.*	To the greatest extent possible, incumbent worker training shall be provided utilizing California Employment Training Panel Funds: http://www.etp.ca.gov/
Entrepreneurial Training	Entrepreneurial skills training provides the basics of starting and operating a small business. Such training must develop the skills associated with entrepreneurship. Such skills may include, but are not limited to, the ability to: ● Take initiative; ● Creatively seek out and identify business opportunities; ● Develop budgets and forecast resource needs; ● Understand various options for acquiring capital and the trade-offs associated with each option; and ● Communicate effectively and market oneself and one's ideas. YOUTH: Entrepreneurial skills training, one of the 14 program elements for the WIOA youth program, provides the basics of starting and operating a small business. This training helps youth develop the skills associated with entrepreneurship and the gig economy, such as the ability to take initiative, creatively seek out and identify business opportunities, develop budgets and forecast resource needs, understand various options	For technical assistance on this training, please contact your assigned program monitor.

	for acquiring capital and the trade-offs associated with each option, and communicate effectively and market oneself and one's ideas.	
Occupational Skills Training	Occupational skills training means an organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at entry, intermediate, or advanced levels. Occupational skills training includes training programs that lead to recognized postsecondary credentials that align with in-demand industry sectors or occupations in the local area. Such training must: (1) Be outcome-oriented and focused on an occupational goal specified in the individual service strategy; (2) Be of sufficient duration to impart the skills needed to meet the occupational goal; and (3) Result in attainment of a recognized postsecondary credential.	The participant enrolled in a California (CA) Eligible Training Provider List (ETPL) training program designed to provide the technical skills necessary to perform a specific job or group of jobs. All Occupational Skills Training services must have an Occupational Code (ONET Code) that indicates the type of training being provided. The Industry Code (NAICS Code) is not required.
On-the-Job Training	OJT provides reimbursements to employers to help compensate for the costs associated with skills upgrade training for newly hired employees and the lost production of current employees providing the training (including management staff). OJT training can assist employers who are looking to expand their businesses and who need additional staff trained with specialized skills. OJT employers may receive up to 50% reimbursement of the wage rate (in certain circumstances up to 75%) of OJT trainees to help defray personnel training costs. Under some programs, such as those funded by H-1B fees, OJT reimbursement may be as high as 90%, depending on employer size.	AJCCs shall maintain records to support participant attendance, compensation, participant progress and provision of services as well as adherence to CalJOBS℠ data entry requirements. Hard copy documents must be maintained in participant file to facilitate audits and file reviews.

Transitional Jobs and Work Experience	*Transitional jobs* are a type of work-experience WDBs may provide under WIOA and are considered an individualized career service. Transitional jobs are time-limited and wage-paid work experiences that can be subsidized up to 100 percent. These jobs are in the public, private, or nonprofit sectors. A *work experience* or internship is a planned, structured learning experience that takes place in a workplace for a limited period of time. Work experiences or internships may be paid or unpaid, as appropriate and consistent with other laws, such as the Fair Labor Standards Act. A work experience or internship may be arranged within the private for-profit sector, the nonprofit sector, or the public sector. For youth, work experiences may also include: ● Pre-apprenticeship programs; ● Summer employment and other employment activities available throughout the school year; ● Internships and job shadowing; and ● On-the-job training ● Leadership development services	Monthly on-site monitoring of the work experience, transitional job, or internship is the responsibility of the contractor and shall be done by a person other than the designated staff who developed the work experience/transitional job/internship agreement. The contractor must ensure that the following requirements are met: ● Participant receives the training/ services/ skills as specified in the training outline/plan of the Worksite Training Agreement ● Participant acknowledges training and services received as reported on the invoices submitted for training wages, if applicable ● Participant and employer receive copies of the executed worksite training agreement prior to the start of the work experience ● The worksite supervisor shall prepare and submit a progress report, which has been discussed and signed by the participant, at least once monthly, or as negotiated with the

		worksite supervisor by the contractor staff.

For technical assistance on training types, please contact your assigned program monitor.

Industry-Certified Training Policy and Prioritizing Good Jobs

To the greatest extent possible, WIOA participants should be enrolled in Industry-Certified Training, or an accredited postsecondary education institution or industry/ occupational skills training program (excluding those in OJT and/or customized training) to acquire technical skills and information required to perform a specific job or group of jobs and attain a recognized postsecondary credential.

To assist participant's with obtaining long-term employment and reaching self-sufficiency, AJCC operators should educate participants of training programs and services that lead to good jobs or high-growth industry sectors.

