

ALABAMA WORKFORCE INVESTMENT SYSTEM

**Department of Economic and Community Affairs
Workforce Development Division
401 Adams Avenue
Post Office 5690
Montgomery, Alabama 36103-5690**

April 24, 2015

GOVERNOR'S WORKFORCE INNOVATION DIRECTIVE NO. PY2014-08

SUBJECT: PY 2015/FY 2016 Local Workforce Innovation and Opportunity Area Plans

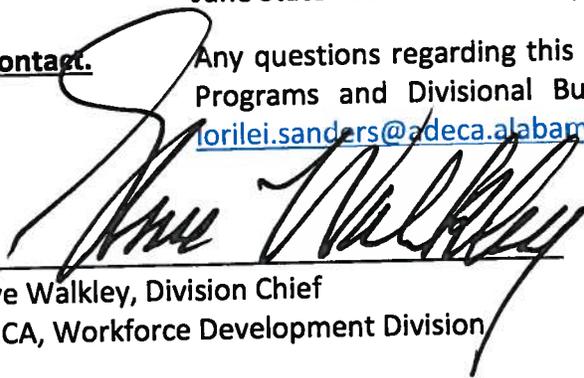
1. Purpose. To provide Local Workforce Investment Boards with guidance on the development and submission of their respective PY 2015/FY 2016 Local Area Plans.

2. Discussion. It is our understanding that the WIOA local plan requirements (per Section 108 of the WIOA Statute) go into effect in Program Year 2016. Prior to Program Year 2016, local boards should develop and submit to the Governor, a comprehensive four-year local plan in partnership with the chief elected official. In the meantime, local areas are required to submit an initial plan based on the format used for the Program Year 2014/Fiscal Year 2015 WIA plan guidelines updated as necessary to reflect WIOA requirements, which go into effect on July 1, 2015.

The instructions for local area preparation of PY 2015/FY 2016 Local Area Plan submissions are attached for guidance. An approved PY 2015/FY 2016 Local Area Plan providing the appropriate degree of information on local area existing and projected Workforce Innovation and Opportunity Act (WIOA) program/participant operational procedures is required. The PY 2015/FY 2016 Local Area Plans should comply with the requirements of the Workforce Innovation and Opportunity Act (WIOA) in regard to providing workforce services to adults, youth, and dislocated workers. It is the expectation that the PY2015/FY2016 WIOA funds will be received from the USDOL and allocated well in advance of the due date for plan submission.

3. Action. Each local board shall use the attached guidance when preparing/submitting its respective PY 2015/FY 2016 Local Area Plans. Local Area Plans should be received at the Workforce Development Division by June 5, 2015 in order to be approved at the June State Workforce Development Board meeting.

4. Contact. Any questions regarding this Directive should be referred to Lorilei Sanders, State Programs and Divisional Budget Management Section, at (334) 353-1632 or lorilei.sanders@adeca.alabama.gov.


Steve Walkley, Division Chief
ADECA, Workforce Development Division

Attachments:

- Grant Agreement Package

Grant Agreement Package

The WIOA Grant Agreement package depicts a local area's planned WIOA Youth, Dislocated Worker, and Adult participant training services (Basic Skills, Classroom Training, Individual Referrals, ITAs, OJT contracting, etc.), proposed performance goals, supportive services, fund transfer activity, and program budgets.

A. Participant Intake Services and Ongoing Assessment Activities:

Briefly describe local area systems for providing, and the general sequence of events related to:

1. Initial participant – case manager assessment session, to include processes for determining:
 - a. Participants' career goals.
 - b. The appropriate array of available core/intensive services which may be provided to participants in order to help achieve these goals.
 - c. Initial assessment session may also consider whether participant goal achievement is likely to require additional occupational training or retraining services.
 - d. Determination of what additional support services participants may require to adequately address their human services and support needs may be accomplished within this initial session.
2. Participant initial assignment/progression through career services, training activities, with specific attention to case manager methods for determining individuals' readiness to move ahead to the next level;
3. Describe local area systems for ensuring adequate and appropriate contact between case managers and individuals receiving Individual Referral/Individual Training Account services, indicating the frequency of such contacts, and otherwise describing the case workers' continued involvement in these individuals' pursuit of improved educational and employment opportunities;
4. Indicate what post-termination services are available, and how the local area determines which of these services are required; and
5. Local area procedures for ensuring appropriate oversight of case manager activities as related to both the degree and effectiveness of their continuing interaction with WIOA participants.

6. B. Planned Participant Post – Assessment Services:

Indicate (with an "X") the available Youth, Dislocated Worker and Adult WIOA individual services, and whether these services are delivered by WIOA partners through the Career Center network.

Planned Services:

Delivered Through:

Youth (14 – 24)

Basic Education Skills

Remedial

GED Preparatory

Work Readiness Skills

Occupational Skills

Individual Referrals

Other: _____

Available	Career Center	Other

Note: Under WIOA, In-school Youth are those 14-21 years old.

Out-of-school are age 16-24 years old.

Dislocated Workers

Individual Training Accounts

On-the-Job Training

Other Training

Available	Career Center	Other

Adults (18+)

Individual Training Accounts

On-the-Job Training

Other Training

Available	Career Center	Other

NOTE: On a separate sheet, please separately indicate specific area, if any, in which Youth, Dislocated Worker and Adult Occupational Skills Training and On-the-Job Training programs are conducted.

Required Elements of Youth Program:

Briefly discuss local area strategy for providing the following WIOA Youth program elements, as required under Section 129(c)(2):

1. Tutoring, study skills training and instruction leading to completion of secondary school, including dropout prevention strategies;
2. Alternative secondary school services or dropout recovery services as appropriate;
3. Paid and unpaid work experiences that have as a component academic and occupation education, which may include: Summer employment opportunities and other employment opportunities available throughout the school year, pre-apprenticeship programs, Internships and job shadowing, and On-the-Job Training Opportunities;
4. Occupational skill training;
5. Leadership development opportunities;
6. Supportive services;
7. Adult mentoring;
8. Follow-up services for not less than twelve (12) months after completion of program participation;
9. Comprehensive guidance and counseling services;
10. Financial literacy education;
11. Entrepreneurial skills training;
12. Services that provide labor market and employment information in the local area;
13. Activities that help youth transition to postsecondary education and training; and
14. Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.

Where the above – required Youth program elements are delivered through appropriate “other agency” referral, so indicate, describing local area case manager follow-up measures undertaken to ensure these referral services are satisfactorily delivered to the affected WIOA participants. Per WIOA Section 129(c)(5) there is no requirement that each and every youth provider has to offer each of these required elements.

Youth Program Services to Non-Economically Disadvantaged Persons:

WIOA Section 129(c)(2) provides for Youth Program services that are generally targeted for youth satisfying income eligibility requirements. However, Section 129(a)(3) indicates that up to five percent of a local area’s Youth Program participants need not meet relevant income criteria if they belong to one or more specified hardship categories (Section 129(a)(1)(2)).

Indicate whether the local area Youth Program plans to extend Section 129 services to non-economically disadvantaged persons, per Section 129(a)(3).

C. LWDA Adult, Youth, Dislocated Worker Performance Goals:

The State has been granted a waiver through June 30, 2017 that allows the State to replace the seventeen performance measures under WIOA Section 136(b) with the common measures. The common measures assess performance of Youth (including both Younger Youth and Older Youth) and Adults (including both Adults and Dislocated Workers) served through WIOA.

Per the ETA Regional Office and other ETA Guidance, in general, WIOA takes effect on July 1, 2015; however, the planning requirements common indicators of performance take effect on July 1, 2016 and other exceptions specifically noted in the Law. There will be one more program year (2015) of WIA performance measures reporting. Therefore, the same goals as negotiated for PY2014 have been listed for use during PY2015.

