

Executive Summary

Northwest, Southwest, and Greater Memphis Local Workforce Development Areas



The Workforce Innovation and Opportunity Act (WIOA) of 2014 requires local and regional planning – a broad strategic approach to planning focused on the overarching vision, goals, and alignment, and shared responsibilities within the local area and region. Each Local Workforce Development Board and its respective Chief Local Elected Official (CLEO) must prepare a local plan and must collaborate with other local workforce development boards and CLEOs within the respective planning region to prepare a regional plan. The regional plan includes the establishment of regional service strategies, development and implementation of sector initiatives, collection and analysis of labor market information, coordination of administrative costs, transportation and other support services, and services with regional economic development services and providers, and the establishment of an agreement concerning how the planning region will collectively negotiate and reach agreement with the Governor on local levels of performance for, and reporting on, the WIOA accountability measures.

The Tennessee Combined State Plan, which aspires for a results-driven skills development system providing the opportunity for the State’s jobseekers, workers, and businesses to sustain economic viability and self-sufficiency, provides background on the relationship between the state plan, regional plans, and local plans. The State of Tennessee’s Workforce Vision is to increase the competitive position of Tennessee business through the development of a high skilled workforce. The guiding principles include:

- Strong partnerships with business at all levels;
- Career pathways to today’s and tomorrow’s jobs;
- Cross-agency collaboration and alignment;
- Integrated service delivery;
- Access and opportunity for all populations;
- Clear metrics for progress and success; and
- Focus on continuous improvement and innovation.

To achieve the State’s vision, the following five key objectives have been adopted by the Regional Planning Council for West TN:

1. Increase access to education, training, and employment; particularly for people with significant barriers to employment.
2. Create a comprehensive, high-quality workforce system by aligning workforce investment, education, and economic development.
3. Improve quality and labor market relevance of workforce investment, education, and economic development efforts,
4. Promote improvement in the structure and delivery of services.
5. Increase economic self-sufficiency, meet employer needs, and enhance the productivity and competitiveness of Tennessee.

The Plan includes an analysis of economic conditions, employer needs and the regional workforce for the twenty-one counties in the West TN regions. Top middle-skill level occupations in West TN by Industry Sector include Healthcare, Transportation and Warehousing, Manufacturing and Business Services – Professional, Scientific, and Technical Services. Significant postsecondary skill level gaps are addressed, as well as, the need for “soft skills” such as active listening,

speaking, reading comprehension, critical thinking and social perceptiveness. The Plan addresses employment and population trends. West TN has historically lagged behind both Middle and East TN in job creation; however, data shows that West TN is expected to surpass East TN over the next 10 years. The population of Northwest TN is expected to decrease by 1%, Southwest to increase by 1%, and Greater Memphis to increase by 4%. A primary focus is strategies for service integration, including support of the Governor's Drive to 55 initiative, as we prepare workers for in-demand industry sectors and occupations. By offering education and training services such as needs-based scholarships, transportation stipends, on-the-job training and incumbent worker grants and apprenticeship programs, the West TN Region provides support for both new hires and current workers in need of re-training.

While West TN has many strengths and opportunities, such as abundance of training institutions and new Rural Development Programs; we also recognize we have weaknesses and threats, such as a lack of skills (both specific occupational and soft skills) and lack of adequate funding for workforce services. The Plan addresses a key element to the success of workforce initiatives in the region – collaboration and coordination of services and resources between partners. Through Infrastructure Funding Agreements and Memorandums of Understanding, partners work to reduce duplication of services, improve effectiveness and streamline services to assure alignment and integration of education, workforce and economic development. These agreements include co-enrollment of participants and a focus on providing outreach and opportunities for target populations with multiple barriers to employment. The West TN Regional has selected the Workforce and Correction Partnership as its' new planning element. The Local Boards and Regional Planning Council will work to improve labor market outcomes of formerly incarcerated and other justice involved individuals through partnerships with community-based organizations, re-entry service providers, local sheriffs, representatives of Parole and Probation Departments, and employers.

The below Program Year 2018-2020 Local Plan and Regional Plan for the West Tennessee region represent the Southwest, Northwest, and Greater Memphis Local Workforce Development Area's Workforce Development Board's efforts to maximize resources and to coordinate these resources with other state and local programs in the local workforce development area and throughout the West Tennessee region to achieve the State's vision and key objectives.

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West Tennessee Program Year 2018 – 2020 Regional Plan

Northwest, Southwest, and Greater Memphis
Local Workforce Development Areas



The West TN Regional Plan was Open for Public Comment January 3, 2019 – January 17, 2019. Comments or questions were to be submitted in writing to:

Northwest Tennessee Workforce Board

Attn: Jennifer Bane

708 East Court Street

Dyersburg, TN 38024

jbane@nwtworks.org

No comments were received during the public comment period. Any comments received in relation to the content of the Program Year 2018 – 2020 regional plan would have been addressed within the plan prior to submission to the TN Department of Labor and Workforce Development (TDLWD).

West TN Regional Plan Components

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West Tennessee Planning Region

The West Tennessee (TN) planning region is comprised of three Local Workforce Development Areas (LWDAs):

Southwest Area: Chester, Decatur, Hardeman, Hardin, Haywood, Henderson, Madison, and McNairy.

Northwest Area: Benton, Carroll, Crockett, Dyer, Gibson, Henry, Lake, Obion, and Weakley.

Greater Memphis Area: Fayette, Lauderdale, Tipton, and Shelby.

The Regional Planning Council (RPC) for West TN is comprised of representatives of the core partner programs of the Workforce Innovation and Opportunity Act (WIOA), including Temporary Assistance for Needy Families (TANF), as well as representatives from the Local Workforce Development Boards (LWDBs), career and technical education, and economic development. The following individuals have been selected to serve on the Council:

Southwest

Jimmy Bell, Title I
 April Brown, Title I
 Stewart Stanfill, Title II*
 Kristie Bennett, Title III*
 Linda Randolph, Title IV*
 Marla Rye, TANF**
 Tracey Exum, ECD
 Craig Butler, LWDB Chair
 Dr. Lana Hamilton (was Horace Chase), Career and Technical Education
 Holly Wood, TN Pathways

Northwest

Margaret Prater, Title I
 Jennifer Bane, Title I
 David Parrish, Title IV
 Blake Swaggart, ECD
 Jimmy Williamson, LWDB Chair
 David Brewer, Career and Technical Education
 Justin Crice, TN Pathways

Greater Memphis

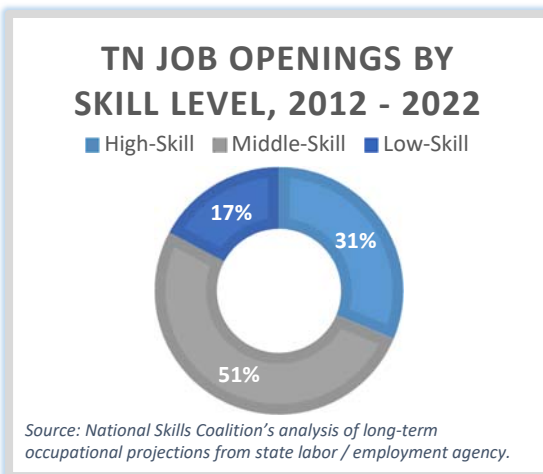
Henry Lewis, Title I
 Ron Wade, Title II
 Darryl Causey, Title III
 LaTroyal Williamson, Title IV
 Beverly Moore, TANF
 Gwyn Fisher, ECD
 Desi Franklin, LWDB Chair
 Roland Rayner, Career and Technical Education
 Kenderek Harris, TN Pathways

*Also serving Northwest TN.

**Also serving Northwest and Greater Memphis.

Economic and Workforce Analysis

According to the National Skills Coalition, middle-skill jobs are key to TN's health, its infrastructure and its economic growth. Many of these jobs cannot be outsourced: from the care of our sick and elderly, to the repair of our



computerized cars, to the running and maintenance of our factories' advanced machinery, to the construction of our nation's bridges and buildings. Middle-skill jobs can provide good wages and career paths for TN's, and specifically West TN's, workers, yet the National Skills Coalition's analysis of May 2012 Bureau of Labor Statistics Occupational Employment Statistics by State and 2012 American Community Survey data revealed that while middle-skills jobs accounted for 58% of TN's labor market in 2012, only 47% of workers were trained to the middle-skill level. The role of middle-skill jobs in the TN labor market is expected to continue through 2022 as 51% of job openings are projected to be for middle-skill jobs. To maintain a strong economy, TN must address its middle-skills gap by investing in a skilled workforce. To do this, West TN has prioritized its training resources to address the

skills gaps in key industries in alignment with the TN Department of Economic & Community Development's (ECD) strategy, which focuses business development efforts on key clusters in which the state has a competitive advantage:

- Advanced Manufacturing
- Aerospace & Defense
- Automotive
- Business Services
- Chemicals, Plastics, & Rubber
- Energy Technology
- Film, Music, and Entertainment
- Food & Agribusiness
- Healthcare & Medical Devices
- Transportation, Distribution, & Logistics

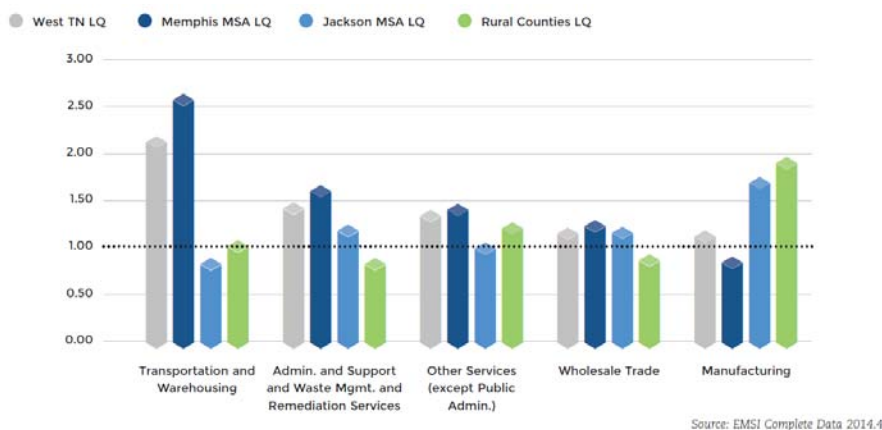
Following the guiding principles of Demand Driven and Workforce Development = Economic Opportunity, West TN uses Labor Market Information and other available data to drive decision making and to invest in initiatives that provide in-

demand training and meet employers’ needs. The TN Department of Labor and Workforce Development (TDLWD) recognizes that local economic situations may be different from statewide trends, and that the industry composition in a particular area determines the jobs in demand.

A. Analysis of Economic Conditions, Employer Needs, and the Regional Workforce

1. Existing and emerging in-demand industry sectors and occupations as analyzed and agreed upon by all partners:

The [Economic Analysis of West TN](#), published in June 2015 by Economic Modeling Systems, Inc. (EMSI), outlines the economy of the twenty-one counties in the West TN region with geographic breakouts of specific metropolitan areas within the region, and comparisons with the two other Grand Divisions of TN. A thorough review of the regional economy and discussions with partners and key stakeholders in both the public and private sectors resulted in the determination that the three largest industry sectors in West TN, with a combined 315,069 jobs, are Government, Health Care & Social Assistance, and Retail Trade. Together these sectors constituted 34% of the total regional employment in 2014. While significant growth is also expected in the industries of Administrative & Support & Waste Management & Remediation Services (+24,244 jobs), Other Services (+14,888 jobs), and Finance & Insurance (+8,708 jobs), the majority of these jobs are in low wage industries.



Location quotients (LQs) comparing the concentration of employment in a given industry in a region against the concentration across the nation are high in West TN in the sectors of Transportation & Warehousing (2.16), Administrative & Support & Waste Management & Remediation Services (1.44), Other Services, Except Public Administration (1.36), and Wholesale Trade (1.17), making these sectors also key to the region’s economy. However, most of the region’s strengths in terms of LQs, outside of Transportation & Warehousing, are in fields that are relatively low-skill and low wage. While the Manufacturing LQ is relatively low in the Memphis MSA (0.86), it is high in both the Jackson MSA and All Other Rural Counties at 1.72 and 1.93, respectively.

Despite the fact that many manufacturing jobs have been lost in the region, the [Economic Analysis of West TN](#) revealed that 11% of the regional economy is still comprised of manufacturing related jobs and should be promoted as a legitimate career pathway. While not high in the ranking of jobs in Memphis, manufacturing ranks in the top three for both the Jackson MSA as well as the non-metropolitan counties of West TN. The tendency for Manufacturing and Transportation & Distribution sectors to co-locate within metropolitan areas, due to production industries requiring transportation industries to store and ship their products to wholesalers and retailers, adds to the value of the industry in West TN. An undersupply of workers to support this industry has been revealed by both employers in the field and EMSI’s gap analysis, indicating a need to educate the labor force and overcome the stigma of manufacturing as a dirty, dangerous industry. One such tactic to be considered as a best practice for replication includes encouraging high schools and employers to participate in “Manufacturing Days” to expose students to careers in manufacturing.

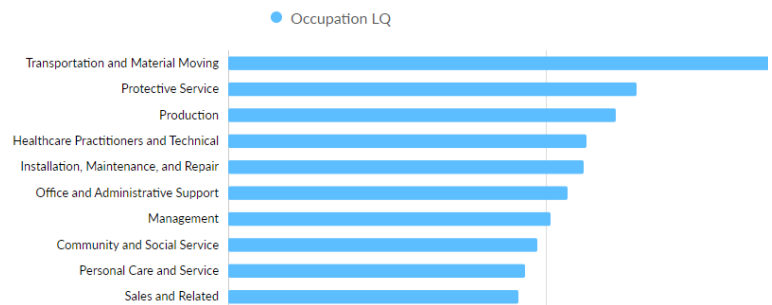
In looking at key occupation groups in West TN for 2014 to 2024, the analysis indicated the largest occupation group in the region to be office and administrative support occupations with 120,319 jobs. Sales and related occupations ranked second with 109,938 jobs, while transportation and material moving ranked third with 92,941 jobs. Unfortunately, none of the top three occupation groups are the highest paying. Healthcare practitioners and technical workers, management, and business and financial operations are the highest paying industries that offer 500 or more annual openings in the region. Across all sectors, 73% of the jobs are found in the Memphis MSA, with higher concentrations in transportation and material moving, and computers and mathematical. The Jackson MSA comprises 9% of all jobs in the

region with more concentration in healthcare and technical occupations and production occupations. The rural regions comprise 18% of all regional jobs with heavy concentration in manufacturing at 25% of all regional employment.

EMSI's Economic Overview for West TN indicates Transportation and Material Moving, Protective Service, and Production are the three occupations with the largest LQs throughout West TN as of 2018.

Additionally, between 2018 and 2028, there will be 883,409 replacement jobs, openings resulting from workers retiring or otherwise permanently leaving an occupation, throughout West TN. The top occupations with the highest number of replacement jobs, as listed below, account for 246,135, or nearly 28%, of the total replacement jobs over the next decade. While the majority of the occupations with the highest number of replacement jobs are lower skilled jobs requiring little or no postsecondary or vocational training, Heavy and Tractor-Trailer Truck Drivers are expected to have 18,749 replacement jobs.

Top Occupation LQ



Description	2018 - 2028 Replacement Jobs
Laborers and Freight, Stock, and Material Movers, Hand	51,092
Cashiers	31,011
Retail Salespersons	28,931
Combined Food Preparation and Serving Workers, Including Fast Food	27,684
Stock Clerks and Order Fillers	19,735
Waiters and Waitresses	19,165
Heavy and Tractor-Trailer Truck Drivers	18,749
Office Clerks, General	18,328
Customer Service Representatives	16,447
Secretaries and Administrative Assistants, Except Legal, Medical, and Executive	14,992

Thorough analysis of the labor market data and discussions with key stakeholders have resulted in the identification of in-demand sectors in the region on which to focus workforce development efforts in order to address the middle-skills gap and meet the needs of employers: (1) Healthcare; (2) Transportation and Logistics; (3) Advanced Manufacturing; and (4) Business Services, with a particular emphasis on Information Technology. Emerging industries within these sectors to receive special attention include internet-based small businesses, call centers, food manufacturing, medical device manufacturing, and manufacturing

technology such as lasers and robotics. Additionally, in much of the region agriculture is considered a mature yet relevant and in-demand field. The LWDAs in West TN strive to engage businesses within these industry sectors in workforce development efforts to fill the in-demand occupations as listed below.

Top Three In-Demand, Middle-Skill Level* Occupations in West TN by Industry Sector

Sector	Occupation	2016 Jobs	2021 Jobs	Change	Typical Entry Level Education	Median Hourly Wage
Healthcare	Registered Nurses	12,281	13,480	1,199	Bachelor's Degree	\$28.21
	Nursing Assistants	6,501	7,118	617	Postsecondary (PS) Non-Degree Award	\$11.03
	Licensed Practical and Vocational Nurses	4,319	4,647	328	PS Non-Degree Award	\$18.06
Transportation & Warehousing	Heavy and Tractor-Trailer Truck Drivers	13,881	14,107	226	PS Non-Degree Award	\$18.73
	Business Operations Specialists, All Other	106	113	7	Bachelor's Degree	\$28.60
	Logisticians	99	103	4	Bachelor's Degree	\$28.53
Manufacturing	Biomedical Engineers	63	91	28	Bachelor's Degree	\$37.89
	Market Research Analysts and Marketing Specialists	169	185	16	Bachelor's Degree	\$25.19
	Sales Representatives (Wholesale and Manufacturing, Technical & Scientific Products)	311	317	6	Bachelor's Degree	\$32.32
Business Services – Professional, Scientific, and Technical Services	Civil Engineers	1,013	1,290	277	Bachelor's Degree	\$39.90
	Accountants and Auditors	2,405	2,567	162	Bachelor's Degree	\$26.61
	Software Developers, Applications	482	552	70	Bachelor's Degree	\$36.55

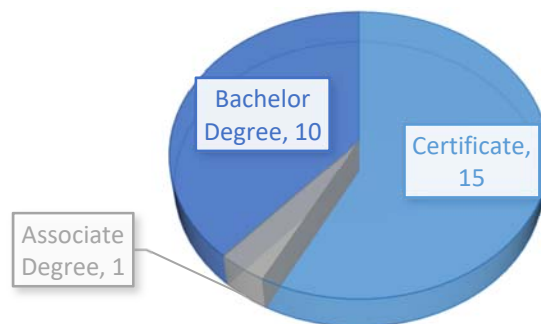
*Occupations include those requiring no work experience and a minimum of a postsecondary non-degree award and a maximum of a Bachelor's degree. Source: EMSI.

2. Employment Needs of Employers – existing and emerging in-demand industry sectors and occupations: In following the Governor’s Jobs and Economic Development Goal and Objectives, employers are considered the primary customer of the workforce system. Understanding and meeting the needs of employers is given the utmost importance and is achieved through a collaboration of partners serving on the Business Services Team. Team members represent various AJC partners such as Labor Exchange, Veterans Programs, Trade Act, Re-Employment Services, Unemployment Insurance, Economic Development, and Temporary Assistance for Needy Families, and staff to the LWDBs. The Business Services Team is responsible for connecting with companies in targeted industry sectors and occupations, and other employers that have hiring needs, in order to understand and meet their needs through a variety of employer-driven initiatives and services, such as Incumbent Worker Training, On-the-Job Training opportunities, Employer/Education partnerships, apprenticeships, job order placement through Jobs4TN, applicant screening, and facilitation of job fairs.

To understand and meet the needs of employers, Business Services Team members connect with area employers by participating in regional economic development groups comprised of training providers, Chambers of Commerce, plant managers, and economic developers to determine high-growth jobs and industries that are adding substantial jobs to the local economy. Business Services Team members and other AJC partner staff also utilize labor market information to identify and meet employer needs. According to the [Economic Analysis of West TN](#) there were 55,783 unemployed workers in West TN as of February 2015 and only 25,921 unique job postings. The simultaneous existence of both high unemployment and high job vacancies indicates the presence of a mismatch between the jobs available and the skills demanded in the region. Recognizing that data lags, Business Services Team members throughout the region utilize formal and / or informal employer surveys in order to better identify and meet the immediate and upcoming needs of area employers. It is the goal of the Regional Planning Council to develop a common survey to be used region-wide.

3. Knowledge and Skills Needed to Meet Employment Needs: Careful consideration must also be given to both the education and skills needed for key occupations to ensure the workforce is prepared to meet the needs of area employers. The gap in the number of annual openings and the number of annual completers of corresponding training programs must be analyzed to determine if educational programs are producing too few, or too many, graduates to fill the openings for related occupations. In total, 26 occupations were found to have significant gaps of 10 or more, as noted in the [Economic Analysis of West TN](#) and displayed in the diagram to the right, with the most number of gaps occurring at the postsecondary certificate level, typically among high turnover, low wage positions. In coordination with the Business Services Team, the Career Development Services Team strives to fill these gaps by ensuring participants’ fields of study are in high growth mode according to research using current labor market information. Potential candidates for training must also show interest and aptitude aligned with targeted occupations and industries through the use of formal and informal assessments and evaluations of need.

NUMBER OF SIGNIFICANT POSTSECONDARY SKILL LEVEL GAPS



While each position requires a unique skillset, several skills are commonly needed across occupations. The TN WIOA Combined State Plan for 2016 – 2020 highlights the importance of the specific soft skills of active listening, speaking, reading comprehension, critical thinking, and social perceptiveness. Combined, these skills are expected to relate to nearly two million employment opportunities.

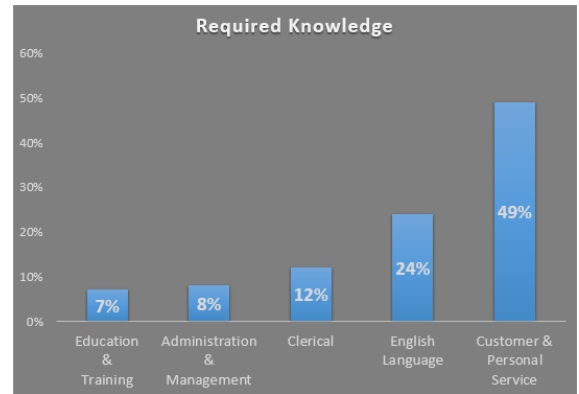
Soft Skills by Employment Opportunities per WIOA Combined State Plan for 2016 – 2020

Skill Category	Projected Year Employment	Openings Due to Growth	Replacements
Active Listening	620,506	19,396	1,1748
Speaking	615,215	20,001	1,1490

Reading Comprehension	358,712	11,393	6,465
Critical Thinking	221,946	7,597	4,204
Social Perceptiveness	179,595	6,177	3,754

Furthermore, customer and personal service, English language, clerical, administration and management, and education and training were cited as the top five required knowledge categories for projected jobs through 2022.

Among the 95 critical occupations in the region cited in the [Economic Analysis of West TN](#), the table below indicates the top skills, classified



Source: TN WIOA Combined State Plan for 2016 – 2020

Top Skills Among 95 Critical Occupations

SKILL	% OF POSTINGS WITH SKILL	CATEGORY
Business	20%	Business
Sales	16%	Business
Driving	15%	Technical
Communication	14%	Soft
Commercial Driver's License	13%	Technical
Customer Service	13%	Business
Finance	12%	Business
Retail	10%	Other
Health	10%	Technical
Projects	9%	Other
Transportation	9%	Technical
Training	9%	Other
Planning	8%	Business
Trucking	8%	Technical
Technology	8%	Technical
Medical	8%	Technical
Nursing	7%	Technical
Marketing	7%	Business
Truck Driving	7%	Technical
Accounting	6%	Technical
Healthcare	6%	Technical
Documentation	6%	Other

as either soft, business, technical, or other skills, required as found in job postings for these occupations

nationwide. To address the soft-skills gap, the LWDA in West TN will partner with various postsecondary and community agencies to ensure appropriate skills training is available, preferably at the AJC via workshops, electronic courses, etc. Each LWDA will also continue to utilize mentoring and work experience opportunities to engage customers in real-world soft-skills training.

4. Analysis of the Regional Workforce – employment and unemployment data, labor market trends, and educational and skill levels of the workforce, including individuals with barriers to employment: [Data profiles for each ECD Base Camp](#), which align with each LWDA, effective July 1, 2018 were analyzed during the planning process. Over the next decade, the population of Northwest TN is expected to see a 1% decrease, Southwest TN is expected to see a 1% increase, and the Greater Memphis area is expected to see a 4% increase. The State is expected to see an 8% growth during the same time period.

increase, and the Greater Memphis area is expected to see a 4% increase. The State is expected to see an 8% growth during the same time period.

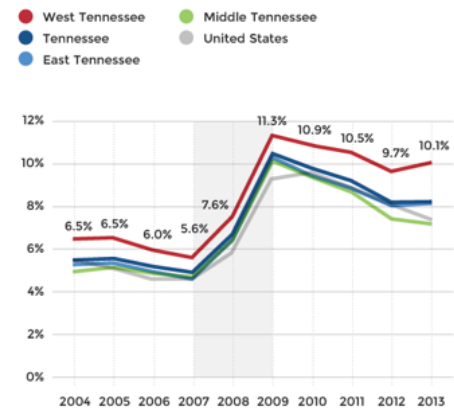
Of the 2018 total West TN population of 1,572,438, 52% are females while 48% are males, 51% are White, 40% are African American, 5% are Hispanic, and the remaining 4% are Other, Non-Hispanic. By 2028, the total West TN population of 1,618,430 is expected to consist of the same percentage of females, 52%, and males, 48%, but the White Race / Ethnicity group is expected to decrease to 47%, while the African American population will increase to 41%, the Hispanic population to 7%, and the Other, Non-Hispanic to 5%. West TN is also expected to see a growth in the number of individuals within or nearing retirement age (age 60+), while key working aged adults, those between the ages of 15 and 59 are expected to decline.

Area	2018 Population	2028 Population	Population Change	% Change
Southwest	250,212	251,493	1,281	1%
Northwest	249,530	247,595	-1,935	-1%
Greater Memphis	1,072,696	1,119,342	46,646	4%
West TN	1,572,438	1,618,430	45,992	3%
TN	6,769,368	7,295,507	526,139	8%

Area	Age Range	2018 Population	2018 – 2028 # Change	2018 – 2028 % Change
Southwest	60 and Up	64,094	9,327	15%
	25 - 59	107,767	-6,385	-6%
	15 - 24	33,844	906	3%
Northwest	60 and Up	66,248	6,808	10%
	25 - 59	105,924	-7,020	-7%
	15 - 24	32,930	256	1%
Greater Memphis	60 and Up	212,087	37,933	18%
	25 - 59	492,582	-1,688	-0.3%
	15 - 24	146,168	4,832	3%

As stated in the [Economic Analysis for West TN](#), the region has lagged behind both Middle and East TN in job creation for the previous ten years. While Middle TN is expected to continue to see the highest growth over the next ten years, West TN is expected to surpass East TN during that time. West TN has also seen higher unemployment rates each year during the previous ten years than both Middle and East TN and the nation. Despite the growth in jobs, the region continues to see the highest unemployment rates in the state. According to the TDLWD's October 2018 County Unemployment Rates, released November 21, 2018, eight of the ten counties with the highest unemployment rates are located in West TN, including the highest, Lauderdale County, at 6.8%. With a labor force of 107,720, Northwest saw the highest overall unemployment rate in the state at 4.8% with 102,530 employed and 5,200 unemployed in the area. Four of Northwest's eleven counties were among the top ten highest unemployment rates in the State. Southwest, with a labor force of 110,440 individuals, saw an unemployment rate of 4.5%, tying with Greater Memphis for second highest unemployment rate in the state, with 105,460 employed and 4,980 unemployed. Three of Southwest's eleven counties were among the top ten highest unemployment rates in the State. Rounding out the top three, Greater Memphis, with a labor force of 505,920, had an unemployment rate of

Annual Unemployment Rates across TN Grand Divisions, 2004-2013



4.5%, with 483,360 employed and 22,540 unemployed, with 88%, or 19,860, residing in Shelby County. With a total of 32,720 unemployed individuals in the region, a substantial workforce is available for existing and emerging business and industry in the region. While 12% of the unemployed individuals in the labor force in West TN have a disability, individuals with a disability constitute 33.5% of the individuals no longer in the labor force in West TN per the TN WIOA Combined State Plan for 2016-2020.

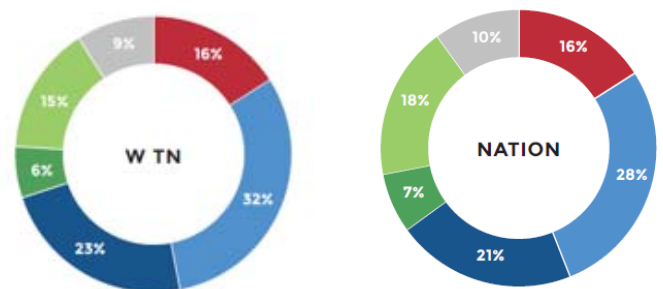
October 2018 County Unemployment Rates



4.5%, with 483,360 employed and 22,540 unemployed, with 88%, or 19,860, residing in Shelby County. With a total of 32,720 unemployed individuals in the region, a substantial workforce is available for existing and emerging business and industry in the region. While 12% of the unemployed individuals in the labor force in West TN have a disability, individuals with a disability constitute 33.5% of the individuals no longer in the labor force in West TN per the TN WIOA Combined State Plan for 2016-2020.

In addition to high unemployment rates, West TN serves a population with multiple barriers to employment, such as low postsecondary educational attainment, low income and underemployed individuals, recipients of public assistance, ex-offenders, single parents, individuals with transportation and substance abuse issues, and those lacking necessary soft

- Less than HS diploma or equivalent
- High School Diploma
- Some College
- Associate's Degree
- Bachelor's Degree
- Graduate Degree or Higher



skills and work ethic. The [Economic Analysis for West TN](#) indicates that while Middle TN sees 10.7 graduates per 1,000 people and East TN 10.4, West TN sees only 10 graduates per 1,000 people, with the biggest lags at the associate's and bachelor's degree levels. For adults aged 25 years and older, 32% of the West TN population have a high school diploma or equivalent, while 16% have less than a high school diploma or equivalent. In total, 737,253 individuals, or 71% of the region's adult population fall into the "less than high school diploma," "high school diploma," or "some college" categories. Between 2009 and 2014, West TN saw a decrease of 1.1 percentage points in those with "less than a high school diploma" while adults with between an associate's and master's degree increased by 1.3 percentage points. By supporting strategies under the Governor's Drive to 55 initiative to align education and training with the needs of business and industry and assisting West Tennesseans in accessing training opportunities, West TN is working towards achieving the initiative's goal of 55% of Tennesseans earning a postsecondary credential by 2025.

With the implementation of WIOA on July 1, 2015, West TN has already seen a significant increase in targeted populations, including individuals with barriers to employment, being served in the AJCS. Per the TN WIOA Combined State Plan for 2016 – 2020, the West TN Region also has the highest percentage of individuals living in poverty, at

Poverty Rates for West TN, State, & Nation

Area	Poverty Estimate, All Ages	Population, All Ages	% of Population in Poverty
West TN*	335,058	1,570,077	21.34%
State*	1,165,247	6,549,352	18.25%
Nation**	47,755,606	306,226,394	15.6%

*Source: TN WIOA Combined State Plan for 2016-2020 / Economic and Workforce Analysis

**Source: 2010-2014 American Community Survey 5-Year Estimates, U.S. Census Bureau

335,058 or 21.34%, among the three grand divisions of the state. Furthermore, per the [Transparent Tennessee](#) website, the West TN region has four counties classified as distressed – Lake, Lauderdale, Hardeman, and McNairy, and an additional nine counties classified as at-risk – Obion, Weakley, Gibson, Carroll, Benton, Haywood, Henderson, Decatur, and Hardin. These classifications, made using the Appalachian Regional Commission’s standard based on comparisons of a county’s poverty rate, three-year average unemployment rate, and per capita market income to national average, indicate that a county ranks in the bottom 10% of the nation as a distressed county, or between the bottom 10% and 25% as an at-risk county.

Eliminating the barriers to employment, particularly those created by poverty, historically high unemployment, and low educational attainment, requires addressing numerous factors such as transportation, childcare, healthcare, education, and work ethic through policy and service strategies. Given the large percentage of the population of West TN living in poverty, it is critical for the workforce system to address these barriers in order to not only assist individuals in becoming self-sufficient, but also to ensure the employment needs of employers in the region are met. As part of this effort, the RPC supports the TN Department of ECD’s goal of improving the economy in all rural communities thereby eliminating distressed counties and reducing the number of at-risk counties in TN. Each local area in West TN will also continue to provide priority of service to priority populations, including individuals with barriers to employment.

B. Development and Implementation of Sector Initiatives

1. Regional Priorities for Sector/Industries/Occupations/Skills – how this was determined and how the status of growing, maturing, and emerging was factored into the ranking: Through labor market data, strategy meetings, and other data gathering methods, West TN determines the regional industries/occupations that fit into the high-growth, high-skill category, and then focuses training initiatives on those in-demand occupations. Growing, maturing, and emerging industries and occupations are also factored into the regional priorities. Recognizing that data lags, Business Services Team members throughout the local areas in the West TN region utilize formal and / or informal employer surveys to better identify and meet the immediate and upcoming needs of area employers. Based on this data, West TN focuses education and training on these sectors: Healthcare and Social Assistance, Business Services, including Information Technology, Transportation and Logistics, and Advanced Manufacturing. These sectors are shown to have positive job growth through labor market information provided by local employers, the TDLWD, and an economic analysis tool from EMSI.

2. Partners Participating in the Sector Strategy Development – meetings that have taken place and the strategy by which partners will continue to be engaged: Being in the business of workforce development and involved directly with training partners, the AJCs and LWDBs must be ever mindful of employment trends in local areas and the region. During the planning process, administrative leadership in the region works with local education providers including TN Colleges of Applied Technology, Community Colleges, Universities, and private providers, economic developers, and key employers in those regional sectors that align with the Governor’s Jobs4TN Sector Strategies plan. During the development of the transitional regional plan and the modification to the regional plan, partners and stakeholders participated in meetings as listed in the Attachments section. Since the implementation of the Regional Planning Council (RPC) during the development of the transitional regional plan, quarterly meetings have been held. The RPC, comprised of representatives from each of the core partner programs of Title I Adult, Dislocated Worker, and Youth, Title II Adult Education, Title III Wagner Peyser, Title IV Vocational Rehabilitation, and TANF, as well as representatives from economic development, career and technical education, and LWDB members, guides the development of regional sector

and service strategies, and plays a vital role in the certification process for the AJCs as effective and efficient service delivery is key to the success of the region’s AJCs. Additionally, the RPC will continue to ensure the sharing of best practices for the purposes of identifying service delivery strategies to be expanded throughout the region. New service strategies to address regional education and training needs will also be developed by the RPC as needed.

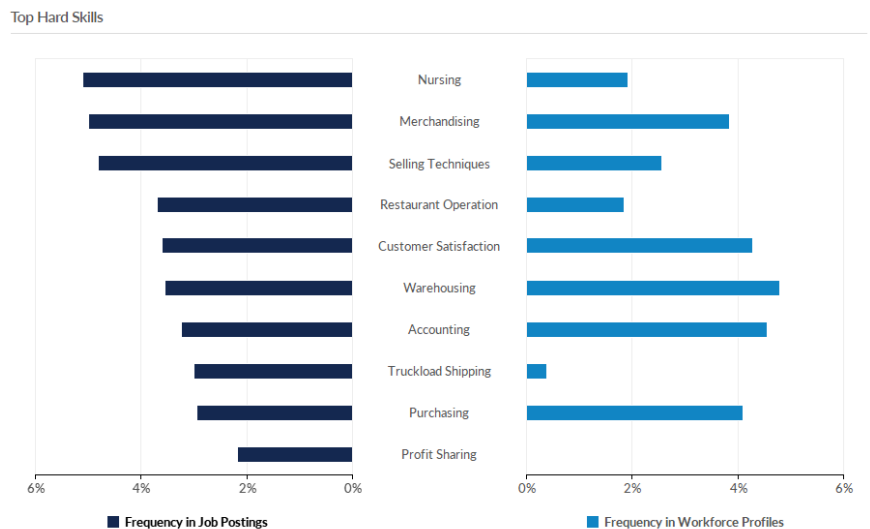
3. Public-Private Partnerships – supporting sector strategies and roles in planning: Each of the local boards are comprised of at least 51% private business representatives. Local boards are charged with leading efforts to engage with a diverse range of employers:

- a. To promote business representation (particularly representatives with optimal policymaking or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the Board;
- b. To develop effective linkages with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities;
- c. To ensure that workforce development activities meet the needs of employers and support economic growth in the region, by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers;
- d. To develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as the establishment of industry and sector partnerships); and
- e. To develop and implement career pathways, with representatives of secondary and postsecondary education programs, within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.

As unemployment rates have continued to decline in the region, preparing individuals with criminal backgrounds to return to work has become an even greater priority as employers seek skilled applicants to fill vacancies. In partnership with local jails, and support from private-sector partners, West TN has incorporated several programs for currently incarcerated individuals to help prepare them for re-entry into society and the workforce.

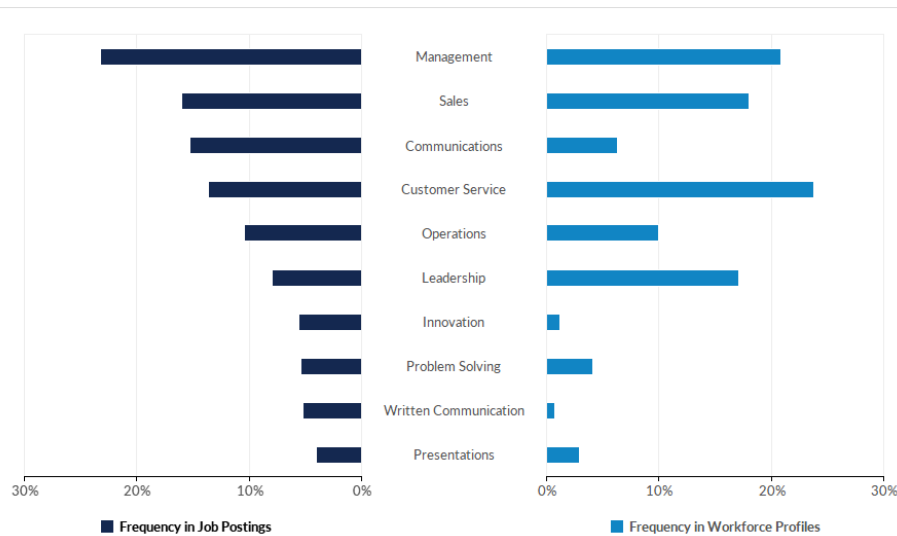
4. Existing Skills of Jobseekers – matching them to demands of local business: To provide insight into the supply and demand of relevant skills, West TN compares the frequency of skills present in job postings against skills present in today's workforce. Along with EMSI's job posting analytics, this comparison leverages EMSI's dataset of more than 100M online resumé and profiles, all of which have been updated within the last three years. The

skills associated with workforce profiles represent workers of all education and experience levels. Of the 50 hard skills analyzed, 29, or 58% of the skills were found to be present more in the postings than in the profiles or workers. Overall, worker profiles fell short 12% across all hard skills listed in job postings. Of the 50 common skills analyzed, including soft skills such as interpersonal skills, communication, and problem solving, 22, or 44%, of the skills were found to be present more in postings than in the profiles. Overall, common skills listed on worker profiles were 36% above the common skills



listed in job postings. There were 1.83M total job postings in West TN from September 2016 to November 2018, of

Top Common Skills



which 458,920 were unique. These numbers indicate a Posting Intensity of 4-to-1, meaning that for every 4 postings there is 1 unique job posting. Also according to EMSI, as of 2018, 14.7% of West TN residents possess a Bachelor's Degree (3.9% below the national average), and 6.1% hold an Associate's Degree (1.9% below the national average). Additionally, in 2017 there were 18,851 graduates in West TN. This pipeline has shrunk by 2% over the last 5 years. The highest share of these graduates come from Liberal Arts and Sciences/Liberal Studies, Registered Nursing/Registered Nurse, and Medical/Clinical Assistant.