For more information on this policy, please reference the Industry-Certified Training Policy, Definition of Good Jobs, and High Growth Sector Initiative Policy.

REPORTING REQUIREMENTS

Progress Reports and Attendance Records

Training providers must provide evidence of the participant's progress and attendance to the WorkSource Center staff on a regular basis to ensure the participant is attending classes as part of the training agreement. The WorkSource Center staff must file the progress reports and attendance sheets in the participant's CalJOBS profile. If the participant fails to attend school, the training provider must inform the WorkSource Center staff within three (3) days of consecutive non-attendance. All information obtained from the training provider must be entered into CalJOBS℠.

ETP Reporting Requirements

Training providers are typically subject to the ETP eligibility and data reporting requirements; however, WIOA allows exceptions for certain training options based on their record of success and/or an inherent requirement for employers to hire participants. These work-based learning strategies include OJT, IWT, RAPs, and customized training.

Training Expenditure Requirement

Training services are primarily provided through the Adult WorkSource Centers (WSCs). As such, certain requirements must be imposed upon the centers to ensure the local area meets its goals for training expenditures. Specifically, WSCs must expend an amount equal to or greater than thirty (30%) of their adult and dislocated worker WIOA formula fund allocations enumerated in their Individual Training Agreements (ITA contracts) on workforce training services as defined in

this policy. A portion of the minimum training expenditure requirement, as enumerated in their contracts, may be met by applying designated leveraged resources (as defined in this policy) used for leverage training services. Only the training services included in the State's requirements will be counted towards each WSCs goal. This policy may be amended by directive.

For more information on this requirement, reference the Training Expenditure Requirement Policy.

Youth Workplace Learning Expenditure Requirement

WIOA includes a requirement that a minimum of 20 percent of local area youth funds must be spent on work experience.

For more information on this requirement, reference the Youth Workplace Learning Expenditure Requirement Policy.

RESOURCES

Career Guidance Resources Available for Case Managers

Career Advisor Portal:
https://www.careeronestop.org/ResourcesFor/CareerAdvisor/careeradvisor.aspx

Certification Finder:
https://www.careeronestop.org/Toolkit/Training/find-certifications.aspx
License Finder:
https://www.careeronestop.org/Toolkit/Training/find-licenses.aspx

Local Training Finder:
https://www.careeronestop.org/Toolkit/Training/find-localtraining.aspx

All of the above CareerOneStop.org tools are integrated into the occupational profiles in MyNextMove (https://www.mynextmove.org/) a tool individuals can use to find career and training opportunities. The above tools are also included in O*NET Online (https://www.onetonline.org/), which individuals can use to explore occupational information.

REFERENCES

- Training and Employment Guidance Letter (TEGL) 21-22: Increasing Equitable Service Access and Employment Outcomes for All Jobseekers in Workforce Innovation and Opportunity Act Adult and Dislocated Worker Programs (June 9, 2023)
- Training and Employment Guidance Letter (TEGL) 08-19: Workforce Innovation and Opportunity Act (WIOA) Title I Training Provider Eligibility and State List of Eligible Training Providers (ETPs) and Programs (January 2, 2020)

- Training and Employment Guidance Letter (TEGL) 19-16: Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules (March 1, 2017)
- President Biden issued Executive Order (EO 13985) Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (January 20, 2021)
- WSD23-03: Performance Guidance (November 8, 2023)
- Training and Employment Guidance Letter (TEGL) 10-16, Change 2: Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Core Programs (September 15, 2022)

Work Experience and Transitional Jobs Policy

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides guidance and establishes the procedures related to work experience and transitional employment under WIOA programs.

BACKGROUND

Work Experience is defined as a planned, structured learning experience that takes place on a worksite for a limited amount of time. It is structured to provide an individual with behavioral and occupational skills that are workplace appropriate. It may be paid or unpaid and located in private, nonprofit or public sectors.

Transitional Jobs are defined as time-limited work experiences that are subsidized and are planned, structured learning experiences that occur in a workplace. The final WIOA regulations state: "A transitional job is one that provides a time-limited work experience, that is wage-paid and subsidized, and is in the public, private, or non-profit sectors for those individuals with barriers to employment who are chronically unemployed or have inconsistent work history, as determined by the Local WDB. These jobs are designed to enable an individual to establish a work history, demonstrate work success in an employee-employer relationship, and develop the skills that lead to unsubsidized employment.