Program:	WIA Performance Goal:
Adult	
Entered Employment Rate	<u>68.3%</u>
Employment Retention Rate	<u>86.0%</u>
Average Earnings	<u>\$12,750</u>
Dislocated Worker	
Entered Employment Rate	<u>75.0%</u>
Employment Retention Rate	<u>91.8%</u>
Average Earnings	<u>\$15,632</u>
Youth (14-21)	
Literacy and Numeracy Gains	<u>53.5%</u>
Placement in Employment or Education	<u>56.4%</u>
Attainment of a Degree or Certificate	<u>50.5%</u>

The following noted TEGL is in effect until replaced with a TEGL based on WIOA requirements.

As indicated in Governor's Workforce Development Directive No. PY06-04, dated February 2, 2007, "...local areas are responsible for the design and development of participant training programs, which meet the applicable requirements of USDOL TEGL No. 17-05, as appropriate to accommodate local labor market conditions..."

Each local area must provide a narrative description of adopted WIOA credentialing/certificate programs and procedures in sufficient detail to indicate reasonable compliance with the applicable requirements of TEGL No. 17-05 and any subsequent additions or changes to TEGL No. 17-05.

Note below are the expected WIOA Performance Measures, which will be effective on July 1, 2016. Also the goals for each measure are expected to be negotiated prior to July 1, 2016.

Program:	WIOA Performance Goal:
Adult	
Entered Employment	_____
Employment Retention	_____
Median Earnings	_____
Credential Rate	_____
Skill Gains	_____
Dislocated Worker	
Entered Employment	_____
Employment Retention	_____
Median Earnings	_____
Credential Rate	_____
Skill Gains	_____
Youth	
Placement in Education, Employment, or Training	_____
Retention in Education, Employment, or Training	_____
Median Earnings	_____
Credential Rate	_____
Skill Gains	_____

Note: **Employer Services** - Pursuant to the WIOA Section 116(b)(2)(A)(IV), prior to the start of the second full program year, the Secretary of Labor and Education shall jointly develop one or more primary indicators of performance that indicate the effectiveness of the core programs in serving employers.

D. Adult, Dislocated Worker Program On-the-Job Training, Customized Training Activities:

WIOA Section 134(c)(3)(G)(ii) indicates that a local area may provide on-the-job training and/or customized training services "...pursuant to a contract for services in lieu of an individual training account..." if the local board determines, 1) there are insufficient numbers of eligible providers of training in the local area to accomplish the purposes of a system of individual training accounts,

or 2) there is a program of demonstrated effectiveness offered by a community-based organization or other private organizations specifically serving segments of the local area participant population, which face multiple employment barriers.

Indicate whether the local area will directly contract on-the-job training and/or customized training programs, pursuant to Section 134(c)(3)(G). If applicable, indicate the local area basis for determination of an otherwise insufficient number of potential individual training account service providers, and/or local area criteria which establish a prospective on-the-job training/customized training provider's demonstrated effectiveness.

In regard to On-the-Job Training (OJT), the WIOA at Section 134(c)(3)(H) indicates that the local board (for funds allocated to the local area) may increase the reimbursement amount up to 75 percent of the wage rate of a participant enrolled in a locally-funded OJT program. The local board must take into account the factors stated at Section 134(c)(3)(H)(ii) in its OJT reimbursement policy. Please address the local board's OJT reimbursement policy in this section of your plan document as to the characteristics your local board has approved for OJT reimbursements.

Note the local board must approve reimbursement levels if you're going to operate an OJT program beginning on July 1, 2015. If the local area is not going to operate an OJT program, then so note in this section of your plan narrative.

WIOA Section 134(d) indicates other permissible local employment and training activities to include customized employment-related services to employers, employer associations, or other such organizations on a "fee-for-service basis; pay-for-performance contract strategy for training services (limited to ten percent of the local area allocation under Section 133(b)(2) and (3)); incumbent worker training programs, etc. In regard to local area incumbent worker training programs, additional guidance is provided at WIOA Section 134(d)(4).

Specify any and all activities in which you plan to engage in this program year, including youth and incumbent worker training programs.

E. Participant Payment Systems:

Describe the local area's planned delivery system for supportive services, including financial supportive services, to WIOA Adult, Dislocated Worker and Youth participants.

F. Transfer of Funds:

A local board may transfer, if such a transfer is approved by the Governor, up to and including 100 percent of the funds allocated to the local area for Adult and Dislocated Worker between employment and training activities and dislocated worker employment and training activities per WIOA Section 133(b)(4).

Any such LWDA funds transfer request must be submitted in the Grant Agreement document or modification and must further be accompanied by appropriate justification, clearly indicating why the request is being made and how granting of the request will benefit local area delivery of workforce development services. If the Governor approves the Adult and Dislocated Plan, then the transfer is considered approved if adequately included in the Plan Narrative and related budget.

Any local workforce development area funds transfer should observe relevant provisions of the Act and the WIOA's Implementing Regulations.

G. Budget Summary:

Each LWDA Grant Agreement Package includes a Grantee Budget Summary (WIOA-60) showing the program year funds allocated for each of the funding streams, transfers between the Adult and Dislocated Worker allocations, and the net amounts available for expenditure. In addition, the budget form shows how the funds are planned for expenditure between the administrative and program categories.

Each LWDA will have one year to obligate WIOA funds and one additional year to expend the funds, subject to the first year 80 percent obligation requirement and to any subsequent year reallocations. A modification to the Grant WIOA-60 will be necessary to depict any increase or decrease in LWDA allocation (net) amounts resulting from such fund reallocations. A modification to the Grant WIOA-60 will also be required to document any Governor's Incentive/Capacity Building funds awarded the LWDA.

Using the allocations for Program Year 2015 WIOA Adult, Youth, and Dislocated Worker programs, which can be found in the annual allocation directive upon receipt of funding amounts from the USDOL/ETA and allocation by the State Office, complete a Grantee Budget Summary (WIOA-60) Form, depicting LWDA Adult/Dislocated Worker/Youth funding for the grant period, and attach it to the Grant Agreement Package. This WIOA-60 budget document will be a part of the Grant Agreement Package until budgeted funds have been fully expended.

Note that it is not necessary for local areas to obtain the respective chief local elected official and LWDA Chair signatures when submitting a minor modification to their Grant Agreement Package. Rather, a third page may be attached to the original WIOA-59 WIOA Grant Agreement Summary. This additional page will indicate the revised WIOA-59 Part E proposed funding and carry the signature of the local area Grant Recipient representative. Upon State approval of the minor modification, this same page will be countersigned by the Division Chief, Workforce Development Division and attached to the signed WIOA Grant Agreement accompanying the originally submitted local area Grant Agreement Package.

The approved local area Grant Agreement Package minor modification will be transmitted back to the local area under a Notice of Action, signed by the Division Chief, Workforce Development Division. The Notice of Action will summarize local area WIOA funding obligation authority.

Note: The definition of a “minor” modification has been retained for the WIOA Plans as initially issued under the WIA program in GWDD PY2004-14, Change 3. 1) A reduction or an increase in overall local area program year/fiscal year funding amount of \$50,000 or less, 2) any changes to previously approved program year/fiscal year performance goal measures of less than five percent, or 3) the addition/deletion of up to two planned program year/fiscal year participant activities.