Nursing/Registered Nurse, and Medical/Clinical Assistant.

5. Future Strategy Development for Future Sectors – next sectors to be targeted, if applicable: Existing sector strategies and the need for new strategies for future sectors will be reviewed by the RPC at its quarterly meetings. Local boards, One-Stop Operators, and / or Service Providers in West TN will also continue to monitor local labor market trends when: (1) approving new providers and / or programs to the Eligible Training Provider List (ETPL); (2) issuing Individual Training Accounts (ITAs) to fund programs on the ETPL; and (3) developing On-the-Job Training (OJT) and Incumbent Worker Training (IWT) contracts.

Additionally, as needed, Memorandums of Understanding (MOUs) will be established with other service providers, to meet the requirements of the appropriate local board, and in accordance with associated local ordinance and policies, to address any identified sector strategy needs.

Strategies for Service Integration

A. Analysis of Workforce Development Activities

1. Education and Training in the Region: In support of the Governor's Drive to 55 initiative to have 55% of Tennesseans earn a postsecondary credential by 2025, West TN's strategies to prepare workers for in-demand industry sectors and occupations include:

- (1) Approving in-demand training opportunities to be included on the statewide Eligible Training Provider List (ETPL) as WIOA fundable programs;
- (2) Encouraging all job seekers to consider these programs as career options by offering assessments, opportunities, and materials noting local employment opportunities;
- (3) Partnering with employers and high schools on career pathway opportunities in employer-driven training programs;
- (4) Considering options to partner with training providers and neighboring local workforce development areas to "buy" classes offered by training providers so that dislocated workers, adults, and disadvantaged youth have an opportunity to train in the high-demand occupation without a delay due to a waiting list;
- (5) Leveraging assets such as TN Promise, TN Pathways, and TN ReConnect in order to increase capacity and provide integrated services to increase skill development and educational attainment of area residents.

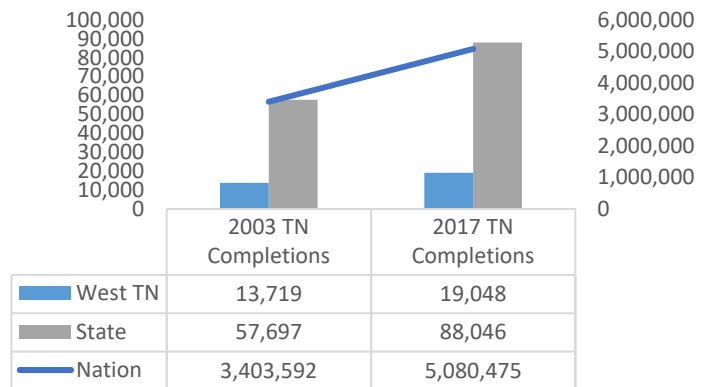
Education and training services offered throughout the region may include:

- Needs-Based Scholarships for Postsecondary Training
- Transportation Stipends for Postsecondary Training and Work Experience
- On-the-Job Training and Incumbent Worker Training Grants
- Apprenticeship Programs

Needs-Based Scholarships, issued through Individual Training Accounts (ITAs) for postsecondary training, are managed in the AJCs by members of the Career Development Services Team. After a thorough assessment and verification that the training plan will lead to employability in an in-demand occupation, staff obligate funds, which is documented in Jobs4TN to allow fiscal staff and the LWDBs to have a clearer picture of funds available and projected expenditures for the program year. A priority of service policy is in place in each local area to ensure the most in need receive services first.

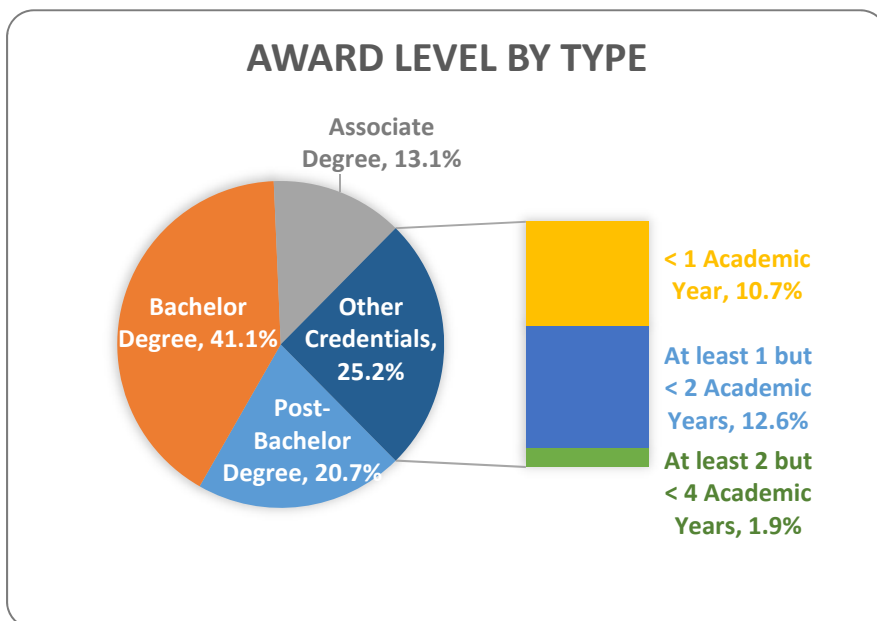
Per EMSI, throughout West TN, 70 institutions are offering a combined total of 1,720 programs. In 2017, there were 19,048 completions in the area, while there were 71,786 annual openings that year. While the number of completions in West TN increased by 38.8% between 2003 and 2017, the State saw an increase of 52.6% while the Nation saw an

2003 - 2015 Completions Trends



increase of 49.3%. Of the completions in 2017, the majority, or 41.1% earned a Bachelor degree. A Master degree was awarded to 13.7%, while an Associate degree was awarded to 13.1%. Other academic credentials were awarded to 25.2%.

West TN is sensitive to the needs of employers and makes every effort to eliminate skills gaps of job applicants. When ITAs are not appropriate or do not fully address the skills needs of a specific employer, Business Services Team members may authorize On-the-Job Training reimbursement for new hires with experience below the O*Net Specific Vocational Preparation level. Additionally, if



a lack of sufficient providers or programs to meet training needs is identified (i.e. a large layoff resulting in extensive waiting lists for training), a “buy-out” class may be authorized. To maximize efficiency and effectiveness in addressing the education and skill needs of the workforce, including individuals with barriers to employment, and the employment needs of employers, West TN utilizes groups of subject matter experts (SMEs), such as standing and/or ad hoc committees of the LWDBs, or employer-driven councils, boards, and / or groups. Such groups may include the Greater Memphis Medical Device Council, Steel Fabricators Council, Process Technology Talent Council, Commercial Driver’s License Talent Council, Public Service Technician/Blue Path Pathway Program, and various industrial boards. These groups of SMEs, comprised of board members, as well as community members, with expertise in the subject matter, provide vital information and guidance.

Preparing Jobseekers to Enter and Retain Employment with Regional Businesses: Training programs are designed to prepare jobseekers to enter and retain employment with local and regional businesses. In addition to serving on the local boards, private sector representatives often serve on advisory boards for training providers to ensure programs are designed to equip students with the necessary knowledge and skills. All public training providers must also adhere to the policies of the appropriate governing agency, the University of Tennessee System or the Tennessee Board of Regents, for new academic programs, which include provisions for meeting employer needs. The TN Higher Education Commission’s

Division of Postsecondary State Authorization oversees and monitors private proprietary schools offering training programs leading to a vocation, college credit, or an educational credential. An annual report is issued each fiscal year with detailed program performance including the number and rate of students placed in the field of study. Prior to being placed on the state’s Eligible Training Provider List (ETPL), programs must be approved by the local boards, which review local and regional labor market information to determine if in-demand occupations exist for the program. After a one-year initial eligibility period, programs may be reviewed and renewed by the local boards every two years. To remain on the ETPL, providers must submit quarterly performance reports to the TN Department of Labor and Workforce Development (TDLWD) detailing how programs are performing in credential attainment, employment during the 2nd and 4th quarter after exit, and median earnings. Before issuing Individual Training Accounts (ITAs) to fund approved programs, staff in the American Job Centers also evaluate the appropriateness of the training for each individual customer’s unique situation. Finally, career pathways are developed for targeted industry sectors to ensure successful transitions from secondary, to postsecondary, to employment.

2. Strengths and Weaknesses of Workforce Development Activities: The strengths, weaknesses, opportunities, and threats (SWOT) of workforce development activities in the region were analyzed by staff and partners of the local areas in West TN on August 9, 2016 as part of the regional planning process. After review by the Regional Planning Council, the below items were identified as the top five priorities for each category. The SWOT Analysis is the primary basis of the planning process and enables all partners to visually review how the organization and region can grow and improve. Additionally, all partners are creating action plans to address key weaknesses and to take advantage of opportunities.

SWOT Analysis for West TN, January 2017

Strengths	Weakness
<ol style="list-style-type: none"> 1. Abundance of training institutions within the region 2. Strong work ethic of the region 3. Willingness of partners to work together 4. Diversified pool of labor 5. Multiple industrial sites available including the centrally located Memphis Regional Megasite 	<ol style="list-style-type: none"> 1. Lack of soft skills among job seekers 2. Lack of skills among a portion of the workforce 3. Perceived reputation of workforce development services 4. Education challenges such as inconsistent quality of secondary education across the area 5. Internal/external awareness and knowledge of workforce services
Opportunities	Threats
<ol style="list-style-type: none"> 1. Postsecondary educational expansions / investments 2. Employer investments in workforce training 3. State education initiatives such as TN Promise, TN ReConnect, and LEAP 4. Projection of future in-demand industries (new opportunities from technology-driven skills) 5. TN Dept. of Economic & Community Development’s Rural Programs 	<ol style="list-style-type: none"> 1. Lack of jobs 2. Relevance – Can the AJC supply what employers need / want? 3. Lack of funding for workforce services 4. Lack of alignment of training to employer needs due to continuous changes in technology and processes 5. Loss of jobs to automation and globalization

Capacity to provide the workforce development activities to address the education and skills needs of the workforce, including individuals with barriers to employment, and the employment needs of employers: West TN supports the service alignment strategy identified in the State Plan through increased coordination, leveraged funds, seamless customer service delivery, and functional alignment of services. Memorandums of Understanding (MOUs) are maintained by each local board with the required American Job Center (AJC) partners to carry out the TDLWD Service Integration Policy. An umbrella MOU is utilized to facilitate transparent and flexible agreements that are not burdensome and allow partners to focus on service delivery. The MOU identifies the roles and resource contributions of each partner, establishes a cooperative and mutually beneficial relationship among the parties, ensures that all customers are referred to unique services, and provides for a referral process between agencies. Each of the local boards in the West TN region also maintain cooperative agreements with Vocational Rehabilitation, and other Core Partners, which define how local service providers and partners cooperatively carry out the requirements for the integration of, and access to, the entire set of services available in the local one-stop system through cross training of staff, sharing of information, and cooperative efforts with employers.

According to the TDLWD’s PY18 Q1 Dashboard, during Program Year (PY) 2017, the West TN region funded 868 ITAs for Adults and Dislocated Workers, and an additional 260 ITAs for Youth. Over 5,800 enrollments into Title I Adult, Dislocated Worker, and Youth programs occurred throughout West TN during PY 2017, and the AJCs saw nearly 43,000

unique visitors and provided over 140,400 services. Additionally, over 27,600 employer services were provided. The Jobs4TN Targeted Population Summary report indicates that 3,928 barriers to employment were present among individuals active during PY 2017, including 140 individuals with disabilities, 1,119 underemployed, 673 single parents, 490 basic skills deficient individuals, 176 offenders, 223 homeless individuals, and 563 pregnant or parenting youth.

3. Expanding Existing Service Strategies Based on Return on Investment (ROI): To fulfill the State of Tennessee Workforce Vision of increasing the competitive position of Tennessee business through the development of a high skilled workforce, the West TN region will continue to focus on developing and maintaining strong partnerships with local and regional businesses. As the primary customer of the workforce system, services to employers are the primary objective of the West TN region's existing service strategy. The Jobs4TN online system allows employers to access an assortment of services at no cost to the local areas, the region, or the employers:

- (a) labor market information from the TN and U.S. Departments of Labor, and the Bureau of Labor Statistics;
- (b) access to thousands of qualified local jobseekers;
- (c) post jobs and automatically screen candidates based on specified criteria; and
- (d) contact candidates directly through the message center.

Staff serving on the Business Services teams assist employers in utilizing these services as well as work-based learning programs such as On-the-Job Training (OJT) and Incumbent Worker Training (IWT) to upgrade the skills of new and existing employees respectively. During PY 2017, each local area in West TN received funding through Consolidated Business Grants (CBGs) to fund such initiatives. According to the TDLWD's PY18 Q1 Dashboard, of the 116 CBG pre-applications obtained, 53 contracts were signed, including 40 OJT contracts, two apprenticeship contracts, and 31 IWT contracts. Of the 53 executed contracts, 43, or 81% completed resulting in 1,289 skills upgrades. During PY 2018, West TN is expected to receive a combined total of \$1,666,665 in CBG funding, a significant increase above the PY 2017 funding levels, to continue to provide services to employers. Assuming all funded is expended, if the number of skills upgrades from PY 2017 is met or exceeded in PY 2018, each skills upgrade will be at a cost of \$1,293 or less. Expanding West TN's business-focused strategy will only strengthen the ROI.

Existing Service Strategies to be Curtailed or Eliminated Based in Minimal ROI: West TN has not identified any service strategies to be curtailed or eliminated based on minimal ROI. Participation rates and costs of services will be continually evaluated by the local areas and brought before the RPC as needed to evaluate the need for adjustments to services.

New Service Strategies to Address Regional and Educational Needs Based on Promising ROI: Based on the promising ROI of business-focused strategies, West TN will adopt the Workforce and Corrections partnership with the goal of improving labor market outcomes of the state's formerly-incarcerated population, often known as justice-involved or ex-offenders. The local boards and RPC will partner with community-based organizations (CBOs), reentry service providers, local sheriffs, and representatives of State Parole and County Probation Departments to provide seamless, integrated, and effective services to the formerly incarcerated and other justice-involved individuals. Recognizing the opportunity to work with inmates prior to release can reduce the rate of recidivism, regional partnerships to serve justice involved individuals (current or former) will interface with existing regional sector pathways efforts, including identification of and engagement with employers, industry sector partners, and labor-management partners who are willing to hire them, including those with felony convictions and those who are currently under state or county supervision. While members of the Business Services teams work with employers to develop OJT, IWT, apprenticeship, work experience, and transitional job opportunities for such individuals, members of the Career Development Team will work with the individuals and partner organizations to ensure individuals receive the appropriate basic and individualized career services and supportive services to be successful in work-based or other training learning opportunities.

Supporting State Strategies and Goals to Align and Integrate Education, Workforce, and Economic Development: To align and integrate education, workforce, and economic development, and in order to address the skill gaps revealed through labor market data and discussions with key stakeholders as described above in the *Skills Gap Analysis* section, the West TN region focuses on enhancing training opportunities and providing individuals with the knowledge and

resources needed to take advantage of them. Data from the [Economic Analysis of West TN](#) is used as a foundation to begin discussions and develop partnerships with educational institutions such as TN Colleges of Applied Technology (TCAT), Community Colleges, and Universities to address educational needs in the area, and achieve the goal of the Drive to 55 initiative, by ensuring the availability of needed training opportunities.

To meet the needs of employers and align education and training opportunities with targeted industries and occupations, West TN also takes advantages of initiatives and opportunities such as TN Pathways TN when possible to collaborate with workforce, education, training, and employer partners. The TN Pathways initiative supports alignment among K-12, postsecondary education, and employers across the state so that students have a clear and guided pathway to gain the knowledge and experience needed to move seamlessly into the workforce. TN Pathways directly supports the Drive to 55 goal to equip at least 55% of Tennesseans with a college degree or certificate by 2025 through: 1. High-quality college and career advisement throughout K-12; 2. Rigorous early postsecondary and work-based learning opportunities in high school; and 3. Seamless vertical alignment between K-12, postsecondary programs, and career opportunities as a result of effective partnerships among school districts, higher education institutions, employers, and community organizations. West TN will partner with the TN Pathways Regional Coordinators to certify pathways high schools and work to have a majority of graduates earn a postsecondary credential. To yield a pipeline of skilled entry-level workers to address the current and projected skilled worker shortage, West TN will also:

- Research labor market information and assist in the engagement of employers in the region to determine current and future hiring needs.
- Coordinate with middle school personnel to understand, develop, and/or enhance career exploration activities for students, beginning in the 7th grade, to assure programs align with industry needs.
- Facilitate interaction between employers and middle/high school teachers, counselors, and/or administration to provide “real world” workforce expectations of business and industry, including career pathways, work ethic and soft skills.
- Coordinate with secondary schools and postsecondary institutions to develop career pathways for students that meet the needs of the students and employers.
- Partner regionally with economic development entities and other critical stakeholders, including TN Pathways Tennessee, to better align education and workforce development activities and policies with regional labor markets, economic growth strategies and employer demand.
- Partner with the business community, including business associations, and educational institutions (including secondary and postsecondary institutions such as community colleges) to design and implement programs and career pathways that lead to credentials and employment.
- Partner with and leverage resources from other Federally-funded programs, such as Adult Education, Vocational Rehabilitation, Temporary Assistance for Needy Families (TANF), Small Business Development Centers, etc.
- Partner with community-based organizations, since they are key providers of basic skills training, technical skills training, supportive services, and workforce development services in communities across Tennessee.
- Sustain work experience opportunities. In addition to regular WIOA Youth formula funds, local areas can use other resources, such as Job Corps, and fund matching from private industry.

B. Transportation and Other Supportive Services

Given the large numbers of individuals with barriers to employment in the region, transportation and other support services are of the utmost importance to ensuring successful outcomes for customers. While a range of support services is available to help customers overcome barriers to successfully complete training and / or gain employment, West TN must be ever mindful of emerging and changing needs in determining support services needed in the region. For instance, many customers struggle to access a computer and / or internet, prompting consideration of offering support services to provide internet access.

1. Regional Organizations Providing Supportive Services: Each local area in West TN maintains Memorandums of Understanding (MOUs) with the required AJC partners to define the mutually agreed upon roles and responsibilities of each Partner for the operation of the Tennessee One-Stop Service Delivery system. AJC partner programs providing supportive services throughout West TN may include Title I Adult, Dislocated Worker, and Youth programs, Job Corps,

Trade Adjustment Act, Indian and Native American Programs, State Vocational Rehabilitation programs, Temporary Assistance for Needy Families, and Community Service Block Grant programs. Examples of support services currently offered by Title I programs in West TN include:

- Test fee stipends to customers seeking to earn a high school equivalency program.
- A one-time payment for work-related expenses such as appropriate work attire, uniforms, tools, medical physicals, background checks, drug screens, industry certifications, driver's license fees, or other employment-related needs are available to Work Experience participants.
- Childcare support in the form of a weekly stipend paid to a licensed daycare facility is available.
- Transportation stipends.

Special attention to transportation support services is needed as this is perhaps the greatest barrier for many AJC customers, and thousands of individuals commute into and out of the region for employment. While mass public transportation is available in Jackson in the Southwest area and Memphis in the Greater Memphis area, it is not available in the Northwest area or other rural areas of the region. Therefore, individuals needing transportation assistance may utilize transportation services available through various community agencies such as Northwest TN Human Resource Agency, Southwest Human Resource Agency, and Delta Human Resource Agency, which provide transportation service for the citizens of the region to ensure access to medical and educational facilities, employment sites, shopping centers, and various other businesses and services. Transportation stipends for eligible participants attending an approved training provider and program for occupational skills training is currently available in each of the local areas through a stipend payment paid at intervals consistent with the training provider terms. Individuals participating in work experience through the Northwest area may also receive a travel stipend for the first 30 days of work experience to offset their gas expenses until they have received one month of pay.

2. Coordination of Supportive Service Delivery: As a Basic Career Service, the provision of referrals to, and coordination of activities with other programs and services, including those within the one-stop delivery system and, when appropriate, other workforce development programs is available to all customers of the AJCs. Based on customers' needs, staff serving in the Welcome Function make referrals to appropriate agencies for support and other services. For example, customers may be referred to the Department of Human Services or a Head Start program to apply for childcare services, to Access from AT&T for discounted home internet service, or to various community agencies regarding assistance for commodities, electric bills, and telephone access. Each AJC maintains appropriate contact and other information to facilitate referrals for services. Telephones and computers are also available for customers to access offsite partners. Staff in the AJCs also coordinate with partner programs, such as Workforce Essentials, administrator of the Temporary Assistance for Needy Families (TANF) program, or Trade Adjustment Act (TAA), for participants receiving transportation assistance from another partner organization. For example, participants receiving transportation assistance through Workforce Essentials or TAA may have the total amount anticipated to be received in transportation assistance deducted from the transportation assistance amount Title I staff expects to pay. If the partner program covers the full expense, Title I staff will coordinate to provide other needed services such as case management and job search assistance, to maximize services for the customer.

To enhance the provision of transportation and other supportive services, the Regional Planning Council (RPC) will ensure the sharing of best practices for possible replication, such as the use of gas cards for the payment of transportation stipends. Additionally, West TN will continue to maximize funding available for supportive services by coordinating services through programs such as TN Promise and TN ReConnect, as well as forms of financial aid such as Lottery scholarships and Pell grants, allowing Title I funding to be awarded to customers for supportive services instead of training services. Through collaboration with programs offering supportive services West TN will also maximize customers' access to services not available through the AJC. For example, West TN will consider partnering with agencies offering transportation services on behalf of customers who lack means of transportation to coordinate schedules, arrange services, or to potentially fund such services for both individuals and groups. Coaching and mentoring services available through the AJCs and partner programs, such as TN ReConnect, will also be utilized to assist customers in obtaining needed services. Each local area maintains policies and procedures for administering and coordinating support

services to ensure funds are spent in a manner that avoids redundancy. The RPC will continue to provide oversight and guidance regarding the need for additional support services, policies, and procedures.

C. Coordination with Regional Economic Development Services and Providers

1. Organizations and Businesses Engaged in Regional Planning: West TN strives to coordinate efforts with regional economic development services and providers by aligning services, participating in economic development programs, and ensuring residents have the skills and knowledge needed to meet the current and future needs of employers. Economic development representatives, including individuals from the State of TN's Department of Economic Development, and various Chambers of Commerce in the region have been invited to, and have participated in, both local and regional planning sessions. Representatives from economic development also serve on the local boards, standing committees, and the RPC, and are actively engaged in the planning process. Training providers in the region, including Dyersburg State Community College, Jackson State Community College, and various TN Colleges of Applied Technology, supply Chambers of Commerce with education and training data, including current program offerings and completion information, which is used to market the region to prospective industries. Both established and prospective employers can utilize trainings designed with their unique needs in mind. Small Business Development Centers in the region also provide valuable training to existing and potential small businesses. Private business representatives constitute 51% of the local boards, which are charged with coordinating with economic development organizations. Representatives from businesses within the below industries currently serve on a local board in West TN:

- Manufacturing
- Education
- Social Assistance
- Finance, Insurance, and Banking
- Healthcare
- Staffing Services
- Electric Power Distribution
- Electrical Contracting
- Recycling
- Food Service
- Security Services
- Legal Services
- Non-Profits
- Distribution, Transportation & Logistics
- Small Businesses including Pest Control, Marketing / Advertising / Public Relations, Agricultural Technology, Plumbing, Construction, Landscaping, Real Estate, Facilities Maintenance, and Retail

2. Organizations or Businesses Declining to Participate: Fortunately for West TN, all organizations and businesses invited to serve on the RPC agreed to do so.

3. Input Provided by Regional Economic Development Organizations and Businesses: Local Elected Officials, LWDB members, core and required partner programs, private business, postsecondary institutions, and economic development agencies, including Small Business Development Centers, Chambers, and Development Districts were invited to participate in development of the local and regional plans. The information gathered during local and regional planning sessions guided the RPC throughout the remainder of the regional planning process. During the local and transitional regional planning process, each local area in the planning region conducted a local planning session with key stakeholders in the local and regional area, including economic development organizations and businesses. Prior to the local planning session, stakeholders were asked to complete a brief survey regarding the perceived mission, vision, priorities, and goals for the local boards. The information was gathered by Thomas P. Miller & Associates, convener of the local and regional planning sessions, to shape the discussions of the sessions. During each local planning session, participants explored the role of the local boards in strategic planning, reviewed demographic and labor market information for the area, developed draft mission and vision statements, identified strategic priorities, and discussed next steps and future goal development. After each local session, the three LWDBs in the West TN region participated in a regional planning session on August 9, 2016. During this session, participants reviewed the draft mission and vision statements and strategic priorities from the local planning sessions, conducted an analysis of strengths, weaknesses, opportunities, and threats (SWOT), identified regional strategic priorities, discussed next steps and future goal development, and developed a regional vision statement for the region. Upon receiving local and regional plan modification guidance, the information was shared with the RPC via email on December 6, 2018 for review and comments and feedback. Local and regional plans are also posted for public comment, with notice being given to both

the public and stakeholders, including economic development organizations and businesses. Any comments received during the public comment period are addressed in the plan prior to submission.

4. Input Incorporated into the Regional Plan: During the transitional regional planning process, the RPC met monthly and after the completion of the regional planning process, the RPC has continued to meet quarterly to provide continuous input to the regional plan and service strategies. Regional Council members continue to ensure the sharing of best practices for the purposes of identifying service delivery strategies to be expanded throughout the region. For instance, service delivery strategies to offenders in the Southwest area, transportation stipend delivery in the Northwest area, and “street teams” to deliver career services via access points and other methods in the Greater Memphis area, were all best practices identified by the RPC for consideration of expansion throughout the region. The RPC also identified the following as possible service strategies during the transitional planning processes which have been given further consideration in subsequent RPC meetings:

- A common application in order streamline services for both job seeker and employer customers.
- Align support service policies to ensure all customers receive similar services.
- Develop a process to jointly offer OJT contracts to employers in the region.
- Seek and utilize grant funding as a region to enhance and expand service offerings.
- Enhance methods of addressing soft-skill gaps.
- Coordinate with employers to utilize resources/funding saved through OJT/IWT grants for other training needs.
- Maximize services through coordination with, and referral to, core and other partners including K – 12, postsecondary, SNAP E&T, RESEA, TANF, and others, as described in the TN WIOA Combined State Plan for 2016 – 2020 as well as the Service Integration Policy.

The RPC also works to identify additional strategies for maximizing geographic advantages such as the Memphis Regional Megasite, the Port of Cates Landing, and the Port of Memphis. While these opportunities are attractive to prospective industries, the workforce system must be able to supply the workers needed to meet needs of employers.

D. Coordination of Administrative Cost Arrangements

Infrastructure Funding Agreements (IFAs) are developed with onsite partners at the AJCs in order to establish methods of cost sharing. IFAs are updated quarterly and reviewed by partner leadership for accuracy and monitoring of shared costs and expenditures. The fiscal staff for the local board invoices partners monthly to ensure timely payment of shared costs. Program funds are also braided with other Federal and State programs, such as Trade Adjustment Act, TN Promise, TN ReConnect, Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T), TANF, Senior Community Services Employment Program (SCSEP), Disabled Veterans Outreach Programs, and Re-Employment Services Eligibility Assessment (RESEA) in order to eliminate duplication and leverage dollars to maximize resources and services. AJC partners also enter into Memorandums of Understanding (MOUs) in order to leverage resources, eliminate duplication of services, and improve effectiveness, thereby decreasing administrative and program costs. Current MOUs and IFAs reflect the sharing of infrastructure costs among partner programs, based on proportionate use of the AJCs and relative benefit received. A variety of methods to allocate costs are evaluated during the process for establishing infrastructure cost sharing agreements, possibly including: the proportion of a partner program’s occupancy percentage of the AJC (square footage); the proportion of a partner program’s customers compared to all customers served by the AJC; the proportion of partner program’s staff compared to all staff at the AJC; or a partner program’s use of equipment or other items that support the local AJC delivery system. Under the guidance of the Regional Planning Council, the local areas in West TN will also consider utilizing cost sharing arrangements when appropriate, for administrative costs such as the development of the regional plan, processing On-the-Job Training contracts, developing marketing materials and a regional Annual Report, seeking and applying for grant funding, and the selection of a one-stop operator.

Vision, Goals, and Implementation Strategies

A. Strategic Vision to Support State, Regional and Local Economic Growth

Based upon input from local and regional stakeholders, including business, education, and workforce development stakeholders, the Regional Planning Council (RPC) developed a vision of the workforce boards in West Tennessee: to

foster a region where skilled workers contribute to thriving businesses, economic growth, and a high quality of life. To achieve this vision, the RPC, local boards, and partners strive to develop a quality workforce system to meet the needs of area employers and job seekers, thereby supporting, state, regional, and local economic growth, by:

- 1) Increasing the skills and knowledge of Northwest Tennesseans to meet the needs of employers now and in the future;
- 2) Creating career pathways from high school, postsecondary education / training to the workforce; and
- 3) Eliminating duplication and leveraging dollars to provide more opportunities to the existing and emerging workforce.

B. Goals for Preparing an Educated and Skilled Workforce

1. Goals to prepare an educated and skilled workforce, including Youth and individuals with barriers to employment:

To fulfill the vision for West TN, the workforce system is emphasizing serving those who are most in need. In order to reach out to members of such target populations, staff conduct outreach activities, to discuss services, distribute and / or post marketing materials, schedule outreach efforts such as group presentations or a table of information materials, and develop plans for additional outreach, at various community locations, including those specifically serving target populations. Such organizations may include Adult Education classes, libraries, Department of Human Services, Health Department, Housing Authorities, churches, Boys & Girls Clubs, schools, postsecondary institutions, and Head Start programs. Outreach efforts strive to connect regional target populations to occupational demands by engaging them in utilizing services such as Individual Training Accounts (ITAs) for postsecondary training, as managed in the AJCs by members of the Career Development Services Team. While many job seekers choose to attend postsecondary training to gain necessary job skills, others find that “hands on” work-based learning, such as apprenticeships and On-the-Job Training (OJT), are a better fit as they provide an income to sustain them while learning skills. OJT is available to companies with full-time job opportunities, with a focus on employment sectors identified in the Governor’s Economic and Community Development Jobs4TN Plan. The obligation of training funds is documented in Jobs4TN allowing fiscal staff and the LWDBs to have a clearer picture of funds available and projected expenditures for the program year. “Priority of service” policies are also in place to ensure individuals with barriers to employment, the most in need, receive training services such as these first.

2. Goals relating to the Performance Accountability Measures based on Performance Indicators: Each local area’s success in providing the services outlined in the regional plan is measured by Performance Standards developed by the US Department of Labor, which are broken out by the Adult, Dislocated Worker, and Youth funding streams. These standards are then negotiated with each of the states, including TN. TDLWD then negotiates with the local areas across the State. On a local level, the local board holds subcontractors to the same performance levels. Performance levels are measured across the areas of employment rates for 2nd and 4th quarters after exit and credential attainment within four quarters after exit for all programs, as well as median earnings for 2nd quarter after exit for the Adult and Dislocated Worker programs. To be successful as a region, it is vital that each local area achieve the local performance goals, as well as performance dashboards developed by the TDLWD for pre and post-program outcomes. To accomplish this goal, the West TN region will ensure open communication regarding best practices that promote efficiency and effectiveness in delivering workforce services.

C. Regional Strategies to Achieve the Vision and Goals

Strategies to achieve West TN’s vision to *foster a region where skilled workers contribute to thriving businesses, economic growth, and a high quality of life*, include:

- 1) Increasing the skills and knowledge of Northwest Tennesseans to meet the needs of employers now and in the future;
- 2) Creating career pathways from high school, postsecondary education / training to the workforce; and
- 3) Eliminating duplication and leveraging dollars to provide more opportunities to the existing and emerging workforce.

The RPC, which includes members of the core partners as well as other partners, identifies regional and local in-demand and emerging sectors using available labor market data, strategy meetings, and other data gathering methods. Workforce efforts are then focused on identified sectors through services available through AJC partners, such as the development of career pathways in manufacturing and healthcare. Members of the Business Services Team also conduct outreach in order to educate employers on the services available through the AJC designed, with employers' input, to meet their needs and support talent development. Coordination between training institutions, funding sources, the local

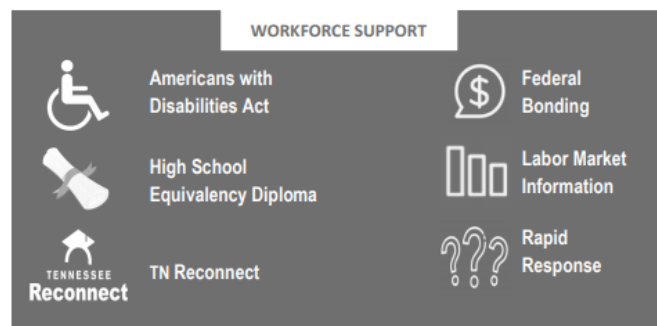
boards, and employers ensures that training is available for in-demand occupations in the local area, current and prospective students are aware of various resources for funding training, including those offered by the partner programs, and that resources are leveraged through co-enrollment and referrals to eliminate duplication.

1. Facilitating engagement of employers in workforce development programs, including small employers and employers in in-demand industry sectors and occupations: Understanding and meeting the needs of employers is given the utmost importance and is achieved through a collaboration of the RPC, local boards, and partners serving on the Business Services Team, such as Title I Career and Business Services, Labor Exchange, Veterans Programs, Trade Act, Re-Employment Services, Unemployment Insurance, Economic Development, Temporary Assistance for Needy Families, and Vocational Rehabilitation. The Business Services Team is responsible for connecting with companies, including small employers, in targeted industry sectors and occupations, and other employers that have hiring needs, to understand and meet their needs through a variety of employer-driven initiatives and services. Business Services can assist with Recruitment & Screening, Grants and Incentives, and Workforce Support to address the needs and skills gaps as identified by local employers. Labor market information (LMI) is also available through Jobs4TN and Economic Modeling Systems, Inc. (EMSI) to help employers identify average wages for jobs in an area, which occupations are predicted to have the most future job openings, as well as unemployment rates in an area, and much more. Business Services Team members connect with area employers by participating in regional economic development groups comprised of training providers, Chambers of Commerce, plant managers, and economic developers to determine high-growth jobs and industries that are adding substantial jobs to the local economy. Local employers also serve on the local boards.

2. Supporting a local workforce development system that meets the needs of businesses in the local area: The Business Services Team assists in identifying and meeting the needs of employers in existing and emerging industries and occupations by building relationships through local and regional initiatives, identifying means of addressing human resources needs, promoting and facilitating the use of AJC services such as On-the-Job Training grants, customized training opportunities, and the availability of Incumbent Worker Training grants. Other services provided to new and prospective companies by the Business Services Team and AJC Partners include:



- Pre-screening Applicants – Analyzing job applications and pre-screening applicants based on minimum requirements, then referring qualified candidates to various pre-employment assessments.
- Job Fairs – Facilitating, organizing, planning and finding qualified labor for open positions, including joint job fairs across local areas.
- Labor Market Information – Labor Market FAQs can be found on www.Jobs4TN.gov - an online resource that provides access to a wide variety of information about jobs in the local area, such as the average wages for jobs in an area, the occupations predicted to have the most future job openings, the salary expectations for specific occupations, and county unemployment rates.



- Virtual Career Center – Using the Jobs4TN online website to connect employers to job seekers by listing job orders and making coordinated referrals based on job descriptions.
- On-the-Job and Incumbent Worker Training – Educating employers about the availability of OJT and IWT funds to assist in upgrading skills of new and existing employees.
- Unemployment Insurance (UI) Services – Using Jobs4TN to report layoffs and closures, workers to file claims, job

search, and complete weekly certifications, and connect to programs for UI recipients including Re-Employment Services Eligibility Assessment (RESEA).

Furthermore, together, the Business Services and Career Development Services Teams fulfill the needs of both the employer and the job seeker through work-based learning opportunities such as apprenticeships, paid work experience, and On-the-Job Training (OJT). These opportunities, providing unemployed customers with both employment and training simultaneously, make training possible to individuals who would not be capable of supporting themselves and their families without an income. In order to connect unemployed individuals with these opportunities, members of the Business Services Team focus on developing job placement opportunities with regional employers while members of the Career Development Services Team focus on preparing job seekers for these opportunities through resume assistance, interviewing skills training, and addressing soft skills deficiencies.



3. Coordinating workforce development programs and economic development: The Business Services Team members focus efforts by working with the Economic and Community Development team to ensure targeted industries align with the Governor’s Sector Strategies. Thorough analysis of the labor market data and discussions with key stakeholders have resulted in the identification of in-demand sectors in the local area on which to focus workforce development efforts in order to address the middle-skills gap and meet the needs of employers: (1) Healthcare; (2) Transportation and Logistics; (3) Advanced Manufacturing; and (4) Business Services, with a particular emphasis on Information Technology. Shared information and data agreements may be utilized to support access to information and information sharing between the partners as allowed by authorizing laws and regulations. All marketing material used in the AJCs include the federal brand of American Job Center Network, which has been incorporated into all flyers, brochures and outreach material.

4. Strengthening linkages between the one-stop delivery system and unemployment insurance (UI) programs: AJC staff are cross-trained to provide meaningful assistance for UI, including assisting customers in using Jobs4TN.gov to complete claims, weekly certifications, and utilizing the live chat feature, or submitting help desk tickets. Fax machines are also available at the AJCs to allow customers to submit needed information to the TDLWD State office if necessary. A LWDB staff member also serves as the Rapid Response Coordinator for the local area and coordinates with partners to provide assistance to employers and affected employees through Rapid Response services. Additionally, Title I and Title III staff are responsible for recording these services in Jobs4TN by entering activities into the individual's or employer's account. Marketing materials are made available at all AJCs. Reemployment Services and Eligibility Assessments (RESEA), designed to assist individuals receiving UI with appropriate reemployment services, such as referrals to education and training, that will lead to successful employment outcomes, is co-located into the AJCs when possible. Customers who receive RESEA services are automatically selected through a computer model that identifies the UI recipients most likely to benefit from receiving one-on-one services from a RESEA staff member. The program strives to assist participants in overcoming barriers so that they can make a successful transition to gainful employment. Customers receive an orientation to all RESEA and AJC services, assessments to identify customers’ needs, and assist customers in developing an Individual Employment Plan (IEP) that the details the customer’s employment goals and objectives.