The goal of work experience is to establish a work history for the individual that demonstrates success in the workplace, and develops the skills that lead to retention in unsubsidized employment. The City recommends that work experience be paid, be provided to individuals lacking a significant work history, and be combined with supportive services. Subsidized work-based training and employment has many benefits, such as providing participants with an opportunity to gain new skills, exposure to a new profession, and experience to enhance their résumé. It can also serve as an effective transitional tool to move an unemployed participant into permanent employment.

Work Experience is designed to provide the individual with specific behavioral and occupational skills needed to succeed in the workplace. It should be linked to achievement of a necessary skill level, limited in duration, combined with other activities, and based on a service strategy particular to each client. It primarily functions as a workplace-values activity, as opposed to a training activity, which is for the acquisition of specific occupational or job skills.
Labor standards apply to any work experience where there is an employee/employer relationship, as defined by the Fair Labor Standards Act.

Work experience should be designed to promote the development of good work habits and basic work skills. When combined with other services, work experience should be provided concurrently or sequentially to these services to increase the basic education and/or occupational skills of the customer (as detailed in the adult Individual Employment Plan [IEP] or youth Individual Service Strategy [ISS]). Work experience may be combined with community service or conservation service corps programs.

Transitional Employment provides an individual work experience that occurs within the context of an employee/employer relationship. It is an allowable activity for individuals with barriers to employment who are chronically unemployed or have inconsistent work history. Transitional Employment is designed to ensure that the people most in need of employment assistance transition to full participation in the labor market, and is an allowable use of Work Experience. WIOA allows up to 10% of Adult and Dislocated Worker funds to be used for transitional jobs for individuals with barriers to employment.

Unlike On-the-Job Training (OJT), transitional jobs are career services activities. The program provider may act as the employer of record or there may be a joint employment relationship between the worker, the firm in which the worker is placed, and the program provider. Transitional jobs must be combined with other comprehensive career services and supportive services. Contractor shall ensure that participants who are placed in Work Experience or Transitional Jobs do not report directly to family members or friends.
The Workforce Development System providers shall ensure that transitional jobs do not result in the loss of public benefits. The City currently has a standard Work Experience Training Agreement. This document should be modified as needed and used for all WIOA-funded Work Experience and Transitional Jobs activities.

POLICY AND PROCEDURES

Orientation

The contractor must conduct an Orientation for both the participant and the worksite training provider before the start of the work experience. This should include a visit to the actual job site, a review of the tasks and/or skills to be gained during the training, a discussion of the wages and benefits to be paid to the participant, and a review of the other conditions within the Worksite Training Agreement, including reimbursement to the employer and the submission of progress reports by the employer.

Benefits and Working Conditions

In the development and conduct of work experience and internships, contractors must ensure that participants are not assigned to work for employers that do not comply with applicable labor laws, including wage and hour provisions, occupational health and safety provisions, and child labor laws. To the extent applicable, worker's compensation benefits should be available with respect to injuries suffered by participants while on the job.

Participants shall not be required to work, be trained, or receive services in buildings or surroundings or under working conditions that are unsanitary, hazardous, or dangerous to the participant's health and/or safety. A participant employed or trained for inherently dangerous occupations shall be assigned to work in accordance with reasonable safety practices.

Monitoring Responsibilities

Monthly on-site monitoring of the work experience, transitional job, or internship is the responsibility of the contractor and shall be done by a person other than the designated staff who developed the work experience/transitional job/internship agreement. The contractor must ensure that the following requirements are met:

- Participant receives the training/services/skills as specified in the training outline/plan of the Worksite Training Agreement.
- Participant acknowledges training and services received as reported on the invoices submitted for training wages, if applicable.
- Participant and employer receive copies of the executed worksite training agreement prior to the start of the work experience.

The worksite supervisor shall prepare and submit a progress report, which has been discussed and signed by the participant, at least once monthly, or as negotiated with the worksite supervisor by the contractor staff.

Completion

All work experience should be linked to achievement of a necessary skill level, limited in duration, combined with other career services activities, and based on a service strategy particular to each client. The contractor shall issue a certificate of completion to the participant upon completion. A copy of the certificate shall be placed in the client file together with all the paperwork connected to the activity.

REFERENCES

- DOLETA TEGL No. 3-14 (July 30, 2014)
- U.S. DOL The Workforce Innovation and Opportunity Act Overview (July 22, 2014)
- EWDD Work Experience Guidelines
- 20 CFR 603.651 WIOA ACT, Final Rule
- 20 CFR 680.150, 20 CFR 680.190 & 20 CFR 680.195

Youth Workplace Learning Expenditure Requirement

EFFECTIVE DATE: July 1, 2024

POLICY STATEMENT

This policy provides the guidance and establishes the procedures regarding the *Workforce Innovation and Opportunity Act* (WIOA) youth work experience programs and minimum expenditure requirements. To better prepare youth for the workforce, WIOA includes a requirement that a minimum of 20 percent of local area youth funds must be spent on work experience.