H. Forms and Instructions:

The following forms and instructions are to be used in the preparation of LWDA Grant Agreement Package:

Form Title/Number	Adult	Dislocated Worker	Youth
Grant Agreement Sheet (WIOA-59)	X	X	X
Grantee Budget Summary (WIOA-60)	X	X	X
Notice of Governor’s Action (WIOA-55)/ Notice of Action (WIOA-55A) (Plan Approval Documents – for WDD Use Only)	X	X	X

The Workforce Development Division has furnished each LWDA an electronic copy of each form suitable for use in their Grant Agreement submissions. Additional copies may be requested by contacting Kristen Sexton, Workforce Development Division, at (334) 353-4386 or kristen.sexton@adeca.alabama.gov.

**Alabama Department of Economic and Community Affairs (ADECA)
Workforce Innovation and Opportunity Act (WIOA)
Grant Agreement**

A. Plan No.: _____	Modification: _____	Revision: _____	Effective Date: _____
B. Grant Recipient		C. Administration Entity	
1. Name _____		1. Name _____	
2. Organization _____		2. Organization _____	
3. Address _____		3. Address _____	
4. City _____		4. City _____	
5. Zip _____		5. Zip _____	
6. Contact _____		6. Contact _____	
7. Telephone _____		7. Telephone _____	
8. E-Mail _____		8. E-Mail _____	
D. Program/Fiscal Year Proposed Funding: WIOA Funds _____		E. Grant Period Start: _____ End: _____	
II. Assurances/Certifications beginning on Page 2 are part of this Grant Agreement Form			
III. LOCAL AREA SUBMISSION (Attach any comments on a separate sheet):			

Name/Title	Signature	Date
Grant Recipient		
Grant Recipient		
Local Workforce Investment Board		
Jim Byard, Jr. Director, ADECA		
Robert Bentley Governor		

**Alabama Department of Economic and Community Affairs (ADECA)
Workforce Innovation and Opportunity Act (WIOA)
Grant Agreement**

Assurances and Certifications

- A. Signatories assure this Grant Agreement will be executed in accordance with the Workforce Innovation and Opportunity Act applicable federal regulations, State law, and Governor's Directives, pursuant to WIOA , as published and any subsequent amendments.
- B. Liability for funds under this grant rests with the local workforce development area grant recipient/signatory.
- C. Modifications to this initial grant become effective only after approval by the Governor's Designee. Plan modifications must adhere to advance publication requirements and be submitted according to Directive procedures. Funding is contingent on actual appropriations by Congress.
- D. This grant is comprised of planned performance/ payment systems narrative and a grantee budget summary.
- E. The ADECA, Workforce Development Division, acting for the Governor, will monitor for performance and require such reports as may be necessary to carry out this responsibility.
- F. Parties to this agreement certify to the best of their knowledge and belief that information contained in the attached plan/modification is a reasonably accurate representation of WIOA-funded planned activities. Signatories to the Agreement further attest that the LWDA and the LWDB will comply with the WIOA assurances attached to the LWDA Plan.
- G. As a condition of the award of financial assistance from the Department of Labor under Title I of WIOA , the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws: Section 188 of the Workforce Innovation and Opportunity Act , which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I - financially assisted program or activity; Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color, and national origin; Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities; the Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs. The grant applicant also assures that it will comply with 29 CFR part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I - financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I - financially assisted program or activity. agreements the grant applicant makes to carry out the WIOA Title I - financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.
- H. Comply with the Americans with Disabilities Act of 1990, Title II, Subtitle A.
- I. Comply with the OSHA work place requirements.
- J. Comply with the WDD Procurement policy (includes all subrecipient/contractor levels).
- K. Comply with the Audit requirements of the Uniform Guidance and 20 CFR 683.210 (proposed section) of the WIOA's Implementing Regulations regarding audit requirements.
- L. Certify that systems and procedures are in effect which parallel those described within the local area plan.

- M. Comply with other applicable statutes as related to workforce development programs.
- N. It is agreed that the terms and commitments contained herein shall not be constituted as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment No. 26. It is further agreed that if any provision of this grant shall contravene any statute or Constitutional provision or amendment, either now in effect or which may, during the course of this grant, be enacted, then that conflicting provision in the grant shall be deemed null and void. The grant's sole remedy for the settlement of any and all disputes arising under the terms of this agreement shall be limited to the filing of a claim with the Board of Adjustments for the State of Alabama.

For any and all disputes arising under the terms of this contract, the parties hereto agree, in compliance with the recommendations of the Governor and Attorney General, when considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation.

- O. **Veterans Priority Provisions:** This program, funded by the U.S. Department of Labor is subject to the provisions of the "Jobs for Veterans Act" (JVA), Public Law 107-288 (38 USC 4215), as implemented by 20 CFR Part 1010. The JVA provides priority of service to veterans and spouses of eligible veterans for the receipt of employment, training, and placement services. Agreement by a program operator to implement priority of service is a condition of receipt of DOL funds. The Planning Guidance (either the Stand-Alone Planning Guidance at 73 FR 72853 (December 1, 2008)) or the Unified Planning Guidance at 73 FR 73730 (December 3, 2008) requires states to describe the policies and strategies in place to ensure, pursuant to the Jobs for Veterans Act and the regulations, that priority of service is provided to veterans (and certain spouses) who otherwise meet the eligibility requirements for all employment and training programs funded in whole or in part by the U.S. Department of Labor. In addition, the states are required to provide assurances that they will comply with the Veterans' Priority of Service Provisions established by the Jobs for Veterans Act (38 USC 4215) and TEGL 10-09 (issued November 10, 2009). TEGL 10-09 is available at http://wr.doleta.gov/directives/corr_doc.cfm?DOCN=2816.
- P. **Buy American Notice Requirement:** It is the sense of Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under the Workforce Innovation and Opportunity Act should be American made. See WIOA Section 502 – Buy American Requirements.
- Q. **Salary and Bonus Limitations:** In compliance with Pub. L. 111-117 (Division D, sec. 107), none of the funds appropriated in the Act under the heading 'Employment and Training' 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. This limitation shall not apply to vendors providing goods and services as defined in the Uniform Guidance. 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 costs-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment & Training Administration programs. See Training and Employment Guidance Letter number 5-06 for further clarification.

- R. **Intellectual Property Rights:** The Federal Government reserves a paid-up, nonexclusive and irrevocable licenses to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the grantee, subgrantee or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or licensing fee associated with such copyrighted work, or the cost of acquiring by purchase a copyright in a work, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping. If revenues are generated through selling products developed with grant funds, including intellectual property, these revenues are program income. Program income is added to the grant and must be expended for allowable grant activities. If applicable, the following needs to be on all products developed in whole or in part with grant funds: This workforce product was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. The product was created by the grantee and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it. Internal use, by an organization and/or personal use by an individual for non-commercial purposes, is permissible. All other uses require the prior authorization of the copyright owner.
- S. **Transparency Act:** Federal Funding Accountability and Transparency Act of 2006 Pub. L. 109-282 as amended by section 6202 of Pub. L. 110-252 ("FFATA"). Grantees must ensure that they have the necessary processes and systems in place to comply with the reporting requirements of FFATA. See Training and Employment Guidance Letter (TEGL) No. 11-10 (issued November 15, 2010) <http://wdr.doleta.gov/directives/attache/TEGL/TEGL11-10acc.pdf> (and upcoming Change 1), and Attachment A to this agreement. (Note: ADECA's Workforce Development Division is responsible for issuing reporting guidelines for compliance and all local workforce areas should follow those guidelines to comply with Public Law 109-282 as awarded.)
- T. **Executive Order 13333:** This agreement may be terminated without penalty, if the grantee or any subgrantee, or the contractor or any subcontractor (i) engages in severe forms of trafficking in persons or has procured a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect, or (ii) uses forced labor in the performance of the grant, contract, or cooperative agreement." (22 U.S.C. § 7104(g))
- U. **Special Requirement for Conferences and Conference Space:** Grantee must obtain prior approval from the Grantor before holding any conference (which includes meeting, retreat, seminar, symposium, training activity or similar event held in either federal or non-federal space), or any activity related to holding a conference, including, but not limited to, obligating or expending Grantor funds, signing contracts for space or services, announcing Grantor's involvement in any conference, and using Grantor official's name or Grantor's name or logo. Grantor retains the right to obtain information from the Grantee about any conference that is funded in whole or in part with Grantor funds.
- V. **Seat Belts:** Pursuant to Executive Order (EO) 13043 (April 16, 1997), Increasing the Use of Seat Belts in the United States, recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating vehicles, whether organizationally owned or rented or personally owned.