5. Promoting entrepreneurial skills training and microenterprise services: To promote entrepreneurial skills training and microenterprise services, members of the Business Services Team connect with Chambers of Commerce, TN Small Business Development Centers, and other organizations serving small employers to connect with employers in targeted industry sectors and occupations, and other employers that have hiring needs, to understand and meet their needs through a variety of employer-driven initiatives and services. Business Services can assist with Recruitment & Screening, Grants and Incentives, and Workforce Support to address the needs and skills gaps as identified by local employers. A Starting Your Own Business workshop is also offered through the AJCs in partnership with the TN Small Business Development Centers. Attendees learn the skills and information they need to get started, including successful business ownership traits, assessment of the business idea, and the “mechanics” of starting a business – forms of ownership, insurance, financing, and more.

6. Implementing initiatives, services, and strategies to meet the needs of regional employers: The West TN region will continue to focus on developing and maintaining strong partnerships with local and regional businesses. As the primary customer of the workforce system, services to employers, such as Incumbent Worker Training (IWT), On-the-Job Training (OJT), and customized training, are the primary objective of the West TN region’s existing service strategy. Industry and sector strategies, career pathways initiatives, and utilization of effective business intermediaries, are also primary focuses of the West TN region. The TN Pathways Coordinators for the three local areas in West TN serve as members of the Regional Planning Council (RPC), and provide guidance and coordination for connecting secondary schools to postsecondary training providers and employers in target industry sectors. In addition to the strategies listed below, best practices for offering these services will be shared and implemented when possible.

- Utilize Consolidated Business Grant (CBG) funding to offer services to eligible employers in order to upgrade the skills of new and existing employees.
- Collect and analyze data regarding employer usage of AJC services such as employer surveys and employer services reports in Jobs4TN.gov.
- Conduct informative meetings and/or listening sessions for employers and employer intermediaries such as Chambers of Commerce and Small Business Development Centers to promote knowledge and use of services.
- Utilize all available resources for publicizing and promoting AJC services including flyers and brochures, press releases, social media pages, news outlets, and the State of TN Communications office resources.
- Maximize services through coordination with, and referral to, core and other partners including K – 12, postsecondary, SNAP E&T, RESEA, TANF, and others, as described in the TN WIOA Combined State Plan for 2016 – 2020 as well as the Service Integration Policy.
- Increase communication among partners to eliminate duplicated services and leverage resources.
- Participate in related events and activities to promote services.
- Promote sharing of job openings and hiring events with internal and external partners.
- Support awareness and adoption of innovative sector models, partnership strategies, and career pathways.
- Seek and utilize grant funding as a region to enhance and expand service offerings.
- Enhance methods of addressing soft-skill gaps.
- Coordinate with employers to utilize resources and/or funding saved through grants for other training needs.

D. Aligning and Integrating Education, Workforce, and Economic Development

The mission on the TN Department of Economic and Community Development (ECD) is to develop strategies that help make TN the # 1 location in the Southwest for high quality jobs. To fulfill this mission, ECD has set five long-term objectives and has set all of these goals for 2025:

1. To have the lowest unemployment of the dozen states in the Southeast.
2. To rank among the top 2 states in the Southeast for personal income per capita.
3. To have the highest private capital investment per capita in the Southeast.
4. To eliminate all Tennessee counties that are federally designated as distressed counties. This designation is based on poverty rates, income levels and unemployment rate.
5. To secure predominantly high-quality jobs from expanding or newly locating businesses in Tennessee, defined as 55% of job commitments paying at or above the county median wage where the private investment is made.

To support the efforts of ECD in fulfilling their goals, West TN strives to increase access to education, training, and employment, particularly for those with significant barriers to employment, align education, workforce, and economic development (ED), improve quality and labor market relevance of workforce investment, education, and ED efforts, promote the improvement in the structure and delivery of services, increase economic self-sufficiency, meet employer needs, and enhance the productivity and competitiveness of TN.

1. Access to education, training, and employment, particularly for those with significant barriers to employment: West TN strives to increase access and utilization of career and training services by:

- (1) incorporating programs designed to serve particular target populations within the AJCs, when possible;

- (2) developing programs to serve customers with special needs, such as offender and re-entry programs; and
- (3) ensuring access to workforce development services are available to all area residents.

Co-Location of Programs Serving Target Populations: West TN strives to incorporate programs designed to serve particular target populations within the AJCs. In addition to TANF, Youth , and RESEA programs being offered through the AJCs, the Supplemental Nutrition and Assistance Employment and Training (SNAP E&T), a partnership between the Department of Human Services and TDLWD, allows eligible SNAP recipients to receive job readiness services such as job search assistance, training or educational placement assistance and scholarships, high school equivalency test fees, and books and transportation assistance for Adult Education classes. These funds offset the need for ITA funds to be applied towards tuition and fee costs, allowing ITAs to cover other costs such as books, supplies, tool, uniforms, and transportation stipends. Aligning services such as SNAP E&T and ITAs allows customers to receive all the help they need, but also provides a way for LWDAs to maximize the funds available and to serve more customers. A YouthBuild program is also available in the Greater Memphis area to provide participants with academic or construction training, work experience, and leadership development. Vocational Rehabilitation's and Greater Memphis area's Ticket to Work Programs strive to provide re-employment services to individuals with disabilities to facilitate a successful transition into the workplace. The Disabled Veterans Outreach Program is also available to provide services to disabled veterans.

Development of Programs for Target Populations: In addition to engaging target populations in the use of AJC services, programs are developed to serve customers with special needs, such as offender and re-entry programs. West TN will continue to enhance these efforts as described in Workforce and Connection partnership section below.

Access to Services: West TN strives to ensure workforce development services are available to all area residents by maintaining an AJC in each county throughout the region. To manage administrative costs, competitive leases are negotiated, partners co-locate in the AJCs when possible, and the LWDAs seek additional funding through grant opportunities. While brick-and-mortar AJCs are valued for cost effectiveness, availability of resources to customers, and visibility in the community, West TN also recognizes the need to bring the services to the customers who may not be able to visit the established AJC given the large service areas and transportation barriers. To bring the services to the people, the TDLWD's Mobile AJC, a mobile center with services customers typically found in a traditional AJC, is utilized to serve remote areas and individuals who are unable to commute to one of the AJCs in the region. The mobile AJC has a computer lab with up to 10 computers with internet access, a fax machine, and copier. Staff are available to offer workshops on resumes and interviewing skills, administer the HiSet exam, provide instruction on basic computer hardware and software using a large monitor and SMART board, and offer assistance with job searching, resume development, interviewing, as well as providing information about training/education opportunities. The Mobile AJC can also serve as a recruitment center for companies moving into the area.

To further enhance access to services, the implementation of "street teams" in the Greater Memphis area was identified during the transitional planning process a promising practice to be considered for replication throughout the region and has since been implemented in the Northwest area. These teams are charged with coordinating with community programs and agencies to provide AJC services via access points or other alternative sites. Customers who visit an alternative site administered by a "street team" receive the same Career Services offered in a traditional AJC, including job search assistance, resume development, workshops, etc. Possible replications of Northwest's use of Skype for "face-to-face" interactions with various one-stop partners and / or employers would allow customers in affiliate sites and access points to virtually receive one-stop services typically only offered onsite at the comprehensive centers. Jobs4TN, a Virtual One-Stop system developed by Geographic Solutions, Inc., also allows both job seeker and employer customers to remotely access secure, web-based AJC services such as labor market information, unemployment insurance, and mediated labor exchange. The system's ability to integrate seemingly different program designs, such as Title I, WP, TAA, Unemployment Insurance, and Adult Education programs also maximizes customer service and efficiency as it provides a common intake and case management information system.

2. Creating a comprehensive, high-quality workforce system by aligning workforce investment, education, and Economic Development: To create a comprehensive, high-quality workforce system, West TN ensures that workforce

development activities meet the needs of employers and support economic growth in the region, by enhancing communication, coordination, and collaboration among employers, economic development entities, education, and service providers. West TN develops and implements proven or promising strategies for meeting the employment and skill needs of workers and employers, as outlined in the Business Services Strategy section, such as the establishment of industry and sector partnerships.

3. Improving the quality and labor market relevance of workforce investment, education, and Economic Development efforts: To fulfill ECD's goal of securing predominantly high-quality jobs from expanding or newly locating businesses in Tennessee, a steady pipeline of qualified candidates is needed. To improve the quality and labor market relevance of workforce investment and develop the needed pipeline of candidates, West TN is aligning education initiatives such as TN Promise, TN ReConnect, and TN Pathways with workforce investment efforts to train individuals for skills in high demand. Thorough analysis of the labor market data and discussions with key stakeholders have resulted in the identification of in-demand sectors in the region on which to focus workforce development efforts in order to address the middle-skills gap and meet the needs of employers: (1) Healthcare; (2) Transportation and Logistics; (3) Advanced Manufacturing; and (4) Business Services, with a particular emphasis on Information Technology. An assortment of training services, including work-based learning, are available to train individuals in these, and other, in-demand areas to meet the needs of employers.

4. Promoting improvement in the structure and delivery of services: The AJCs are the portal to TN's workforce system and provide an array of career and business services. Partners share common performance goals and collaborate in the development and implementation of customer-focused services, where resources are leveraged for maximum efficiency and continuous improvement is the hallmark. To promote improvement in the structure and delivery of services, local boards certify each AJC to ensure employment and training programs are delivered at the highest level of effectiveness and sustainability. The AJCs also utilize the Virtual One-Stop, Jobs4TN, to collect, measure, review, and analyze data, including data regarding required performance measures and AJC service levels. Jobs4TN also allows for data regarding caseloads, AJC visits by reason, case notes, exit status, and many other items to be generated into reports which are shared with staff and stakeholders to identify both strengths and opportunities for improvement. Customer surveys such as are also utilized to gather data regarding customers' experiences in the AJC. Survey results are analyzed to determine if changes or improvements are needed in the AJC. Cross-training allows all AJC staff to share common knowledge of programs and resources and will continue to be utilized to achieve and excel in outstanding customer service through seamless functional and programmatic integration. In 2016, staff members from each of the West TN LWDAs participated in the U.S Department of Labor Customer Centered Design (CCD) Challenge, designed to improve customer service. The CCD team included partners representing Wagner Peyser, Title I, and Temporary Assistance for Needy Families. The result of the project is what the team called "Project Same Page," a multi-phase process of internal cross-training and external marketing intended to help the departments and service providers involved in workforce development to become more integrated with each other and with our local communities. Each partner organization has a simple, single-page information sheet summarizing its services and eligibility criteria, as well as how customers can access these services.

5. Increasing economic self-sufficiency, meeting employer needs, & enhancing TN's productivity and competitiveness: While many areas of TN are experiencing unprecedented growth, many rural areas, particularly in West TN, are not experiencing the same prosperity. West TN was represented among the more than 120 people from 18 different agencies across economic development, tourism, local government, workforce development, small business, health, agriculture, infrastructure, banking, and education, serving on one of six committees charged with developing the strategic plan for the Governor's Rural Task Force. The Task Force's recommendations focus on capacity building and placemaking, including education programs to encourage work-based learning and a new rural teacher initiative; plans to reduce recidivism through employment programs, and offer resources for rural entrepreneurs and small businesses. The Task Force is already working to implement some of its recommendations and will also support and empower local communities to build upon these programs to develop their own local programs. West TN supports the effort of the Task

Force in building a stronger rural TN by collaborating with partners and stakeholders to continuously improve workforce development through aligning resources and offering new strategic initiatives.

Program Year 2018 - 2020 Local Plan for the Northwest Workforce Development Area

*Serving the Counties of Benton, Carroll, Crockett, Dyer,
Gibson, Henry, Lake, Obion, and Weakley*



The Local Plan was open for Public Comment January 3, 2019 – January 17, 2019. Comments or questions were to be submitted in writing to:

Northwest Tennessee Workforce Board
Attn: Jennifer Bane
708 East Court Street
Dyersburg, TN 38024
jbane@nwtworks.org

One question was received, by email, in relation to the content of the Program Year 2018 - 2020 local plan.

Question: *These projected service levels look low in the local plan for 2018-2019. Can you tell me how you ran this report?*

A. Projected Service Levels

For PY 2018, the NWTNWB strives to serve at least the same number of individuals as in PY 2017:

PROJECTED AJC TRAFFIC COUNTS LIST BY INDIVIDUAL VISIT 2018- 2019

PROJECTED AJC TRAFFIC COUNTS LIST BY INDIVIDUAL VISIT 2018- 2019

2018-2019	Camden (Benton)	Alamo (Crockett)	Humboldt (Gibson)	Paris (Henry)	Tiptonville (Lake)	Union City (Obion)	Dresden (Weakley)	Affiliate Subtotal	Dyersburg (Dyer)	Huntingdon (Carroll)	Comprehensive Subtotal	Total AJC
Goal	192	187	331	425	82	318	285	1820	700	423	1123	2943

Response: *As required, comments and questions shall be addressed within the local plan prior to submission to the TN Department of Labor and Workforce Development (TDLWD). A response was issued by email to the commenter explaining that the projections are monthly averages. For instance, if the American Job Center in Camden maintained the average of 192 individuals exactly each month, 2,304 individuals would be served in the year. The monthly averages were obtained from the actual monthly totals for the July 2017 – June 2018 program year from the Jobs4TN / VOS Greeter Report and are incorporated into the One-Stop Operator contract as service goals for the current program year.*

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Operating Systems and Policies

A. Description of the One-Stop Delivery System

The roles and resource contributions of partners, the location and career and other program services provided.

The one-stop delivery system strives to provide integrated service delivery by aligning staff by functional teams and providing cross-training on all programs and services offered by the various partners. The Northwest TN Workforce Board (NWTNWB) has entered into Memorandums of Understanding (MOUs) with the required American Job Center (AJC) partners to carry out the Service Integration Policy. An umbrella MOU is utilized to facilitate transparent and flexible agreements that are not burdensome and allow partners to focus on service delivery. The MOU identifies the roles and resource contributions of each partner, establishes a cooperative and mutually beneficial relationship among the parties, ensures that all customers are referred to unique services, and provides for a referral process between agencies. Referrals between the partners occur routinely by personal reference, telephone, electronic communication/technology, and/or through resource materials made available in the AJC. The use of e-mail, social media, and other technologies such as Skype to convey information to partner staff and customers enhances service delivery and increases Center efficiency, thus potentially expanding the customer pool. Equitable contribution of infrastructure costs in AJCs among partner is detailed through the Infrastructure Funding Agreement (IFA). Each customer that comes into an AJC is a customer to each partner, and each partner is required to contribute to the operating costs as described in the IFA. Shared costs are identified and agreed upon at partner meetings and are proportionately distributed. Proportionate share, cost allocation methodologies, and any additional considerations are determined, and costs are billed to partners monthly. Actual costs are billed rather than estimates or budgeted amounts. Periodically, contributing factors are reviewed to determine if the IFA needs to be modified.

Northwest TN strives to ensure workforce development services are available to all area residents by maintaining an AJC in each county throughout the region. To manage administrative costs, competitive leases are negotiated, partners co-locate in the AJCs when possible, and additional funding through grant opportunities is sought. There are two comprehensive centers in the local area:

Carroll County (Huntingdon)

470 Mustang Drive
Huntingdon, TN 38344

Dyer County (Dyersburg)

313 West Cedar Street
Dyersburg, TN 38024

There are also seven affiliate centers, one in each of the remaining counties:

Benton County (Camden)

60 North Church Avenue
Camden, TN 38320

Lake County (Tiptonville)

217 Church Street
Tiptonville, TN 38079

Crockett County (Alamo)

331 South Bells Street
Alamo, TN 38001

Obion County (Union City)

204 S. Second Street
Union City, TN 38261

Gibson County (Humboldt)

1751 E. Main Street
Humboldt, TN 38343

Weakley County (Dresden)

135 South Poplar Street, Suite B
Dresden, TN 38225

Henry County (Paris)

55 Jones Bend Road Extended
Paris, TN 38242

The MOU also details the career services and other program services to be provided at, or through, each AJC. Service offerings include:

Basic Career Services

Initial assessment of skill levels including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive service needs.

Labor exchange services, including job search and placement assistance, and, when needed by an individual, career counseling, including— (1) Provision of information on in-demand industry sectors and occupations (as defined in sec. 3(23) of WIOA); and, (2)

Provision of information on nontraditional employment (as defined in sec. 3(37) of WIOA).

Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including—

- o Job vacancy listings in labor market areas;
- o Information on job skills necessary to obtain the vacant jobs listed; and
- o Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs.

Outreach, intake (including identification through the state’s Worker Profiling and Reemployment Services system of unemployment insurance (UI) claimants likely to exhaust benefits), and orientation to information and other services available through the one-stop delivery system.

Appropriate recruitment and other business services on behalf of employers, including small employers, which may include providing information and referral to specialized business services not traditionally offered through the one-stop delivery systems.

Provision of performance information and program cost information on eligible providers of training services and eligible providers of youth workforce investment activities, providers of adult education, providers of career and technical education activities at the postsecondary level, and career and technical education activities available to school dropouts, and providers of vocational rehabilitation.

Determinations of whether the individual is eligible to receive assistance from the Adult, Dislocated Worker, or Youth programs.

Provision of referrals to and coordination of activities with other programs and services, including those

within the one-stop delivery system and, when appropriate, other workforce development programs.

Provision of information about how the area is performing on performance accountability measures, as well as any additional performance information relating to the area’s one-stop delivery system.

Provision of information relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance, including: child care; child support; medical or child health assistance available through the State’s Medicaid program and Children’s Health Insurance Program; benefits under the Supplemental Nutrition Assistance Program (SNAP); assistance through the earned income tax credit; housing counseling and assistance services sponsored through the U.S. Department of Housing and Urban Development (HUD)¹; and assistance under a State program for Temporary Assistance for Needy Families (TANF), and other supportive services and transportation provided through that program.

Provision of information and assistance regarding filing claims under UI programs, including meaningful assistance to individuals seeking assistance in filing a claim—

- o Meaningful assistance means providing assistance:
 - (1) On-site staff who are properly trained in UI claims, filing, and/or the acceptance of information necessary to file a claim, or
 - (2) By phone or via other technology, as long as the assistance is provided by trained and available staff and within a reasonable time.

Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA.

Translation Services / Language Line Solutions

Individualized Career Services

Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include—

- o Diagnostic testing and use of other assessment tools;
- o In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.

Group and/or individual counseling and mentoring.

Internships and work experiences that are linked to careers.

Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve his or her employment goals, including the list of, and information about, eligible training providers.

Career planning (e.g. case management)

Workforce preparation activities that help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing

resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education, or training, or employment.

Job Clubs

Short-term pre-vocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare individuals for unsubsidized employment or training, in some instances pre-apprenticeship programs may be considered as short-term pre-vocational services.

Financial literacy services.

Follow-up services must be provided as appropriate for participants who are placed in unsubsidized employment, for up to 12 months after the first day of employment. Counseling about the work place is an appropriate type of follow-up service. Follow-up services do not extend the date of exit in performance reporting.

Out-of-area job search assistance and relocation assistance.

English language acquisition and integrated education and training programs.

Training Services

Training services, when determined appropriate, must be provided either through an Individual Training Account (ITA) or through a training contract discussed in Section 10 of TEGL 3-15. Training services must be linked to in-demand employment opportunities in the local area or planning region or in a geographic area in which the Adult or Dislocated Worker is willing to commute or relocate. The selection of training services should be conducted in a manner that maximizes customer choice, is linked to in-demand occupations, informed by the performance of relevant training providers, and coordinated to the extent possible with other sources of assistance (see WIOA sec. 134(c)(3)).

Follow-Up Services

Follow-up services must be provided as appropriate for participants who are placed in unsubsidized employment, for up to 12 months after the first day of employment. Counseling about the work place is an appropriate type of follow-up service. Follow-up services do not extend the date of exit in performance reporting.

On demand access to the required career services in the most inclusive and appropriate setting; information regarding the OSO and the methods for coordinated service delivery between operator and partners.

On demand access to required career services are provided through collaboration and coordination of partners. The MOU outlines the role of the OSO and methods for coordinated service delivery. The Welcome Function is coordinated by the OSO, and those serving in this function warmly greet customers and offer an evaluation of service need to identify the services to offer to customers to best meet their needs. Each customer is encouraged to register for Jobs4TN.gov, which provides on demand access to basic career services such as labor exchange services, provision of labor market information, or other self-directed or minimally staff-involved services. Customers identified as needing eligibility determination or individualized career services are referred to on-site partners via a warm hand-off. For partners not located full-time in the Center, a spreadsheet is maintained as part of the MOU with contact information for all of the required partner programs offering services in the area. Staff serving in the Welcome Function coordinate with staff in the Career Development Team and Business Services Team to seamlessly deliver career services to all customers. All AJCs are evaluated for accessibility and accommodations are provided as needed to ensure services are available in the most inclusive and appropriate setting.

Name of the procured OSO, how the OSO was procured, the functions and scope of work of the OSO, and the methods for coordinated service delivery between the operator and partners.

Odle Management Group, LLC is the procured OSO. To procure the OSO, The NWTNWB followed the appropriate procurement and purchasing guidelines as outlined in the attached Purchasing and Procurement policy and as described below in the [Fiscal Management](#) section. To conduct a competitive process for the selection of the OSO in accordance with 121(d)(2)(A), the Board, with the agreement of the CEOs, selected a third-party contractor to issue, a Request for Proposals (RFP). The RFP was posted for a designated time period, with public notice being provided through print media and / or electronic means, and with potential bidders being notified of the release by email. Proposals received were reviewed the selected third-party contractor, who made a recommendation to the Board for selection of the OSO. The selected OSO then entered into a contract with the Board and CEOs as developed by the fiscal agent. The contract outlines the scope of work of the OSO, including the methods for coordinator service delivery between the OSO and

operators as: “The Grantee shall establish One-Stop Operator Services pursuant to 20 CFR 678.620(a), including at minimum, the coordination of service delivery of the required One-Stop American Job Center (AJC) partners and service providers. The role of the One-Stop Operator in the State of Tennessee AJCs is further defined through guidance provided in the State’s Transitional Regional Plans and Transitional Local Plans policies including: oversee management of the One-Stop Career Centers and service delivery; evaluate performance and implement required actions to meet performance standards; evaluate various customer experiences (including but not limited to employers, jobseekers, and partner staff); ensure coordination of partner programs; act as liaison with the LWDB and One-Stop Career Center; define and provide means to meet common operational needs (e.g., training, technical assistance, additional resources, etc.); oversee full implementation and use of all State systems by all Local Workforce Development Areas (LWDAs); design the system integration and service coordination for the site and partners; manage fiscal responsibility for the system or site; plan and report responsibilities; write and maintain business plan; market One-Stop Career Center services; facilitate the sharing and maintenance of data, primarily the site, with emphasis on the state system; and integration of available services and coordination of programs for the site with all partners. The LWDB may add further responsibilities to the One-Stop Operator, per 20 CFR 678.620(a).”

The OSO’s primary role is to coordinate multiple AJC partners and service providers to ensure functional alignment. As listed in the MOU, methods for coordinated service delivery between the operator and partners include a single customer flow model based on customer need, to refer customers using agreed upon referral methods, to share customer data and information to facilitate co-enrollment, and to participate in joint planning of the MOU and plan development.

Describe the local operator’s role and responsibility for coordinating referrals among required partners.

The local one-stop operator’s role and responsibilities for coordinating referrals among required partners (§678.500(b)(3)) include:

- Inspire others and lead change; demonstrate extremely high levels of professionalism, integrity, and collaboration; and enhance and develop partnerships. Further, the operator will be required to coordinate with the leadership of all required partners.
- Coordinate services with affiliate centers and/or identified access points to ensure that required partners are apprised of AJC and community services for referral of customers.
- Maintain and update a digital and hard copy listing of all partner programs, including a brief description of service and contact information to ensure that all staff in the AJC have up-to-date information for referral of customers.

B. Local Referral Process

As parties to the Memorandum of Understanding (MOU), required partners of the AJCs establish means of making and tracking referrals. As listed in the MOU, referrals are made by all partners based on the initial evaluation of each individual’s service needs using methods such as written, electronic, or phone referrals. Methods of referrals strive towards a coordinated and integrated approach to common intake procedures, career services, business services, and data sharing among partners. Referrals to on-site partners will be made using a warm hand-off. In order to track the referrals made amongst partners, a referral form has been developed and all partners are encouraged by the One-Stop Operator to utilize the form. The form may be completed electronically and emailed or faxed to partners who are not available on-site at the AJC, and the receiving agency is asked to complete and return the form. The MOU also establishes how referrals will be tracked. Title I staff, for instance, track the referrals made by following-up with the customer and / or agency monthly if the form is not returned to ensure services are provided to the customer, if not provided while the customer is at the AJC.

Reasonable accommodations are provided for all aspects of a customer’s experience in the AJCs, such as during referrals as well as during application/registration for, and provision of, aid, benefits, services, and training. Accommodations are made according to the individual’s need in order to ensure that he / she receives equal benefits from the program or activity, will be able to compete fairly in educational work settings, and in general, to have an equal opportunity. To ensure that individuals with barriers to employment, including individuals with disabilities, can access available services the required partners will, as established in the MOU:

- 1) Ensure compliance with ADA requirements when locating to a new building or when repairs are needed;
- 2) Maintain the above named accommodations, or ones similar, and others on an as-needed basis;
- 3) Offer referrals to provide customers with a comprehensive set of services, including accommodations;

- 4) Maintain an Equal Opportunity Officer for the LWDA to ensure compliance with all appropriate legislation and regulation; and
- 5) Provide training to staff on a routine basis.

C. Adult and Dislocated Worker Employment and Training Activities

Type and availability of activities; how regional partnerships to serve the formerly incarcerated interface with regional sector pathway efforts.

The basic and individualized career services, training services, and follow-up services detailed in Section A above are made available through all AJCs in the local area. Priority of service is given to priority populations as described in Section E below. Regional partnerships to serve the formerly incarcerated will interface with existing regional sector pathway efforts described in the regional plans by focusing training efforts on the identified targeted industries and related occupations.

Coordination of workforce investment activities with statewide rapid response activities.

To coordinate workforce investment activities in the local area with statewide rapid response activities, a NWTNWB staff member serves as the Rapid Response Coordinator for the local area and coordinates with One-Stop Operator and partners to provide assistance to employers and affected employees through Rapid Response services. Services provided by the Rapid Response Coordinator include assisting employers in filing a WARN Notice, if needed, scheduling a mass meeting prior to layoff, if possible, informing the employer and employees of all programs and services including Jobs4TN, Trade Adjustment Assistance (TAA), Trade Readjustment Act (TRA), and Unemployment Insurance (UI), assisting the employer in registering in Jobs4TN, if not already registered, and completing the Mass Layoff spreadsheet, inviting partners to participate in the mass meeting, distributing marketing materials, and administering and collecting a Needs Survey to ensure the needs of the affected workers are understood and the AJCs are prepared to meet them accordingly. Title I and Title III staff are responsible for recording these services in Jobs4TN by entering activities into the individual's or employer's account.

D. Youth Activities

The type and availability of youth workforce investment activities in the local area, including activities for youth who are individuals with disabilities, which must include identification of successful models of such activities.

The NWTNWB provides youth activities, as described in the required Youth elements, as listed below:

Program Element	Provider responsible for providing program element
1. Tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent	Secondary Schools and / or Referral to Adult Education, Henderson County Schools
2. Alternative secondary school services, or dropout recovery services, as appropriate	Referral to Adult Education, Henderson County Schools
3. Paid and unpaid work experiences, that have an academic and occupational education component	Vocational Rehabilitation; Postsecondary Institutions; Youth Provider, Dyersburg State Community College
4. Occupational skills training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupation in the local area involved	Early Postsecondary Opportunities (EPSOs) and TN SAILS through Secondary Schools; Referral to postsecondary institutions. Institutions in Northwest TN include TCATs Paris, McKenzie, and Newbern, Dyersburg State Community College, the University of TN at Martin, Bethel University, and Roadrunner Driving School. Funding for training through Individual Training Accounts (ITAs) for unmet need after other Federal and State financial aid such as TN Promise, TN Reconnect, Lottery, Pell, TSAC, etc.
5. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral (as appropriate)	Secondary Schools; Youth Provider, Dyersburg State Community College; Referral to other community organizations, as appropriate.
6. Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors (as appropriate)	Secondary Schools; Youth Provider, Dyersburg State Community College; Referral to other community organizations, as appropriate.
7. Supportive Services	Vocational Rehabilitation; Youth Provider, Dyersburg State Community College Referral to other community organizations, as appropriate.
8. Adult mentoring for the period of participation and a subsequent period, for a minimum total of 12 months	Secondary Schools; Youth Provider, Dyersburg State Community College; Referral to other community organizations, as appropriate.

9. Follow-up services, for a minimum of 12 months, after the completion of participation (as appropriate)	Youth Provider, Dyersburg State Community College; Referral to other community organizations, as appropriate.
10. Financial Literacy Education	Secondary Schools; Youth Provider, Dyersburg State Community College; Referral to other community organizations, as appropriate.
11. Entrepreneurial Skills Training	Referral to Small Business Development Centers.
12. Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services	Jobs4TN.gov; TN Pathways; Youth Provider, Dyersburg State Community College; Referral to other community organizations, as appropriate.
13. Activities that help youth prepare for and transition to postsecondary education and training	Secondary Schools; TN Pathways; TN SAILS; Vocational Rehabilitation; Youth Provider, Dyersburg State Community College; Referral to other community organizations, as appropriate, such as TN Promise or ReConnect.
14. Education offered concurrently with, and in the same context as, workforce preparation activities and training for a specific occupation or occupational cluster	Secondary Schools; Referral to postsecondary institutions. Institutions in Northwest TN include TCATs Paris, McKenzie, and Newbern, Dyersburg State Community College, the University of TN at Martin, Bethel University, and Roadrunner Driving School.
YouthBuild	n/a – not available in Northwest TN.

These activities for youth, including those who are individuals with disabilities, are designed to support the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness for participants. The NWTNWB’s Youth Work Experience (YWE) program is a successful model of such activities. The YWE program offers short term work opportunities for eligible young adults with little or no work experience. Employer partners serve as mentors by training them on proper work procedures and developing positive work habits. Goals of the program include providing work experience at safe, well-supervised job sites, developing positive work habits and employment related skills, such as self-confidence; ability to work as a team; improved communication with employers, co-workers, and customers; time management; problem solving skills; ability to accept and learn from criticism; adaptability; and a positive work ethic, enhancing opportunities for long-term employment and self-sufficiency, and increasing understanding of higher education and career options available. Outreach efforts for the YWE program, and other Youth programs, are focused on agencies serving potential Youth participants. For instance, partnerships with local Vocational Rehabilitation office staff are a priority in order to recruit Youth with disabilities.

A description of how local areas will meet the requirements of the in-school youth waiver.

The NWTNWB elected not to adopt the new expenditure of 50% for both youth populations. While continuing under the requirement that local areas expend at least seventy-five percent (75%) of local formula youth funds on Out-of-School (OSY), the NWTNWB will continue to serve the at-risk In-School Youth (ISY) population through a network of community resources and community partners. Partnerships already in place to serve ISY include:

- Annual Manufacturing Day Events - Each October the NWTNWB and AJCs partner with local high schools and employers to celebrate Manufacturing Day. Employers in the manufacturing industry provide tours and / or presentations to high schools students to promote careers in manufacturing.
- Registered Electrical Apprenticeship Preparation (REAP) program - Beginning in May 2018, the NWTNWB partnered with Lake County High School, Amteck, and the AJC to implement a new pilot training program. Graduating seniors at Lake County High School who expressed an interest in a career as an electrician participated in a 10-week pre-apprenticeship program. Upon successful completion of the first 2 weeks of the pre-apprenticeship program, students were given the opportunity to continue the training at the Amteck Dyersburg facility. Those continuing were transported to Amteck’s Dyersburg facility on a daily basis for 8 weeks for additional hands-on experience in the shop, as well as, at local construction and/or manufacturing sites. Those who successfully completed the pre-apprenticeship work experience were eligible for hire by Amteck. Upon supervisor recommendation, students were accepted into the Registered Apprenticeship to become a Journeyman/Licensed Electrician. The NWTNWB is currently in the process of expanding the program neighboring counties.
- The NWTNWB is a partner in a Bongards Creamery Community Grant for a mobile advanced manufacturing unit. Bongards is investing \$175,000 in equipping a tractor trailer, provided by TCAT Jackson, with manufacturing equipment to promote careers in manufacturing at middle schools, high schools, and various other locations, such as jails. A fulltime staff person will be sought to oversee the project. The truck will also be used for Manufacturing Day events.
- The NWTNWB’s Career Service Provider enrolls ISY for Occupational Skills Training, providing ITAs and associated Support Services when appropriate.

- The NWTNWB is a partner for TN Pathways – Northwest and has participated in the WBL and industry engagement working group.

E. Services to Priority Populations

Provide a description of how the local area will provide services to priority populations.

Per TEGL 19-16, Section 134(c)(3)(E) of WIOA, with respect to funds allocated to a local area for Adult employment and training activities, priority must be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient (BSD) for receipt of Individualized Career Services and Training Services. TEGL 19-16 also states that Veterans and eligible spouses continue to receive priority of service for all DOL-funded job training programs, which include WIOA programs. However, as described in TEGL 10-09, when programs are statutorily required to provide priority for a particular group of individuals, such as the WIOA priority described above, priority must be provided in the below manner:

1. Priority Group # 1: Veterans/eligible spouses who are recipients of public assistance, low income, or BSD.
2. Priority Group # 2: Non-Veterans who are recipients of public assistance, low income, or basic skill deficient.
3. Priority Group # 3: Veterans/eligible spouses who are not recipients of public assistance, low income, or BSD.
4. Priority Group # 4: Priority groups established by the Governor and/or Local Board. Per TN Dept. of Labor and Workforce Development Workforce Services Guidance – WIOA Memorandum of Understanding / One-Stop Service Delivery and Infrastructure Funding Agreement, the following demographics experiencing barriers to employment are specifically targeted for services and must be provided priority for training activities as Priority Group # 4:
 - Individuals with significant barriers to employment
 - Displaced homemakers
 - Eligible migrant and seasonal farmworkers
 - Re-entry services
 - Homeless individuals
 - Individuals facing substantial cultural barriers
 - Individuals with disabilities, including youth with disabilities
 - Individuals within two years of exhausting lifetime eligibility under Part A of the Social Security Act 13
 - Individuals who are English language learners
 - Individuals who are unemployed, including the long-term unemployed Individuals who have low levels of literacy
 - Individuals without a high school diploma
 - Native Americans, Alaskan Natives, and Native Hawaiians
 - Older individuals
 - Single parents (including single pregnant women and non-custodial parents)
 - Veterans
 - Youth who are in, or have aged out of, the foster care system
5. Priority Group # 5 - Non-covered persons outside the groups given priority under WIOA or TDLWD policy.

In order to appropriately serve priority populations as described above, the NWTNWB will provide appointments accordingly within the timeframes described below:

Priority Group # 1 - the first available appointment, but no longer than three (3) working days.

Priority Group # 2 - the first available appointment, but no longer than four (4) working days.

Priority Group # 3 - the first available appointment, but no longer than five (5) working days.

Priority Group # 4 - the first available appointment, but no longer than six (6) working days.

Non-covered persons outside the groups given priority under WIOA or TDLWD policy will be scheduled at the first available appointment, subject to currently scheduled PRIORITY appointments.

The One-Stop Operator is responsible for assuring that AJC staff are aware of, promote, and comply with the Priority of Service policy. AJC staff will determine priority status during the initial assessment, eligibility process, and/or enrollment. Each AJC customer is greeted and provided with an evaluation of service need by the AJC staff person serving in the Welcome Function which includes questions for identifying both Veteran and high school diploma / equivalent status.

Describe how the local board will determine priority populations and how to best serve them.

The NWTNWB has determined that when funds allocated to the local area for Adult employment and training activities are limited, Individualized Career Services and Training Services will be limited to recipients of public assistance and other low-income individuals and other specific groups defined as:

1. Adults who are unemployed or employed with an income below the NWTNWB Self-Sufficiency Standard that are identified to need training to obtain the job, will be eligible for Individualized Career Services and placement in an on-the-job training position.
2. Adults who are unemployed or employed with an income below the NWTNWB Self-Sufficiency Standard who are currently attending classroom occupational skills training and making satisfactory progress and are identified by the training provider to have a financial unmet need that could result in discontinuing training, will be eligible for Individualized Career Services and training services such as assistance with fees, books and transportation.
3. Adults who are unemployed or employed with an income below the NWTNWB Self-Sufficiency Standard who have a barrier to employment listed as below and found in WIOA sec. 3(24), and provide the required documentation as listed:

Barrier	Required Documentation
Displaced Homemakers.	Documentation of living in the same household as a spouse or parent / guardian who had income supporting the applicant and providing unpaid services; Documentation of loss of income; and Documentation of being unemployed or underemployed and experiencing difficulty in obtaining or upgrading employment.
Low Income individuals.	Documentation requirements as listed in within the <i>Process for Determining Low Income Eligibility</i> section below.
Indians, Alaska Natives, and Native Hawaiians, as such terms are defined in section 166.	Self-Attestation on Application and Eligibility Form.
Individuals with disabilities, including youth who are individuals with disabilities.	Documentation of the disability such as a written statement from Vocational Rehabilitation reflecting current services, verification showing current receipt of SSI or SSD for the individual from the Social Security Administration, or a letter from a local education entity stating the individual is M-Teamed based on a disability.
Older individuals (an individual age 55 or older).	Usual documentation requirements for Date of Birth (i.e. Driver's License, Birth Certificate, etc.)
Ex-offenders.	Self-Attestation on the Application and Eligibility Form.
Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), or homeless children and youths (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))).	Self-Attestation on the Application and Eligibility Form.
Youth who are in or have aged out of the foster care system.	Documentation of foster care status from the appropriate foster care agency.
Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers.	Scoring below a 9.0 on the TABE or CASAS.
Eligible migrant and seasonal farmworkers, as defined in section 167(i).	Documentation of eligibility from TOPS.
Individuals within 2 years of exhausting lifetime eligibility under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).	Agency (i.e. DHS or WFE) documentation.
Single parents (including single pregnant women).	Documentation of parenting (i.e. birth certificate) and indication of single status on the Application and Eligibility Form, including only one parent being listed in the household.
Long-term unemployed individuals (Individuals who are unemployed for 27 or more weeks per WIOA Application found in the Virtual One Stop system as provided by TNDOL).	Self-Attestation on the Application and Eligibility Form <u>AND</u> documentation of means of support.
Such other groups as the Governor involved determines to have barriers to employment.	N/A - no groups have been identified by the Governor.

4. Adults who are unemployed or employed with an income below the NWTNWB Self-Sufficiency Standard who are in need of training to secure employment.

Basic Career Services will continue to be available to all Adults. The Outreach and Opportunities standing committee of the NWTNWB provides guidance for how to best serve target populations.

