

ALABAMA WORKFORCE INVESTMENT SYSTEM

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

February 19, 2013

GOVERNOR'S WORKFORCE DEVELOPMENT DIRECTIVE NO. PY2012-07

SUBJECT: PY 2013/FY 2014 Local Workforce Investment Area Plan

- 1. Purpose.** To provide Local Workforce Investment Boards with guidance on the development and submission of their respective PY 2013/FY 2014 Local Area Plan.
- 2. Discussion.** The instructions for local area preparation of PY 2013/FY 2014 Local Area Plan submissions are attached for guidance. An approved PY 2013/FY 2014 Local Area Plan providing the appropriate degree of information on local area existing and projected Workforce Investment Act (WIA) program/participant operational procedures is required. The PY 2013/FY 2014 Local Area Plan should build on the framework described within the PY 2012/FY 2013 Local Area Plan.
- 3. Action.** Each local board shall use the attached guidance when preparing/submitting its respective PY 2013/FY 2014 Local Area Plans. Local Area Plans should be received at the Workforce Development Division by April 30, 2013.
- 4. Contact.** Any questions regarding this Directive should be referred to Sara Calhoun, State Programs and Divisional Budget Management Section, at (334) 393-1632 or sara.calhoun@adeca.alabama.gov.



Steve Walkley, Division Chief
ADECA, Workforce Development Division

Attachments:

- Local Area Plan Instructions PY13/FY14
- Alabama's Career Center System Operations Template
- Assurances

Local Area Plan Instructions
PY2013 / FY2014

- 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 Investment Board Chair
 - v. Chief Fiscal Officer
 - vi. Career Center System Area Managers
- IV. Local Workforce Investment Board:**
- a. Update as appropriate the Board information addressing organization structure, and general operation procedures, as detailed in the PY2012 / FY2013 Local Plan.
 - b. Provide a listing of Local Board membership, as of July 1, 2012.
 - c. Attach a current 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 Investment Board.
- VI. Local Area Economic and Labor Market Analysis:**
- a. Update, as appropriate, the information provided the by Local Area PY2012 / FY2013 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)

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 fax number 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 PY2012 / FY2013 Local Plan.

XII. Grievance Procedures and Policies:

- a. Attach the local area Grievance Procedures and Policies in effect as of July 1, 2009.

XIII. Update, as appropriate, PY 2013/FY2014 Local Plan information covering:

- a. Local area provision of WIA Core, Intensive, and Training services; NOTE: In A) above, the local area response should note the status of USDOL efforts to modify the WIA regulations impacting the sequencing of WIA 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 partner 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 Investment Act (WIA), procedures that ensure compliance with the uniform administrative requirements for grants and agreements applicable to the type of entity receiving funds.
- The Grantee assures that it will comply with the nondiscrimination provisions of section 188.
- The Grantee assures that it will collect and maintain data necessary to show compliance with the nondiscrimination provisions of section 188. (Section 185)
- 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 the Final Rule published on December 19, 2008 at 73 Fed. Reg. 78132. 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) and TEGL 10-09 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 eligible spouses) who otherwise meet the eligibility requirements for qualified 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.
- **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 Investment Act should be American made. See WIA Section 505 – 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 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 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 material, 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 solution was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. The solution 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 solution 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.”
- **ACORN Prohibition:** Section 511 of the Consolidated Appropriations Act, 2010 (P.L. 111-117, Division E) (“CAA”), requires that no direct or indirect funding from the Consolidated Appropriations Act may be provided to the Association of Community Organizations for Reform Now (“ACORN”) or any of its subsidiaries through Federal grantees or contractors. DOL is required to take steps so that no Federal funds from the Consolidated Appropriations Act, 2010, are awarded or obligated by DOL grantees or contractors to ACORN or its subsidiaries as subgrantees, subcontractors, or other subrecipients. This prohibition applies not only to a direct recipient of Federal funds, but also to a subrecipient (e.g., a subcontractor, subgrantee, or contractor of a grantee).
- **WIA PY2012 Agreement 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.)

- 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. -29 CFR part 97 --Uniform Administrative Requirements for State and Local Governments (as amended by the Act)
 - ii. -29 CFR part 95 - Uniform Administration Requirement for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations.
 - iii. -29 CFR part 96 and 99- Single Audit Act (as amended by OMB Circular A-133)
 - iv. -OMB Circular A-21 - Cost Principles for Educational Institutions;
 - v. -OMB Circular A-87 - Cost Principles for State and Local Governments, Indian Tribes;
 - vi. -OMB Circular A-122--Cost Principles for Non-Profit Organizations;
 - vii. -48C FR Part 31 - Cost Principles for Commercial Organizations.
 - viii. NOTE: OMB Circular A-21, A-122, and A-87 have been incorporated into Title 2 of the Code of Federal Regulations (2 FR, Subtitle A, Chapter II), with Circular A-21 located in Part 220; Circular A-87 in Part 225; and Circular A-87 in Part 230.
 - ix. -WDD Fiscal Procedures Manual (as amended).
 - 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 Investment Act, or subsequent Executive or Congressional mandates.
- The Grantee will maintain accurate and timely participant and financial records as required by WIA 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 the 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 WIA 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 Investment Boards, the business community, labor organizations, and other partners.
- The Grantee assures that funds will be spent in accordance with the Workforce Investment Act 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 WIA 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 assure 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 WIA funds, or to issue financial documents, checks, or other instruments of payments for WIA 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.
- WIA 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 Investment Board will comply with the WIA and state criteria.
- The local WIB will provide direction-setting leadership for the regional and local Workforce Development system.
- The local WIB assures that the local area workforce investment system will comply with non-discrimination and equal opportunity requirements.
- The local WIB assures that the public, including individuals with disabilities, has access to local WIB meetings and information regarding local WIB activities, including membership and meeting minutes.
- The WIB will participate in regional planning.

Signed:

Chief Local Elected Official

Date

Chair, Local Workforce Investment Board

Date