- W. Executive Order 13513: Sec. 4. Text Messaging While Driving by Government Contractors, Subcontractors, and Recipients and Subrecipients. Contractors, subcontractors, and recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or –rented vehicles or Government-owned, Government-leased, or Government-rented vehicles, or while driving privately-owned vehicles when on official Government business or when performing any work for or on behalf of the Government, and to conduct initiatives of the type described in section 3(a) of the Executive Order.
- X. By signing this contract, grant, or other agreement, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.
- Y. The LWDA assures that it possesses **legal authority** to participate in this agreement; that a resolution, motion or similar action has been duly adopted or passed as an official act of the LWDA’S governing body (LWDB), authorizing the person identified as the LWDA’S official representative to act in connection with the agreement and to provide such additional information as may be required.
- Z. Participants shall not be employed on the construction, operation, or maintenance of so much of any facility as is used or to be used for **sectarian** instruction or as a place for religious worship (except with respect to the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship in a case in which the organization operating the facility is part of a program or activity providing services to participants) per the WIOA Section 188(a)(3).
- AA. Appropriate standards for **health and safety** in work and training situations will be strictly maintained. It further understands that it is to be responsible for initiating, maintaining, and supervising all health and safety standards and precautions in connection with the work and training situations. Health and safety standards established under Federal and State laws otherwise applicable to working conditions of employees are equally applicable to working conditions of participants engaged in programs and activities under Title I of WIOA must be applied per the WIOA Section 181(b)(4).
- BB. The LWIA will provide **workers’ compensation or insurance** for injuries suffered by participants enrolled in its programs except for On-the-Job Training (OJT), or others as specifically noted elsewhere in this agreement and as required in the WIOA Section 181(b)(4).
- CC. Funds will only be used for activities which are in **addition to those** which would otherwise be available in the area in the absence of such funds.
- DD. All **participants** enrolled in training activities will be enrolled only after certification of eligibility criteria. It is further understood that intentional noncompliance with this section by the LWDA will result in disallowed costs to the grant which shall be borne by the LWDA. (Career Services are universal and do not require eligibility criteria to be applied, except for youth participants in order to receive these services).
- EE. It shall maintain all Act monies from this agreement in a **bank account** having insurance coverage by the Federal Deposit Insurance Corporation (FDIC) or similar coverage used by other banking institutions.
- FF. The Federal awarding agency reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for Federal Government purposes:
1. The **copyright** in any work developed under a grant, subgrant, or contract under a grant or subgrant; and
 2. Any rights of copyright to which a grantee, subgrantee or a contractor purchases ownership with grant support.

- GG. The LWDA agrees that if any type of **Public Relations** are performed in conjunction with the program under this agreement, due credit will be given to the Act.
- HH. The LWDA will ensure that no funds provided under this agreement shall be used or proposed for use to encourage or to induce the **relocation** in the United States of an establishment, or part thereof, which results in the loss for any employee of such establishment at the original location.
- Further, the LWDA will ensure that no WIOA Title I funds are provided under this agreement for customized training, skill training, or on-the-job training or company specific assessments of job applicants or employees of a business or part of a business that has relocated from any location in the United States, until the company has operated at that location for 120 days, if the relocation has resulted in any employee losing his or her job at that original location.
- II. The LWDA shall maintain a **written code of standards of conduct** governing the performance of persons engaged in the award and administration of WIOA contracts and subgrants. This document will contain appropriate sanctions for a failure at any level to follow the code of standards of conduct.
- JJ. The LWDA will ensure that no funds available under this agreement are used for **public service employment**, except to provide disaster relief employment, as specifically authorized in Section 170 (d) of WIOA (WIOA Section 194 (10)).
- KK. The LWDA will ensure that no funds available under this agreement are used for **employment generating activities**, economic development activities, investment in revolving loan funds, capitalization of businesses, investment in contract bidding resource centers, economic development, and other similar activities, unless they are directly related to training for eligible individuals (WIOA Section 181(e)). The LWDA will also ensure that no WIOA Title I funds are spent on wages of incumbent employees during participation in economic development activities provided through a Statewide workforce development system (WIOA Section 181(b)(1)).
- LL. The LWDA will ensure that no funds under this agreement are used for **foreign travel** (WIOA Section 181 (e)).
- MM. In the event this contract or grant award is for an amount in excess of \$150,000, the LWDA shall comply with all applicable standards, orders or regulations issued pursuant to the **Clean Air Act, 42 U.S.C. 7401-7671q, and the Federal Water Pollution Control Act, 33 U.S.C. 1251-1387**. The Department shall report any suspected or reported violation to the Federal awarding agency and to the Environmental Protection Agency.
- NN. The LWDA shall comply with all mandatory standards and policies relating to **energy**, which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act 42 U.S.C. 6201 *et seq.* (Public Law 94-163).
- OO. All WIOA Title I recipients and SUBRECIPIENTS must comply with the restrictions on **lobbying** which are codified in the U.S. Department of Labor regulations at 29 CFR Part 93 (WIOA Section 195). No Federal appropriated funds have been paid by or on behalf of the SUBRECIPIENT, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant loan, or cooperative agreement.

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the SUBRECIPIENT shall complete and submit Standard Form-LL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The SUBRECIPIENT shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code.

PP. 2 CFR 200.322 provides that a non-Federal entity that is a state agency of a political subdivision of a state and its contractors must comply with section 6002 of the **Solid Waste Disposal Act**, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency ("EPA") at 40 CFR 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of completion, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

QQ. The LWDA will comply with Public Law 103-227, Title X, Part C, also known as the Pro-Children Act of 1994 (20 U.S.C. 6083), **which prohibits smoking** in any portion of any indoor facility owned or leased or contracted for by an entity used routinely or regularly for the provision of health, daycare, education, or library services to children under the age of 18 if the services are funded by federal programs either directly or through state or local governments by federal grant, contract, loan or loan guarantee.

RR. The LWDA certifies by execution of this agreement that it will comply with Subpart F, **Drug-Free Workplace Requirements** as codified by the U.S. Department of Labor (29 CFR Part 98.600-635) and as required by the WIOA Regulations. A separate certification specific to the site of performance relative to this agreement is also required (29 CFR Part 98.630).

In accordance with provisions of Title V, Subtitle D of Public Law 100-690 or Public Law 111-350 (41 U.S.C. 8101 *et seq.*), the "Drug-Free Workplace Act of 1988," all grantees must maintain a drug-free workplace and must publish a statement informing employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and establishing the actions that will be taken against employees violating these prohibitions. Failure to comply with these requirements may be cause for debarment.

SS. The Subrecipient shall comply with the Hatch Act (5 U.S.C. 1501, *et seq.*) regarding **political activity** by public employees or those paid with Federal funds. None of the funds, materials, property, or services contributed by the Subrecipient or the Department under this Agreement shall be used for any partisan political activity or to further the election or defeat of any candidate in public office.

It will comply with the requirements of the Act that no program under the Act shall involve political activities.