F. Training Services

Training services can be critical to the employment success of many Adults and Dislocated Workers. AJC staff may determine training is appropriate regardless of whether the individual has first received Basic or Individualized Career Services. Training services may be provided if staff determine, after an interview, evaluation or assessment, and career planning, that the individual:

- is unlikely or unable to obtain or retain employment, that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services alone;
- is in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment, through career services alone;
- has the skills and qualifications to successfully participate in the selected program of training services.

Training services, when determined appropriate, must be provided either through an Individual Training Account (ITA) or through a training contract discussed in Section 10 of TEGL 3-15. Training services must be linked to in-demand employment opportunities in the local area or planning region or in a geographic area in which the Adult or Dislocated Worker is willing to commute or relocate. The selection of training services should be conducted in a manner that maximizes customer choice, is linked to in-demand occupations, informed by the performance of relevant training providers, and coordinated to the extent possible with other sources of assistance (see WIOA sec. 134(c)(3)). The NWTNWB limits ITAs to programs on the WIOA Eligible Training Provider List that lead to a credential in a period of two years or less, including Challenge/CLEP tests, when appropriate. ITA funding is for unmet need for cost of training not covered by other federal or State financial aid, such as Pell, Lottery, TN Promise, and TN Reconnect. WIOA funds are considered “last dollar.” ITA funding is authorized per training term (quarter, semester, trimester, etc.), with subsequent terms authorized after successful completion of the previous term. The ITA is limited to \$4,000 per year, for two years, with total cost limited to \$8,000 during participation.

In accordance with TDLWD’s American Job Center Individual Training Account Use guidance, Tennessee, and the NWTNWB recognizes limited exceptions to the use of ITAs. Contracts for services may be used instead of an ITA only when one or more of these exceptions apply (WIOA Section 134(c)(3)(G)(ii)):

- 1) The services provided are OJT, customized training, incumbent worker training, or transitional jobs;
- 2) The LWBD determines that there are an insufficient number of Eligible Training Providers in the local area to accomplish the purpose of a system of ITAs;
- 3) The LWDB determines that in the area there is a training-services program of demonstrated effectiveness offered by a community-based organization or other private organization to serve individuals with barriers to employment;
- 4) The LWDA determines that the most appropriate training could be provided by an institution of higher education to train multiple individuals for jobs in sector-demanded occupations, provided this does not limit customer choice; or
- 5) The LWDA is considering entering into a pay-for-performance contract and the LWDA ensures that the contract is consistent with 20 CFR 683.510.

In order to determine the effectiveness demonstrated by a community-based organization or other private organization, particularly as it applies to the special participant population to be served, the NWTNWB will evaluate the following:

- A) Financial stability of the organization;
- B) Demonstrated performance in measures appropriate to the program; and
- C) The relevance of the specific program to LWDA needs identified in the local area

G. Customer Choice in the Selection of Training Programs

Information on local training providers and programs is included on Jobs4TN.gov. Eligible training providers are listed on the Eligible Training Provider List (ETPL). All AJC customers may access this information, regardless of how training services are to be provided. The selection of training services should be conducted in a manner that maximizes customer choice, is linked to in-demand occupations, informed by the performance of relevant training providers, and coordinated to the extent possible with other sources of assistance (see WIOA sec. 134(c)(3)). In order to select a program of study and make a career decision, individuals will go through a series of assessments and career exploration exercises in order to establish the appropriateness of training. Career decision making should rely heavily on local Labor Market Information, focusing on future job growth. If there is no local demand, then a viable plan for relocation to an area where the occupation is in demand must be established. This plan must be documented within the case narrative section and on the Individual Service Strategy (ISS).

H. Continuous Improvement of Eligible Providers

Training providers must provide all requested performance, cost, credentialing, articulation documentation, or other information requested by the Committee and/or the NWTNWB when applying for inclusion on the Eligible Training Provider List (ETPL). The NWTNWB reviews and approves applicants which are deemed to have met the criteria outlined in WIOA Subtitle B, Chapter 1, Section 122. Renewal applications must provide required performance data in order to remain on the ETPL. Eligible Training Providers are accountable to established performance standards in accordance with Workforce Services Policy #5 – Eligible Training Provider List and renewal applications must provide required performance data in order to remain on the ETPL. According to the policy, providers on the ETPL are required to submit quarterly performance reports to the State, which must contain individual level data for all participants in programs offered by the Eligible Training Provider that have serviced at least one student with the assistance of WIOA funding. Performance reporting is required for credential attainment, employment rates during 2nd and 4th quarters after exit, and median earnings during 2nd quarter after exit for all students as well as for WIOA participants. The NWTNWB also reviews local labor market information prior to initial and reapprovals to ensure programs will meet the employment needs of local employers, workers, and jobseekers. A copy of the local training provider approval policy and procedures is included in the attachments.

Similarly, employers who are awarded On-the-Job Training (OJT) contracts will have performance periodically reviewed by the Business Services Team to ensure placement and retention standards, in accordance with the federal performance measure, are met and warrant continued approval of new OJT contracts and slots. Any employers who are found to have a pattern of failure regarding completion or retention of participants will discuss the contributing factors with a Business Services Team. The NWTNWB holds subcontractors to the same performance levels developed by the US Department of Labor, broken out by the Adult, Dislocated Worker, and Youth funding streams. These standards are then negotiated with each of the states, including Tennessee. TDLWD then negotiates with the Local Workforce Development Areas across the State.

I. Transportation and Other Support Services

As outlined in the attached supportive service policy, the NWTNWB, through the regional planning process and in compliance with TDLWD policy, recognizes that Supportive Services are limited and must be leveraged with other local and state resources. Supportive services should only be provided when the services are not available elsewhere, since WIOA is considered funding of last resort. Funds allocated to a local area (WIOA Section 133) may be used to provide supportive services to Adults and Dislocated Workers who: (1) Are participating in programs with activities authorized in WIOA Section 134(c)(1)(A)(ii) or WIOA Section 134(c)(1)(A)(iii); (2) Have exited and need post-program support services as follow-up (for up to 12 months after exit); and (3) Are unable to obtain such supportive services through other programs providing such services. Supportive services for youth, as defined in WIOA Section 3(59), are services that enable an individual to participate in WIOA activities.

Participants in WIOA programs who face significant barriers to employment, such as recipients of public assistance, low-income individuals, or individuals who are basic skills deficient, should be given service according to their level of need. Supportive Services are not entitlements and must be supported by demonstration of financial need. The participant's need for services will be documented in the case file; participants enrolled in individualized career or training services and must demonstrate need in the Individual Employment Plan or Individual Service Strategy. When multiple options are available for receiving supportive services, documentation must show a reasonable effort was made to determine and choose the lowest, competitively priced service available. Support services activities and supporting case notes will be entered into VOS by AJC staff. The One-Stop Operator and Service Providers shall ensure procedures are in place to coordinate support services through community partner referral to avoid duplication of support services. Allowable and unallowable support services are outlined in the attached Supportive Services policy.

Vision, Goals, and Implementation Strategies

A. Access to Employment, Training, Education, and Supportive Services

The vision of the NWTNWB and required partners is for Northwest Tennessee to be an area where business and industry thrive based on the availability of a skilled workforce and a robust talent pipeline, and where increasing wealth fuels prosperous communities and a high quality of life. To achieve this vision, the board and partners strive to develop a quality workforce system to meet the needs of area employers and job seekers by:

- 1) Increasing the skills and knowledge of Northwest Tennesseans to meet the needs of employers now and in the future;
- 2) Creating career pathways from high school, postsecondary education / training to the workforce; and
- 3) Eliminating duplication and leveraging dollars to provide more opportunities to the existing and emerging workforce.

The Regional Planning Council, which includes members of the core partners as well as other partners, identifies regional and local in-demand and emerging sectors using available labor market data, strategy meetings, and other data gathering methods. Workforce efforts are then focused on identified sectors through services available through AJC partners, such as the development of career pathways in manufacturing and healthcare. The NWTNWB's standing committees guide the Business Services Team in implementing effective methods of gathering and understanding employers' feedback, such as an employer survey, participation in various business organizations, and various methods of conducting outreach to local employers. The information gathered through such efforts has led to the implementation and / or expansion of such programs and initiatives as the Registered Electrical Apprenticeship Preparation (REAP) program and the Re-Entry Advance Manufacturing Program (RAMP).

Members of the Business Services Team also conduct outreach in order to educate employers on the services available through the AJC designed, with employers' input, to meet their needs and support talent development. Coordination between training institutions, funding sources, the NWTNWB, and employers ensures that training is available for in-demand occupations in the local area, current and prospective students are aware of various resources for funding training, including those offered by the partner programs, and that resources are leveraged through co-enrollment and referrals to eliminate duplication. Sector studies have also been completed and career pathways developed for both the healthcare and manufacturing sectors, which help guide the focus of initiatives such as REAP and RAMP.

By supporting strategies under the Governor's Drive to 55 initiative to align education and training with the needs of business and industry and assisting individuals in accessing training opportunities, the NWTNWB is working towards achieving the initiative's goal of 55% of Tennesseans earning a postsecondary credential by 2025. Strategies to improve access to activities leading to a recognized postsecondary credential, academic or industry recognized, thereby prepare workers for in-demand industry sectors and occupations include:

- (1) Approving in-demand training opportunities to be included on the statewide Eligible Training Provider List (ETPL) as WIOA fundable programs;
- (2) Encouraging all job seekers to consider these programs as career options by offering assessments, opportunities, and materials noting local employment opportunities;
- (3) Partnering with employers and high schools on career pathway opportunities in employer-driven training programs;
- (4) Considering options to partner with training providers and neighboring local workforce development areas to "buy" classes offered by training providers so that dislocated workers, adults, and disadvantaged youth have an opportunity to train in the high-demand occupation without a delay due to a waiting list;
- (5) Leveraging assets such as TN Promise, Pathways, and ReConnect in order to increase capacity and provide integrated services to increase skill development and educational attainment of area residents.

Education and training services offered include:

- Needs-Based Scholarships for Postsecondary Training
- Transportation Stipends for Postsecondary Training and Work Experience
- On-the-Job Training and Incumbent Worker Training Grants
- Apprenticeship Programs

Needs-Based Scholarships, issued through Individual Training Accounts (ITAs) for postsecondary training, are managed in the AJCs by members of the Career Development Services Team. After a thorough assessment and verification that the training plan will lead to employability in an in-demand occupation, staff obligate funds, which is documented in Jobs4TN to allow fiscal staff and the NWTNWB to have a clearer picture of funds available and projected expenditures for the program year. A priority of service policy is in place to ensure the most in need receive services first.

While brick-and-mortar AJCs are valued for cost effectiveness, availability of resources to customers, and visibility in the community, Northwest TN also recognizes the need to bring the services to the customers who may not be able to visit the established AJC given the large service area and transportation barriers. In order to bring the services to the people, the TDLWD's Mobile AJC is utilized to serve remote areas and individuals who are unable to commute to one of the AJCs in the region. A Title I staff member has been assigned to coordinate with the Mobile AJC staff to ensure staff from the

Title I partner attend Mobile AJC events, providing customers with access to all AJC services. The implementation of “street teams” has also enhanced services in areas without an AJC. These teams are charged with coordinating with community programs and agencies to provide AJC services at alternative locations. Customers who visit with the “street team” are able to receive the same Career Services offered in a traditional AJC, including job search assistance, resume development, workshops, etc. The use of Skype for “face-to-face” interactions with various one-stop partners and / or employers also allows customers in affiliate sites and alternative locations to virtually receive one-stop services typically only offered onsite at the comprehensive centers. Jobs4TN also allows both jobseeker and employer customers to remotely access secure, web-based AJC services such as labor market information, unemployment insurance, and mediated labor exchange.

In order to maximize services to populations with barriers, agencies serving these populations are targeted for outreach efforts such as distribution of marketing materials, participation in events, such as those involving "street teams" or the Mobile AJC, and invitations to participate in AJC events and strategy meetings. Such agencies may include Adult Education, Department of Human Services, Health Department, Housing Authorities, Head Start programs, and Boys & Girls Clubs. The AJC displays marketing materials for core and community partners, and provides materials to be displayed at the partners' sites. Social media accounts are also used to connect with customers and other agencies and inform them of the services available through the AJC. The Business Services Team conducts rapid response meetings to serve workers dislocated through closures or layoffs. Outreach to unemployment claimants regarding AJC services is also conducted via email when contact information is available. A standing committee of the board provides guidance for reaching and serving such populations.

B. Business Service Strategy

The Business Services Team assists in identifying and meeting the needs of employers in existing and emerging industries and occupations by building relationships through local and regional initiatives, identifying means of addressing human resources needs, and promoting and facilitating the use of AJC services such as On-the-Job Training grants, customized training opportunities, industry and sector strategies, apprenticeships, and the availability of Incumbent Worker Training grants. Other services provided to new and prospective companies by the Business Services Team and American Job Center Partners include:

- Pre-screening Applicants – Analyzing and pre-screening job applications based on minimum requirements, then referring qualified candidates to various pre-employment assessments.
- Job Fairs – Facilitating, organizing, planning and finding qualified labor for open positions, including joint job fairs across the West TN region.
- Labor Market Information – Labor Market FAQs can be found on www.Jobs4TN.gov - an online resource that provides access to a wide variety of information about jobs in the local area, such as the average wages for jobs in an area, the occupations predicted to have the most future job openings, the salary expectations for specific occupations, and county unemployment rates.
- Virtual American Job Center – Using the Jobs4TN online website to connect employers to job seekers by listing job orders and making coordinated referrals based on job descriptions.
- On-the-Job and Incumbent Worker Training – Educating employers about the availability of OJT and IWT funds to assist in upgrading skills of new and existing employees.
- Unemployment Insurance (UI) Services – Using Jobs4TN to report layoffs and closures, workers to file claims, job search, and complete weekly certifications, and connect to programs for UI recipients including Re-Employment Services Eligibility Assessment (RESEA).
- Starting Your Own Business Workshop – Attendees learn the skills and information they need to get started, including successful business ownership traits, assessment of the business idea, and the “mechanics” of starting a business – forms of ownership, insurance, financing, and more. Offered in partnership with the TN Small Business Development Centers.

Business Services Team members focus efforts by working with the Economic and Community Development team to ensure targeted industries align with the Governor’s Sector Strategies. Thorough analysis of the labor market data and discussions with key stakeholders have resulted in the identification of in-demand sectors in the local area on which to focus workforce development efforts in order to address the middle-skills gap and meet the needs of employers: (1) Healthcare; (2) Transportation and Logistics; (3) Advanced Manufacturing; and (4) Business Services, with a particular emphasis on Information Technology. Shared information and data agreements may be utilized to support access to

information and information sharing between the partners as allowed by authorizing laws and regulations. All marketing material used in the AJCs include the federal brand of American Job Center Network, which has been incorporated into all flyers, brochures and outreach material. A comprehensive brochure entitled “Business Solutions” was developed and is distributed to employers by all partners to facilitate a uniform message of business services.

C. Coordination of Education and Workforce Development Activities

The NWTNWB focuses on enhancing training opportunities and providing individuals with the knowledge and resources needed to take advantage of them. Data from the [Economic Analysis of West TN](#) is used as a foundation to begin discussions and develop partnerships with core programs and educational institutions such as TN Colleges of Applied Technology, Community Colleges, and Universities to address educational needs in the area, and achieve the goal of the Drive to 55 initiative, by ensuring the availability of needed training opportunities. To meet the needs of employers and align education and training opportunities with targeted industries and occupations, the NWTNWB also takes advantages of initiatives, such as TN Pathways, to collaborate with workforce, education, training, and employer partners. The TN Pathways initiative supports alignment among K-12, postsecondary education, and employers across the state so that students have a clear and guided pathway to gain the knowledge and experience needed to move seamlessly into the workforce. TN Pathways directly supports the Drive to 55 goal to equip at least 55% of Tennesseans with a college degree or certificate by 2025 through: 1. High-quality college and career advisement throughout K-12; 2. Rigorous early postsecondary and work-based learning opportunities in high school; and 3. Seamless vertical alignment between K-12, postsecondary programs, and career opportunities as a result of effective partnerships among school districts, higher education institutions, employers, and community organizations. The NWTNWB will partner with the Northwest TN Pathways Regional Coordinator to certify pathways in at least 10 high schools and work to have a majority of graduates earn a postsecondary credential. To yield a pipeline of skilled entry-level workers to address the current and projected skilled worker shortage, the NWTNWB will also: 1. Research labor market information and assist in the engagement of employers in the region to determine current and future hiring needs; 2. Coordinate with middle schools to understand, develop, and/or enhance career exploration activities for students, beginning in the 7th grade, to assure programs align with industry needs; 3. Facilitate interaction between employers and middle/high school teachers, counselors, and/or administration to provide “real world” workforce expectations of business and industry, including pathways, work ethic and soft skills; and 4. Coordinate with secondary schools and postsecondary institutions to develop career pathways for students that meet the needs of the students and employers.

Through the Registered Electrical Apprenticeship Preparation (REAP) initiative, in partnership with Amteck, the AJCs, an electrical contracting and engineering pathway was established at Lake County High School. Graduating seniors expressing an interest in a career as an electrician participated in a 10-week pre-apprenticeship program to learn the fundamentals of basic electricity and construction applications. Upon successful completion of the first two weeks of the program, students earned approximately \$500, received a tool kit valued at \$300, and earned an opportunity to continue training at Amteck’s Dyersburg facility. Those continuing in training were transported to the Dyersburg facility for eight weeks for additional hands-on experience in the shop, as well as, at local construction and/or manufacturing sites. This experience acclimated students to working with a “crew” and provided them an opportunity to earn an additional \$2,500. Those who successfully completed the work experience were eligible for hire, and upon supervisor recommendation, students could be accepted into the 4-year Registered Apprenticeship, including classroom and on-the-job training while being paid. Upon completion apprentices are prepared to take the exam to become a Journeyman/Licensed Electrician earning an estimated \$70,000 annually. The successful initiative is being expanded, and this year up to 30 graduating seniors from across Northwest TN high schools will have an opportunity to participate in the program. Amteck will schedule ½ day “showcase” visits to provide career related information to graduating seniors. During the “showcase,” students will be provided more detailed information about careers in the electrical trade, expected wages, and the expectations of employers. Amteck will bring a mobile unit to provide a hands-on experience. Seniors with an interest in a career as an electrician will have an opportunity to apply for Amteck University’s two-week REAP program. Upon successful completion of the 2 weeks pre-apprenticeship program, graduates will be eligible for hire by Amteck and with supervisor recommendation, accepted into the Registered Apprenticeship program.

Additionally, through the Re-Entry Advanced Manufacturing Program (RAMP) initiative, a collaboration between industry, postsecondary schools, including community colleges and TN Colleges of Applied Technology, and county jails, a manufacturing pathway is currently in place in several county jails. RAMP allows currently incarcerated individuals the opportunity to earn nationally recognized manufacturing credentials through the Manufacturing Skills Standard Council

(MSSC)'s Certified Production Technician (CPT) training. Students can earn national certifications in Safety, Quality, Manufacturing Processes, and/or Maintenance Awareness, and those attaining all credentials achieve Certified Production Technician status. In some jails, students are also given opportunities to demonstrate the skills they are learning to local employers through work-release programs. For those interested in continuing their education upon release, the MSSC credentials may be used to request up to 12 hours of college credit at Dyersburg State Community College toward an Associate Degree in Advanced Integrated Industrial Technology, or advanced standing at local TCATs.

D. Coordination of Core and Other Workforce Development Programs

The NWTNWB supports the service alignment strategy identified in the State Plan through increased coordination, leveraged funds, seamless customer service delivery, and functional alignment of services. For instance, WIOA Title I program funds are braided with other Federal and State programs, such as Trade Adjustment Act, TN Promise, TN ReConnect, Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T), TANF, Senior Community Services Employment Program (SCSEP), Disabled Veterans Outreach Programs, and Re-Employment Services Eligibility Assessment (RESEA) in order to eliminate duplication and leverage dollars to maximize resources and services. The AJCs also strive to provide integrated service delivery by aligning staff by functional teams and providing cross-training on all programs and services offered in the AJC by the various partners. The Welcome Function is coordinated by the One-Stop Operator (OSO). Staff are either hired or partners are coordinated to fulfill the duties of this function. Those serving in the Welcome Function warmly greet customers entering the AJC and offer an evaluation of service need to identify the services to offer to customers in order to best meet their needs. Staff serving in the Welcome Function coordinate with staff in the Career Development Team and Business Services Team in order to seamlessly deliver career services to all customers. All core partners have staff who serve as members of the Career Development and / or Business Services Function, whether on-site or off-site by referral or electronic connection. Each program provides a valuable service, and all are connected to reach the desired outcome for the customer. While Career Development Team members focus on performing individualized career services such as skills assessments, developing Individual Employment Plans (IEPs), and case management, the Business Services Team focuses on developing positive relationships with employers in order to identify and address their human resource needs. Staff members are also cross-trained to allow for streamlined services and reduced duplication.

AJC partners, including training providers with program authorized under the Carl D. Perkins Career and Technical Education Act of 2006, also enter into Memorandums of Understanding (MOUs) in order to leverage resources, eliminate duplication of services, and improve effectiveness, thereby decreasing administrative and program costs. The scope of services outlined in this MOU follows Workforce Services Division Policy #7 regarding Service Integration and functional alignment wherein Tennessee's One-Stop system shall strive to streamline workforce services functions, prevent the duplication of services and eliminate inefficient practices. To this end, parties to the MOU agree:

- 1) To endorse a single customer flow model based on customer need, not program requirements;
- 2) To refer customers between Partners by methods listed in the MOU;
- 3) To authorize the sharing of customer data and information in order to facilitate co-enrollment and case management across programs and funding streams; and
- 4) To participate in joint planning of this MOU, plan development, and modification of activities to accomplish:
 - Accessibility of the Partners' applicable services to customers through the One-Stop Service Delivery system
 - Participation in the operation of the One-Stop Service Delivery system, consistent with the terms of the MOU and requirements of authorized laws
 - All Partners and staff are adequately cross-trained as a result of their participation in capacity building and staff development activities
 - Continuous partnership building by requiring inclusion of all Partners involved in the One-Stop System
 - Continuous adaption to state and federal guidelines
 - Responsiveness to local and economic conditions, including employer needs
 - Meet common data collection and reporting needs via Jobs4TN
 - Involvement in special grant and/or pilot projects that impact a Partner's shared staffing resources
 - Co-branding through inclusion of "AJC identified" or "American Job Center" on any joint products, programs, activities, services, facilities, and materials used by the combined Partnership of the System

Performance Goals and Evaluation

To remain a high performing board, the NWTNWB will follow the factors developed by the State Board:

1. communicate a vision;
2. build strategic partnerships; and
3. keep the local workforce system accountable.

The NWTNWB’s vision, developed through strategic planning with workforce system stakeholders, is for Northwest Tennessee to be an area where business and industry thrive based on the availability of a skilled workforce and a robust talent pipeline, and where increasing wealth fuels prosperous communities and a high quality of life. To achieve this vision, the NWTNWB focuses on aligning resources and partners to support key priorities. Locally, the NWTNWB’s American Job Center standing committee provides guidance for enhancing services to jobseekers and employers through the AJCs, while the Outreach and Opportunities committee provides guidance for reaching and serving target populations. Individuals appointed by the Board, who are not members, and who are determined to have appropriate experience and expertise are included on the standing committees in order to enhance strategic partnerships and align resources. Regionally, the Regional Planning Council, including representatives from all of the core partners, develops the Regional Plan which includes methods for enhancing services. The cooperation of the leadership of the core partners is echoed among front-line staff at the AJC who implement the vision and directives of the NWTNWB and Regional Planning Council by striving to align by functional purpose and thereby avoiding program silos.

Furthermore, the NWTNWB collects and analyzes data to evaluate the one-stop system. The AJCs utilize the Virtual One-Stop (VOS), or Jobs4TN, in order to collect, measure, review, and analyze data, including data regarding required performance measures. The system also allows for data regarding caseloads, Center traffic, case notes, exit status, and many other items to be generated into reports for specified time periods, which are shared with staff and stakeholders. Customer surveys including an AJC Survey, Workshop Survey, and Employer Survey, are also utilized to gather data regarding customers' experiences in the AJC. Survey results are analyzed to determine if changes or improvements are needed in the AJC. When conducting Rapid Response activities, a Needs Survey is also utilized to ensure the needs of the affected workers are understood and the Center is prepared to meet them accordingly.

By fulfilling these three critical roles as described above, the NWTNWB will achieve its mission of developing a quality workforce system to meet the needs of area employers and job seekers.

A. Projected Service Levels

For PY 2018, the NWTNWB strives to serve at least the same number of individuals as in PY 2017:

PROJECTED AJC TRAFFIC COUNTS LIST BY INDIVIDUAL VISIT 2018- 2019

2018-2019	Camden (Benton)	Alamo (Crockett)	Humboldt (Gibson)	Paris (Henry)	Tiptonville (Lake)	Union City (Obion)	Dresden (Weakley)	Affiliate Subtotal	Dyersburg (Dyer)	Huntingdon (Carroll)	Comprehensive Subtotal	Total AJC
Goal	192	187	331	425	82	318	285	1820	700	423	1123	2943

With historically higher unemployment rates than the rest of TN, high poverty rates, and low educational attainment in the area, the AJCs in Northwest TN serve many customers experiencing barriers to employment, requiring staff in the AJCs to be knowledgeable of partner programs and community resources and be prepared to help customers in successfully utilizing AJC services. Populations with barriers, typically served through the Welcome Function and / or Career Development Function, often need staff assistance to address barriers such as lack of transportation, childcare, healthcare, education, and/or work ethic and become self-sufficient. Given the many needs of populations with barriers, specialized programs such as Re-Employment Services and Eligibility Assessment (RESEA) and Supplemental Nutrition and Assistance Program (SNAP E&T) are also incorporated into the AJCs to serve populations typically faced with multiple barriers. Because customers often need guidance and encouragement to take the next step in utilizing such resources, AJC staff must be sensitive to, and understanding of, the unique needs of the customers they serve, including both the job seeker and employer. Members of the Career Development Team and Business Services Team work together to meet both the needs of job seekers and the needs of employer by assisting job seekers in attaining the skills necessary to meet the job requirements of local employers.

B. Negotiated Local Levels of Performance

The NWTNWB's success is measured by Performance Standards developed by the US Department of Labor, which are broken out by the Adult, Dislocated Worker, and Youth funding streams. These standards are then negotiated with each of the states, including Tennessee. TDLWD then negotiates with the Local Workforce Development Areas across the State. On a local level, the NWTNWB holds subcontractors to the same performance levels. The NWTNWB has historically achieved performance at a level to be awarded incentive grants, however, targeting services to individuals with barriers to employment coupled with longer outcome measures and new performance standards, such as median earnings and credential attainment for Adults and Dislocated, raise concerns about the ability to continue to meet performance requirements. The below table indicates the negotiated targets for PYs 2018 and 2019 under the WIOA.

Federal Performance Indicator	Adult		Dislocated Worker		Youth	
	2018	2019	2018	2019	2018	2019
Employment Rate, 2nd Quarter After Exit	85.0%	86.0%	83.0%	84.0%	79.0%	79.5%
Employment Rate, 4th Quarter After Exit	84.0%	85.0%	83.0%	84.0%	75.0%	76.0%
Median Earnings, 2nd Quarter After Exit	\$6,483	\$6,500	\$6,800	\$6,842	N/A	N/A
Credential Attainment, w/i 4 Quarters After Exit	58.0%	59.0%	68.5%	69.0%	70.0%	72.0%
Measurable Skill Gains	N/A					

WIOA Common Measure

Per the U.S. Department of Labor Employment and Training Administration's WIOA Performance Related Frequently Asked Questions (FAQ), under the WIOA, the four core partner programs have common performance measures. Additionally, other programs authorized under WIOA are required to report on the same performance indicators.

Performance and Effectiveness of the Local Fiscal Agent

In accordance with WIOA Section 107(d)(12)(B)(i)(II), the NWTNWB, has been selected as the local fiscal agent for the WIOA grant funds by a Consortium of Chief Elected Officials (CEO). According to the agreement between the Local Elected Officials and NWTNWB, as the selected fiscal agent entity, the NWTNWB's responsibilities include:

- (1) Ensuring fiscal integrity and accountability for expenditures of funds in accordance with Office of Management and Budget circulars, WIOA and corresponding Federal Regulations and State Policies;
- (2) Maintaining proper accounting records and adequate documentation;
- (3) Conducting financial monitoring of service providers; and
- (4) Ensuring independent audits of all employment and training programs.

The NWTNWB is committed to the responsible stewardship of its resources and to maintaining a work environment that promotes ethical and honest behavior. To accomplish this, the NWTNWB has established and implemented internal control systems and procedures to prevent and detect irregularities, including fraud, waste and abuse:

- (1) Internal Audit – Staff conducting Internal Audits are responsible for assessing the adequacy and effectiveness of internal controls that are implemented by management and will often recommend control improvements as a result of this assessment. During an audit of a department or process, the staff conducting the Internal Audit will also perform tests designed to detect fraud, waste or abuse that may have occurred.
- (2) External Audits – The NWTNWB receives external audits through a contract under the direction of the Tennessee Department of Audit. One purpose of this type audit is to evaluate an organization's internal controls, which will often result in recommendations for control improvements. External Auditors will also perform tests designed to detect fraud, waste or abuse that may have occurred.
- (3) Other Reviews – Various programs may be subject to audits or reviews by federal, state or other outside agencies based on the type of program, function or funding. The NWTNWB is audited annually by the TN Department of Labor and Workforce Development's Performance Accountability Review (PAR) team. Although audits and reviews may include assessments of internal controls, the primary responsibility for prevention and detection of fraud, waste or abuse belongs to management. Therefore, management should take steps to review internal controls whether or not audits are to be performed.

The NWTNWB monitors the results of such audits and other reviews in order to measure the performance and effectiveness of the local fiscal agent.

Performance and Effectiveness of Eligible Providers

In the State of Tennessee, the Tennessee Department of Labor and Workforce Development (TDLWD) is charged by the

State Workforce Development Board with the responsibility to develop and maintain the Eligible Training Provider List (ETPL). To receive funds under Title I of WIOA, a training provider must make application to the local Workforce Investment Board for approval to be included on the ETPL. The NWTNWB agrees to adopt the procedures and formats provided by TDLWD for accepting and processing applications for the ETPL. Said procedures include processes and formats for renewal applications for providers which have completed their period of initial eligibility, as well as for making initial application.

Interested training provider applicants shall visit the Eligible Training Provider website at www.Jobs4TN.gov to register and complete the appropriate application forms as provided by TDLWD within the system. Applicants must provide all requested performance, cost, credentialing, articulation documentation, or other information requested by the Committee and/or the NWTNWB. Upon receipt of completed applications, a Sub-Committee of the NWTNWB will review and make recommendation to the full NWTNWB or its Executive Committee for approval, denial or other additional/subsequent consideration. The Sub-Committee, other committees of the NWTNWB, or NWTNWB members may request any additional information from the applicant institution deemed necessary. The LWDB will review and approve applicants which are deemed to have met the criteria outlined in WIOA Subtitle B, Chapter 1, Section 122. If approved, the NWTNWB will submit appropriate information and recommendation for addition to the Statewide Eligible Training Provider List in the Jobs4TN system.

Eligible Training Providers are accountable to established performance standards in accordance with Workforce Services Policy #5 – Eligible Training Provider List and renewal applications must provide required performance data in order to remain on the ETPL. According to the policy, providers on the ETPL are required to submit quarterly performance reports to the State, which must contain individual level data for all participants in programs offered by the Eligible Training Provider that have serviced at least one student with the assistance of WIOA funding. Performance reporting is required for credential attainment, employment rates during 2nd and 4th quarters after exit, and median earnings during 2nd quarter after exit for all students as well as for WIOA participants.

Similarly, employers who are awarded On-the-Job Training (OJT) contracts will have performance periodically reviewed by the Business Services Team to ensure placement and retention standards, in accordance with the federal performance measure, are met and warrant continued approval of new OJT contracts and slots. Any employers who are found to have a pattern of failure regarding completion or retention of participants will discuss the contributing factors with a Business Services Team member to develop corrective action plans, if appropriate, in order to remain a provider of OJT.

Performance and Effectiveness of the AJC Delivery System

In addition to closely monitoring attainment of the federal performance measures as described above, to measure the performance and effectiveness of the AJC delivery system in the local area, the NWTNWB utilizes an American Job Center survey and an Employer survey. Notice regarding the American Job Survey is posted in each Center and includes the website for completing the survey online. Survey cards are also made available to each job seeker, who has the option of completing the survey and placing it into a locked collection box, or electronically completing the survey via Survey Monkey. Survey cards placed into the collection box are keyed into Survey Monkey by One Stop Operator staff. Business customers are provided a link to complete a survey in Survey Monkey.

Both job seeker and employer surveys are shared with AJC partners and reviewed so that results can be analyzed and appropriate action taken. Results are also periodically posted on the system's website and social media pages, and any changes made because of the feedback are highlighted. While overall rankings of 4 or higher on a 5-point scale are considered successful, to see improvement, the percentage of customers providing such a rating is expected to be maintained or increased. Additionally, customer success stories are highlighted in an Annual Report, on social media accounts, and the Center's website.

Furthermore, the Greeter and various reporting features of the Virtual One-Stop (VOS), or Jobs4TN, allow leaders of the local One-Stop system to monitor customer traffic and caseloads to ensure the AJC, including contractors, have sufficient staffing to provide the needed level of customer service. If needed, staff may be asked to work in an AJC outside of their home office or regular working hours to ensure Centers are prepared to administer services to customers as needed. AJC staff utilize work experience and volunteer programs available through partner programs such as Temporary Assistance for Needy Families (TANF) and the Senior Community Service Employment Program (SCSEP),

and sometimes hire temporary staff to assist in delivering services if needed. The AJC focuses on streamlining and maximizing services to ensure all provisions under WIOA are implemented.

Technical Requirements and Assurances

A. Use of Technology in the One-Stop Delivery System

An integrated, technology-enabled intake and case management information system under WIOA (§ 679.560(b)(20)).

The management information system used to case manage participants for the programs listed below is the Jobs4TN system. Each employee is required to sign a user agreement stating that personally identifiable information is to be kept confidential and only used for the purpose of job duties. Each AJC also utilizes the Greeter feature to track the number of customers using the AJC. Using this system for the majority of WIOA programs allows programs to share information and reduce duplication of data entry. Information needed to calculate all common indicators of performance resides in this system. Reports can be generated and shared with program staff to ensure that performance targets will be met. The State office has held core partner meetings and has established performance groups that will routinely meet and report out all core partner performance. This approach will allow all partners to share concerns and keep a close eye on performance as a system. TANF and Vocational Rehabilitation use other case management systems but all WIOA partners will work to share information across these systems in order to better serve participants.

- Title I: Adult, Dislocated Worker, Youth
- Title II: Adult Education and Family Literacy
- Title III: Employment Programs under Wagner-Peyser
- Unemployment Insurance
- Trade Readjustment Assistance (TRA)
- Trade Adjustment Assistance (TAA)
- Job Counseling, Training, Placement Services for Veterans
- Migrant and Seasonal Farmworkers
- Community Services Block Grant (CSBG)
- Senior Community Services Employment Program (SCSEP)
- Second Chance (Reentry) - not currently available in Northwest TN

In addition, the above partners, as parties to the MOU, agree to work cooperatively to share data to the extent necessary and as permitted or required by applicable statutes or regulations.

Access to services, including in remote areas, through the use of technology and other means.

In accordance with the “direct linkage” requirement under WIOA, services are provided using technology available at the AJCs. The use of Skype for “face-to-face” interactions with various partners and / or employers allows customers in affiliate sites and access points to virtually receive one-stop services typically only offered onsite at the comprehensive centers. Jobs4TN also allows both job seeker and employer customers to remotely access secure, web-based AJC services such as labor market information, unemployment insurance, and mediated labor exchange. On-site and off-site partners also routinely make referrals via phone or email, or to Jobs4TN.gov for the unemployment insurance program. Information regarding AJC services is also made available on the system's website and social media pages. The Mobile AJC and Title I "Street Teams" also provide access to services. Livestreaming of AJC services is also incorporated onto social media to inform customers of events such as job fairs.

B. Physical Accessibility

As detailed in the MOU, partners agree that they will comply fully with the non-discrimination and equal opportunity provisions of: (1) Workforce Innovation and Opportunity Act Section 188, (2) Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq), (3) Nontraditional Employment for Women Act of 1991, (4) Civil Rights of 1964 Title VI (as amended), (5) Rehabilitation Act of 1973 Section 504 (as amended), (6) Age Discrimination Act of 1967 (as amended), and (7) Education Amendments of 1972 Title IX (as amended). Parties to the MOU must also adhere to requirements imposed by, or pursuant to, regulations implementing these laws – including but not limited to 29 CFR 37-38.

All partners also agree that they will not discriminate in their employment practices or services on the basis of gender, gender identity and/or expression, age, race, religion, national origin, disability, veteran’s status, or on the basis of any other classification protected under state or federal law. Partners assure that they have policies and procedures in place to address these issues, and that such policies and procedures have been disseminated to their employees and otherwise posted as required by law. All partners also cooperate with compliance monitoring that is conducted to ensure that all AJC programs, services, technology, and materials are physically and programmatically accessible and available to all. Additionally, staff members are trained to provide services to all, regardless of range of abilities, mobility, age,

language, learning style, or comprehension or education level. For instance, the attached Title VI training is offered to the One-Stop Operator, service providers, and NWTNWB staff.

Reasonable accommodations are provided for all aspects of a customer's experience in the AJCs, such as during application/registration for, and provision of, aid, benefits, services, and training. Accommodations are made according to the individual's need in order to ensure that he / she receives equal benefits from the program or activity, will be able to compete fairly in educational work settings, and in general, to have an equal opportunity. If needed, documentation of the individual's need for accommodations is obtained and maintained in a separate, secure location. In order to inform customers of the accommodations available, the following tag-line, or one similar, is included on all recruitment brochures and other outreach materials including print, newspaper ads, television, and radio commercials produced by the local workforce development board: "EOE. Auxiliary aids and services available upon request. TDD# 711."

Accommodations available include a large keyboard and calculator, a trackball mouse, ZOOM software for individuals with visual impairments, Language Line for interpretation or translation services, extended time and readers for assessments, large-print and Spanish Registrant Handbooks, and IntelliKeys keyboards. JAWS software, which reads aloud what's on the computer screen and gives the user a unique set of intelligent tools for navigating and accessing web pages and all screen content for individuals with visual impairments, is also available at the comprehensive center in Dyersburg. The system utilizes a TDD/TTY number for all centers, 711, and a TDD/TTY phone is available at the comprehensive center in Dyersburg, as well as in six of the affiliate centers. Interpretive machines are made available if needed and referrals are made for additional services not offered in the AJC. Furthermore, in partnership with DRS, a braille is available for the blind, interpreters for the deaf will be provided through the Jackson Council for Independent Living, and accessibility evaluations will be done at the STAR Center.

C. Fiscal Management

Identify the entity responsible for the disbursement of grant funds [WIOA Sec. 108(b)(10)].