BACKGROUND

WIOA affirms a commitment to providing high-quality services for all youth and young adults beginning with career exploration and guidance, continued support for educational attainment, opportunities for skills training in in-demand industries and occupations, such as pre-apprenticeships or internships, and culminating with a good job along a career pathway, enrollment in postsecondary education, or a Registered Apprenticeship.

POLICY AND PROCEDURES

Work experiences are planned, structured learning experiences that take place in a workplace for a limited period of time. Work experience provides in-school (IS) and out-of-school (OS) youth an invaluable opportunity for career exploration and to develop workplace skills. Work experience may be paid or unpaid, as appropriate, take place in -the private for-profit, non-profit, or public sector, and can be conducted in-person or remotely, and through virtual platforms. Labor standards apply in any work experience where an employee/employer relationship exists. Work experiences must include academic and occupational education. The educational component may occur concurrently or sequentially with the work experience, may occur inside or outside the work site and should include information necessary to understand and work in specific industries or occupations. It is also recommended that work experiences in service of a career pathway are coordinated with employers in industry and sector partnerships. WIOA identifies work experience within the following categories:

- Summer employment opportunities and other employment opportunities available throughout the program year.
- Pre-apprenticeship programs.
- Internships and job shadowing.
- On-the-job training opportunities.

YOUTH FORMULA POLICY

Youth formula funds may be used to pay a participant's wages, related benefits and support services for work experience in the public, for-profit or non-profit sectors when the participant's objective assessment and individual service strategy indicate that work experience is appropriate.

Additionally, youth formula funds may be used to pay wages and staffing costs for the development and management of work experience. Allowable expenditures beyond wages may include the following:

- Staff time spent identifying potential work experience opportunities.
- Staff time working with employers to develop the work experience.
- Staff time spent working with employers to ensure a successful work experience.
- Staff time spent evaluating the work experience.
- Classroom training or the required academic education component directly related to the work experience.
- Orientation sessions for participants and employers.
- Incentive payments to youth for an achievement directly tied to the work experience.
- Employability skills/job readiness training to prepare youth for a work experience.

Work Experience Shall Adhere to The Following

- The duration of the work experience assignment shall not exceed 90 days without prior City approval.
- The total number of hours shall not exceed 300 without prior City approval. If work experience is leveraged, justification for City General Fund paid work experience over 120 hours, and County funded work experience above maximum hours determined by the County must be outlined in writing.
- Incentives shall not exceed $100 in the form of a gift card without prior City approval, must be tied to the goals of work experience achievements, and outlined in writing before the commencement of the program.
- Compliance with California paid sick leave and labor code law, and the City of Los Angeles minimum wage.

WIOA and 20 CFR subsection 681.590 require that a minimum of 20 percent of local area funds for the Title I Youth program be spent on work experience. Youth work experience is primarily provided through the YouthSource Centers (YSCs). As such, certain requirements must be imposed upon the centers to ensure the local area meets its goal for work experience expenditures. Specifically, YSCs must expend an amount equal to or greater than 20 percent of their youth WIOA formula fund allocations on work experience activities as defined in this policy. The expenditure rate applies to total youth funding and is not applied separately for IS youth and

OS youth funds. Leveraged resources cannot be used to fulfill any part of the work experience requirement.

SUPPORTIVE SERVICES

Supportive services are a separate WIOA Youth Program element and cannot be counted toward the work experience expenditure requirement even if supportive services assist the youth in participating in work experiences.

REVIEW PROCESS

Funds spent on paid and unpaid work experience must be tracked and reported to the Economic and Workforce Development Department (EWDD) Financial Management Division (FMD) and assigned program monitors. This includes wages and staff costs for the development and management of work experiences.

REFERENCES

- 20 CFR Workforce Innovation and Opportunity Act; Final Rule §681.590 & §681.600
- State EDD Directive WSD17-07, “WIOA Youth Program Requirements”
- TEGL No. 8-15, “Second Title I WIOA Youth Program Transition Guidance”
- TEGL No. 21-16, “Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance”
- EWDD FMD Directive No. 17-001 “New Financial Reporting Requirements for WIOA grants”