Alabama Department of Economic and Community Affairs (ADECA)
Workforce Innovation and Opportunity Act (WIOA)
Grant Agreement Instructions

I. GRANT RECIPIENT/DESIGNEE

A. Plan No.:

Enter the two digit local area plan number, per the following:

1st digit - year of WIOA funds, e.g., 5 for 2015, 6 for 2016, etc.

2nd digit - local area, e.g., 2 for AWIOA, 3 for Jefferson, or 4 for Mobile.*

Modification:

Indicate modification sequence: "0" for initial plan, "A" for first modification, "B" for second modification, etc.

Revision:

Revisions should only be used to indicate minor modifications.** Revision sequence: "1" for first minor modification, "2" for second minor modification revision, etc.

For example, 54-0 would be the Mobile Works, Inc. initial PY2015 Plan, 54-A would be the first modification to the Mobile Works, Inc. PY2015 Plan, 54-A Rev. 1 would be the first minor modification revision to the first modification of the Mobile Works, Inc. PY2015 Plan.

Effective Date:

This is the date the Plan, modification, or revision takes effect according to the effective date indicated within the corresponding Directive. If an effective date is not provided in the Directive the Directive's release date should be used.

B. Grant Recipient:

Enter the name, organization, address, contact person, telephone, and E-mail address of the grant recipient.

C. Administrative Entity:

If different from the Grant Recipient, enter the name, organization, address, contact person, telephone number, and E-mail address of the administrative entity; otherwise, leave blank.

D. Program/Fiscal Year Proposed Funding:

Indicate the PY/FY time periods and fund origins, e.g., PY15/FY16 WIOA Funds. Enter the total amount of actual or estimated LWDA funding for the time period covered by this action. This entry should be identical to that recorded on line 3.d. (Total LWDA Funds) of the accompanying WIOA-60 form.

E. Grant Period:

Enter the start date and end date of the grant period.

II. ASSURANCES AND CERTIFICATIONS

Review the assurances and certifications beginning on page 2 of the WIOA-59; these are binding requirements on the LWDA.

III. LOCAL AREA SUBMISSION

Enter the typed name and title of each authorized signatory, as appropriate. Enter the signature of each authorized signatory beside the typed name and title.

* Note: This digit has been modified to coincide with standard Local Area numbering references.

** Note that it is not necessary for local areas to obtain the respective chief local elected official and LWDA Chair signatures when submitting a minor modification to their Grant Agreement Package. Rather, a third form, WIOA-59 A, may be attached to the original WIOA-59 WIOA Grant Agreement Summary. The WIOA-59 A Form will indicate the revised WIOA-59 Part D proposed funding and carry the signature of the local area Grant Recipient representative. Upon State approval of the minor modification, the WIOA-59 A Form will be countersigned by the Division Chief, Workforce Development Division and attached to the signed WIOA Grant Agreement accompanying the originally submitted local area Grant Agreement Package.

The approved local area Grant Agreement Package minor modification will be transmitted back to the local area under a Notice of Action, signed by the Division Chief, Workforce Development Division. The Notice of Action will summarize local area WIOA funding obligation authority.

**Alabama Department of Economic and Community Affairs (ADECA)
Workforce Innovation and Opportunity Act (WIOA)
Grant Agreement Minor Modification**

Minor Modification*, Revised Funding, Goal Revision:

**D. Program/Fiscal Year Proposed Funding:
WIOA Funds \$**

Grant Recipient

Date

Division Chief
Workforce Development Division

Date

* Note: A minor modification would typically encompass any actions or series of local area actions with a collective impact upon local area obligation authority of \$50,000, or less. Approval authority for minor modifications to local area's approved Workforce Innovation and Opportunity Act Grant Agreement Packages are delegated to the Division Director, Workforce Development Division.

**State of Alabama
Workforce Development Division**

Grantee Budget Summary

1. Grant Recipient:										
Address:										
Contact Person:					E-mail:					
Title:					DUNS No:		Phone No.:		Fax No.:	
Yr. of Funds:										
Effective Date:										
2. Plan No.:										
Directive No.:										
USDOL Grant No.:										
3. Program:										
			Governor's Set Aside		Adult Funds		Youth Funds		Dislocated Worker Funds	
a. CFDA Number										
b. Allocation Year										
c. Fund Allocation/Grant Amount										
4. Cost Categories/Budget:										
a. Administration Funds										
b. Program Funds										
c. Program Fund Transfers										
d. Adjusted Program Funds										
e. Total Funds										
Remarks:										

Alabama Department of Economic and Community Affairs (ADECA)
Workforce Innovation and Opportunity Act (WIOA)
Grantee Budget Summary Instructions

LWDA Adult, Youth, and Dislocated Worker program budgeting information will be consolidated on a single WIOA-60 form. Each executed WIOA-60 will remain a valid budget document for the full grant period.

1. **Grant Recipient:** This should be the same as reported on the Grant Agreement Sheet; the contact person should be able to answer any questions regarding information contained in this form.
2. **Plan No:** Enter the two digit local area plan number, per the following:
 - 1st digit - year of WIOA funds, e.g., 5 for 2015, 6 for 2016, etc.
 - 2nd digit - local area, e.g., 2 for AWIA, 3 for Jefferson, or 4 for Mobile.*
 - Indicate modification sequence per the following: "0" for initial plan, "A" for first modification, "B" for second modification, etc.
 - Revisions should only be used to indicate minor modifications. Revision sequence should be as follows: "1" for first minor modification, "2" for second minor modification revision, etc.

For example, 54-0 would be the Mobile Works, Inc. initial PY2015 Plan, 54-A would be the first modification to the Mobile Works, Inc. PY2015 Plan, 54-A Rev. 1 would be the first minor modification revision to the first modification of the Mobile Works, Inc. PY2015 Plan.

Directive No.: Reference Governor's Workforce Innovation Directive(s) used for Plan changes.

USDOL Grant No: The USDOL Grant Number can be found on the Notice of Obligation (NOO) issued by USDOL to ADECA/WDD. Copies of all NOOs will be provided to local areas as Attachments to the Allocation GWID.

Yr. of Funds: Enter the PY/FY number corresponding to the year grant funds were first made available. The number should be consistent with the USDOL Notice of Obligation (NOO).

Effective Date: This is the date the Plan, modification, or revision takes effect according to the effective date indicated within the corresponding Directive. If an effective date is not provided in the Directive the Directive's release date should be used.

Grant Period – Adult/D.W.: Enter the start date and end date of the Adult/D.W. funds grant period.

Grant Period – Youth: Enter the start date and end date of the Youth funds grant period, as shown on the WIOA-59 section E.

LWDA Identifying Grant Numbering Methodology

LWDA programs have four separate fund categories; Governor's Set Aside, Adult, Youth, and Dislocated Worker. LWDA expenditures must be separately tracked against each grant type.

3. **Program :**
 - a. **Catalog of Federal Domestic Assistance (CFDA) Number:** This information is provided by WDD. No LWDA entry is necessary.
 - b. **Allocation Year:** Provide the allocation year for the effected funds.
 - c. **Fund Allocation/Grant Amount:** By column, enter the amount of any Governor's Set Aside funds awarded the LWDA, and the amounts of Adult, Youth, and Dislocated Worker funds granted the LWDA. Amounts entered should incorporate any additional (or reductions in) funds due to reallocations, rescissions, etc. Additional detail regarding the break down of LWDA allocation amounts is found on the WIOA-55 Notice of Governor's Action accompanying the completed Grant Agreement Package.
 - d. **Total LWDA Funds:** This information is calculated based on the data provided in section 3c.