The NWTNWB was selected as Administrative Entity/Fiscal Agent for the WIOA grant funds by a Consortium of Chief Elected Officials (CEO). As the designated entity, the NWTNWB, in accordance with Sec. 107(d){12}{B}{III} shall disburse the grant funds for workforce investment activities at the direction of the board, immediately upon receiving such direction from the local board. §679.420 states that the designation of a fiscal agent does not relieve the chief elected official or Governor of liability for the misuse of grant funds. If the CEO designates a fiscal agent, the CEO must ensure this agent has clearly defined roles and responsibilities, therefore, CEOs enter into an agreement with the NWTNWB.

Competitive procurement processes used to award the subgrants and contracts for WIOA Title I.

The NWTNWB follows the appropriate procurement and purchasing guidelines as outlined in the attached Purchasing and Procurement policy. When procuring a One-Stop Operator and Title I Service Provider, the Board follows the guidelines for formal solicitations as listed in the attached policy. Consistent with WIOA Sections 107(d)(10) and 121(d), the Workforce Services Policy regarding One-Stop Delivery and Design System, paragraph (D) of the Local Board Responsibilities section, and in accordance with the Regional Planning Council, the NWTNWB, with the agreement of the chief elected officials for the local area, shall designate or certify one-stop operators as described in section 121(d)(2)(A). In order to conduct a competitive process for the selection of a one-stop operator and Title I Service Provider in accordance with 121(d)(2)(A), the Board, with the agreement of the CEOs, will issue, or will select a third-party contractor to issue, a Request for Proposals (RFP). The RFP will be posted for a designated time period, with public notice being provided through print media and / or electronic means, and with potential bidders being notified of the release by email. Proposals received shall be reviewed by a committee approved by the Board and CEOs, or by the selected third-party contractor. The review committee or contractor shall make a recommendation to the Board for selection of the Operator and Title I Service Provider. The selected Operator and Service Provider, which may be separate entities, shall enter into a contract(s) with the Board and CEOs as developed by the fiscal agent.

Describe how the local area will meet the required 50% minimum participant cost rate (MPCR).

The minimum participant cost rate (MPCR) policy, designed by the State Workforce Development Board, sets a benchmark for participant expenditures in order to more effectively focus resources on serving more individuals. In accordance with Workforce Services Policy – Minimum Participant Cost Rate TN-WIOA (17-11), the NWTNWB adopts this State Policy as its local performance accountability measure (WIOA, Section 116(b)(2)(B)). Further, in accordance with MPCR TN WIOA 17-11, the NWTNWB shall ensure the required MPCR is expended on allowable participant costs by the end of each program year. The NWTNWB takes a proactive approach to meet all federal and state regulations and

guidelines, including the MPCR policy. Although the MPCR is only required to be reported quarterly, management is tracking the MPCR monthly and advising the One Stop Operator, Title I Service Provider, and Board members of the progress made. To meet the required MPCR rate, the NWTNWB has made strides to decreasing operations costs, thereby allowing more funds to be available to be spent directly on participants. Leases for rented office spaces and costs of associated services such as phone and internet were renegotiated, resulting in significant savings in operations costs. Staffing structures at the board and contractor level were also realigned to maximize funding.

In addition to decreasing operations costs, the NWTNWB has enhanced existing participant services and developed new initiatives. Designed to meet the needs of employers and jobseekers, these enhancements and new initiatives also focus funding on direct participant expenditures. During the prior program year, the NWTNWB expended 100% of its Consolidated Business Grant (CBG) funds on On-the-Job Training (OJT) and Incumbent Worker Training (IWT) contracts with employers. Additional formula funds were spent on these initiatives to meet employers' needs. The NWTNWB has also focused a substantial portion of Youth funding on Work Experience, and also participated in the TN Department of Labor and Workforce Development's (TDLWD) Summer Youth initiative to further expand services. Transfers of funding from the Dislocated Worker to Adult program are also requested to ensure funding is spent on individuals with barriers to employment, such as individuals who are low income, offenders, long-term unemployed single parents, or who have disabilities. The "Ready, Set, Hire" approach allows such individuals, and others, to participate in up to 320 hours of subsidized employment through a transitional job based on the jobseeker's needs as documented on the Individual Service Strategy (ISS). The jobseeker's employment is subsidized through the Adult or Dislocated Worker program at no cost to the employer. Up to 320 hours of employment through an OJT grant, based on the job seeker's needs as documented on the ISS and the training needs of the position as demonstrated by the Specific Vocational Preparation level of the position, may also be funded. Employers may be reimbursed up to 50% of an eligible OJT participant's wages for the completion of the specified training period.

D. Transfer of Title I Workforce Funds

Local strategies financed by the transfer of funds; the maximum amount authorized to be transferred annually: To transfer funds between the adult and dislocated worker funding streams;

According to WIOA Section 133, a local board, with approval of the Governor, may transfer up to 100% of a program year and fiscal year allocations between Adult employment and training activities and Dislocated Worker employment and training activities. The NWTNWB may elect to request up to the maximum allowable amount, 100%, between the Adult and Dislocated Worker programs, based on a variety of factors which may include:

1. Current labor market information (e.g. unemployment rates, demographic data, etc.);
2. Performance data;
3. Results of aggressive recruitment of the most in-need for the Adult population or recruitment of the long-term Dislocated Worker population;
4. The adjusted average cost per participant (if applicable);
5. Results of efforts to recruit and market the availability of services to participants; and
6. Jobs4TN data and reports detailing the populations being reached and served.

Fortunately, Northwest TN has seen unemployment rates drop from highs of 18-19% at the height of the recession to 4.7% in September 2018. Plant closures and mass layoffs have also dropped dramatically. For the program years between 2011-2014, Northwest TN had 4,482 dislocated workers. For the past three program years, Northwest TN only had 689 dislocated workers, or only 15% of the previous three years. When companies are hiring, dislocated workers who are normally hired before adults with barriers to employment. With the emphasis on serving individuals with barriers to employment, the NWTNWB continues to seek out the most-in-need population through a "street team" model and social media. A transitional jobs program to provide targeted work experience for individuals with serious barriers such as long-term unemployed, offenders, etc. has also been implemented. If approved, transfers of funding may be used to fund any new or existing strategies or services under the appropriate program (Adult or Dislocated Worker). Such strategies and services may include Individual Training Accounts, transportation stipends, work-related support payments, transitional jobs, On-the-Job Training, Incumbent Worker Training, and other services.

To use funds for incumbent worker training as outlined in WIOA Sec. 134 (d)(4)(A)(i);

As outlined in WIOA Sec. 134 (d)(4)(A)(i), the local board may reserve and use not more than 20 percent of the funds allocated to the local area involved under section 133(b) to pay for the Federal share of the cost of providing training

through a training program for incumbent workers, carried out in accordance with this paragraph. For the purpose of determining the eligibility of an employer to receive funding under clause (i), the NWTNWB takes into account factors consisting of— (I) the characteristics of the participants in the program; (II) the relationship of the training to the competitiveness of a participant and the employer; and (III) such other factors as the local board may determine to be appropriate, which may include the number of employees participating in the training, the wage and benefit levels of those employees (at present and anticipated upon completion of the training), and the existence of other training and advancement opportunities provided by the employer. The training program for incumbent workers carried out under this paragraph shall be carried out by the local board in conjunction with employer the for the purpose of assisting such workers in obtaining the skills necessary to retain employment or avert layoffs. Employers participating in the incumbent worker training (IWT) program are required to pay for the non-Federal share of the cost of providing the training to incumbent workers of the employers. In order to fund IWT, the NWTNWB first utilizes specialized funding available, such as Consolidated Business Grants (CBG). If additional funding is needed to meet the needs of area employers, and is available, the NWTNWB authorizes up to 20 percent of the funds allocated to the local area involved under section 133(b) to be used to pay for the Federal share of IWT.

To use funds for transitional jobs as outlined in WIOA Sec. 134(d)(5)

According to WIOA Sec. 134(d)(5), the local board may use not more than 10 percent of the funds allocated to the local area involved under section 133(b) to provide transitional jobs under subsection (c)(3) that— (A) are time-limited work experiences that are subsidized and are in the public, private, or nonprofit sectors for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history; (B) are combined with comprehensive employment and supportive services; and (C) are designed to assist the individuals described in subparagraph (A) to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment. The NWTNWB has implemented a “Ready, Set, Hire” approach to allow jobseekers and employers to mutually benefit from the combined offerings of:

- ***Ready - Transitional Job*** Up to 320 hours of subsidized employment through a transitional job based on the job seeker’s needs as documented on the Individual Service Strategy (ISS). The job seeker’s employment is subsidized through the WIOA Adult or Dislocated Worker program at no cost to the employer. The job seeker will be paid through the program at the higher of 80% of the starting rate of the position being performed or minimum wage. For instance, a participant working in a Production position which pays \$10 per hour would be paid \$8.00 per hour for the duration of the transitional job ($\$10.00 \times 0.8 = \8.00 per hour).
Note: The Director may approve work experience through a transitional job beyond 320 hours on a case-by-case basis as needed based on the job seeker’s need as documented on the ISS.
- ***Set - OJT Position*** Up to 320 hours of employment through an OJT grant, based on the job seeker’s needs as documented on the ISS and the training needs of the position as demonstrated by the Specific Vocational Preparation (SVP) level of the position. Employers may be reimbursed up to 50% of an eligible OJT participant’s wages for the completion of the specified training period.
- ***Hire!*** Employers are encouraged to consider hiring participants who successfully complete a Transitional Job, with or without an OJT contract. Participants on an OJT contract are employees of the business and are expected to be retained upon the successful completion of the training period. Employers may qualify for a Work Opportunity Tax Credit ranging from \$1,200 to \$9,600 for hiring individuals with barriers who are considered a member of a qualified targeted group.

E. Cooperative Agreements

The NWTNWB maintains the attached cooperative agreements with Vocational Rehabilitation, and other Core Partners, which define how local service providers and partners carry out the requirements for the integration of, and access to, the entire set of services available in the local one-stop system.

F. Title VI Trainings

The NWTNWB provides the attached Title VI training PowerPoint to all service providers, the OSO, and Board staff. Dyersburg State Community College, the selected Career Services Provider, requires the attached online training to be completed by all staff, including Title I staff.

New Local Planning Element – Workforce and Correction Partnership

1. Local Board Partnerships

The NWTNWB supports the goal of improving labor market outcomes of formerly-incarcerated population often known as justice involved. To do so, the NWTNWB will establish or enhance partnerships with re-entry service providers, parole and probation field offices, employers, community-based organizations, faith-based organizations, labor organizations, vocational training providers, and social enterprises that serve the formerly incarcerated and justice-involved individuals. The NWTNWB recognizes the value of all partners, especially community and faith-based organizations who have firsthand expertise in understanding and providing impactful services to the re-entry population. The One-Stop Operator (OSO), on behalf of all partners of the AJC, will reach out to the various organizations that can assist in this effort. The NWTNWB and AJC are actively working with local Sheriff’s and county jails in four of the nine counties to provide re-entry services for currently incarcerated inmates to ensure a smooth transition into the labor force upon release. The jails offer a network of community-based organizations already working with inmates for transition into society. By coupling these efforts, justice involved individuals will have a much better chance for success and reduce the recidivism rates for this population. The programs vary to meet the needs of the area and provide seamless, integrated and effective services to both current justice-involved individuals and those formerly incarcerated. Although the AJC OSO can arrange for partners to provide basic career services, including, but not limited to, labor market information, career pathway guidance, and job search assistance, etc., the NWTNWB also recognizes that justice-involved individuals may need mental health and faith-based programs. The OSO will seek to coordinate with community-based organizations currently working with justice involved individuals to blend and braid services. Additionally, the OSO will seek out new community-based organizations to provide any void in services.

2. Assessment of Need and Population Size

Overview of Size and Demographics of Supervised Population

The following information was included in the TN Jail Summary Report, October 2018, as of October 31, 2018 – One Day Snapshot.

Facility	TDOC Back-up	Local Felons	Other Convicted Felons	Federal & Others	Convicted Misdemeanor	Pre-Trial Felony	Pre-Trial Misdemeanor	Total Jail Population
Benton	18	0	2	5	6	34	26	91
Carroll	30	16	0	13	31	25	27	142
Crockett	15	0	0	0	4	32	10	61
Dyer	54	0	0	0	37	81	22	194
Dyer Annex	35	0	0	0	3	0	0	38
Gibson	109	6	0	0	59	73	56	303
Henry	27	33	0	0	39	56	27	182
Lake	23	0	0	0	13	8	11	55
Obion	18	20	3	74	11	32	20	178
Weakley	24	10	0	0	19	22	10	85

The NW Correctional Complex in Lake County, has the second largest average daily inmate population in the state with 2,331 for FY 2018. The average age is 39.3 years and 52% are minority. Approximately 46% are convicted for crimes against person, 27% crimes against property, and 20% societal (drugs, DUI). During the past year, 1,373 participated in Adult Education classes, 1,156 were enrolled in full-time vocational training, and 58 were enrolled in college.

Assessment of the Types of Services Needed

In addition to the traditional career services offered by AJC partners, employing individuals with barriers, requires “hard” skills and experience to get a job and keep that job. Title I partners can provide ITAs and supportive services for occupational skills training. A current partnership to meet the needs of the manufacturing industry with area Tennessee

Colleges of Applied Technology (TCAT) and Dyersburg State Community College is to provide the Manufacturing Skills Standard Council (MSSC) Certified Production Technician (CPT) training program. The program referred to as RAMP (Re-entry Advanced Manufacturing Program) is being offered on-site at multiple jails to train inmates in Safety, Quality, Manufacturing Processes, and Maintenance Awareness. Both providers have had success with CPT training with other target groups. The NWTNWB will also make funds available to its Title I partner to place justice involved individuals in Transitional Work Experience (TWE) and/or On-the-Job Training (OJT). The Northwest TN Workforce Area has had great success with OJT for many years, placing over 200 workers annually with excellent retention. By coupling TWE with OJT, our new *Ready...Set...Hire!* program offers employers an opportunity to “try-out” the justice involved individual, prior to hiring them. Additional partnerships may be developed as needed.

Number of Individuals Released Annually from State Prison

According to the TN Department of Correction [Fiscal Year \(FY\) 2018 Statistical Abstract](#), releases increased by 423, or 3.2%, from FY 2017 to FY 2018. In FY 2018, there were 13,538 releases. Of those, 2,428 were released from local jails for reasons other than death. In West TN, a total of 2,974 individuals were released. Also in FY 2018, 24,323 individuals were admitted to some type of community supervision (probation, parole, or community corrections), while 23,792 individuals were released from community supervision.

Number of Formerly Incarcerated Served for PYs 16-17 and 17-18

During PY 16-17, eight incarcerated individuals were served through the Jail to Job program. Five of the eight individuals already had a high school diploma or equivalent, while the remaining three did not. One of the three individuals without a diploma received a GED during participation in the program. Six of the eight served, or 75%, were working upon exit from the program. Of the six who were employed, all six, or 100% were still employed in the 2nd quarter after exit, while five of the six or 83%, were still employed during the 4th quarter after exit. These individuals earned an average wage of \$10.33 per hour and a median wage of \$10.00 per hour. During the same program year, an additional seven formerly incarcerated individuals were enrolled and received other training services. Two of the individuals were served through the Out-of-School Youth program while the other five were served through the Adult program. One of the Youth participants was enrolled as a single parent. Only two of the individuals were employed at the time of enrollment and both were considered underemployed. Only one individual lacked a high school diploma or equivalent at the time of enrollment, and only one was already enrolled in post-secondary training at enrollment. Five of the seven served, or 71%, completed training and were working upon exit from the program. Of the remaining two individuals, one was exited from the program for exclusionary reasons, and the other is continuing to receive services. Of the five individuals who were working upon exit, all five, or 100% were employed at both 2nd and 4th quarter after exit. These individuals earned an average wage of \$11.88 per hour and a median wage of \$13.00 per hour.

During PY 17-18, 23 incarcerated individuals were enrolled in RAMP and are continuing to receive services. Four of the individuals were enrolled as Out-of-School Youth (OSY) while the remainder were enrolled in the Adult program. Six individuals did not have a high school diploma or equivalent at enrollment, one had some postsecondary training, three already had a postsecondary credential, and the remaining 14 individuals had a high school diploma or equivalent. Fifteen of these individuals have already completed the CPT training. Also during PY 17-18, 16 ex-offenders were enrolled in other programs, with 12 individuals still being served through the program. Eight individuals were enrolled as OSY, with one being a Youth who aged out of Foster Care, and two being single parents. The remaining eight were enrolled as Adults, one of whom was an eligible Veteran. Only two of the individuals were employed at the time of enrollment and were considered underemployed. Four of the unemployed individuals were long-term unemployed. One individual had less than a high school diploma or its equivalent, and only one individual was enrolled in postsecondary training at the time of enrollment. Three of the four individuals, or 75%, who have exited from the program completed their training and were employed earning an average wage of \$12.91 per hour or a median wage of \$13.06 per hour.

Ways Partners Will Facilitate Information Sharing

The One-Stop Operator provides a mechanism for communication between all program partners. To date, the Sheriff's

Offices has provided documentation for eligibility for current inmates who often do not have a current driver's license, etc. The AJC has also contacted Probation and Parole for necessary information.

3. Services – Who, What, When and How of Alignment

Existing and Prospective Partnerships to Coordinate Re-Entry

The Jail2Jobs program in Dyer County, the first for the area, featured an on-site AJC at the Dyer County Work Center. Inmates received career related information and assistance in securing employment while still incarcerated. Although WIOA funding is no longer targeted toward this program, several counties have adopted the model work-house/work-release model with the AJCs providing periodic career related workshops and employers being reimbursed for up to 50% OJT wages for full-time new hires. Transitional Work Experience is also an option for employers who are not sure about direct hiring justice involved individuals. The Re-entry Advanced Manufacturing Program (RAMP) provides nationally recognized credentials and college credit in Safety, Quality, Manufacturing Processes and Maintenance Awareness. Individuals completing all four modules are awarded Certified Production Technician credentials. Three of nine counties are currently participating in the RAMP program. The NWTNWB is working with additional counties to determine feasibility of expansion.

Current Level of Service and Plans to Modify

The Northwest TN region has been working with justice involved programs for several years and currently has contracts in place to provide RAMP in three locations, with ten individuals being served per location per quarter. Individuals are also beginning to be placed in work release OJTs. Due to the small size of some local jails, RAMP classes may be moved quarterly to a different jail, resulting in an expanded service area, but potential not a significant increase in numbers served. The NWTNWB will also explore any opportunities with the State Correctional facility in Lake County. It appears with the level of Adult Education, vocational training and college participation, basic career services may be the appropriate service, including use of the Mobile AJC.

Identification of Potential Barriers and Supportive Services

Multiple barriers await a justice involved individual as he/she tries to put their life back on track. Through current efforts, the NWTNWB has found the timing of release to be a real issue. Some inmates are released prior to finishing the program, some months afterwards. Most jails will not release them unless they have a "plan" for housing and a job. Generally, the faith-based and community-based organizations work with them on housing. Title I can provide transportation for schooling and up to 30 days during work experience. Referrals are made to TANF for childcare. Title I can also provide tools and uniforms and other work-related expenses.

Outreach and Recruitment Strategies & Collaboration with Parole and Probation Partners

Outreach and recruitment of participants for RAMP participation starts with the county mayor, sheriff, Business Service Team, AJC Partner staff and training provider. Once all parties agree to the project, informational brochures are provided to the inmates and staff meet individually to determine if they are a right fit for the program. Information on the RAMP program has been publicized through flyers/brochures and social media. Business and industry groups have been asked to visit the programs, as well as county mayors and sheriffs from neighboring counties. Other justice involved individuals who "walk-in" to the AJC, are identified during the Welcome Function as part of the initial assessment and screening. The NWTNWB has also reached out to Probation and Parole Manager for the Northwest Area, Tamika Holman. While there is already some coordination with her office (receiving flyers for job fairs, inquiries from AJC on participants, etc.), we plan to meet to determine how each of our agencies can work together better to support the efforts of serving justice involved individuals. Informal agreements between the AJC and the Sheriff's Offices provide for advance notification of release of RAMP participants to assure they have contact at the AJC and to review their employment plan.

Intake and Case Management Needs

Case Managers work closely with all applicants to obtain current information about the education and training they have received. The NWTNWB acknowledges that those who received education and training during incarceration often have a more difficult time providing information to help build the best employment plan possible. Case Managers will assist the

justice involved individual by reaching out to Probation and Parole or directly to the facility or training provider to gather the information, such as transcripts of credentials.

4. Relationship to Regional Labor Market Needs, Sector Pathway Programs, and Partnerships

Development of Resources and Information for Distribution

Informational materials are readily available on all of these programs for the federal Work Opportunity Tax Credit and Federal Bonding. The Business Services Team currently provides information to employers on these topics as a standard part of their presentation. Through team meetings hosted by the One-Stop Operator, Business Services Representatives are made aware of the various supportive services offered by partners, CBOs, and other organizations to assist in hiring formerly incarcerated individuals. They provide this information to employers as needed, while AJC staff share the information with applicants.

Interface with Regional Sector Pathways Efforts

Manufacturing continues to be a strong regional sector pathway throughout West TN. To facilitate increasing the number of individuals trained and available for work in manufacturing, Northwest TN piloted the Re-Entry Advanced Manufacturing Program. TCATs and/or the community college provide onsite instruction for currently incarcerated individuals in Safety, Quality, Manufacturing Processes and Maintenance Awareness. Formerly incarcerated individuals are eligible for ITAs in various other sectors, including healthcare, transportation and business.

Staff and Training Needs of Regions, Boards, and Partners

All three areas in the West TN Region offer very different re-entry programs. Leadership provides periodic reviews of programs at the Regional Planning Council (RPC) meetings. The RPC plans to convene a meeting of “practitioners” throughout the region to discuss the details, challenges and successes. If additional training needs are determined beyond the region, we will seek the assistance of the TDLWD to identify training resources.

Identification of and Engagement with Employers and Partnerships

The NWTNWB started with the Outreach and Opportunities Committee and American Job Center Committee, which includes private sector members, to gauge the amount of interest in providing services to justice involved individuals. The committees reviewed and approved programs, such as RAMP, and receive quarterly updates of progress. These members indicated their companies would give justice involved individuals an opportunity on a case-by-case basis. All partners are included in the planning process where priority industry sectors and occupations are identified. Further, the One-Stop Operator is aware of the priority and distributes all job order, job fair, etc. information to all partners. Further, the Business Services Team in Northwest TN has developed very good relationships with the employer community. During visits, they discuss the possibility of hiring ex-offenders or currently incarcerated (where work release programs are established). They explain the benefits of Transitional Work Experience, OJT, WOTC and Federal Bonding. Chambers and employer groups have also been invited to visit the RAMP training.

Shared Case Management – Services/Referrals and Support Services

The One-Stop Operator monitors case management in the Virtual One Stop system to ensure that all participants, including those serving formerly incarcerated and justice involved individuals, receive shared case management services from all appropriate partners. Partners are accustomed to the “it takes a village” methodology when working with individuals with barriers. The NWTNWB has reached out to the Probation and Parole Manager for Northwest TN to convene a meeting. The One-Stop Operator will include appropriate partners who will be able to discuss services, services and support services such as peer support, housing, transportation, food, family reunification and others.

New Regional Planning Element – Workforce and Correction Partnership

Based on the promising ROI of business-focused strategies, West TN will adopt the Workforce and Correction partnership with the goal of improving labor market outcomes of the state’s formerly-incarcerated population, or ex-offenders. The local boards and RPC will partner with community-based organizations (CBOs), reentry service providers, local sheriffs, and representatives of State Parole and County Probation Departments to provide seamless, integrated, and effective services to the formerly incarcerated and other justice-involved individuals. Recognizing the opportunity to work with inmates prior to release can reduce the rate of recidivism, regional partnerships to serve justice involved individuals (current or former) will interface with existing regional sector pathways efforts, including identification of and engagement with employers, industry sector partners, and labor-management partners who are willing to hire them, including those with felony convictions and those who are currently under state or county supervision. While members of the Business Services teams work with employers to develop OJT, IWT, apprenticeship, work experience, and transitional job opportunities for such individuals, members of the Career Development Team will work with the individuals and partner organizations to ensure individuals receive the appropriate career services and supportive services to be successful in work-based or other training opportunities.

A. Local Board Partnerships

Each of the local boards in West TN will establish or enhance partnerships with re-entry service providers, parole and probation field offices, employers, community-based organizations, faith-based organizations, labor organizations, vocational training providers, and social enterprises that serve the formerly incarcerated and justice-involved individuals. West TN recognizes the value of all partners, especially community and faith-based organizations who have firsthand expertise in understanding and providing impactful services to the re-entry population. The One-Stop Operators (OSO) in each local area, on behalf of all partners of the AJC, will reach out to the various organizations that can assist in this effort. Each of the local boards, in partnership with the AJCs, are actively working with local Sheriff’s and county jails to provide re-entry services for currently incarcerated inmates to ensure a smooth transition into the labor force upon release. The jails offer a network of community-based organizations already working with inmates for transition into society. By coupling these efforts, justice involved individuals will have a much better chance for success and reduce the recidivism rates for this population. The programs vary to meet the needs of the area and provide seamless, integrated and effective services to both current justice-involved individuals and those formerly incarcerated. Although the AJC OSOs can arrange for partners to provide basic career services, including, but not limited to, labor market information, career pathway guidance, and job search assistance, etc., West TN also recognizes that justice-involved individuals may need mental health and faith-based programs. The OSOs will seek to coordinate with community-based organizations currently working with justice involved individuals to blend and braid services. Additionally, the OSOs will seek out new community-based organizations to provide any void in services.

B. Assessment of Need and Population Size

Overview of Size and Demographics of Supervised Population: Per the TN Jail Summary Report, October 2018, as of October 31, 2018 – One Day Snapshot, the total jail population in West TN is 8,467, with the majority, 5,670, located in the Greater Memphis area, and the remainder nearly equally split between the Northwest and Southwest areas.

Local Area	TDOC Back-up	Local Felons	Other Convicted Felons	Federal & Others	Convicted Misdemeanor	Pre-Trial Felony	Pre-Trial Misdemeanor	Total Jail Population
Northwest	353	85	5	92	222	363	209	1,329
Southwest	229	126	23	22	259	500	321	1,468
Greater Memphis	518	1,384	256	82	354	2,647	429	5,670
West TN	1,100	1,595	284	196	835	3,510	959	8,467

Assessment of the Types of Services Needed: In addition to the traditional career services offered by AJC partners, employing individuals with barriers, requires “hard” skills and experience to get a job and keep that job. Title I partners can provide ITAs and supportive services for occupational skills training. Title I partners may also place justice involved

individuals in Transitional Work Experience (TWE) and/or On-the-Job Training (OJT). West TN has had great success with OJT for many years, and the program offers employers an incentive to provide an employment opportunity to the justice involved individual. Additional partnerships may be developed as needed.

Number of Individuals Released Annually from State Prison: According to the TN Department of Correction [Fiscal Year \(FY\) 2018 Statistical Abstract](#), releases increased by 423, or 3.2%, from FY 2017 to FY 2018. In FY 2018, there were 13,538 releases. Of those, 2,428 were released from local jails for reasons other than death. In West TN, a total of 2,974 individuals were released. Also in FY 2018, 24,323 individuals were admitted to some type of community supervision (probation, parole, or community corrections), while 23,792 individuals were released from community supervision.

Number of Formerly Incarcerated Served for PYs 16-17 and 17-18: According to the Targeted Population Summary report from Jobs4TN, during Program Year (PY) 2017, West TN served a combined total of 176 formerly incarcerated individuals. During the prior program year, West TN served a combined total of 204 formerly incarcerated individuals. As of December 18, 2018, West TN has served a combined total of 181 formerly incarcerated individuals since the beginning of PY 2018. In total, West TN has served 561 formerly incarcerated individuals since July 1, 2016.

Ways Partners Will Facilitate Information Sharing: The One-Stop Operators provide mechanisms for communication between all partners. To date, the Sheriff's Offices have provided documentation for eligibility for current inmates who often do not have a current driver's license, etc. The AJCs have also contacted Probation and Parole for information.

C. Services – Who, What, When and How of Alignment

Existing and Prospective Partnerships to Coordinate Re-Entry: As unemployment rates have continued to decline in the region, preparing individuals with criminal backgrounds to return to work has become an even greater priority as employers seek skilled applicants to fill vacancies. West TN has incorporated several programs for currently incarcerated individuals to help prepare them for re-entry into society and the workforce. For instance, a partnership with the Memphis Shelby County Office of Re-Entry (MSCOR) has enabled their clientele to receive training and job placement services. The Re-Entry Advanced Manufacturing Program (RAMP) has established "specialized" AJCs at the Dyer, Gibson, and Henry County Jails to offer career services, Certified Production Training, and work experience. Similarly, the Inside-Out Dad program provides incarcerated fathers with basic needs to prosper upon re-entry into society. The program includes instruction on being a better father and husband, adult education classes, resume and interviewing guidance, and information on services available through various agencies. After completing a pilot program in McNairy County, the program was expanded to five other counties and a similar program for incarcerated women, How to Be A Responsible Mother, was introduced. LWDBs are working with additional counties to determine feasibility of expansion.

Current Level of Service and Plans to Modify: The West TN region has been working with justice involved programs for several years and has increased services during that time. Due to the small size of some local jails, while an expanded service area, is expected, a significant increase in numbers served is not expected. The West TN region will also explore any opportunities with the State Correctional facilities. It appears with the level of Adult Education, vocational training and college participation, basic career services may be the appropriate service, including use of the Mobile AJC.

Identification of Potential Barriers and Supportive Services: Multiple barriers await a justice involved individual as he/she tries to put their life back on track. Through current efforts, West TN has found the timing of release to be a real issue. Some inmates are released prior to finishing the program, some months afterwards. Most jails will not release them unless they have a "plan" for housing and a job. Generally, the faith-based and community-based organizations work with them on housing. Title I can provide transportation for schooling and / or during work experience. Referrals are made to TANF for childcare. Title I can also provide tools and uniforms and other work-related expenses.

Outreach and Recruitment Strategies & Collaboration with Parole and Probation Partners: Outreach and recruitment of participants for participation in various programs in West TN starts with county mayors, sheriffs, Business Service Teams, AJC Partner staff and training providers. Once all parties agree to the project, informational brochures are provided to the inmates and staff meet individually to determine if they are a right fit for the program. Information on

programs has been publicized through flyers/brochures and social media. Business and industry groups have been asked to visit programs, as well as county mayors and sheriffs from neighboring counties. Other justice involved individuals who “walk-in” to the AJC, are identified during the Welcome Function as part of the initial assessment and screening. West TN has also reached out to local Probation and Parole Managers. While there is already some coordination with the office (receiving flyers for job fairs, inquiries from AJC on participants, etc.), we plan to meet to determine how each of our agencies can work together better to support the efforts of serving justice involved individuals.

Intake and Case Management Needs: Case Managers work closely with all applicants to obtain current information about the education and training they have received. West TN acknowledges that those who received education and training during incarceration often have a more difficult time providing information to help build the best employment plan possible. Case Managers will assist the justice involved individual by reaching out to Probation and Parole or directly to the facility or training provider to gather the information, such as transcripts of credentials.

D. Relationship to Regional Labor Market Needs, Sector Pathway Programs, and Partnerships

Development of Resources and Information for Distribution: Informational materials are readily available on all of these programs for the federal Work Opportunity Tax Credit and Federal Bonding. The Business Services Team currently provides information to employers on these topics as a standard part of their presentation. Through team meetings hosted by the One-Stop Operators, Business Services Representatives are made aware of the various supportive services offered by partners, CBOs, and other organizations to assist in hiring formerly incarcerated individuals. They provide this information to employers as needed, while AJC staff share the information with applicants.

Interface with Regional Sector Pathways Efforts: All programs interface with sector pathway efforts whenever possible. For instance, manufacturing continues to be a strong regional sector pathway throughout West TN. To facilitate increasing the number of individuals trained and available for work in manufacturing, Northwest TN piloted the Re-Entry Advanced Manufacturing Program (RAMP). Formerly incarcerated individuals are eligible for ITAs in other sectors, including healthcare, transportation and business.

Staff and Training Needs of Regions, Boards, and Partners: All three areas in the West TN Region offer different re-entry programs. Leadership provides periodic reviews of programs at RPC meetings. The RPC plans to convene a meeting of “practitioners” throughout the region to discuss the details, challenges and successes. If additional training needs are determined beyond the region, we will seek the assistance of the TDLWD to identify training resources.

Identification of and Engagement with Employers and Partnerships: LWDBs, which include private sector members, gauge the amount of interest in providing services to justice involved individuals, and approve programs, such as those mentioned above. Employer partners who indicate their companies would give justice involved individuals an opportunity on a case-by-case basis are sought for all projects as needed. All partners are included in the planning process where priority industry sectors and occupations are identified. Further, the One-Stop Operators are aware of the priority and distributes all job order, job fair, etc. information to all partners. Further, the Business Services Team has developed good relationships with employers. During visits, they discuss the possibility of hiring ex-offenders or currently incarcerated (where work release programs are established). They explain the benefits of Work Experience, OJT, WOTC and Federal Bonding. Chambers and employer groups have also been invited to visit the RAMP training.

Shared Case Management – Services/Referrals and Support Services: The One-Stop Operators monitor case management in the Virtual One Stop system to ensure that all participants, including those serving formerly incarcerated and justice involved individuals, receive shared case management services from all appropriate partners. Partners are accustomed to the “it takes a village” methodology when working with individuals with barriers. West TN has reached out to local Probation and Parole Manager and the One-Stop Operators will include appropriate partners who will be able to discuss services, services and support services such as peer support, housing, transportation, food, family reunification and others in future meetings.

Local Plan Attachments

A. Training Provider Approval Policy and Procedures

Effective Date: December 18, 2018

Duration: Indefinite

In order to receive funds under Title I of WIOA, a training provider must make application to the local Workforce Board for approval. Therefore, customers approved for ITA funds can only select from programs on the Eligible Training Provider List. If a program is not on the list, WIOA cannot pay the cost of attendance.

In the State of Tennessee, the Tennessee Department of Labor and Workforce Development (TDLWD) is charged by the State Workforce Development Board with the responsibility to develop and maintain the Eligible Training Provider List. The Northwest local area agrees to adopt the procedures and formats provided by TDLWD for accepting and processing applications for the Eligible Provider List. Said procedures include processes and formats for Renewal Applications for “grandfathered” eligible providers and for others which have completed their period of initial eligibility, as well as processes for making initial application.

Interested applicants shall visit the Eligible Training Provider website at www.Jobs4TN.gov in order to register and complete the appropriate application forms as provided by TDLWD within the system. Application forms are available online at the website listed above. Upon receipt of completed applications, a Sub-Committee of the Northwest Tennessee Workforce Board (NWTNWB) will review and make recommendation to the Northwest Tennessee Workforce Board for approval, denial or other additional/subsequent consideration. The Sub-Committee Committee, other committees of the NWTNWB, or NWTNWB members may request any additional information from the applicant institution deemed necessary. Applicants must provide all requested performance, cost, credentialing, articulation documentation, or other information requested by the Committee and/or the NWTNWB. The LWDB will review and approve applicants which are deemed to have met the criteria outlined in WIOA Subtitle B, Chapter 1, Section 122.

Finally, renewal applications must provide required performance data in order to remain on the Eligible Training Provider List. If approved, the NWTNWB will submit appropriate information and recommendation for addition to the Statewide Eligible Training Provider List in the Jobs4TN system.

Training Providers Appeal Process

If a Local Workforce Development Board (LWDB) rejects an application for initial eligibility determination for a program of training service, the LWDB must provide notice with the letter of rejection containing the reasons for rejections as well as the availability of an appeals process.

Local Appeals

Each LWDB maintains a written appeal process. The procedure includes an opportunity for a hearing, with a final written decision on the appeal to be provided within sixty (60) days of the date of the LWDB’s receipt of the request for appeal. If the provider is not satisfied with the outcome of the local appeal, a provider may submit a formal appeal to the State appeals committee.

Should an application for addition to the ETPL be denied by the NWTNWB, the NWTNWB will notify the applicant of the denial, the reason(s) for the denial, and information on the appeal process within ten (10) working days. Notification shall be written and may be transmitted by U. S. Postal Service, Return Receipt Requested, Fed Ex or other package delivery service, by facsimile transmission, and/or electronically through e-mail. The applicant institution may access the approved NWTNWB appeal process, as follows:

1. The institution must request, in writing, additional consideration by the NWTNWB and its Sub-Committee of at least 1 – 3 impartial appeal officers (i.e. any staff or board members uninvolved in the initial decision). The written request must be submitted within 10 working days of receipt of written notification of denial or need for additional information/review by the NWTNWB.

Address local appeals to the attention of the Northwest Tennessee Workforce Board:

Northwest Tennessee Workforce Board
Attn: Executive Director and Board Chairman
708 E Court Street
Dyersburg, TN 38024
(731) 286-3585, TDD # 711

2. The NWTNWB Sub-Committee shall consider the appeal request within 30 calendar days of receipt of the written request for appeal and shall make a recommendation to the NWTNWB for approval, denial, or request for additional/subsequent information.

3. The NWTNWB must consider the appeal and the recommendation of the Sub-Committee and render a decision at its next regularly scheduled NWTNWB meeting, or within 60 calendar days from the date the NWTNWB received the written request for appeal from the provider institution, whichever is greater.

4. The applicant institution must be notified, in writing, of the decision of the NWTNWB within 10 working days of the NWTNWB final action, and the process for filing a State appeal in the event the provider is not satisfied with the outcome of the local appeal. As referenced above, written notification may be in the form of USPS Return Receipt Requested, Fed Ex or other package delivery service, facsimile transmission, and / or electronically using e-mail.

5. If the applicant disagrees with the action taken by the NWTNWB through its local appeal process, the applicant may access the appeal process through the THEC, according to established THEC appeal procedures, as outlined in the approved Strategic Five Year State Workforce Investment Plan for the State of Tennessee.

In the event an approved provider is removed or suspended from the ETPL, students enrolled through the Workforce Innovation and Opportunity Act (WIOA) prior to the suspension/removal will be allowed to continue their training using WIOA funds until completion. No new students may be enrolled into a suspended/removed institution until official notification of reinstatement has been received.

State Level Appeals

This procedure applies only to training providers who have exhausted the appeal process of a Local Workforce Development Board and are dissatisfied with the Local Workforce Development Board's final decision.

(1) A training provider wanting to appeal to the State must submit an appeal request to the State within 30 days from the LWDB's notification to the training provider of its final decision on an appeal. The request for an appeal to the State must be in writing and include a statement of the desire to appeal, specification of the program(s) in question, the reason(s) for the appeal (i.e. grounds), and the signature of the appropriate provider official.

(2) The State will promptly notify the LWDB when it receives a request for appeal. The State will also notify the LWDB when it makes the final decision on an appeal.

(3) The State appeal process includes the opportunity for the appealing training provider to have a hearing. The hearing officer must be impartial. The hearing officer must provide written notice to the concerned parties of the date, time, and place of the hearing at least 10 calendar days before the scheduled hearing. Both parties must have the opportunity: to present oral and written testimony under oath; to call and question witnesses; to present oral and written arguments; to request documents relevant to the issues(s), and to be represented.

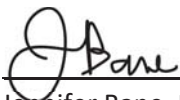
(4) The five-member State appeals committee, chaired by the hearing officer, will administratively review the appeal, make a preliminary decision, and notify the training provider and the LWDB. The committee may either uphold or reverse the LWDB decision.