4. **Cost Category/ Budget:** Enter the total amount of grant funds budgeted for expenditure by cost category.
- a. **Administration Funds:** Enter, by column, the amount of any LWDA Governor's Set Aside, Adult, Youth, and Dislocated Worker funds reserved for administration. Enter the total of LWDA funds available for program administration expenditures. Include any additions to (or reductions in) Administration funds due to reallocations. Not more than 10 percent of Adult, Youth, and Dislocated Worker grant funds may be budgeted/expended for purposes of administration.
 - b. **Program Funds:** Enter, by column, the amount of any LWDA Governor's Set Aside, Adult, Youth, and Dislocated Worker, and the total of LWDA funds which may be expended for program costs. Include any additions to (or reductions in) program funds due to reallocations.
 - c. **Program Fund Transfers:** By column, enter any amount of LWDA Adult Program Funds the LWDA seeks to transfer to its Dislocated Worker program and/or the amount of any LWDA Dislocated Worker Program Funds the LWDA seeks to transfer to its Adult program. Beginning with Program Year 2015 / Fiscal Year 2016, up to 100 percent of the WIOA formula allocated Adult funds and/or Dislocated Worker funds may be transferred between the two programs with Governor's approval.
 - d. **Adjusted Program Funds:** Enter, by column, the amount of available LWDA Adult and Dislocated Worker funds, and the total of LWDA funds, adjusted for any above-indicated Adult-Dislocated Worker Program Funds transfer activity.
 - e. **Total Funds:** By column, enter the LWDA's available Administration and Program Governor's Set Aside, Adult, Youth, and Dislocated Worker, and Total funds. Entries on this line must agree with corresponding entries on line 3.c.

WORKFORCE DEVELOPMENT DIVISION
Alabama Department of Economic and Community Affairs (ADECA)
NOTICE OF GOVERNOR'S ACTION FOR LWDA PLANS

1. Local Workforce Development Area Grantee: _____

2. Grant Plan No.: _____

Directive No.: _____

Name: _____

Address: _____

City: _____

State: _____

Zip: _____

Grant Periods

Adult

Youth

Dislocated Worker

3. Effective Date: _____

4. Summary: _____

5. Explanation of Funding:

Source:	Rapid Response		Adult		Youth		Dislocated Worker		Total
	PY	FY	PY	FY	PY	FY	PY	FY	
Allocation	-	-	-	-	-	-	-	-	-
Transfer	-	-	-	-	-	-	-	-	-
Adjusted Allocation with	-	-	-	-	-	-	-	-	-
Rescission	-	-	-	-	-	-	-	-	-
Adjusted	-	-	-	-	-	-	-	-	-
Transfer	-	-	-	-	-	-	-	-	-
Incentives	-	-	-	-	-	-	-	-	-
WIOA	-	-	-	-	-	-	-	-	-
Transition	-	-	-	-	-	-	-	-	-
Total Funds Available:	-	-	-	-	-	-	-	-	-

6. Staff Review: _____

Staff

Date

Philip Fetzter, Section Supervisor, FS WDD

Date

7. Division Approval: _____

Bill Hornsby, Supervisor, State Programs

Date

Steve Walkley, Division Chief, WDD

Date

8. Department Approval: _____

Jim Byard, Jr., Director

Date

Note: This document is completed by the State WIOA

Office as part of the review and approval process.

**NOTICE OF GOVERNOR'S ACTION
LWDA PLANS
WIOA 55**

The Notice of Governor Action (NGA) is a LWDA plan approval document. The NGA will be attached to all approved LWDA plans, including the original Four (4)-Year Plan Grant Agreement Package, and each subsequent Plan Modification.

The NGA will be prepared by WDD staff. No LWIA staff action is required.

NGAs will feature details regarding the break down of LWDA available funds beyond that provided by the WIOA - 60 Grantee Budget Summary. This detail will include allocations, rescissions, incentive awards, fund reallocations, and Adult - Dislocated Worker funds transfers.

NGAs will provide an overview of total available PY funds. These documents should prove useful to State and local area staff for fund tracking and identification purposes.

Note: The WIOA-55 is completed by the State WIOA Office as part of the review and approval process.

Local Area Plan Instructions PY 2015/FY 2016

I. Vision:

- a. What is the local area's vision for bringing together the key players in workforce development, including business and industry, economic development, education, and the public workforce system?
- b. Identify the workforce challenges facing the local area, and indicate the local area strategies, which support leveraging of available public and private revenues toward better addressing these challenges.

II. Local Area Action:

- a. Indicate what action is planned by the local area in support of the U.S. Department of Labor's priorities for the workforce system, to include:
 - i. Efforts to move away from prescriptive worker intervention programs towards talent development systems, focusing on participant services rather than programs;
 - ii. Local area adaptation to the demands and opportunities of the emerging global economic system;
 - iii. Strategies to better serve most in need youth; and
 - iv. Strategies to support the expanding of workforce information assets as the foundation for strategic planning and career guidance

III. Local Area Governance:

- a. Provide the most current organizational chart depicting the relationship of the agencies comprising the workforce system, including education, economic development, and the Career Center System partners.
- b. Identify by name, function, and organizational affiliation of the local area:
 - i. Signatory Official
 - ii. Grant Recipient
 - iii. Chief Elected Official
 - iv. Workforce Development Board Chair
 - v. Chief Fiscal Officer
 - vi. Career Center System Area Managers

IV. Local Workforce Development Board:

- a. Update as appropriate the Board information addressing organizational structure, and general operational procedures, as detailed in the PY 2014/FY 2015 Local Plan.
- b. Provide a current listing of Local Board membership.
- c. Attach a current (or most recent one that is still in effect) Career Center Partners' Memorandum of Understanding.

V. Local Area Systems:

- a. Describe how the system fosters cooperation and communication between Career Center Partners and the Local Workforce Development Board.

VI. Local Area Economic and Labor Market Analysis:

- a. Update, as appropriate, the information provided in Local Area PY 2014/FY 2015 Local Plan.

VII. Workforce Development Strategies:

- a. Indicate whether the local area strategies are designed to:
 - i. Maximize workforce development resources
 - ii. Target local industries with workforce development resources
 - iii. Promote working partnerships between area employers and industrial representatives

VIII. Career Center Policies:

- a. Specify local area strategies for ensuring that day-to-day operations at the Career Centers (within the local area) are consistent with provisions of the Career Center Template. (Attachment A, which will need to be updated in 2016 for WIOA.)

IX. Service Provider Selection Policies:

- a. Detail local area procedures to:
 - i. Determine service provider suitability for inclusion on the Eligible Training Providers List;
 - ii. Secure the required performance information from service providers, and
 - iii. Identifying local board criteria for awarding grants for youth activities.

X. Career Centers:

- a. List the Comprehensive Career Centers and the Satellite Career Centers operating within the local area.
 - i. Identify which partners are represented in the Career Center and
 - ii. Provide the name, title, telephone number, and e-mail address of principal Career Center contacts.

XI. Monitoring/Oversight procedures:

- a. Update, as appropriate, the information covering the local area's monitoring and oversight procedures contained in the PY 2014/FY 2015 Local Plan.

XII. Grievance Procedures and Policies:

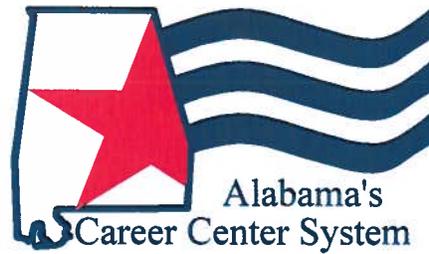
- a. Attach the local area Grievance Procedures and Policies that will be in effect as of July 1, 2015.