(5) The State appeals committee must render a decision within 60 days from receiving the training provider's initial State appeal request.

References:

Workforce Services Policy - Eligible Training Provider List, TN-WIOA (16-9); Title I of the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. 3101 et seq.); Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); WIOA Section 188 Nondiscrimination; WIOA Section 122 Identification of Eligible Providers of Training Services.

Vetted and Approved by the Northwest Tennessee Workforce Board: December 18, 2018



Jennifer Bane, Executive Director
Northwest Tennessee Workforce Board

B. Individual Training Account Policy

Effective Date: November 27, 2018

Duration: Indefinite

Purpose: To establish a policy for use of Individual Training Accounts (ITAs) for in-demand occupations.

Policy: An Individual Training Account (ITA) voucher may be available to provide funding for WIOA eligible adults, dislocated workers and out of school youth, observing Priority of Service policies, who have completed an assessment and been determined to need in-demand occupational skills training to become gainfully employed. An ITA may be provided if the State Workforce Agency (SWA) or one-stop center staff determine, after an interview, evaluation or assessment, and career planning, that the eligible individual is:

- Unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through Career Services alone;
- In need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment, through Career Services alone; and
- In possession of the skills and qualifications to successfully participate in the selected program of training services.

Training services must be linked to in-demand employment opportunities in the local area or planning region or in a geographic area in which the individual is willing to commute or relocate.

The selection of training services should be conducted in a manner that maximizes customer choice, is linked to in-demand occupations, informed by the performance of relevant training providers, and coordinated to the extent possible with other sources of assistance.

The Northwest Tennessee Workforce Board limits ITAs to programs on the WIOA Eligible Training Provider List that lead to a credential in a period of 2 years or less, including Challenge/CLEP tests, when appropriate. ITA funding is for unmet need for cost of training not covered by other federal or State financial aid, such as Pell, Lottery, TN Promise, and TN Reconnect. WIOA funds are considered “last dollar.” ITA funding is authorized per training term (quarter, semester, trimester, etc.), with subsequent terms authorized after successful completion of the previous term. The ITA is limited to \$4,000 per year, for two years, with total cost limited to \$8,000 during participation in the WIOA program (approved effective 11/27/18; previously limited to \$3,000/year, \$6,000 maximum as of 11-13-12).

The One-Stop Operator may file an appeal with the NWTNWB Executive Director for additional time/funding for the participant for extenuating circumstances that prohibit successful completion.

A Needs Assessment/Financial Aid Worksheet, identifying costs and financial aid information, and staff authorizing the ITA, must be completed prior to authorizing funding. The AJC staff should provide career guidance; however, the participant’s choice for a training provider must be observed.

Funding Criteria for ITAs

The process a participant goes through to select a program of study and the process the Career Advisor follows to establish whether or not the participant is eligible for training assistance goes well beyond the process of determining if a person meets the minimum general qualifications to be determined financially eligible for WIOA.

In order to make a career decision, the participant will go through a series of assessments and career exploration exercises in order to establish the appropriateness of training. Career decision making should rely heavily on the Local Labor Market Information, focusing on future job growth. If there is no local demand, then the participant must be able to establish a viable plan for relocation to an area where the occupation is in demand before training can be approved. This plan must be documented within the case narrative section and on the Individual Service Strategy (ISS).

In order for and ITA to be used to pay for training, a number of questions have to be addressed.

1. Is the program of study selected on the Eligible Training Provider List (ETPL)? Has the program been approved by the local board? Anyone seeking training Out-of-State must document that the Out-of-State provider and program is listed on the eligible training provider list of the state in which it is located.

2. Does the program lead to a certificate as defined in TEGL 17-05 issued on February 17, 2006? It is the policy of our Local Board to not use local WIOA training funds for refresher courses or other training which does not lead to a certificate as defined in TEGL 17-05 issued on February 17, 2006. Although some of these types of training may be listed on the ETPL, our Local Board has elected to not use WIOA Title I training funds for these types of programs. We are not to use training funds to re-train a person in a program for which they already possess the certificate.

Example: A person who currently holds a Class A CDL will not be eligible to receive NWTNWB training funds to attend a commercial truck driving training program. A person who has an active LPN license will not be eligible to receive training funds to attend a LPN training program. In both instances, the training would be considered re-training for the occupation for which they already hold the certificate and therefore, not eligible for local training funds.

3. Is the program of study going to lead to a job in a documented demand occupation in the local or regional area to which the individual is willing to relocate or commute?

4. Is the program of study selected appropriate for the individual? Appropriateness of training should be based on assessment results. If it appears to be incongruent with the assessment results, the ISS must address and explain on what basis the career decision was made

5. Is the program a Pell eligible program? If so, has the applicant/participant applied for Pell and other State Grant Awards (SEOG & TSAC)? Is the applicant/ participant potentially eligible for other sources of funding such as TN Promise, TN Reconnect, etc.?

Note: A participant may enroll in WIOA-funded training while his/her application for a Pell grant is pending. This enrollment is permitted as long as the Career Service Provider (CSP) has made arrangements with the training provider and the WIOA participant regarding allocation of the Pell grant if it is subsequently awarded. In that case, the training provider must reimburse the CSP all WIOA funds used to underwrite the training for the amount that the Pell grant covers (WIOA Section 134(c)(3)(B(ii))). Reimbursement is not required from the portion of Pell grant assistance disbursed to the participant for education-related expenses.

6. After Pell, SEOG and TSAC are applied to the cost of the training, is there any unmet need remaining? If not, there is nothing the NWTNWB will pay unless the participant is eligible for supportive services which may be available, such as transportation, child care, etc.

7. If Pell, SEOG, TSAC and WIOA do not cover all the costs of training, does the participant have a plan to pay for the difference? The plan to pay for all uncovered costs must be documented in the case narrative. Supporting documentation should be obtained as appropriate.

In addition to the above items, the following criteria must also be met in order for participants to be approved for, and continue to receive, funding for occupational skills training and associated supportive services:

For New Participants Only

1. Potential participants must be residents of, or dislocated from an employer located in, a county located within the local service area.
2. Potential participants must register in Jobs4TN or update an existing account.
3. Potential participants must complete all steps of the assessment and enrollment.
4. Potential participants must be currently enrolled, or accepted into, an institution and training program that is listed on the Eligible Training Provider List. The Career Advisor will use the eligible training provider list for the state in which the institution is located.
5. The training program must be linked to an in-demand occupation as determined by the Career Advisor through the use of the EMSI system or other documentation as appropriate.
6. For training programs leading to a career in an occupation requiring licensure, participants must meet the criteria outlined in the Licensed Occupations Eligibility Policy.
7. Potential participants must be able to complete the training program within two years. For those attending four-year institutions, they must have earned approximately 60 credit hours and / or reached junior status in order to be eligible for funding.

Note: Participants with less than 60 earned credit hours who anticipate completing training within two years must demonstrate and provide detailed documentation as to how they will complete training within the two year period.

Exception: In-School Youth who transition to Out-of-School Youth may receive travel stipends for the entire four-years at a four-year institution.

For New and Current Participants

1. Participants must meet full-time enrollment criteria according to the institution and program. Up to half of participants' credit hours may be for developmental / remedial classes.

Note: For institutions / programs that do not require coursework for the summer term, a participant may still choose to take courses during this time. Participants who choose to take classes during the summer term can take any number of credit hours as long as they are still following their plan of action to graduate, and as long as they still have ITA money available. Participants are not required to take 12 hours to be considered full-time in the summer.

2. Participants must be in good academic standing and maintain satisfactory progress according to the institution's policy. If the participant falls below good standing, they must return to school without funding until they get back in good standing. Once they return to good standing status, the career advisor may apply funding again.

3. Participants may only receive funding once. If participants fail, or drop out of a class that has been paid for by, they must retake the class on their own, without funding, including travel.
4. Participants who drop a class and fall below full-time, without approval from their Career Advisor, must successfully complete the next term on their own, including travel, before they can receive funding again.
5. Participants attending Pell-eligible training institutions must complete the FAFSA and CANNOT be in default on any federal financial aid (i.e. Pell grants).

Funding Criteria for Licensed Occupations

Clients being considered for licensed professional occupational training should have good prospects for finding and keeping employment in the field. Based on research of area employers, the following conditions must be met for a client to be considered for financial assistance for any unmet need for occupations that require licensure prior to employment in the field.

All Licensure Occupations:

1. No felony convictions for any crime in the past ten (10) years. The ten (10) years is calculated from the date they were convicted of the crime. To check for felony convictions AJC Staff must check the Tennessee Bureau of Investigation Felony Offender Search website - <https://apps.tn.gov/foil/search.jsp>.
2. No DUI convictions in the past ten (10) years.
3. No sex offender registration within the last ten (10) years. To check for sex offender registry status WIOA Staff must check the National Sex Offender Search website - <https://www.nsopw.gov/en-US>.

If the conviction did not occur in the most recent 10 years, an appeal must be filed with the Career Service Provider for consideration for funding.

Truck Driving Specific Requirements

1. The applicant must supply a Medical Examiner's Certificate of a DOT Physical, and proof of drug screen, both performed no more than thirty (30) days prior to date of WIOA eligibility.
2. The applicant must supply a copy of a Motor Vehicle Report (MVR) that is no more than ten (10) days prior to the date of WIOA eligibility.
3. Driver's license must not have been suspended or revoked in the last three (3) years.
4. No reckless or careless driving violation within the last three (3) years.
5. No more than three (3) moving violations in the last three (3) years.
6. No more than one (1) "at fault" accidents in the last three (3) years.

Certified Nurse Assistant/ Patient Care Technician

All applicants who want to attend Certified Nurse Assistant Training or the Patient Care Technician program will have completed 8 hours of job shadowing and orientation scheduled by the training provider to make sure he/she has a clear understanding of the responsibilities of employment and will be successful in the position.

Appeal Process

If the applicant chooses to appeal a condition of eligibility, an appeal must be completed by the applicant and submitted to Executive Director of the Career Service Provider. Appeals denied by the Career Service Provider,

may be appealed to the One-Stop Operator. In the case where an applicant can provide a pre-hire letter, this is to be included with the Appeal.

When to File an Appeal

1. If an individual is denied funding for training because a staff person determines that an individual is not in need of training due to the individual being marketable, able to work in the field, and the expected wages per EMSI are enough for the person and his / her family to be self-sufficient, then the individual may choose to file an appeal.
2. If the customer has a felony over 10 years old and intends to attend a training program for an occupation which requires a license, such as a truck driver, nurse, or teacher, the customer must file an appeal.

Payment of ITAs & Refund Policy

Invoices are due no later than 30 days past the Term Begin Date. Prior to the submission of invoices, the institution's Financial Aid Representative will review the information provided in Needs Assessment/Financial Aid Worksheet:

1. If changes have occurred that would reduce Unmet Need (additional aid was received, student dropped hours, etc.), corrections should be made to the form and initialed by the Financial Aid Representative prior to signing. Any over payment of Unmet Need could result in audit finding for the program and the Training Provider.
2. If changes have occurred that would increase Unmet Need (book price increase, test fee left off, tuition increase after authorized, etc.), no changes will be made for this term.

If the form is accurate, it should be signed, dated and forwarded to the Account Billing Representative for the Training Provider.

NOTE: If the Financial Aid Representative fails to accurately report financial aid that the student receives, the payment to the Training Provider will be reduced by the amount not reported. It will be the responsibility of the Training Provider to collect any over payment made to the student.

The Account Billing Representative will review the information provided for accuracy and verify at least one day attendance of registered classes prior to dispersing funds to the student and prior to billing for the ITA.

The Needs-Based Scholarship Amount Authorized should be applied to Tuition/Fees first. Remaining funds may be dispersed to the student for other costs after confirming that the student has attended all classes at least once for the number of registered hours listed in the Student Needs Assessment and Financial Aid Worksheet.

If the student drops below the agreed upon registered hours prior to attending first day of class for registered hours and funds have not been dispersed, the Training Provider has an obligation to place a hold on funds and notify AJC Staff member that the Unmet Need must be recalculated/reduced.

If the student drops below the agreed upon registered hours after attending the first day of class for registered hours and funds have been dispersed, the Training Provider should return any applicable refund to WIOA, but will not be held accountable for funds dispersed to the student. The student will be penalized by WIOA the upcoming semester.

Exceptions to the Use of ITAs

In accordance with TDLWD's American Job Center Individual Training Account Use guidance, Tennessee

recognizes limited exceptions to the use of ITAs. Contracts for services may be used instead of an ITA only when one or more of these exceptions apply (WIOA Section 134(c)(3)(G)(ii)):

- 1) The services provided are OJT, customized training, incumbent worker training, or transitional jobs;
- 2) The LWBD determines that there are an insufficient number of Eligible Training Providers in the local area to accomplish the purpose of a system of ITAs;
- 3) The LWDB determines that in the area there is a training-services program of demonstrated effectiveness offered by a community-based organization or other private organization to serve individuals with barriers to employment;
- 4) The LWDA determines that the most appropriate training could be provided by an institution of higher education to train multiple individuals for jobs in sector-demanded occupations, provided this does not limit customer choice; or
- 5) The LWDA is considering entering into a pay-for-performance contract and the LWDA ensures that the contract is consistent with 20 CFR 683.510.

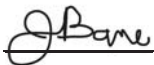
In order to determine the effectiveness demonstrated by a community-based organization or other private organization, particularly as it applies to the special participant population to be served, the NWTNWB will evaluate the following:

- A) Financial stability of the organization;
- B) Demonstrated performance in measures appropriate to the program; and
- C) The relevance of the specific program to LWDA needs identified in the local area

Reference: 20 CRF 680.320(a)(3); 20 CFR 680.340(f); WIOA Section 122(d)

Related TDLWD Policy: AJC Individual Training Account Use Guidance (pages 1 and 2-3)

Vetted and Approved by the Northwest Tennessee Workforce Board: November 27, 2018



Jennifer Bane, Executive Director
Northwest Tennessee Workforce Board

C. Supportive Service Policy

Effective Date: November 27, 2018

Duration: Indefinite

Purpose: To provide policy for providing supportive services for eligible participants.

Policy: The Northwest TN Workforce Board, through the regional planning process and in compliance with TDLWD policy, recognizes that Supportive Services are limited and must be leveraged with other local and state resources. Supportive services should only be provided when the services are not available elsewhere, since WIOA is considered funding of last resort. Funds allocated to a local area (WIOA Section 133) may be used to provide supportive services to Adults and Dislocated Workers who:

- (1) Are participating in programs with activities authorized in WIOA Section 134(c)(1)(A)(ii) or WIOA Section 134(c)(1)(A)(iii);
- (2) Have exited and need post-program support services as follow-up (for up to 12 months after exit); and
- (3) Are unable to obtain such supportive services through other programs providing such services.

Supportive services for youth, as defined in WIOA Section 3(59), are services that enable an individual to participate in WIOA activities.

Participants in WIOA programs who face significant barriers to employment, such as recipients of public assistance, low-income individuals, or individuals who are basic skills deficient, should be given service according to their level of need.

Supportive Services are not entitlements and must be supported by demonstration of financial need. The participant's need for services will be documented in the case file; participants enrolled in individualized career or training services and must demonstrate need in the Individual Employment Plan or Individual Service Strategy. When multiple options are available for receiving supportive services, documentation must show a reasonable effort was made to determine and choose the lowest, competitively priced service available. Support services activities and supporting case notes will be entered into VOS by AJC staff.

Allowable Support Services

The allowable support services as described below will be made available in the following manners:

Referral and Coordination

The One-Stop Operator and Service Providers shall ensure procedures are in place to coordinate support services through community partner referral to avoid duplication for the following:

- linkages to community services;
- assistance with childcare and dependent care;
- assistance with housing;
- reasonable accommodations for youth with disabilities;
- legal aid services;
- referrals to healthcare;

Payments on Behalf of Participants

The following support services will be paid on behalf of the participant, directly by the service provider, or as a reimbursement to the participant, depending on the needs of the participant. Duration, unless otherwise noted,

is limited to approved terms of participation in occupational skill training (i.e. up to two years). Amounts are limited to actual cost, subject to maximum limitations set out in this policy. Documentation of support service costs, issued by the training provider and / or vendor, must be maintained in the participant's case file.

- assistance with uniforms or other appropriate work attire and work-related tools, including such items as eye glasses and protective eye gear;
- assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes;
- assistance with educational testing;
- payments and fees for employment and training-related applications, tests and certifications.
- Work related support service up to \$300 one time only payment for uniforms, drug screens, background checks, supplies, etc. needed to be successful in work experience activities.

Direct Payments to Participants

The following support services will be paid directly to the participant. Duration is limited to approved terms of participation in occupational skill training or first 30 days of employment related activities.

Transportation assistance

The LWDA will provide transportation assistance for an eligible WIOA participant attending an LWDA approved training provider and program for occupational skills training or for Out-of-School youth to the worksite for the first 30 days of employment. The transportation assistance will be paid through a stipend payment paid at intervals consistent with the training provider terms or a one-time only payment for Out-of-School youth in work experience. Out of School Youth who transitioned from an In-School Youth Program and choose a University Parallel program of study may receive support services, including transportation assistance, in order to complete the goals established in the individual service strategy. Subsequent ITA funding will require the participant, program and provider to meet all local/state criteria.

The payment will be based on \$.15 per mile one-way unit per day (converted to roundtrip). Participants receiving transportation assistance from another organization (i.e. Workforce Essentials) are not eligible to receive a full transportation stipend from WIOA. As last dollar funds, all other programs must pay first before WIOA funds can be authorized.

In the event that a participant is receiving travel funding from another program, the total amount anticipated to be received in transportation assistance from the other agency must be deducted from the transportation assistance amount WIOA expects to pay.

To be eligible for this stipend, one must be in good standing and making satisfactory progress, be a fulltime student with no more than 1/2 of the credit hours being for remedial / developmental classes (Adults and Dislocated Workers ONLY - does not apply to Youth), must not drop or be removed from a course without notifying and providing needed information to the WIOA staff member regarding this action, etc.

Participants may receive a travel stipend for the first 30 days of a work experience activity to offset their gas expenses until they have received one month of pay, at which time, they should have been able to budget money out of their paychecks to pay for their own gas expenses.

Needs-Related Payments (currently suspended due to funding limitations)

Needs-related payments provide financial assistance to participants for the purpose of enabling them to participate in training and are a supportive service authorized by WIOA sec. 134(d)(3). Unlike other supportive services, in order to qualify for needs-related payments a participant must be enrolled in training. Needs-related

payments may be paid while a participant is waiting to start training classes if the participant has been accepted in a training program that will begin within 30 calendar days. The Governor may authorize local areas to extend the 30-day period to address appropriate circumstances.

Eligibility Criteria in order to be eligible for needs-related payments:

Adults must:

- (a) Be unemployed;
- (b) Not qualify for, or have ceased qualifying for, unemployment compensation; and (c) Be enrolled in a program of training services under WIOA sec. 134(c)(3).

Dislocated Workers must:

- (a) Be unemployed, and:
 - (1) Have ceased to qualify for unemployment compensation or trade readjustment allowance under TAA; and
 - (2) Be enrolled in a program of training services under WIOA sec. 134(c)(3) by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility as a dislocated worker, or, if later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed 6 months;
- (b) Be unemployed and did not qualify for unemployment compensation or trade readjustment assistance under TAA and be enrolled in a program of training services under WIOA sec. 134(c)(3).

Youth must:

- (a) be co-enrolled into either the Adult or Dislocated Worker programs to qualify for Needs-Related Payments.

Documentation of all eligibility criteria is required and must be maintained in the participant's case file.

Level of Needs-Related Payments

Per § 680.970, the level of needs-related payments is determined as follows:

- (a) The payment level for Adults must be established by the Local WDB.
- (b) For Dislocated Workers, payments must not exceed the greater of either of the following levels:
 - (1) The applicable weekly level of the unemployment compensation benefit, for participants who were eligible for unemployment compensation as a result of the qualifying dislocation; or
 - (2) The poverty level for an equivalent period, for participants who did not qualify for unemployment compensation as a result of the qualifying layoff. The weekly payment level must be adjusted to reflect changes in total family income, as determined by Local WDB policies.

Methodology - The Northwest TN Workforce Board has authorized weekly needs-based payments for Adults and Dislocated Workers based on the amount needed for the participant and his / her family to reach the poverty level for the family size, to be adjusted as family income changes, and not to exceed:

- (a) The maximum weekly unemployment compensation benefit amount of \$275 for individuals who have not been determined eligible to receive unemployment benefits.
- (b) The applicable weekly level of the unemployment compensation benefit, for participants who were eligible for unemployment compensation as a result of the qualifying dislocation.

Example: An applicant is made eligible as an Adult participant as part of a family of four in accordance with the guidelines set forth in the WIOA and relate federal, state, and local guidance. The participant's total family

income is \$15,575 per year. The family income is deducted from the poverty level for the family size and converted to weekly rate for needs-related payments as shown below.

\$24,300 per year (Poverty Level for a Family of 4) - \$15,575 per year (Total Annual Family Income)
 \$8,725 per year (Amount Needed per Year)

\$8,725 per year / 52 Weeks per Year = \$167.79 Needed per Week

The participant is eligible to receive the full \$167.79 per week since it is less than the maximum weekly unemployment benefit of \$275, and the individual has not drawn unemployment.

Exceptions to Support Services Limits

The One-Stop Operator may grant exceptions to the limits established for supportive services by submitting a written request for individual need, including supporting documentation, to the Executive Director of the Northwest TN Workforce Board. A decision will be rendered within 5 working days.

Unallowable Support Services

Support services may not be used to pay for expenses incurred prior to the participant's enrollment into the WIOA program. Program Management approval is required and should be documented. Advances against future payments are not allowed. Examples of unallowable services include, but are not limited to:

- Fines and penalties such as traffic violations, late finance charges, and interest payments
- Entertainment, including tips
- Contributions and donations
- Vehicle or mortgage payments
- Refund deposits
- Alcohol or tobacco products
- Pet food
- Items to be purchased for family or friends
- Out-of-state job search and relocation expenses that will be paid by the prospective employer

Reference: 20 CFR 680.900; 20 CFR 680.970; 20 CFR 681.570; WIOA Section 106(c)(1)(F)

Related TDLWD Policy: LWDA Supportive Services Guidance 5-8-17 (pages 2 and 4)

Vetted and Approved by the Northwest Tennessee Workforce Board: November 27, 2018



Jennifer Bane, Executive Director
 Northwest Tennessee Workforce Board

D. Executed Cooperative Agreements

**COOPERATIVE AGREEMENT
BETWEEN
NORTHWEST TENNESSEE WORKFORCE BOARD
FOR LOCAL NORTHWEST WORKFORCE DEVELOPMENT AREA
AND
TENNESSEE DEPARTMENT OF HUMAN SERVICES,
VOCATIONAL REHABILITATION PROGRAM**

This Cooperative Agreement (“Agreement”) by and between the Northwest Tennessee Workforce Board (“NWTNWB”) and the Tennessee Department of Human Services, Division of Rehabilitation Services, Vocational Rehabilitation Services (“VR”) outlines the principal responsibilities of the Parties with regard to the purposes set forth in Section 107(d)(11) of the Workforce Innovation and Opportunity Act, Pub L. 113-128 (“WIOA”), subparagraph (B) of Section 101(a)(11) of the Rehabilitation Act of 1973, Pub. L. 93-112, and other applicable law and rules. NWTNWB and VR may be referred to individually as a “Party” or collectively as the “Parties” to this Agreement.

- A. Purpose. In accordance with 29 U.S.C. § 721(a)(11), VR each designated state unit or agency shall enter into agreement with local agencies administering plans under 29 U.S.C. 720 et seq.) (other than section 112 or part C of that title (29 U.S.C. § 732, 741) and subject to section 121(f)), with respect to efforts that will enhance the provision of services to individuals with disabilities and other individuals.
- B. Cross Training of Staff. Each of the Parties to this Agreement shall provide staff training and technical assistance with regard to:
1. The availability of benefits and information regarding eligibility standards for services each provides; and
 2. The promotion of equal, effective, and meaningful participation by individuals with disabilities in workforce development activities in the local area through the promotion of programmatic and physical accessibility) and reasonable accommodations and the use of nondiscriminatory policies and procedures,
- C. Use and Sharing of Information. Each of the Parties to this Agreement agrees to the use of:
1. Types of information available to it such as employment statistics, job vacancies, career planning, and workforce investment activities as permitted by confidentiality requirements and applicable law and rules which benefits all partners, the overall operation of the American Job Center (“AJC”) and providing services to customers;
 2. Customer service features such as common intake and referral procedures, customer databases, resource information, and the Human Services Hotline [Department of Human Services Customer Service (615) 313-4700].
- D. Cooperative Efforts with Employers. With regard to the programs and/or services, each Party agrees to cooperate, collaborate, and coordinate to:
1. Market and deliver services to employers in the local area;
 2. Facilitate job placement of program participants; and
 3. Conduct any other activities that the designated local Business Services unit and the employers determine to be appropriate.

E. Additional Cooperation, Collaboration, and Coordination Activities. With regard to each Parties program of services, each of the Parties agree to participate in the process for and provide information necessary to the development of a Memorandum of Understanding and Infrastructure Funding Agreement.

F. Written Notice. All notices and communications regarding this Agreement shall be addressed as follows:

DEPARTMENT OF HUMAN SERVICES

Paula Knisley, Director
Vocational Rehabilitation Program
Citizens Plaza State Office Building
400 Deaderick Street, 12th Floor
Nashville, TN 37243
Telephone: (615) 837-5049
Paula.Knisley@tn.gov

**NORTHWEST TENNESSEE
WORKFORCE BOARD**

Jennifer Bane, Executive Director
708 East Court Street
Dyersburg, TN 38024
Telephone: (731) 288-3585, Ext. 406
jbane@nwtworks.org

G. Period of Agreement and Termination. This Agreement shall remain in effect until modified or terminated in writing upon giving the other Party at least thirty (30) days advance written notice.

**NORTHWEST TENNESSEE WORKFORCE BOARD FOR
LOCAL WORKFORCE DEVELOPMENT AREA 12**

By: J Bane
Jennifer Bane, Executive Director

Date: 12/5/18

TENNESSEE DEPARTMENT OF HUMAN SERVICES

By: Paula Knisley
Paula Knisley, Director, Vocational Rehabilitation Program

Date: 12-5-2018

Cooperative Agreement

Northwest Tennessee Workforce Board and WIOA Core Partners

In accordance with Workforce Innovation and Opportunity Act (WIOA) section 107(d)(11), the local workforce development board (LWDB) shall enter into cooperative agreements in accordance with subparagraph (B) of section 101(a)(11) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)) with the local agencies administering plans under title I – Vocational Rehabilitation (VR) Services – of that Act (29 U.S.C. 720 et seq.) (other than section 112 or part C of that title (29 U.S.C. 732, 741) and subject to section 121(f)), with respect to efforts that will enhance the provision of services to individuals with disabilities and other individuals.

Therefore, the remaining WIOA Core Partners agree to support the Cooperative Agreement in place between the Northwest Tennessee Workforce Board (NWTNWB) and Offices of Vocational Rehabilitation Services (VR) as follows:

A. Cross Training of Staff

The parties to this agreement shall provide staff training and technical assistance with regard to:

- (1) the availability and benefits of, and information on eligibility standards for, each agency's services; and
- (2) the promotion of equal, effective, and meaningful participation by individuals with disabilities in workforce development activities in the local area through the promotion of program accessibility (including programmatic accessibility and physical accessibility), the use of nondiscriminatory policies and procedures, and the provision of reasonable accommodations, auxiliary aids and services, and rehabilitation technology, for individuals with disabilities.

B. Use and Sharing of Information

The parties agree to the use of:

- (1) information and financial management systems, as made available by the respective State agencies, that link all components of the workforce development system, that link the components to other electronic networks, including nonvisual electronic networks, and that relate to such subjects as employment statistics, and information on job vacancies, career planning, and workforce investment activities; and
- (2) customer service features such as common intake and referral procedures, customer databases (as made available by the respective State agencies), resource information, and human services hotline (Department of Human Services Customer Service: 615-313-4700).

C. Cooperative Efforts with Employers

The parties agree to cooperate, collaborate, and coordinate to:

- (1) market and deliver services to employers in the local area;
- (2) facilitate job placement of program participants; and
- (3) carry out any other activities that the designated local Business Services unit and the employers determine to be appropriate.

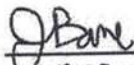
D. Other Efforts at Cooperation, Collaboration, and Coordination

The parties agree to enter into Memorandums of Understanding and Resource Sharing / Infrastructure Agreements to:

- (1) identify staff roles, responsibilities, and available resources, and specification of the financial responsibility of each component of the local workforce development system with regard to paying for necessary services (consistent with State law and Federal requirements); and
- (2) specify procedures for resolving disputes among such components.

SIGNATURES

Approved as signed by:



12/4/18

Jennifer Bane, Executive Director
Northwest Tennessee Workforce Board
731-288-3585, ext. 406
jbane@nwtworks.org

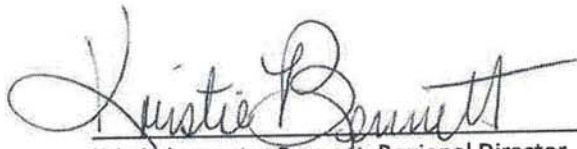
Date



12/12/18

Stewart Stanfill, District Coordinator
Henderson County Schools
731-968-1200
stanfill.stewart@hcschoolstn.org

Date



12/4/18

Kristie Lancaster Bennett, Regional Director
TN Dept. of Labor and Workforce Development, Division of Workforce Services
731-441-9681
kristie.bennett@tn.gov

Date

Marla W. Rye

12/4/2018

Marla Rye, President
Workforce Essentials, Inc.
931-905-3500
Mrye@workforceessentials.com

Date

E. Procurement Policies and Procedures

The Northwest Tennessee Workforce Board (NWTNWB), the fiscal agent for the Northwest Local Workforce Development Area (LWDA) follows the below guidelines to procure goods and/or services:

- (1) Small Dollar Purchases - Non-recurring purchases totaling less than \$10,000, cumulatively in expense or revenue, may be made without documenting any quotes or proposals from multiple vendors.
- (2) Informal Solicitations - Purchases totaling less than \$50,000 in expense or revenue may be made based upon written, telephone or electronic bids. For purchases totaling \$10,000 - \$49,999.99, bids must be solicited from at least three (3) Responsive/Responsible Bidders/Proposers.
- (3) Formal Solicitations - A formal solicitation process shall be used when the estimated aggregate total of the expense or revenue is \$50,000 or more, including renewal terms of multi-year awards. The types of formal solicitations include 1) Request for Information (RFI); (2) Invitation to Bid (ITB)/Request for Quotation (RFQ); and (3) Request for Proposals (RFP). For competitive procurement of goods, an ITB/RFQ is appropriate, and in general, a purchase order may be used to finalize the purchase. For competitive procurement of services, an RFP is more appropriate, and a purchase order is generally not sufficient to serve as the written contract for the services.
- (4) Non-Competitive Procurements - (A) Contracting with Another State/Governmental Entity. Personal, professional and consultant service contracts may be obtained by non-competitive negotiation when the contractor is a State Agency, a political subdivision of the state, or any other public entity in Tennessee, or an entity of the federal government. (B) Sole Source and Proprietary Purchases. Whenever specifications are not so worded or designed to provide for competitive bidding, a Sole Source or Proprietary Purchase may be allowed. A Sole Source Purchase is available only from a single Supplier; a Proprietary Purchase allows for a competitive procurement process to be used that specifies a particular good or service. Written justification for Sole Source or Proprietary Purchases must be submitted in writing for approval by the Executive Director and additional documentation may also be required as a part of the request.
- (5) Federal and State Guidelines - All procurement policies follow Federal and State guidelines and fiscal staff are trained on allowable and unallowable costs. All purchases are made in accordance with Workforce Services Policy- WIOA (Allowable and Disallowed Costs, Including Food) and Workforce Services Policy- Workforce Services (Property Management) – WIOA.

Appropriate Use of Funds

The NWTNWB receives funds from a variety of sources. Most of the funds received are for specific, limited purposes or are subject to restrictions by a governing body. The NWTNWB uses all funds, regardless of type, in a manner consistent with applicable federal and state laws and regulations, NWTNWB policies, and other restrictions or designations governing their use.

Funds received by the NWTNWB may be expended for ordinary and reasonable business-related expenses that support the NWTNWB's mission. Business-related expenses are routine, operational in nature, and easily documented as NWTNWB mission-based. They include staff salaries, office equipment and supplies, office operation and maintenance. Business expenses also include expenditure for goods and services that help to build, strengthen, and promote relationships with groups and individuals. These may include travel and meals in accordance with NWTNWB policy.

The following standards should guide the expenditure decision:

- (1) For business meetings and hosting functions, the approving NWTNWB official must exercise prudent judgment to ensure that the commitment of NWTNWB funds is appropriate, essential, and supports the public service mission.
- (2) The expenditure should not be personal in nature.
- (3) For employees, the expenditure should not be used as additional compensation (the IRS considers gift cards or gift certificates “cash equivalents” to be treated as additional compensation).

Prudent use of funds is the responsibility of every NWTNWB employee. Employees who spend NWTNWB fund inappropriately, as defined in this policy, as well as managers who approve such expenditures, will reimburse the NWTNWB, and may also be subject to disciplinary action.

Prohibited Transactions

No personal items shall be purchased through NWTNWB funds for any employee or any relative of any employee. No employee responsible for initiating or approving requisitions shall accept or receive, directly or indirectly, from any person, firm or corporation to whom any contract may be awarded, by rebate, gift or otherwise, any money or anything of value whatsoever, or any promise, obligation or contract for future awards or compensation. Whenever any contract is awarded contrary to the provisions of these policies and procedures, the contract shall be void and of no effect, and if the violation was intentional, the employee responsible for the purchase shall be liable for any state funds paid contrary to these policies and procedures.

Gift Cards

The IRS considers gift cards and certificates as cash or cash equivalent fringe benefits and would be considered taxable income to an employee. Additionally, NWTNWB-funded expenditures for gift cards or gift certificates to employees as a token of appreciation for their work are not acceptable per IRS regulations. Therefore, gift cards or gift certificates should never be purchased for employees with NWTNWB funds. The use of gift cards as a means of providing support services and / or incentives for eligible participants is allowable.

Code of Ethics in Procurement and Contracting

The purpose of this policy is to provide specifications for the code of ethics in procurement and contracting, and shall be applicable to all employees who are primarily responsible for the purchase of goods or services for the NWTNWB. Employees must discharge their duties and responsibilities fairly and impartially, and should maintain a standard of conduct that will inspire public confidence in the integrity of the NWTNWB.

General Standards of Ethical Conduct

- (1) Any attempt to realize personal gain through public employment, inconsistent with the responsible discharge of that public employment, is a breach of public trust.
- (2) Employees shall base all purchases on the principle of competitive bidding consistent with policies of the NWTNWB.
- (3) Employees shall grant all competitive bidders equal consideration, regard each transaction on its own merits, and foster and promote fair, ethical and legal trade practices.
- (4) Employees shall avoid misrepresentation or sharp practices and demand honesty in sales representations whether offered through the medium of a verbal or written statement, and advertisement, or a sample product.
- (5) Employees shall be receptive to competent counsel from colleagues and be willing to submit any major controversy through the appropriate appeals processes.

- (6) Employees shall afford prompt and courteous reception insofar as conditions permit to all who call on legitimate business missions.
- (7) Employees shall not use without consent the original designs developed by a vendor for competitive purposes.

Conflict of Interest

It shall be a breach of ethical standards for any employee, in the performance of his or her official duties, to participate directly or indirectly in any proceeding or application; request for ruling or determination, claim or controversy; or other matter pertaining to any contract, or subcontract, and any solicitation or proposal thereof, in which to his or her knowledge:

- (1) He or she or any member of his or her immediate family has a substantial financial interest; or
- (2) A business or organization in which he or she or any member of his or her immediate family has a substantial financial interest as an officer, director, trustee, partner or employee, is a part; or
- (3) Any other person, business, or organization with whom he or she or a member of his or her immediate family is negotiating or has an agreement concerning prospective employment is a party.
- (4) The determination of whether a substantial financial interest exists shall be based upon the criteria identified in NWTNWB Conflict of Interest Policy.

Direct or Indirect participation shall include but not be limited to involvement through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or purchase standard, rendering of advice, investigation, auditing or in any other advisory capacity.

Gratuities

It shall be a breach of ethical standards for any employee or former employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment, in connection with any decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing in the content of any specification or purchase stand, rendering of advice, investigation, auditing or in any other advisory capacity in any proceeding or application, request for ruling or other determination, claim or controversy, or other particular matter, pertaining to any contract or subcontract and any solicitation or proposal thereof.

Contemporaneous Employment Prohibited

It shall be a breach of ethical standards for any employee who is involved in procurement to become or be, while such an employee, the employee of any party contracting with the particular governmental body by which the employee is employed.

Allowable and Disallowable Costs

The NWTNWB complies with all federal, state, and local regulations, policies, and guidance regarding the appropriate use of program funds, including the below policies.

Workforce Services Policy- WIOA (Allowable and Disallowed Costs, Including Food)

Effective Date: February 10, 2017; Duration: Indefinite

Subject: This policy explains the criteria to consider an expense allowable or disallowed, in addition to establishing necessary and reasonable criteria. The policy also addresses the purchase of food and beverages using public funds.

Purpose: This policy provides guidance on allowable and disallowed WIOA program costs (including food and beverage expenses in the context of a "working lunch", at conferences, and during travel). This policy will also define, and differentiate between, external and Internal customers and provide instances where state employees, subgrantee employees, and service providers fall into both categories. The policy also outlines guidance for employment generating activities under WIOA.

Scope: Office of the Governor, Title I- Adult, Dislocated Worker, and Youth Programs; Title II - Adult Education and Family Literacy Act Program(AE); Title III- Wagner-Peyser Act Program (WP); Title IV - Vocational Rehabilitation Program (VR); Tennessee Department of Labor and Workforce Development (TDLWD); Division of Workforce Services (WFS); Tennessee Department of Economic and Community Development (ECD); Tennessee Department of Education (TNED); Tennessee Department of Human Services (DHS); State Workforce Development Board (SWDB); Regional Planning Council (RPC); American Job Center (AJC); One-Stop Operator (Operator); Workforce Innovation and Opportunity Act (WIOA); Chief Local Elected Official (CLEO); Local Workforce Development Boards (LWDB); Local Workforce Development Areas (LWDA); other Workforce System Sub-Recipients (Subrecipients); Workforce System Partners (Partners).

References: WIOA Section 107; WIOA Section 129(c)(2); WIOA Section 134(c)(3); Final Rule 683.245; Final Rule 683.710(b)(4); Final Rule 6873.290(a); Final Rule 683.290(b); Tennessee Central Procurement Policy Number 2013-007; Tennessee Policy Number 2016-007(7.1.1); Department of Finance and Administration Policy 8 - Comprehensive Travel Regulations; Tennessee Workforce Services Property Policy; 2 CFR 200.404(a); 2 CFR 200.435(4)(g); 2 CFR 200.474; 20 CFR 683.235; 2 CFR Sec. 301-74.11; 2 CFR 200.403; 29 CFR 97.22; Buy American Act; State of Tennessee Code of Conduct.

Definitions (Tennessee Central Procurement Policy Number 2013-007):

- (1) Allocable Cost is a cost to a particular award or other cost objective if the goods or services involved are chargeable or assignable to the award or cost objective in accordance with relative benefits received.
- (2) Award is any money, loans, non-cash assistance, granted to the State (from the federal government), or granted by the State to a person or legal entity for furnishing by the State of assistance, whether financial or otherwise, to any person or entity to support a program authorized by law.
- (3) Contractor is an entity that receives a contract as defined in the US OMB's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards as "a legal instrument by which a non-federal entity purchases property or services needed to carry out the project or program under a federal award. The term as used in this part does not include a legal instrument, even if the non-federal entity considers it a contract, when the substance of the transaction meets the definition of a federal award or subaward."
- (4) Subrecipient is a non-federal entity that receives an award from a pass-through entity to carry out part of a federal or state program; this does not include an individual that is a beneficiary of such a program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency.

General Guidelines: Expenditures of WIOA Title 1-B funds are allowable only for those activities permitted by the WIOA regulations. For the Adult and Dislocated Worker programs, allowable activities include basic career, individualized career, and training services. Basic career and individualized career services are described in the WIOA Title 1-B Workforce Investment Activities and Providers. Training services are described in WIOA Title 1-B Use of Funds for Employment and Training Activities Section

134. In addition, allowable activities include youth services that are provided as a requirement of the WIOA Title 1-B Section 129 Use of Funds for Youth Workforce Investment Activities.

Allowable Costs (Per CFR 97.22): Local Workforce Development Areas (LWDAs) and subrecipients must comply with the federal allowable cost principles that apply to their organization. The reasonability of costs shall be determined in accordance with the following cost principles:

(a) limitation on use of funds. Grant funds may be used only for:

- (1) The allowable costs of the grantees, subgrantees and cost-type contractors, including allowable costs in the form of payments to fixed-price contractors; and
- (2) Reasonable fees or profit to cost-type contractors but not any fee or profit (or other increment above allowable costs) to the grantee or subgrantee.

(b) Applicable Cost Principles. For each kind of organization, there is a set of Federal principles for determining allowable costs. Allowable costs will be determined in accordance with the cost principles applicable to the organization incurring the costs. The following chart lists the kinds of organizations and the applicable cost principles.

For the costs of a—	Use the principles in—
State, local or Indian tribal government	OMB Circular A-87 (as codified at 2 CFR part 225).
Private nonprofit organization other than an (1) institution of higher education, (2) hospital, or (3) organization named in OMB Circular A-122 (as codified at 2 CFR part 230) as not subject to that circular	OMB Circular A-122 (as codified at 2 CFR part 230).
Educational institutions	OMB Circular A-21 (as codified at 2 CFR part 220).
For-profit organization other than a hospital and an organization named in OMB Circular A-122 (as codified at 2 CFR part 230) as not subject to that circular	48 CFR part 31. Contract Cost Principles and Procedures, or uniform cost accounting standards that comply with cost principles acceptable to the Federal agency.

[53 FR 8069, 8087, Mar. 11, 1988, as amended at 72 FR 37104, July 9, 2007]

Factors affecting Allowability of Costs (Per CFR 200.403): Except where otherwise authorized by statute, costs must meet the following general criteria in order to be allowable under Federal awards:

- (1) Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.
- (2) Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items.
- (3) Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the non-Federal entity.
- (4) Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.
- (5) Be determined in accordance with generally accepted accounting principles (GAAP), except, for state and local governments and Indian tribes only, as otherwise provided for in this part.
- (6) Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period. See also §200.306 Cost sharing or matching paragraph (b).
- (7) Be adequately documented. See also §§200.300 Statutory and national policy requirements through 200.309 Period of performance of this part.

Questions to Consider When Utilizing WIOA Funds

Reasonability of the cost:

- (1) Do I have the capacity to use what I am purchasing? (Subrecipient must provide a narrative on efficient and effective use when requesting WIOA funds and draw-downs from TDLWD)
- (2) Did I pay a fair rate?
- (3) Do I have documentation to support a fair rate was paid? (documentation must be submitted)
- (4) If I were asked to defend this purchase, would I be comfortable doing so?

Necessary:

- (5) Is this item or service needed to meet grant goals?
- (6) Is this the minimum amount I need to spend to meet my need?
- (7) Repetition and frequency
- (8) Costs are similar to that which would be incurred by a reasonable and prudent person

Technical Assistance Meetings and Conferences

The cost of meetings and conferences (examples could include: lodging, facilities, food, beverages, materials, and supplies) where the primary purpose is to provide technical assistance and is necessary and reasonable for successful performance under the federal award is allowable.

Outreach costs

Examples could include flyers, brochures, banners, and other promotional material associated with promoting WIOA program services, including One-Stop location information and participant recruitment at job fairs. In the local area are considered allowable costs.

Procurement Restrictions

- (1) WIOA Title 1-B funds must be expended on only American-made equipment and programs as required by the Buy American Act.
- (2) Sub-awards or contracts with parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal programs or activities are prohibited.

Disallowed Costs

All costs associated with an unallowable activity are considered disallowable costs, regardless of their permissibility under other circumstances. Examples of unallowable activities include, but are not limited to:

- (1) Any legal expenses incurred for the prosecution of claims against the government are unallowable. This includes appeals to the Administrative Law judge of disallowed costs or other claims and civil actions where the federal government is a defendant {2 CFR 200.435(4)(g)}.
- (2) The costs of a construction or purchase of facilities or buildings or other capital expenditures for improvements to land or buildings, are unallowable for all WIOA Title 1-B programs (20 CFR 683.235), except with prior written approval from the U.S. Department of Labor (20 CFR 683.235). See Tennessee Workforce Services WIOA Property Management Policy.
- (3) Public service employment, except when authorized under Title I of WIOA.
- (4) Employment-generating activities, investment in revolving loan funds, capitalization of businesses, investment in contact bidding resource centers, economic development activities or similar activities. An exception is made only for those employer outreach and job development activities directly related to participants.
- (5) The wages of incumbent workers during participation in economic development activities provided through the state workforce system.
- (6) Foreign travel and first-class airline tickets
- (7) Employment or training programs for sectarian activities. This section does not prohibit the provision of services by faith-based organizations, unless those services are sectarian in nature.

- (8) Expenses prohibited under any other federal, state, or local law or regulation.
- (9) Costs of entertainment, including amusement, diversion, and social activities and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities) are unallowable (2 CFR 200.438).

Salary and Bonus Restrictions Using WIOA Funds

In instances where funds awarded under WIOA Title I or the Wagner-Peyser Act pay only a portion of the salary or bonus, the WIOA Title I or Wagner-Peyser Act funds may only be charged for the share of the employee's salary or bonus attributable to the work performed on the WIOA Title I or Wagner-Peyser Act grant. The restriction applies to the sum of salaries and bonuses charged as either direct costs or indirect costs under WIOA Title I and the Wagner-Peyser Act (Final Rule 683.290(b)).

Internal and External Customer Definitions

Food and beverages are an allowable expense using WIOA funds when technical assistance is being provided between two parties, namely State administrative staff members in a meeting with subgrantees, and/or service delivery staff, or during conferences where the majority of Intended invitees are external but share common goals in program delivery. The spirit or purpose of the event must be in accordance with activities that incorporate progressive development of the WIOA program.

External customers: Participants, employers and/or board members are considered external customers. Professional colleagues would normally be considered individuals outside of the organizations influence but sharing common interests and goals of the organization.

Internal customers: Employees and subrecipients are considered internal customers.

State Administrative Staff/Local Subgrantee Staff as Internal vs. External Customers: Below are three examples to help differentiate state employees, subgrantee employees, and service providers as either external or internal customers:

Example One: There is a meeting where 30 employers are invited and 10 state and/or local administrative staff members, and/or local subgrantee staff, are in attendance to offer technical information to the proceedings. In this case the employer attendees are considered to be external customers. This is an example of an allowable cost.

Example Two: There is a meeting during regular business hours (not lunch hours) where 5 WIOA partner staff is discussing, debating, and planning activities with 10 state administrative staff members in attendance. In this case the state or local subgrantee staff attendees are the majority of the attendees and considered internal customers. Purchase of food with WIOA funds is not allowable in this scenario.

Example Three: State administrative staff and/or local subgrantee staff are giving technical assistance to service delivery staff and providing lunch is reasonable and necessary due to heavy traffic that would hinder productivity. This is an example of an allowable cost.

Example Four: WIOA funds may not be utilized on expenses associated with staff holiday gatherings or social gatherings. Gatherings of this nature that may include a "technical assistance" component are not permitted in regards to utilization of WIOA funds, as the main purpose of the event is not technical assistance. While a technical assistance component may be present, the atmosphere of a gathering (renting a facility, buffets, etc.) is not within the confines of necessary and reasonable, if the technical assistance time is much less than the social or networking time.

In example one food costs are allowable because employers are considered to be the attendees. In example two food costs are unallowable because state administrative staff is considered to be the attendees. In example three food costs are allowable so long as they are reasonable and necessary,

which is true due to the burden of time that traffic and logistics would impose productivity (e.g. during a conference).

Reasonable costs per person must be in accordance with the per diem rate allowed by the State (See Tennessee Department of Finance and Administration Policy 8 - Comprehensive Travel Regulations).

Contributions and Donations

Public funds cannot be used to sponsor third-party events (such as a Chamber of Commerce event). Sponsorship costs of contributions and donations (including, but not limited to: cash, property, and services) from the non-Federal entity to other entities, are unallowable (2 CFR 200.434(a)). Furthermore, sponsoring events such as purchasing/sponsoring tables, paying to have entity's name placed on event material, or purchasing tickets to an event (considered entertainment) would be considered a donation. When making determinations on the number of staff to send to events/functions, as well as determining if the fees/costs associated with attendance are appropriate or allowable, management should abide by the necessary and reasonable standards as outlined in page 3 of this policy.

Are employment generating activities, or similar activities, allowable under Title I of the Workforce Innovation and Opportunity Act?

WIOA Title I funds must not be spent on employment generating activities, investment in revolving loan funds, capitalization of businesses, investment in contract bidding resource centers, economic development activities, or similar activities, unless they are directly related to training for eligible individuals. For purposes of this prohibition, employer outreach and job development activities are directly related to training for eligible individuals. These employer outreach and job development activities may include, but are not limited to:

- (1) Contacts with potential employers for the purpose of placement of WIOA participants;
- (2) Participation in business associations (such as Chambers of Commerce), joint labor management committees, labor associations, and resource centers; or
- (3) WIOA staff participation on economic development boards and commissions, and work with economic development agencies to provide information about WIOA programs.

See Final Rule 683.245 for further guidance on additional allowable employer outreach activities.

When participating in employer outreach activities, as defined in Final Rule 683.245, management must ensure that the participation is:

- (1) Necessary and reasonable;
- (2) Directly related to placing eligible individuals in training;
- (3) Directly related to placing WIOA participants into employment; and
- (4) Furthering the delivery of WIOA services.

In addition, management must ensure that any funds spent on employer outreach activities meet allowable costs standards.

Food and Beverages

The cost of food and beverages will not be considered an allowable cost unless the cost serves a public purpose. Alcoholic beverages are disallowed under any circumstances ((2 CFR 200.423 and Tennessee Policy Number 2013-007(7.1.1)).

Food Provided During Conferences: Costs of meetings and conferences, the primary purpose of which is the dissemination of technical information, are allowable. This includes costs of meals if the cost is of a type generally recognized as ordinary and necessary for the operation of the non-Federal entity or the proper and efficient performance of the Federal award (2 CFR 200.404(a)).

Agencies sponsoring a conference may provide light refreshments to agency employees attending an official conference. Light refreshments for morning, afternoon, or evening breaks are defined to include, but are not limited to: coffee, tea, milk, juice, soft drinks, donuts, bagels, fruit, pretzels, cookies, chips or muffins (41 CFR Sec. 301-74.11).

Food During Travel: Furthermore, costs incurred by employees and officers for travel, including subsistence and incidental expenses, must be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the non-federal entity. Costs for meals during travel must justify that: Participation of the individual is necessary to the federal award; and the costs are reasonable and consistent with the non-federal entity's established travel policy (2 CFR 200.474).

Working Lunches: The cost of a "working lunch", with external customers and other colleagues, is only considered reasonable and necessary when there is adequate documentation for the necessity of having a meeting during a meal time instead of during normal business hours. This validating documentation should specify:

- (1) Which employment, training, and administration-related subjects (e.g. technical assistance components) were discussed;
- (2) Include a list of participants; and
- (3) Dated, itemized meal cost receipts.

Each local board and each grant recipient shall make readily accessible reports concerning its operations and expenditures (WIOA Section 185(c)(1)).

TAG Chapter 11-4 Allowable Costs

This guidance referencing WIA will be utilized until WIOA updates are published.

This chapter provides general guidance on defining allowable costs, discusses the criteria and conditions such as prior approval, and discusses specific types of costs that have been addressed either in the cost principles or in authorizing regulations, or grant agreements. It contains the following sections:

- Cost Principles: Allowable vs. Unallowable
- Selected Items of Cost
- Specific WIA Requirements
- Other Program Regulations and Grant Agreement Terms
- Attachment II-4-1-Summary of Cost Items.

Additionally, a discussion of match and leveraged resources can be found in Appendix F.

COST PRINCIPLES: ALLOWABLE VS. UNALLOWABLE

The criteria contained in the cost principles provide the basic guidance on determining whether costs are allowable in the ETA-funded programs covered by this TAG. It is important that grantees be aware that the cost principles are designed to offer guidance on determining allowability of costs and should be used as the first source of reference. It is possible that the cost principles may not make mention of an item, but that does not necessarily dictate that such a cost would be automatically allowed or prohibited. The cost should be treated consistently with the standards provided for similar or related

costs. If a cost is not specifically treated within the applicable cost principles or regulations governing allowable costs (e.g., Appendix B to 2 CFR Part 225), then the general cost principles of the applicable circular or regulations are used to determine whether the cost is allowable. The cost principles are discussed in detail in Chapter II- 3, Cost Principles.

It is important for all grantees to be familiar with the applicable cost principles, the appropriate ETA program regulations and grant agreement terms for the ETA grants that they have been awarded. Costs may be allowable per cost principles, allowable per the cost principles but with conditions, or allowable per cost principles but unallowable per the ETA regulations or grant agreement. Similarly, some costs are allowable but only with prior approval of either the Grant Officer (for non-formula direct grantees), or the Governor, or her/his designee (for formula grantees). The following examples attempt to delineate commonly incurred costs as they would apply to a particular type of grantee or subgrantees, state or local government, nonprofit organization, institution of higher education, or commercial organization. The discussion in this chapter focuses mainly on direct costs, not indirect costs. A discussion of indirect costs takes place in Chapter II-8, Cost Allocation and Cost Pooling.

Travel: Reasonable travel costs necessary to effectively manage the grant, provide oversight, and measure program effectiveness are allowable. Air travel, when necessary, should be obtained at the lowest possible customary standard (coach or equivalent fare). All cost principles treat these costs as allowable.

Training: An ETA-funded grantee's professional development and training costs are allowable. Under WIA, these are also called "capacity building" costs. Consistent with the "necessary and reasonable" provision, grantees should ensure that training is relevant to the specific ETA-funded program or results in increasing the effectiveness of staff working on an ETA-funded program.

General Government Expenses: Grantees should take great care to avoid charging general government expenses to an ETA-funded grant. The costs of chief executives, legislatures (including city and county councils), judiciary and prosecutors, and public safety (fire and police) are unallowable unless provided otherwise in the grant. These costs are specifically treated in 2 CFR Part 225.

Public Outreach and Advertising: Grantees should be very familiar with how their applicable cost principles treat these costs. Costs associated with public outreach, community relations, or efforts to publicize the ETA-funded program(s) in order to generate participation are viewed by the cost principles as allowable within certain limitations. However, any public relations costs that solely promote the organization, or are not directly related to the ETA program providing the funding, are considered unallowable. The cost principles also contain specific requirements and prohibitions related to the use of advertising and advertising media. Determining the appropriateness of the cost and allowability for programs would also be a key requirement for One-Stop operations. The cost principles are quite specific on the conditions under which public relations costs are allowable, and partner programs may have other restrictions in their particular authorizing legislation or regulations.

Interest: Grantees should be familiar with how their respective cost principles addresses interest expenses, as differences exist across the cost principles. Generally, interest on borrowed capital is unallowable. However, interest on payments for equipment bought on time payments is allowable as a direct cost under certain conditions. Again, grantees should review the guidance in their relevant cost principles.

Pre-Award Costs: Unless authorized in writing by the Grant Officer (for direct grantees only and to the extent they would have been allowable if incurred post-award), pre-award costs cannot be charged to an ETA grant. Pre-award costs are not authorized for formula grantees.

Capital Assets Costs: Capital assets are non-current assets (assets that are not available or cannot be made available to finance current operations). Capital assets are the result of capital expenditures and include (but are not limited to) land, buildings, and equipment. Expenditures for land or building improvements as well as building and equipment repairs or maintenance expenditures that increase the value of a capital asset or increase its estimated useful life are identified as capital expenditures in Federal regulations. 2 CFR Part 225 Appendix B, Item 15 provides the guidelines on the allowability of expenditures for capital assets, guidelines on conditions, and applicable prior approval requirements. The costs of capital leases are treated in the same manner. The following are requirements for capital expenditures:

- (1) 2 CFR Part 225 requires the approval of the grantor agency for capital expenditures. This approval authority has been delegated to the states for the formula grants.
- (2) To the extent that state procedures for state organizations are sufficient to define the allowability of ETA capital asset acquisition costs and do not inappropriately constrain non-state organizations, the state's policy is applicable to non-state governmental subgrantees.

There is similar language in 2 CFR Part 220 and Part 230 related to capital expenditures.

Leasing: Interest costs associated with capital leases and other lease-purchase arrangements are allowable so long as they are reasonable and allocable to the grant pursuant to the specific criteria identified in applicable cost principles. Lease-purchase arrangements for real property, however, are unallowable under WIA programs. Permissible lease costs of real property are limited to operating leases, not capital leases. The cost principles now require capital expenditures be expensed in the period in which it is acquired. This may impact the allowability of interest charges.

Start-Up Costs: Costs associated with the start-up of businesses are not considered allowable under the provisions of Section 181 (e) of the WIA. Start-up costs associated with entrepreneur training would also fall under this prohibition. This prohibition will also apply to the start-up costs of an agency that would provide services to WIA clients. However, the purchase of equipment (with appropriate prior approval) will continue to be an allowable cost. Additional examples of unallowable activities are contained in WIA and other program regulations.

The above examples are but a few of the specific items of cost that are addressed in the cost principles or the program regulations. Grantees and subgrantees are urged to become very familiar with their relevant cost principles.

Note: Prior approval authority has been delegated to the Governor for the ETA-funded formula grants. For non-formula direct grantees, prior approval authority remains with the DOL Grant Officer. For subgrantees, approval authority rests with the awarding agency.

SELECTED ITEMS OF COST

Within 2 CFR Part 220, Part 225, and Part 230, and 48 CFR Pmi 31 (for commercial organizations), there is specific discussion of items of cost. Grantees should be familiar with these items and use them as ready references. The attached reference chart (Attachment II-4-1) is a summary of all cost items mentioned in the applicable cost principles. Some of the costs were discussed in the previous section. Note that some of these costs may be indirect. Grantees should also be familiar with the administrative cost limits as outlined in 20 CFR 667.200 et seq. for a full review of administrative costs.

Per the cost principles, some items of cost require pre-approval. As noted above, for competitive grantees, the Grant Officer is the approving authority, and for formula grants, the Governor or her/his designee is the approving authority.

As one can see, some items that are treated in one set of cost principles may not be treated in another. Similarly, some allowable costs are not addressed at all in the cost principles. In addition, some cost items require prior approval, or are allowable per the circular but unallowable by the ETA program regulations.

To the extent possible, these variations of allowability have been indicated in the attached table. Grantees and subgrantees are urged to consult closely with their applicable circular and to be cognizant of their particular program requirements. The table should be a starting reference point in inquiring as to specific items of cost, not a quick reference chart.

SPECIFIC WIA REQUIREMENTS

In addition to the allowable cost provisions of the cost principles, WIA regulations contain a number of provisions related to allowable and unallowable costs and activities. These provisions are listed below:

- (1) Any legal expenses incurred for the prosecution of claims against the government are unallowable. This includes appeals to the Administrative Law Judge of disallowed costs or other claims and civil actions where the Federal government is a defendant. [20 CFR 667.200(c)(6)]
- (2) With four exceptions, the costs of construction or purchase of facilities are unallowable for all WIA Title I programs [20 CFR 667.260]. The exceptions are listed below:
 - a. To meet obligations for access and accommodation under the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act (ADA) of 1990, as amended
 - b. Repairs, renovations, and capital improvements of real property, including State Employment Service Agency (SESA) real property (identified at WIA Section 193), or Job Training Partnership Act (JTPA)-owned property transferred to WIA Title I programs
 - c. Jobs Corps facilities
 - d. To fund construction-related disaster relief projects.

The conditions in the cost principles would apply to the excepted construction costs. In addition, the YouthBuild program, which has a focus on training youth in the construction trades, has additional exceptions regarding acquisition and construction costs.

WIA also prohibits certain activities. All costs associated with an unallowable activity are considered unallowable costs, regardless of their allowability under other circumstances. The prohibited activities are as follows:

- (1) Employment-generating activities, including economic development activities. An exception is made only for those employer outreach and job development activities directly related to participants. Employment-generating activities are addressed in 20 CFR 667.262.
- (2) Public service employment, except to provide disaster relief employment [20 CFR 667.264(a)(2)].
- (3) The wages of incumbent employees participating in Statewide economic development activities [20 CFR 667.264(a)(1)].
- (4) Employment or training programs for sectarian activities. This section does not prohibit the provision of services by faith-based organizations, unless those services are sectarian in nature. [20 CFR 667.266] [29 CFR 37.6(±)(1)]

In the administration of USDOL social service programs:

- (1) No organization may be discriminated for or against on the basis of religious character or affiliation.
- (2) No eligible organization may be denied the opportunity to compete for or receive USDOL and other Federal financial assistance based upon the organization's religious character or affiliation.

Faith-Based and Community Organizations (FBCOs) that receive USDOL support may:

- (1) continue to carry out their religious activities
- (2) keep religious signs or symbols in their facilities
- (3) continue to select their board members (including members of the clergy) and otherwise govern themselves on a religious basis
- (4) offer voluntary religious activities to program participants-keep in mind that no "direct" Federal support can be used for religious activities and these activities must be separate in time or location from Federally supported activities and voluntary for program participants.

Regulatory changes were published in the Federal Register on July 12, 2004, removing barriers to (FBCOs) participation in USDOL social service programs. These relevant changes can be found at:

- New equal treatment regulations (29 CFR Part 2, Subpart D)
- Workforce Investment Act (WIA) nondiscrimination and programmatic regulations (29 CFR 37.6(f); 20 CFR 667.266 and 667.275)
- Job Corps regulations (20 CFR 670.555)
- Job Corps Policy and Requirements Handbook (PRH)-Sections 6.8 (Civil and Legal Rights), 2.2, 3.17, 5.4 and 6.9.

he regulations also prohibit the use of WIA funds for business relocation, if the relocation results in the loss of an employee's job at the original location in the U.S. The use of WIA funds for customized or skill training, on-the-job training, or company-specific job applicant assessments are prohibited for the first 120 days a relocated business operates in the new location. The regulations require that the State develop specific pre-award criteria prior to providing WIA funds to a new or expanding business to ensure compliance with this requirement. [20 CFR 667.268]

There are also specific sanctions for violations of the unallowable activities requirements. The procedures followed by the Grant Officer are discussed further in Chapter 11-12, Audits and Audit Resolution, and are listed in 20 CFR 667.510.

OTHER PROGRAM REGULATIONS AND GRANT AGREEMENT TERMS

Regulations for programs other than WIA may have provisions related to allowable and unallowable costs and activities. For example, Senior Community Service Employment program (SCSEP) regulations (20 CFR 641) include many allowable and unallowable costs provisions such as the ones listed under 20 CFR 641.630 and 20 CFR 641.850. In addition to program regulation, grant agreements may have specific provisions related to allowable and unallowable costs and activities. For example, many grant agreements have terms that place limitations on the amount of administrative costs that can be expended by grantees. In the case of many types of grants awarded based on an SGA, specific provisions, including allowable activities and cost limitations that will apply to the grants awarded, are contained in the SGA itself.

Summary of Cost Items

KEY

- NT = Not treated in circular
 A = Allowable
 AC = Allowable with conditions
 AP = Allowable with prior approval of either the Grant Officer or Governor
 U = Unallowable
 A/U = Some categories within the particular activity are allowable, while some are not.
 Please consult respective circular for precise explanations.

Note: Some of the costs on this chart are allowable under the circulars and prohibited under WIA or other program-specific regulations. You should refer to the program-specific regulations if you have any questions on allowability of a particular cost. This chart is for reference only.

In addition, when reviewing the provisions related to selected items of cost in the OMB circulars, the cost principles applied in establishing the allowability of certain items of cost apply whether the cost is treated as a direct or indirect cost. Failure to address a particular item of cost is not intended to imply that it is unallowable. Rather, the determination of allowability in each case should be based on the treatment or principles provided for similar or related costs. Note also that, in some instances, different cost items may be similarly named, and there may be some overlap in the cost items treated by the different circulars. Again, this chart is for reference only.

	Cost Item	Circular A-21	Circular A-122	Circular A-87	48 CFR Part 31
1	Accounting systems	NT	NT	A	NT
2	Advertising and public relations	AC	AC/U	AC/U	AC
3	Advisory councils	NT	NT	A	NT
4	Alcoholic beverages	U	U	U	U
5	Alumni/ae activities	U	NT	NT	NT
6	Asset valuations resulting from business combinations	NT	NT	NT	A
7	Audit services	See A-133	See A-133	A	NT
8	Automatic electronic data processing	NT	NT	AC	NT
9	Bad debts	U	U	U	U
10	Bid and proposal costs (See also Item 65)	Item 65	Reserved	Item 65	Item 65
11	Bonding costs	NT	A	A	NT
12	Budgeting	NT	NT	A	NT
13	Civil defense costs	AC	NT	NT	A/U

	Cost Item	Circular A-21	Circular A-122	Circular A-87	48 CFR Part 31
14	Commencement and convocation costs	U	NT	NT	NT
15	Communication costs	A	A	A	NT
16	Compensation for personal services	A/U	A/U	A/U	A/U
17	Contingency provisions	U	U	U	U
18	Cost of money (See also Item 40)	U	U	U	AC
19	Deans of faculty and graduate schools	A	NT	NT	NT
20	Defense and prosecution of criminal and civil proceedings, claims, appeals, and patent infringement	AC/U	AC/U	A/U	U
21	Deferred research and development costs	NT	NT	NT	AC/U
22	Depreciation and use allowances	AC	AC	AC	AC
23	Disbursing service	NT	NT	A	NT
24	Donations and contributions	U	U	U	U
25	Economic planning costs	AC/U	AC/U	AC/U	NT/U
26	Employee morale, health, and welfare costs and credits	A	A	A	U
27	Entertainment costs	U	U	U	U
28	Equipment and other capital expenditures	A/U	AP	AP	AP
29	Executive lobbying costs	U	U	U See Item 42	U
30	Fines and penalties	U	U	U	U
31	Fund-raising and investment management costs (See also Item 40)	NT	NT	U	U
32	Gains and losses on disposition of depreciable property and other capital assets and substantial relocation of Federal programs (See also Item 64)	NT	NT	A	A
33	General government expenses	NT	NT	U	NT
34	Goods/services for personal use	U	U	NT	NT
35	Goodwill	NT	NT	NT	U
36	Housing and personal living expenses	U	AC/U	NT	NT

	Cost Item	Circular A-21	Circular A-122	Circular A-87	48 CFR Part 31
37	Idle facilities and capacity	NT	AC/U	AC/U	AC/U
38	Independent research and development	NT	Reserved	NT	AC
39	Insurance and indemnification	AC	AC	AC	A
40	Interest, fund-raising, and investment management costs	A/U	A/U	A/U	U
41	Labor relations costs	AC	AC	NT	AC
42	Lobbying	U	U	U	U
43	Losses on other sponsored agreements/contracts	U	U	U	U
44	Maintenance and repair costs	A	A	A	A
45	Manufacturing and repair costs	NT	NT	NT	A
46	Manufacturing and product engineering costs	NT	NT	NT	A
47	Material costs	A	A	A	A
48	Meetings and conferences	NT	A	See Item 2	See Item 2
49	Memberships, subscriptions, and professional activity costs	A/U	A/U See also Item 2	A/U See also Item 2	NT
50	Motor pools	NT	NT	A	NT
51	Organization costs	NT	AP	NT	U
52	Other business expense	NT	NT	NT	A
53	Overtime, extra-pay shift, and multi-shift premiums	NT	AC	AC	See also Item 16
54	Page charges in professional journals	NT	A	NT	NT
55	Participant support costs	NT	A	NT	NT
56	Patent costs	A	A/U	NT	A/U
57	Plant protection costs	NT	NT	NT	A
58	Plant reconversion costs (See also Item 68)	NT	NT	NT	U
59	Plant security costs	U	A	NT	NT
60	Pre-agreement costs (See also Item 61)	U	NT	NT	NT
61	Pre-award costs	NT	AP	U (formula)/AP	NT
62	Pre-contract costs (See also Item 61)	NT	NT	NT	AP
63	Professional services costs	A	A	A	A
64	Profits and losses on disposition of plant equipment/other capital assets	A	A	See Item 32	See Item 32

	Cost Item	Circular A-21	Circular A-122	Circular A-87	48 CFR Part 31
65	Proposal costs (See also Item 10)	AC	Reserved	AC/AP	AP
66	Publication and printing costs	NT	A/U	A	NT
67	Rearrangement and alteration costs	A	A	A	NT
68	Reconversion costs (See also Item 58)	A	A	A	NT
69	Recruiting costs	A/U	A/U	See Item 2	A
70	Relocation costs	AC	AC	NT	A/U
71	Rental costs of buildings and equipment	AC	AC	AC	AC
72	Royalties and other costs for use of patents	A	A	NT	A
73	Sabbatical leave costs	A	NT	NT	NT
74	Scholarships and student aid costs	A	NT	NT	NT
75	Selling and marketing	U	U	NT	A/U
76	Service and warranty costs	NT	NT	NT	A
77	Severance pay	AC	AC	AC	AC
78	Special tooling and special test equipment costs	NT	NT	NT	A
79	Specialized service facilities	AC	AC	NT	NT
80	Student activity costs	U	NT	NT	NT
81	Taxes	AC	AC	AC	AC
82	Termination costs	NT	AC	NT	A/U
83	Trade, business, technical, and professional activity costs	AC	AC	AC See also Item 49	AC
84	Training and education costs	AC	AC	AC	AC
85	Transportation	AC	AC	NT	AC
86	Travel costs	AC	AC	AC	AC
87	Termination costs applicable to sponsored agreement (See also Item 82)	AC	NT	NT	NT
88	Trustees	AC	AC	NT	NT
89	Under recovery of costs under Federal agreements	U	U	U	U

Purchasing Procedures

The following procedures are adopted as minimum standards for the NWTNWB to purchase materials, supplies, equipment, and services. The purchasing procedures are designed to inform the staff of details connected with procurement and to afford budget control for all functional areas. Each person who will require goods and services to accomplish their objective should become familiar with these instructions. Duties are properly segregated between employees responsible for purchasing, accounts payable, and cash disbursements. There are always two signatures on each purchase prior to submitting the information to the Chief Officer and Executive Director for payment. Once entered into the system for payment, the Director of Finance reviews the invoice for proper coding before approving it for payment.

Except as specifically provided in this policy or guidelines, the authority of the Executive Director pursuant to these policies and procedures shall not include the purchase or lease of real property or insurance, without approval of the NWTNWB, when the estimated aggregate total of the expense or revenue is \$50,000 or more, data processing equipment over \$249,999.99, or purchases for capital outlay projects from any fund source whatsoever. Goods and services may be procured without competitive bidding only if such purchases are justified in writing and approved by the Executive Director as required by NWTNWB policies and guidelines, except for Small Dollar purchases as allowed.

In cases where the NWTNWB policies and procedures do not address a specific procedure for purchase of a particular item, the Department of General Services' rules and regulations will govern, if applicable. The Executive Director may delegate approval authority as specified in this policy to their designees. Time periods specified in the policy shall be calculated by excluding the first day and including the last, unless the last day is a Saturday, a Sunday, or a legal holiday, and then it shall also be excluded.

Procurement Cards

The NWTNWB procurement card is used for small dollar, \$1,000 and under, purchases, without a purchase order, and for purchases over \$1,000 with a purchase order. It may be utilized as follows:

- (1) Limited group travel expenses (excursions and meals)
- (2) Purchases from local vendors for perishable items
- (3) Bank Services
- (4) Hotels and Motels
- (5) Airlines
- (6) Conference Registrations involving travel

Procurement card restrictions include the following:

- (1) Sales Tax (effective November 8, 2017)
- (2) Cash
- (3) Tax Payments, Fines and Court Costs
- (4) Bail and Bond Payments

Procurement Card Limits and Statements

- (1) Each transaction limit is \$1,000.00 or less without a purchase order.
- (2) Split transactions to the same vendor that total over \$1,000.00 to avoid issuing a Purchase Order are not allowed.
- (3) The credit limit is \$7,500 to \$15,000 depending on limits set on the card at the time of issuance.
- (4) Each card account will be issued a monthly statement from the bank.

Record Keeping

Each cardholder is responsible for maintaining a record monthly purchases applied to his/her procurement card. Within 5 business days of the purchase, all supporting documentation should be sent to the NWTNWB fiscal staff. Upon receipt of the procurement card statement from the bank, the Financial Coordinator will reconcile the charges on the statement to their record of purchases. The reconciled statement should be initialed by the Financial Coordinator and forwarded to the Quality Coordinator for review and a selection of a sample of transactions to monitor. The Quality Coordinator issues a monitoring report of any corrective action needed, and initials both the statement and reconciliation. The statement is then reviewed and approved by both the Director of Finance and Executive Director.

Problem Resolution

In the event the cardholder encounters a problem with a charge by the vendor, the cardholder should contact the vendor and attempt to resolve the problem. If unable to resolve, contact the Director of Finance or Executive Director within 30 days after the close of the billing cycle. The Director of Finance or Executive Director will issue a dispute and notify the cardholder when resolved.

Lost Card

Immediately contact the bank, available 24 hours a day, 7 days a week. Contact the Director of Finance or Executive Director and your immediate supervisor. The Director of Finance or Executive Director will initiate steps to close the card

Purchase Orders

Purchases less than one thousand dollars (\$1,000.00) may be procured via direct invoice to the purchasing card. All purchases one thousand dollars (\$1,000.00) and greater must be procured by entering a Purchase Order in QuickBooks with the written approval of the Executive Director of Director of Finance. Any employee found to have violated this policy may be held responsible for the purchase and shall be liable for any state funds paid contrary to this policy.

American Job Center Purchases

When making purchases for the American Job Centers (AJCs), fiscal staff review the request to determine if the item will be shared amongst partners in order to properly allocate the cost. Each partner is required to contribute to the operating costs as described in the Infrastructure Funding Agreements. Shared costs are identified and agreed upon at partner meetings and are proportionately distributed based on full-time equivalent, FTE, (communication, advertising, supplies, etc.) or square footage (utilities, building maintenance, lease, etc.). Proportionate share, cost allocation methodologies, and any additional considerations are determined and costs are billed to partners on a monthly basis. Actual costs are billed rather than estimates or budgeted amounts. Periodically, space, FTE, and any other contributing factors are reviewed to determine if the IFA needs to be modified. Fiscal staff also attend appropriate trainings, as offered, in order to ensure compliance with the Uniform guidance.

Contractors

The NWTNWB may contract with various agencies, in accordance with WIOA Legislation and Tennessee Department of Labor and Workforce Development (TDLWD) policies, in order to select a One-Stop Operator, provider(s) of Title I services, and / or employers for programs such as On-the-Job Training (OJT) Grants, and "Buy-out" classes. When awarding contracts through a competitive process, such as Title I sub-contracts, the NWTNWB researches potential bidders, issues a Request for Proposal, receives proposals, reviews, and then awards competitive grants to providers based on identified scoring criteria. Once it is determined that funds can be allocated, the NWTNWB has authorized administrative staff to initiate agreements or contracts with employers or appropriate community organizations.

Consistent with WIOA Sections 107(d)(10) and 121(d) and the Workforce Services Policy regarding One-Stop Delivery and Design System, paragraph (D) of the Local Board Responsibilities section, and in accordance with the Regional Planning Council, the NWTNWB, with the agreement of the chief elected officials for the local area, shall designate or certify one-stop operators as described in section 121(d)(2)(A). In order to conduct a competitive process for the selection of a one-stop operator in accordance with 121(d)(2)(A), the Board, with the agreement of the CEOs, shall issue a Request for Proposals for a designated time period, with public notice being provided through print media and / or electronic means, and with potential bidders being notified of the release by email. Proposals received shall be reviewed by a committee approved by the Board and CEOs. The review committee shall make a

recommendation to the Board for selection of the Operator. The selected Operator shall enter into a contract with the Board and CEOs as developed by the fiscal agent.

Procurement Procedures

§ 200.318 General procurement standards.

(a) The non-Federal entity must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this part.

(b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(c)

(1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

(2) If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

(d) The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

(e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.

(f) The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

(g) The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

(h) The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be

given to such matters as [contractor](#) integrity, compliance with public [policy](#), record of past performance, and financial and technical resources. See also [§ 200.213](#) Suspension and debarment.

(i) The [non-Federal entity](#) must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of [contract](#) type, [contractor](#) selection or rejection, and the basis for the [contract](#) price.

(j)

(1) The [non-Federal entity](#) may use a time and materials type [contract](#) only after a determination that no other [contract](#) is suitable and if the [contract](#) includes a ceiling price that the [contractor](#) exceeds at its own risk. Time and materials type [contract](#) means a [contract](#) whose cost to a [non-Federal entity](#) is the sum of:

(i) The actual cost of materials; and

(ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

(2) Since this formula generates an open-ended [contract](#) price, a time-and-materials [contract](#) provides no positive profit incentive to the [contractor](#) for cost control or labor efficiency. Therefore, each [contract](#) must set a ceiling price that the [contractor](#) exceeds at its own risk. Further, the [non-Federal entity](#) awarding such a [contract](#) must assert a high degree of oversight in order to obtain reasonable assurance that the [contractor](#) is using efficient methods and effective cost controls.

(k) The [non-Federal entity](#) alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the [non-Federal entity](#) of any contractual responsibilities under its contracts. The [Federal awarding agency](#) will not substitute its judgment for that of the [non-Federal entity](#) unless the matter is primarily a Federal concern. Violations of law will be referred to the local, [state](#), or Federal authority having proper jurisdiction.

[[78 FR 78608](#), Dec. 26, 2013, as amended at [79 FR 75885](#), Dec. 19, 2014; [80 FR 43309](#), July 22, 2015]

§ 200.319 Competition.