XIII. Update, as appropriate, PY 2014/FY 2015 Local Plan information covering:

- a. Local area provision of WIOA Training services;
- b. Local area systems regarding Priority of Services, including measures to ensure conformity with Jobs for Veterans Act requirements;
- c. Local area vision for Youth services and Youth service delivery systems;
- d. Local area strategies for the identification and implementation of appropriate Business/Employer Services; and
- e. Local area Strategies for Faith-Based and Community Organizations (FBCOs).

Attachments:

- A. Career Center Template
- B. Assurances



**Alabama's Career Center System
Operations Template**

The vision we share is to build a workforce development system in Alabama which addresses and serves the workforce development needs of its employers and workers.

Career Center Advisory Committee: In order to assure that collaboration among not only the partner agencies has occurred, but also collaboration with private sector employers within the community, each Career Center will have a Career Center Advisory Committee. This Advisory Committee must include all partners' agencies and have at least an equal number of private sector employers. The purpose of the Advisory Committee will be to provide recommendations for services, activities, marketing, and outreach efforts in the Career Center's area of operations. These Advisory Committees should meet not less than once per quarter, but more frequently when needed. In Mobile and Jefferson Counties, the LWIBs serve in these roles in addition to other roles.

Cross Awareness Training: It is essential for all Workforce Development Partners to participate in Cross Awareness Training. Each partner agency should train the staff of other partner agencies on the services and activities which are provided by his/her agency. In this way, each staff person in the Career Center will be better able to refer employers and workers to the appropriate activity(ies) and service(s). Cross Awareness Training should be held frequently, as staff members and services and activities change. It is good to better understand what your partners are doing.

Customer Satisfaction: Each Career Center must have a customer feedback system to determine how customers feel about the physical structure, about how they were treated by staff, if any problems were encountered, what was wrong, and what was right. This should be an ongoing process and should be conducted by each Career Center. One questionnaire should cover all partner agencies. This information should be reviewed by the Career Center Advisory Committee and changes should be recommended accordingly.

Collocation: While collocation is not required by law, it is by far the most effective way to reach the objectives of a Career Center, including integration of staff and customer choice. Collocation eases the process of cross awareness training, thereby enhancing collaboration among staff. To facilitate collocation, each partner that is not collocated at present should ensure that it has a clause in its lease, which allows it to escape from the lease for the purpose of collocation into a Career Center.

Partners: The minimum partners for each comprehensive Career Center should be the WIA Title I entity, Employment Security, Adult Education, and Rehabilitation Services. Other partner agencies should be collocated as feasible.

Non-comprehensive Career Centers: Those offices, which do not have all the partners indicated above, but do have two or more of the required partner entities and have a resource area with information on a wide variety of workforce development programs and services, may be deemed to be a Non-comprehensive Career Center with the approval of the Workforce Development State Partner Group.

Resource Area: Each Career Center should have a resource area within which computers are available for resume preparation and Internet access for job search. The resource area should also contain a wide variety of printed material on community resources; workforce development activities, programs, and services, including services provided by partner agencies and those provided by non-partner agencies.

Monthly Reports: A monthly report is due to the ADECA/Workforce Development Division for each month on the fifth working day of the following month. This report should provide the number of persons seen by each partner in the Career Center, the number who used the Resource Area only, and the total number of persons who used the Career Center during the month.

Putting the Customer First: Career Centers have two primary sets of customers: employers and job seekers. Career Centers must constantly look for ways to improve services to customers and avoid any policies that do not keep customer service as the goal.

“Kiddie Corner”: Each Career Center should have an area designated for use by the children of customers who are visiting the Career Center. It should have small tables and chairs, games, and books available for use by the children. This is not a requirement to have full-time day care for customers.

Career Center Names: Many of the Career Center names are difficult to locate in a telephone listing because the name does not include the name of the town/city in which the Career Center is located. In the interest of being able to locate the telephone listing for a given Career Center, each Career Center should be listed under “Alabama’s Career Center System,” followed by the place name, such as “Alabaster”, or “Mobile”.

Telephone Listing: Each Career Center should have a telephone listing for the Career Center, as indicated above, in addition to any listing for each partner agency. Any marketing done will be for the Career Center and not for the individual partner agency, so the Career Center listing will be what a customer attracted by marketing efforts will be looking for. Each Career Center should, at a minimum, have a listing in the white pages of the telephone book as well as a yellow page listing under the heading, "Employment Agencies."

Signage: Each Career Center and non-comprehensive Career Center should have a main sign prominently displayed on the front of the Career Center building, which says, "Alabama's Career Center System," and includes the full color (red, white, and blue) logo. This main sign should not have other information such as partners listed on it. If there is a sign between the front of the building and the street, it should contain the same name and logo. This is needed for statewide recognition of Alabama's Career Center System.

ASSURANCES:

The purpose of distinguishing the following assurances is to highlight specific requirements and does not limit local area responsibilities in any way. Local areas are required to ensure that the local area and its subrecipients are held accountable to all state and federal laws, regulations, and policies. By signing the Grant Summary Information and Signatory Authorization Form and the Statement on Compliance with the Act Form, and including the following assurances in the Grant Narrative, the local area assures the state that the local area and all of its subrecipients will abide by the following requirements:

- The Grantee assures that it will establish, in accordance with Section 184 of the Workforce Innovation and Opportunity Act (WIOA), procedures that ensure compliance with the Uniform Administrative Requirements Cost Principals, and Audit Requirements for Federal Awards; Final Rule.
- The Grantee assures that it will comply with the nondiscrimination provisions of Section 188.
- Per Section 185 of the WIOA, the Grantee assures that it will collect and maintain data necessary to show compliance with the nondiscrimination provisions of Section 188.
- The Grantee assures that it will comply with section 504 of the Rehabilitation Act of 1973 (29 USC 794) and the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.).
- Veterans Priority Provisions: This program, funded by the U.S. Department of Labor is subject to the provisions of the “Jobs for Veterans Act” (JVA), Public Law 107-288 (38 USC 4215), as implemented by 20 CFR Part 1010. The JVA provides priority of service to veterans and spouses of eligible veterans for the receipt of employment, training, and placement services. Agreement by a program operator to implement priority of service is a condition of receipt of USDOL funds. The Planning Guidance (either the Stand-Alone Planning Guidance at 73 FR 72853 (December 1, 2008)) or the Unified Planning Guidance at 73 FR 73730 (December 3, 2008) requires states to describe the policies and strategies in place to ensure, pursuant to the Jobs for Veterans Act and the regulations, that priority of service is provided to veterans (and certain spouses) who otherwise meet the eligibility requirements for all employment and training programs funded in whole or in part by the U.S. Department of Labor. In addition, the states are required to provide assurances that they will comply with the Veterans’ Priority of Service Provisions established by the Jobs for Veterans Act (38 USC 4215) and TEGL 10-09 (issued November 10, 2009). TEGL 10-09 is available at http://wr.doleta.gov/directives/corr_doc.cfm?DOCN=2816.

- **Buy American Notice Requirement:** It is the sense of Congress that all equipment and products purchased with funds made available under the Workforce Innovation and Opportunity Act should be American made. See WIOA Section 502 – Buy American Requirements.
- **Salary and Bonus Limitations:** In compliance with Pub. L. 111-117 (Division D, sec. 107), none of the funds appropriated in the Act under the heading ‘Employment and Training’ 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. This limitation shall not apply to vendors providing goods and services as defined in OMB’s Uniform Administrative Requirements. 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 costs-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment & Training Administration programs. See Training and Employment Guidance Letter number 5-06 for further clarification.
- **Intellectual Property Rights:** The Federal Government reserves a paid-up, nonexclusive and irrevocable licenses to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the grantee, subgrantee or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or licensing fee associated with such copyrighted work, or the cost of acquiring by purchase a copyright in a work, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping. If revenues are generated through selling products developed with grant funds, including intellectual property, these revenues are program income. Program income is added to the grant and must be expended for allowable grant activities.

If applicable, the following needs to be on all products developed in whole or in part with grant funds:

This workforce product was funded by a grant awarded by the U.S. Department of Labor’s Employment and Training Administration. The product was created by the grantee and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the

information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it. Internal use, by an organization and/or personal use by an individual for non-commercial purposes, is permissible. All other uses require the prior authorization of the copyright owner.”

- **Transparency Act: Federal Funding Accountability and Transparency Act of 2006 Pub. L. 109-282 as amended by section 6202 of Pub. L. 110-252 (“FFATA”).** Grantees must ensure that they have the necessary processes and systems in place to comply with the reporting requirements of FFATA. See Training and Employment Guidance Letter (TEGL) No. 11-10 (issued November 15, 2010) <http://wdr.doleta.gov/directives/attache/TEGL/TEGL11-10acc.pdf> (and subsequent change(s) thereto). (Note: ADECA’s Workforce Development Division is responsible for issuing reporting guidelines for compliance and all local workforce areas should follow those guidelines to comply with Public Law 109-282 as awarded.)
- **Executive Order 13333:** This agreement may be terminated without penalty, if the grantee or any subgrantee, or the contractor or any subcontractor (i) engages in severe forms of trafficking in persons or has procured a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect, or (ii) uses forced labor in the performance of the grant, contract, or cooperative agreement.” (22 U.S.C. § 7104(g))
- **Special Requirement for Conferences and Conference Space:** Grantee must obtain prior approval from the Grantor before holding any conference (which includes meeting, retreat, seminar, symposium, training activity or similar event held in either federal or non-federal space), or any activity related to holding a conference, including, but not limited to, obligating or expending Grantor funds, signing contracts for space or services, announcing Grantor’s involvement in any conference, and using Grantor official’s name or Grantor’s name or logo. Grantor retains the right to obtain information from the Grantee about any conference that is funded in whole or in part with Grantor funds.
- **Seat Belts:** Pursuant to Executive Order (EO) 13043 (April 16, 1997), Increasing the Use of Seat Belts in the United States, recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating vehicles, whether organizationally owned or rented or personally owned.
- **Executive Order 13513: Sec. 4. Text Messaging While Driving by Government Contractors, Subcontractors, and Recipients and Subrecipients.** Contractors, subcontractors, and recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or –rented vehicles or Government-owned, Government-leased, or Government-rented vehicles, or while driving privately-owned vehicles when on official Government business or when

performing any work for or on behalf of the Government, and to conduct initiatives of the type described in section 3(a) of the Executive Order.

- The Grantee assures that it will retain all financial and program records, books of account, and other documents related to the grant agreement for a period of six years after the final expenditure report is submitted to ADECA (ADECA requirement). If prior to the expiration of the six-year retention period, any litigation or an audit has begun, the records, books of account, and documents relating to the grant agreement will be retained until the litigation is complete and audit findings are resolved.
- The Grantee assures that it will comply with the grant procedures prescribed by the Governor that are necessary to enter into grant agreements. The procedures and agreements will be provided by the Governor and will specify the required terms, conditions, assurances, and certifications, including, but not limited to, the following:
 - a. General Administrative Requirements:
 - i. 2 CFR Chapter I, Chapter II, Part 200, et al Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule, dated December 26, 2013 and the USDOL's issuance of December 19, 2014 (2 CFR Part 2900) adopting the OMB Rule with USDOL exceptions. (Also, note TEGE No. 15-14, dated December 19, 2014 and issuance GWDD No. PY2014-07.)
 - ii. WIOA Fiscal Procedures Manual (and any revisions).
 - b. EEO Assurances and Certifications
 - i. -29 CFR part 37 - Nondiscrimination and Equal Opportunity assurance (and regulation).
 - ii. -29 CFR part 93 - Certification regarding Lobbying (and regulation).
 - iii. -29 CFR part 98 - Drug Free Workplace and Debarment and Suspension Certifications (and regulation).

Special Clause/Provisions:

- Other special assurances or provisions as may be required under Federal law or policy, including specific appropriations legislation, the Workforce Innovation and Opportunity Act (WIOA), or subsequent Executive or Congressional mandates.
- The Grantee will maintain accurate and timely participant and financial records as required by WIOA and submit complete, accurate, and timely reports as specified by the Governor.

- The Grantee assures that it will give the U.S. Department of Labor or its representatives access to, and the rights to, examine all documents related to grant agreements.
- The Grantee assures that it will fully comply with all Grantor instructions relating to the administration of grant funds.
- The Grantee assures that it will fully comply with all Grantor instructions relating to the administration of the grant funds.
- The Grantee assures that it has adequate administrative and fiscal systems necessary to promote effective use of grant funds.
- The Grantee assures that it will comply with federal, state, or local laws governing applicable licensing, taxation, and insurance requirements.
- The Grantee assures that it will comply with federal, state, and local procedures for grievances and complaints from participants and employees under the WIOA program.
- The Grantee shall enforce standards and procedures to ensure against fraud and abuse, including standards and procedures against nepotism, conflicts of interest, lobbying, kickbacks, drug-free workplace, political patronage (Hatch Act) and provisions which govern debarment, suspension, and other responsibility matters.
- The Grantee has developed this plan in consultation with the local elected officials, Local Workforce Development Board, the business community, labor organizations, and other partners.
- The Grantee assures that funds will be spent in accordance with the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act legislation, written U.S. Department of Labor guidelines, and all other applicable federal and state laws.
- The financial management system satisfactorily accounts for and documents the receipt and disbursement of, all WIOA funds.
- Information pertaining to subgrants and contract awards, obligations, unobligated balances, assets, expenditures, and income will be maintained.
- Effective internal controls in place will safeguard assets and ensure their proper use (including property location and usage).
- All source documentation will be maintained to support accounting records that will permit the tracking of funds to a level of expenditure adequate to establish that funds have not been used in a violation of the applicable restrictions on the use of such funds.

- The local area's financial system will permit the tracking of program income, potential stand-in costs, and other funds that are allowable.
- The local area will maintain a comparison of actual expenditures with budgeted amounts for each subgrant and contract, and that this comparison will be used to assess program progress and success.
- All persons and/or subrecipients, who are authorized to receive or deposit WIOA funds, or to issue financial documents, checks, or other instruments of payments for WIOA program costs, will be bonded in accordance with federal and state regulatory requirements for protection against loss.
- No excess cash will be kept on hand and that procedures exist for maintaining and monitoring the minimum amount of cash on hand necessary to efficiently improve the timing and control of disbursements.
- Operating programs funded wholly, or in part, with state and/or federal funds will maintain financial and program records with all supporting documents for a least six years from the date of submission of the closeout reports for each program.
- Assurances that the local area will maintain an audit resolution file documenting the disposition of reported questioned costs and corrective actions taken for all findings.
- WIOA training shall be provided only for those occupations for which there is a demand in the area served, or in another area to which the customer is willing to relocate. Such demand shall be documented with supporting labor market data or justified by local labor market needs.
- The process used by the local elected officials to solicit and select members of the Local Workforce Development Board (LWDB) will comply with the WIOA and state criteria.
- The LWDB will provide direction-setting leadership for the regional and local Workforce Development system.
- The LWDB assures that the local area's workforce investment system will comply with non-discrimination and equal opportunity requirements.
- The LWDB assures that the public, including individuals with disabilities, has access to local Workforce Development Board meetings and information regarding local Workforce Development Board activities, including membership and meeting minutes.
- The Workforce Development Board will participate in regional planning.

Signed:

Chief Local Elected Official

Date

Chair, Local Workforce Development Board

Date