(a) All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective [contractor](#) performance and eliminate unfair competitive advantage, [contractors](#) that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

(1) Placing unreasonable requirements on firms in order for them to qualify to do business;

(2) Requiring unnecessary experience and excessive bonding;

(3) Noncompetitive pricing practices between firms or between affiliated companies;

(4) Noncompetitive [contracts](#) to consultants that are on retainer [contracts](#);

(5) Organizational conflicts of interest;

(6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and

(7) Any arbitrary action in the procurement process.

(b) The [non-Federal entity](#) must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed [state](#), local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts [state](#) licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the [contract](#).

(c) The [non-Federal entity](#) must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

(1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and

(2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(d) The [non-Federal entity](#) must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the [non-Federal entity](#) must not preclude potential bidders from qualifying during the solicitation period.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014]

§ 200.320 Methods of procurement to be followed.

The [non-Federal entity](#) must use one of the following methods of procurement.

(a) Procurement by [micro-purchases](#). Procurement by [micro-purchase](#) is the acquisition of [supplies](#) or services, the aggregate dollar amount of which does not exceed the [micro-purchase](#) threshold ([§ 200.67](#) Micro-purchase). To the extent practicable, the [non-Federal entity](#) must distribute [micro-purchases](#) equitably among qualified suppliers. [Micro-purchases](#) may be awarded without soliciting competitive quotations if the [non-Federal entity](#) considers the price to be reasonable.

(b) Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, [supplies](#), or other [property](#) that do not cost more than the [Simplified Acquisition Threshold](#). If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.

(c) Procurement by sealed bids (formal advertising). Bids are publicly solicited and a firm fixed price [contract](#) (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the conditions in [paragraph \(c\)\(1\)](#) of this section apply.

(1) In order for sealed bidding to be feasible, the following conditions should be present:

(i) A complete, adequate, and realistic specification or purchase description is available;

(ii) Two or more responsible bidders are willing and able to compete effectively for the business; and

(iii) The procurement lends itself to a firm fixed price [contract](#) and the selection of the successful bidder can be made principally on the basis of price.

(2) If sealed bids are used, the following requirements apply:

(i) Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;

(ii) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

(iii) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;

(iv) A firm fixed price [contract](#) award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

(v) Any or all bids may be rejected if there is a sound documented reason.

(d) Procurement by competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type [contract](#) is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

(1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;

(2) Proposals must be solicited from an adequate number of qualified sources;

(3) The [non-Federal entity](#) must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;

(4) [Contracts](#) must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and

(5) The [non-Federal entity](#) may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

(e) [Reserved]

(f) Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

(1) The item is available only from a single source;

(2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;

(3) The [Federal awarding agency](#) or [pass-through entity](#) expressly authorizes noncompetitive proposals in response to a written request from the [non-Federal entity](#); or

(4) After solicitation of a number of sources, competition is determined inadequate.

[[78 FR 78608](#), Dec. 26, 2013, as amended at [79 FR 75885](#), Dec. 19, 2014; [80 FR 54409](#), Sept. 10, 2015]

§ 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

(a) The [non-Federal entity](#) must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

(b) Affirmative steps must include:

(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

(2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

(3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

(6) Requiring the prime [contractor](#), if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

§ 200.322 Procurement of recovered materials.

A [non-Federal entity](#) that is a [state](#) agency or 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 part 247](#) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during 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.

[[78 FR 78608](#), Dec. 26, 2013, as amended at [79 FR 75885](#), Dec. 19, 2014]

§ 200.323 [Contract](#) cost and price.

(a) The [non-Federal entity](#) must perform a cost or price analysis in connection with every procurement action in excess of the [Simplified Acquisition Threshold](#) including [contract](#) modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the [non-Federal entity](#) must make independent estimates before receiving bids or proposals.

(b) The [non-Federal entity](#) must negotiate profit as a separate element of the price for each [contract](#) in which there is no price competition and in all cases where cost analysis is performed. To establish a fair

and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the [contractor](#), the [contractor's](#) investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

(c) Costs or prices based on estimated costs for [contracts](#) under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the [non-Federal entity](#) under Subpart E - Cost Principles of this part. The [non-Federal entity](#) may reference its own cost principles that comply with the Federal cost principles.

(d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

§ 200.324 [Federal awarding agency](#) or [pass-through entity](#) review.

(a) The [non-Federal entity](#) must make available, upon request of the [Federal awarding agency](#) or [pass-through entity](#), technical specifications on proposed procurements where the [Federal awarding agency](#) or [pass-through entity](#) believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the [non-Federal entity](#) desires to have the review accomplished after a solicitation has been developed, the [Federal awarding agency](#) or [pass-through entity](#) may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

(b) The [non-Federal entity](#) must make available upon request, for the [Federal awarding agency](#) or [pass-through entity](#) pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

- (1) The [non-Federal entity's](#) procurement procedures or operation fails to comply with the procurement standards in this part;
- (2) The procurement is expected to exceed the [Simplified Acquisition Threshold](#) and is to be awarded without competition or only one bid or offer is received in response to a solicitation;
- (3) The procurement, which is expected to exceed the [Simplified Acquisition Threshold](#), specifies a "brand name" product;
- (4) The proposed [contract](#) is more than the [Simplified Acquisition Threshold](#) and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or
- (5) A proposed [contract](#) modification changes the scope of a [contract](#) or increases the [contract](#) amount by more than the [Simplified Acquisition Threshold](#).

(c) The [non-Federal entity](#) is exempt from the pre-procurement review in [paragraph \(b\)](#) of this section if the [Federal awarding agency](#) or [pass-through entity](#) determines that its procurement systems comply with the standards of this part.

- (1) The [non-Federal entity](#) may request that its procurement system be reviewed by the [Federal awarding agency](#) or [pass-through entity](#) to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party [contracts](#) are awarded on a regular basis;
- (2) The [non-Federal entity](#) may self-certify its procurement system. Such self-certification must not limit the [Federal awarding agency's](#) right to survey the system. Under a self-certification procedure, the [Federal awarding agency](#) may rely on written assurances from the [non-Federal entity](#) that it is complying with these standards. The [non-Federal entity](#) must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

§ 200.325 Bonding requirements.

For construction or facility improvement [contracts](#) or sub [contracts](#) exceeding the [Simplified Acquisition Threshold](#), the [Federal awarding agency](#) or [pass-through entity](#) may accept the bonding [policy](#) and requirements of the [non-Federal entity](#) provided that the [Federal awarding agency](#) or [pass-through entity](#) has made a determination that the [Federal interest](#) is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

(b) A performance bond on the part of the [contractor](#) for 100 percent of the [contract](#) price. A “performance bond” is one executed in connection with a [contract](#) to secure fulfillment of all the [contractor](#)'s [obligations](#) under such [contract](#).

(c) A payment bond on the part of the [contractor](#) for 100 percent of the [contract](#) price. A “payment bond” is one executed in connection with a [contract](#) to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the [contract](#).

200.326 Contract provisions.

The [non-Federal entity](#)'s [contracts](#) must contain the applicable provisions described in Appendix II to Part 200 - [Contract](#) Provisions for [non-Federal Entity Contracts](#) Under Federal Awards.

Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

(A) Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by [41 U.S.C. 1908](#), must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under [41 CFR Part 60](#), all contracts that meet the definition of “federally assisted construction contract” in [41 CFR Part 60-1.3](#) must include the equal opportunity clause provided under [41 CFR 60-1.4\(b\)](#), in accordance with [Executive Order 11246](#), “Equal Employment Opportunity” ([30 FR 12319](#), 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by [Executive Order 11375](#), “Amending [Executive Order 11246](#) Relating to Equal Employment Opportunity,” and implementing regulations at [41 CFR part 60](#), “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

(D) Davis-Bacon Act, as amended ([40 U.S.C. 3141- 3148](#)). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act ([40U.S.C. 3141- 3144](#)) as supplemented by Department of Labor regulations ([29 CFR Part 5](#), “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The

non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act ([40 U.S.C. 3145](#)), as supplemented by Department of Labor regulations ([29 CFR Part 3](#), “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act ([40 U.S.C. 3701- 3708](#)). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with [40U.S.C. 3702](#) and [3704](#), as supplemented by Department of Labor regulations ([29 CFR Part 5](#)). Under [40 U.S.C. 3702](#) of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of [40 U.S.C. 3704](#) are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under [37 CFR § 401.2](#) (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of [37 CFR Part 401](#), “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

(G) Clean Air Act ([42 U.S.C. 7401- 7671q](#).) and the Federal Water Pollution Control Act ([33 U.S.C. 1251- 1387](#)), as amended - Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to 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 as amended ([33 U.S.C. 1251- 1387](#)). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689) - A contract award (see [2 CFR 180.220](#)) must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at [2 CFR 180](#) that implement Executive Orders 12549 ([3 CFR part 1986](#) Comp., p. 189) and 12689 ([3 CFR part 1989](#) Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than [Executive Order 12549](#).

(I) Byrd Anti-Lobbying Amendment ([31 U.S.C. 1352](#)) - Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that

it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by [31 U.S.C. 1352](#). Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See [§ 200.322](#) Procurement of recovered materials.

[[78 FR 78608](#), Dec. 26, 2013, as amended at [79 FR 75888](#), Dec. 19, 2014]

Contracts and Agreements

The purpose of the policy is to outline requirements and procedures for processing contractual documents other than employment contracts. Services to be performed under any agreement or contract shall not be commenced and payment for such services shall not be made until an agreement/contract is executed in accordance with this policy and all requirements are met. The same policies and procedures also apply to contract/agreement amendments and addendums.

Only the Executive Director and those individuals who are specifically authorized in writing by the Executive Director through published policies, procedures or other authorizing documents have the authority to enter into agreements/contracts as agents of the NWTNWB. No other employees except those expressly identified in policy shall sign contracts without prior written approval.

Approvals

The following agreements/contracts shall be expressly subject to the approval of the Executive Director in accordance with NWTNWB policies and guidelines:

- (1) those involving or related to the purchase or lease of real property or data processing
- (2) the purchase of insurance or agreements providing insurance or other benefits for employees
- (3) the purchase of professional personal, or consultative services
- (4) purchases related to capital outlay projects

The Executive Director or his/her designee is the final approving authority for any agreement/contract; except that the approval of the Executive Director or designee shall be required for agreements/contracts with foundations or similar not-for-profit organizations, and hardware and software contracts as specified herein requiring the Executive Director's approval under other policies and guidelines.

Once the contract has been received and reviewed for compliance by the fiscal department, it will be routed for the Executive Director's approval; then forwarded to the vendor for approval if not signed initially.

No agreement/contract will be accepted with signatures by the vendor and/or procuring party dated after the requested start date of the agreement/contract.

Preparation of Agreements and Contracts

Before entering into an agreement/contract, funds must be available in the current year's budget. If funds are not available, a budget revision must be processed prior to payment of the agreement/contract. The initiating staff requiring or providing personal, professional, or consultant services is responsible for the preparation of the agreement/contract.

All necessary signature approval lines shall be prepared by the initiating staff, including lines for the corporation or individual and the Executive Director of NWTNWB. Signature approval lines for the Northwest Tennessee Workforce Board should be prepared when necessary.

If the other party or contractor is a corporation, its name must be stated in the agreement/contract exactly as it appears in its charter. The person signing on behalf of the corporation must have legal authority to do so, and his/her title/position shall be shown on the signature page.

The Executive Director may delegate his/her authority to sign agreements/contracts only if such delegation is specifically permitted in NWTNWB policy or if the delegation is specifically approved in writing by the Executive Director.

The staff requiring an agreement/contract must initiate the process sufficiently in advance to allow final approval before services are rendered. Agreements/Contracts must be submitted to the Executive Director a minimum of two (2) weeks prior to the desired service. Scanned copies of agreements/contracts are acceptable. Sufficient time must be allowed so that an executed contract is in place prior to any services being performed under the contract. Extreme caution should be used in preparation of agreements/contracts to ensure all provisions comply with NWTNWB guidelines. NWTNWB Legal Counsel has stated possible personal liability in not adhering to state law.

Legal questions relating to an agreement/contract will be referred to the NWTNWB Legal Counsel by the Executive Director.

Add the following language to any contract in which contractor is serving as a service provider handling "covered accounts", that is, any consumer account involving multiple transactions or multiple payments in arrears: " Service provider/Contractor shall have and maintain throughout the term of this agreement an identity theft prevention program for new and existing accounts which complies with the FTC regulations known as Red Flags Rule."

Routing Agreements and Contracts for Approval

After preparation of an agreement/contract, the staff shall forward a copy of the agreement/contract to the Executive Director. Once it has been determined that the agreement/contract is complete, it will be approved by the Executive Director and then forwarded to the vendor for signature if not already obtained.

One (1) copy of all executed contracts, original or scanned copy, shall be maintained by the fiscal department. An electronic copy is located on the shared drive and / or in QuickBooks.

Standard Guidelines

No agreement/contract of any nature which requires the expenditure of funds by NWTNWB shall extend beyond the end of the fiscal year and / or grant period in which it is entered into unless expressly subject to the condition that the organization shall have the right to terminate the agreement/contract at the end of any fiscal year in the event that sufficient funds are not appropriated and/or budgeted for continuation of the agreement/contract. Contracts may be renewed up to a total period of five (5) years.

No agreement/contract of any nature shall be entered into which contains one or more of the following:

- (1) Provisions requiring the NWTNWB to pay for taxes, late penalties, liquidated damages, incidental or consequential damages, etc.
- (2) Payment of travel/per diem expenses in excess of maximum limitations set forth in NWTNWB policy.
- (3) Provisions designating the governing law of a state other than Tennessee.

- (4) Provisions requiring the NWTNWB to make advance deposits or payments, except those expressly allowed by the NWTNWB.
- (5) Provisions requiring the NWTNWB to purchase or obtain liability insurance, performance bond, or property insurance.
- (6) Provisions requiring the NWTNWB to insure, indemnify, or hold harmless any party from claims, which may arise out of the agreement or be brought by third parties.
- (7) Provisions requiring the NWTNWB to obtain or pay for outside labor of persons not employed by the NWTNWB are prohibited unless such cost is included as part of the total contract price.
- (8) Provisions requiring the NWTNWB to consent to the arbitration by a third party of claims arising out of or relating to the agreement.
- (9) Disclaimer of vendor's liability for incidental, liquidated, exemplary, or consequential damages.
- (10) Disclaimer by vendor of express or implied warranties of merchantability and fitness for a particular purpose.
- (11) Limitation on dollar amount of damages recoverable by the NWTNWB from vendor.
- (12) Unless vendor provides shipment insurance protecting the NWTNWB's interest, passing of risk of loss or title to NWTNWB before delivery and/or installation of products.
- (13) Right of vendor to enter NWTNWB's premises without notice to remove equipment or product upon alleged default by the NWTNWB.
- (14) Award of attorney's fees to vendor in the event of legal action against NWTNWB.
- (15) Consent to jurisdiction in courts outside Tennessee. Provisions requiring the NWTNWB to pay late charges, finance charges, collection costs, or interest in excess of that provided under Tennessee Prompt Pay Act (T.C.A. Section 12-4-701 et seq.).
- (16) Term of the agreement/contract longer than five (5) calendar years.
- (17) Provisions requiring the NWTNWB to keep vendor's information confidential (Tennessee Open Records Act, T.C.A. Sections 10-7-503-10-7-506).
- (18) Provisions requiring the NWTNWB to carry or maintain commercial or general liability insurance.
- (19) Provisions requiring the survival of paragraphs upon termination of the agreement/contract when those paragraphs are not in accordance with NWTNWB Policies and Guidelines.

Only the Executive Director can approve applications for all grants from agencies or organizations, acceptance of the award of the grant, and enter into agreements confirming grants, provided that where matching funds or services in lieu of funds are required by the NWTNWB. No applications shall be made unless the operating budget provides the funds and/or resources necessary for the project. The Executive Director is further authorized to accept the award of a grant and enter into agreements confirming grants; further provided that the acceptance of grants and agreements confirming the award of grants shall be subject to the standard guidelines listed above.

In any agreement/contract which requires participation by an applicant, participant, or employee of the NWTNWB in a program or activity conducted in whole or in part by any other person or organization or which facilitates, permits or considers participation by such persons as part of or equivalent to a program or activity of the NWTNWB, the NWTNWB shall require the person or organization to agree that no person shall, on the basis of sex, race, color, religion, handicap, veteran status, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the program or activity. Breach of this provision shall be cause for termination of the agreement.

All agreements, contracts, and subcontracts shall contain all necessary non-discrimination requirements provided by Federal or State laws and regulations.

All agreements/contracts not expressly requiring the approval of the Executive Director may become effective upon the approval of the President of the NWTNWB or his/her designee, subject to the general

requirements of this policy. In the event there is any question as to whether an agreement or contract shall be submitted for the approval of the Executive Director or the General Counsel, the agreement or contract should be routed to the fiscal office.

The Executive Director may direct that copies of any and all agreements/contracts entered into by the NWTNWB be submitted for informational and record-keeping purpose or to ensure compliance with this policy and may direct that certain or all agreements/contracts of the NWTNWB be submitted for prior review and approval when deemed necessary to ensure such compliance. In addition, the Executive Director may require annual reports on the type and number of agreements/contracts entered into by the NWTNWB, with additional information when necessary.

When the Executive Director is absent and a situation arises where an agreement or application must be submitted prior to his/her return, the authorized signatory will be allowed to approve for the Director.

Requests for Payment

After the service has been performed and an invoice has been received by the Financial Coordinator, the fiscal department must approve the invoice. The contract number must be referenced on the invoice. At no time will the contractor receive payment before the service has been completed and an invoice has been received by the fiscal department. For payments to individuals, information required for the preparation of Form 1099 must be included with the contract.

Payment made to non-employees for personal services are not subject to any deductions. Neither is it required that these payments be included on Form W-2. Internal Revenue Service regulations do require, however, that consultant fees, etc., be reported on Form 1099. The Social Security number and the home (not business or educational institution) mailing address of each individual must be provided on the check in order that they may be reported on Form 1099. Form 1099 will be prepared and submitted at year-end by the NWTNWB and will indicate the total payments that have been made to an individual or group during the preceding year.

Definitions

Catering Contract: a contract for any dollar amount issued for any catered event or meeting.

Service Contract: a contract that is issued for any service (and/or good) provided to NWTNWB at a negotiated cost equal to or greater than \$1,00.00. This includes personal, professional and consulting services.

Payment of Invoices

Invoices should be sent to the NWTNWB office via US mail, fax, email or hand delivery within 30 days from the date of the invoice or the date the goods or services were received, whichever is later. This will allow 15 days to process the approval and payment to comply with the Tennessee Prompt Payment Act. Note: payment of invoices within 15 days is contingent upon the availability of funding due to the minimum 14-day waiting period for payment of requested funds from the TDLWD.

Invoices will be paid only upon confirmation of receipt. Invoices will not be paid from statement. All statements received directly by staff should be sent to the fiscal department for follow-up of unpaid items.

Cost Reimbursement Contracts are to be invoiced monthly, or for OJT's, at the completion of the training hours. Below are the steps in reviewing and approving for payment.

- (1) An invoice, along with supporting documentation, is submitted to NWTNWB for payment.
- (2) The invoice is forwarded to the contract manager for their review and approval, if applicable.

- (3) Once the contract manager has made their initial review of the invoice, they sign off and return it to the fiscal department to be processed for payment.
- (4) All supporting documentation is reviewed and verified by at least one fiscal staff. If any discrepancies are found, the contract manager is contacted so the necessary corrections can be made.
- (5) Once the invoice has been reviewed by all parties and is ready to be processed for payment, the Financial Coordinator enters the invoice into QuickBooks.
- (6) The Director of Finance and / or Executive Director will review the invoice for accuracy and approve for payment by signing the check. The members of the Board of Directors of the NWTNWB are also authorized to sign as a second signature.

Vendors expect the NWTNWB to make prompt payment of its obligations. In certain circumstances, state law provides for interest to be paid to vendors in cases of late payments.

F. Title VI Training

TITLE VI TRAINING			
Training:	Title VI Training	Date:	12-14-2018 to 12-17-2018
Facilitator:	Online Training	Place/Room:	Online

Name	Title	Company	Phone
Laura Speer	Director of Performance/Compliance/EEO	NWTNWB	731-286-3585 ext. 403
LeAnn Lundberg	Director of Facilities and Computer Services	NWTNWB	731-286-3585
Derrick Quinn	Compliance Officer	NWTNWB	731-286-3585
Gina Johnson	Assistant Director of Finance & Administrative Services	NWTNWB	731-286-3585
Jennifer Bane	Executive Director	NWTNWB	731-286-3585, ext. 406
Margaret Prater	Senior Executive Advisor	NWTNWB	731-286-3585 ext. 407
Lana Burchfield	Public Information Specialist	NWTNWB	731-286-3585
Terry Williams	Finance Coordinator	NWTNWB	731-286-3585 ext. 410
Theresa Ethridge	Business Service Representative	NWTNWB	731-286-3585
Abigail Boyd	Intern	NWTNWB	731-286-3585
Maleia Evans	Business Service Representative	NWTNWB	731-286-3585 ext. 414
Lana Woods	Business Service Representative	NWTNWB	731-286-3585

TITLE VI TRAINING

Training:	Title VI Training	Date:	12-14-2018
Facilitator:	Online Training	Place/Room:	Online

Name	Title	Company	County	Phone
Talitha Joyce	Resource Specialist	Odle Management	Gibson	731-784-5221
Marcetta Ross	Resource Specialist	Odle Management	Obion	731-884-3868
Peggy Cook	Resource Specialist	Odle Management	Weakley	731-364-0100
Laura Delgadillo	Resource Specialist	Odle Management	Dyer	731-286-7700
George Girard	Resource Specialist	Odle Management	Henry	731-641-1020
Crystal Fuller	Resource Specialist	Odle Management	Carroll	731-352-8898
Erica Nance	One Stop Operator	Odle Management	Dyer	731-286-7700

NW Tennessee
Workforce Board, Inc.

Discrimination and Harassment
Prevention

What You Should Know

708 E Court
Dyersburg, TN 38024
731-286-3585
sppeer@nwnworks.org

Agenda

- D Discrimination and Harassment Overview
- D Disability Discrimination and Harassment, ADA reasonable accommodation
- D Religious Discrimination and Harassment, religious accommodation
- D NWTN Workforce Board Policies
- D Complaint Resolution Process
- D Review of Responsibilities

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Compliance

Technical assistance, investigation, and recommendations regarding the following policies:

- Discrimination and Harassment
- Affirmative Action
- Inclusive Language
- Open Searches

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Title IX

- Title IX prohibits all forms of discrimination on the basis of sex.
- Sexual harassment is considered to be a form of sex discrimination.
- Failure to effectively respond to harassment is considered "deliberate indifference," and a violation of Title IX.

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Title IX Compliance

The Board has designated **Laura Speer**, Director of Performance and Compliance, EO Officer, as the Title IX Coordinator to ensure Title IX compliance for the Board

Because sexual assault is considered to be a severe form of sexual harassment, an alleged victim may wish to file a sexual harassment complaint with the Title IX Coordinator.

The Title IX Coordinator is responsible for ensuring a non-discriminatory office environment that is free from harassment.

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Discrimination and Harassment: Applicable Laws

State and federal law prohibit discrimination and harassment based on a "protected class" in the workplace and in the educational environment.

Federal law defines protected classes as sex (including pregnancy and related medical conditions), race, color, religion, age (40 and over), national origin, genetic information, disability, and veteran status in the workplace and in education.

Tennessee state law in addition to the federal protected classes includes gender identity and sexual orientation.

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Discrimination

Discrimination is conduct that can include a broad spectrum of disparate treatment directed toward an individual or group of individuals based on a protected class that adversely affects their employment or education.

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Harassment

Harassment is **unwelcome** conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work or educational environment that a reasonable person would consider intimidating, hostile, or abusive.

Anti-discrimination laws also prohibit harassment against individuals in **retaliation** for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit; or opposing employment practices that they reasonably believe discriminate against individuals.

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Examples of Discriminatory Conduct

- Negative personnel action (e.g., hiring, firing, promotions, discipline, evaluations against someone because of their protected class)
- Treating someone different because of a serious medical condition
- Advertising a position as particularly wanting to hire a female (or male)
- Failing to provide an otherwise reasonable accommodation for disability or religious beliefs

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Examples of Harassing Conduct

If unwelcome, the following acts may constitute harassment if based on a protected class:

- Taunts, threats, or intimidation due to protected status
- Written or electronic communications that are derogatory or threatening (i.e. via social media, email, or text messaging)
- Graffiti directed towards a protected group
- "Slang" or language that has taken on a derogatory or negative meaning against a protected group

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Sexual Harassment Is

Any unwelcome sexual advance;
Request for sexual favors

OR

Verbal or physical conduct of a sexual nature that is severe or pervasive enough to create a hostile or intimidating work or educational environment.

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Forms of Sexual Harassment

- **Quid Pro Quo**— actions by a supervisor, instructor or manager that condition the receipt of a benefit upon sex, or punish a person for not accepting sexual advances.
- **Hostile Environment**— actions by others that create an abusive work/academic environment. This can be verbal or non-verbal.

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Examples of Quid Pro Quo Harassment

- Better work or educational conditions in exchange for a sexual relationship.
- Reduced or diminished work or educational conditions when a sexual relationship is refused.
- Using physical or psychological coercion to force a sexual relationship, or as retaliation for refusal.

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Hostile Environment

- Can result from physical contact, verbal comments, non-verbal actions or a combination of these.
- Must reach a certain level of severity or pervasiveness to be considered sexual harassment.
- "Lower-level" conduct should be addressed before the pervasive standard is reached.

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Hostile Environment: Physical Conduct

- Touching any part of another person's body — especially in a suggestive manner
- Back rubs, neck or shoulder "massages"
- Sexually suggestive or lewd gestures
- Cornering, trapping or blocking another's path
- Stalking or following another person
- Attempted or actual sexual assault

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Hostile Environment: Verbal Comments

- Remarks about physical characteristics, appearance or attractiveness
- Remarks about sexual activity
- Sexual jokes, comments or innuendos
- Repeated requests for dates
- Propositions of any type

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Hostile Environment: Non-Verbal Actions

- Displays with sexually explicit or graphic content
- Sexual letters, notes, emails, facebook postings
- Unwanted personal gifts or attention
- Obscene gestures, ogling, leering
- Exposing oneself

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When is it Harassment?

Conduct will be considered sexual harassment when:

- 1) It is **unwelcome** to the recipient or observer (subjective standard); **AND**
- 2) A reasonable person would find the same conduct to create a hostile environment (objective standard).

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Sexual Violence

- Sexual Violence is a form of **sexual harassment**.
- Sexual harassment including sexual violence, if perpetrated by an employee, can affect the work or educational environment.

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Disability Discrimination

- Employees with real or perceived mental or physical disabilities have the right to be free from discrimination or harassment
- Qualified individuals (i.e., persons otherwise able to perform work) with disabilities may request accommodations to enable them to work or continue their studies
- An accommodation:
 - Must be reasonable
 - Cannot cause undue hardship or fundamentally alter an academic program
- The accommodation process is interactive and requires communication from all parties

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When is it a Reasonable Accommodation request?

An employee tells his supervisor, "I'm having trouble getting to work at my scheduled starting time because of medical treatments I'm undergoing."

This is a request for a reasonable accommodation.

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When is it a Reasonable Accommodation request?

An employee who is required to stand to complete the duties of his position regularly becomes fatigued because of serious medical condition. The employee requests a stool to reduce fatigue.

This is a request for a reasonable accommodation.

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Documentation of Disability

- Documentation of the disability may be required in order to receive accommodations.
 - Employees must contact their supervisor or Human Resource Services and provide documentation to initiate the accommodation process.
- Medical documentation is confidential.

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Religious Discrimination and Harassment

- **Title VII of the Civil Rights Act**
 - Prohibits institutions from discriminating against individuals because of their religion in hiring, firing, and other terms and conditions of employment (including harassment).
 - Requires institutions to reasonably accommodate the religious practices of an employee or prospective employee, unless to do so would create an undue hardship.

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Definition of Religion

- The EEOC defines "religion" to include moral or ethical beliefs about right and wrong that are sincerely held with the strength of traditional religious views.
- Religious discrimination also includes discrimination against someone because s/he is an atheist.

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Accommodating Religious Practices and Expression

- Examples of religious accommodations employers may be required to provide:
- Leave for religious observances
 - Providing time and/or place to pray
 - Allowing the wearing of religious garb
 - Permitting time-off during a mourning period for a deceased relative
 - Accommodating certain hairstyles or grooming habits
 - Honoring dietary requirements during meetings or training sessions where meals are served

NW Tennessee Workforce Board

Board Discrimination and Harassment Policy Objectives

The Board is committed to providing a work environment that is inclusive and free from all forms of discrimination, harassment, and retaliation.

Board Discrimination and Harassment Policy:

- Prohibits harassment, discrimination, and retaliation.
- Prevents harassment, discrimination, and retaliation.
- Promotes a working environment that is welcoming to all.
- Stops inappropriate behavior before it progresses.

NW Tennessee Workforce Board

Board Policy and Protected Classes

Board Policy covers more protected classes than state or federal law:

- Race or color
- Ethnicity
- Sex
- Pregnancy
- Religion
- National origin
- Physical or mental disability
- Age
- Genetic information
- Marital status
- Sexual orientation
- Gender identity
- Status as a U.S. veteran

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Who is Covered by the Policy?

- Everyone is covered under Board Policy
- If the basis for the alleged discrimination and/or harassment is a protected class it is prohibited conduct, even if the people involved are among the same protected class
- Everyone is in a protected class

NW Tennessee Workforce Board

Complaint Resolution

Board employees have two mechanisms for resolving complaints of harassment or discrimination: **Informal** (this is where a supervisor is likely to play a role) or **Formal** (typically handled by central administration).

Whichever process is used, it is important that Board officials do **something** to respond to a concern of discrimination or harassment. When in doubt of what to do, contact the EO Officer.

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Informal Complaint Resolution - Steps

Informal: a person may contact the supervisor with authority over the accused

- The supervisor should listen to the concern and explore resolution with the person who brought it forward and determine the desired outcome.
- The supervisor must notify the EO Officer if he or she receives a complaint or concern. This is not a breach of confidentiality – the EO Officer must be informed of the complaint.
- Supervisors must consult with the EO Officer on next steps and potential resolution.

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Informal Complaint Resolution-Steps

- A supervisor shall not impose discipline against an accused person without first consulting with the appropriate office.
- Supervisors should attempt to resolve complaints within three weeks.
- The supervisor must notify the EO Officer of the resolution to the complaint.
- Reinforce/Reiterate the prohibition against retaliation to all parties.
- Follow up with the complainant.

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Non - Specific Complaints

What if an employee tells a supervisor or the Board of concerns about harassment and discrimination, but will not disclose names or specific facts.

Does the Board have to proceed?

- Yes, to the extent possible. However, if necessary facts or circumstances are not shared there may be little that can be done to resolve the complaint.

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Formal Complaint Resolution

Formal: a person may also file a formal complaint, which may result in an investigation and discipline.

The accused is notified of the complaint:

- In all other cases involving employees, EO Officer will follow procedures outlined in the **Discrimination and Harassment Policy**.

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Complaint Process

- Confidential initial meeting (intake meeting)
- Determine whether investigation is warranted
- Interviews with third-party witnesses
- Interview with respondent
- Review of documentation/data analysis
- Resolution if appropriate
- Finding

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Retaliation

Retaliation is prohibited both by law and Board policy.
Elements of Reprisal:

- Participation in the **complaint process** or opposition to a discriminatory employment practice
- Adverse action against complainant
- Causal connection between the protected activity and the adverse action

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Harassment Prevention - Employees' Responsibilities

- Employees are expected to maintain an environment that is free from harassing activity.
- Keep your behavior professional.
- Follow Board policy and know where to find the policy and resources.
- Don't mix personal and professional communications – cause for misinterpretations.
- Don't tolerate misbehavior by others – address it by letting someone know.
- Seek assistance promptly if you are the target of or observe behavior that you believe qualify as harassment.
- Do not invade another individual's personal space.
- Do not touch anyone without their permission.

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If You Experience Harassment

Any employee who believes that he/she is victim of discrimination or unwelcome harassment can file a complaint about the situation as soon as possible.

Y **Report conduct**

You may contact the EO Officer at 731-286-3585 or you may file a complaint at any point with the appropriate office or supervisor of the accused.

Additional Options for responding include (if you feel comfortable):

- Y Tell the harasser the conduct is unwelcome
- Y Keep a record of the conduct
- Y State that you will report the conduct if it continues

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Supervisors' Responsibilities: Harassment-free environment

- Be proactive: monitor workplace behaviors
- Treat all complaints seriously and confidentially
- Respond immediately (consult with the EO Officer)
 - Take prompt, effective action when faced with concerns
 - Stop the current behavior, prevent future problems
- Advise against retaliation
- Report complaints to the EO Officer or applicable office
- Regularly distribute the Discrimination and Harassment Policy
- Do not engage in behavior that may be viewed as retaliatory or obstructive to the complaint process
- Document, document, document

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Supervisors' Responsibilities: Harassment-free environment (cont.)

- Set example (supervisors and managers are role models) "walk the talk"
- Be accessible (have an "open door policy")
- Communicate regularly with staff (reiterate policies in meetings)
- Enforce respect and civility in the workplace
- Be receptive and responsive to requests for accommodations
- Know where to find the policy and resources
- Expand recruitment efforts through outreach
- Maintain accurate Position Descriptions (use valid selection criteria)
- Use diverse interview panels in the hiring process

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Thank You. We hope you find this resource helpful.

Please visit
<https://vimeo.com/6123163> to view a short video.

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Title VI training			
Training:	Title VI Training	Date:	By 11/30/18
Facilitator:	Online Training	Place/Room:	Online

Name	Title	Company	Phone
Connie Stewart	Executive Director	DSCC	731-286-3364
Amber Walker	Financial Coordinator	DSCC	731-286-3342
Catherine Vandyke	Quality Advisor	DSCC	731-884-3868
Marcia Fields	Career Services Coordinator	DSCC	731-884-3868
Jeannie Mathis	Career Services Coordinator	DSCC	731-364-0100
Katie Treece	Career Advisor	DSCC	731-884-3868
Wilma Capps	Career Advisor	DSCC	731-286-7700
Rebecca Acred	Career Advisor	DSCC	731-784-5221
Kelcey Coble	Employment Specialist	DSCC	731-286-7700
Bethany Painter	Employment Specialist	DSCC	731-784-5221
Connie Eiskant	Career Assistant	DSCC	731-253-8171
Fredricka Mitchell	Career Assistant	DSCC	731-696-2530
Amanda Tibbs	Employment Specialist	DSCC	731-364-0100
Barbara Hamilton	Career Advisor	DSCC	731-364-0100
Connie Wright	Career Advisor	DSCC	731-584-1711
Amanda Lowery	Employment Specialist	DSCC	731-352-8898
Jackie Gardner	Career Assistant	DSCC	731-584-1711
Rex Smith	Career Advisor	DSCC	731-641-1020

TBR Policy



Tennessee Board Of Regents Policy Statement

TBR non-harassment and discrimination policies stipulate that:

- The TBR System does not discriminate against students, employees, or applicants for admission or employment on the basis of **race, color, religion, creed, national origin, sex, sexual orientation, gender identity/expression, disability, age, status as a protected veteran, or genetic information.**

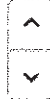
Applicable TBR Policies:

- [Equal Employment Opportunity and Affirmative Action- 5:01:02:00](#)
- [Discrimination & Harassment - Complaint & Investigation Procedure - P-080](#)

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Laws Applicable To The Workplace

State and federal laws prohibit discrimination and harassment based on a "protected class" in the workplace and in the education environment.

- TN Human Rights Act – State law.
- Title VII of Civil Rights Act of 1964 and Americans with Disabilities Act (ADA), as amended – Federal law.

Protected Classes (Groups)

Protected classes is a characteristic of a person which cannot be targeted for discrimination. Under state and federal laws, these classes include sex, race, color, religion, age (40 and over), national origin, genetic information, disability, and veteran status.

TBR/DSCC policies also cover sexual orientation and gender identity/expression as protected classes.

What is Unlawful Harassment and Discrimination?



Defining Unlawful Harassment And Discrimination

The terms **discrimination** and **harassment** are often used loosely by individuals experiencing tension or conflict in the workplace. However, employees must be able to distinguish between bad behavior that falls under a personnel matter versus that that rises to the level of *unlawful* harassment or discrimination.

These terms are defined as follows:

1. **Discrimination** is conduct that can include a broad spectrum of different treatment directed toward an individual or group of individuals **based on a protected class that adversely affects their employment.**
2. **Harassment** is **unwelcome** conduct that is **based on a protected class.** Unwelcome means that the harassing conduct was not solicited or invited and is regarded as undesirable or offensive.

If any employee believes that they have been subjected discrimination or unwelcome harassment should contact their Equity Officer about the situation as soon as possible. The Equity Officer at DSCC is Sheila Gillahan, Director of Human Resources. She may be reached at gillahan@dscce.edu or 286-3316.

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What Is Unwelcome Behavior?

Unwelcome means that the harassing conduct was not solicited or invited and is regarded as undesirable or offensive.

For example, telling off-color jokes concerning race, sex, or disability might be considered unwelcome to an individual.

It is important to note that harassment is subjective. What might be acceptable to one individual might be offensive and unwelcome to another.

An individual **does not** have to verbalize their objection to the behavior in order for it to be **unwelcome**.

Two Basic Types Of Harassment

Prohibited workplace harassment may take one of two forms:

1. "**Quid pro quo**" harassment occurs when employment decisions or treatment are based on submission to or rejection of unwelcome conduct, or
2. The conduct is **severe or pervasive** enough to create a work environment that a reasonable person would consider the same conduct to be intimidating, hostile, or abusive. This would be considered a **hostile work environment**.

Quid Pro Quo Harassment

Under "Quid Pro Quo" Harassment:

- The harasser must be in a **position of authority**, and
- The subject of the harassment must participate in the behavior or risk an **adverse employment action** such as termination.

For example, a supervisor requires a direct report to participate in religious activities in order to keep their position with the organization.

What Is Hostile Work Environment?

A hostile environment can result from the *unwelcome* conduct of supervisors, co-workers, outside vendors, contractors, or anyone else with whom the subject of the conduct interacts on the job, and the unwelcome conduct renders the workplace atmosphere **intimidating, hostile, or offensive**.

Examples of behaviors that may contribute to an unlawful hostile environment include:

- Open discussions about sexual activities.
- Unnecessary touching.
- Commenting on physical attributes.
- Displaying sexually suggestive or racially insensitive pictures.
- Using demeaning or inappropriate terms or epithets.
- Using crude language.
- Engaging in hostile physical conduct.

When Conduct Creates An Unlawful Hostile Work Environment

To constitute *unlawful* harassment, conduct must be **unwelcome** and **based on a protected class**.

When determining if harassment creates a hostile work environment, the conduct must be either:

1. **Severe** - one incident that a reasonable person would consider to be unusually offensive or abusive - i.e., unwelcome physical contact of a sexual nature or
 2. **Pervasive** - small incidents over a period of time - i.e., frequent open conversations in common spaces using derogatory terms about a protected class.
-

Americans With Disabilities Act Of 1990 (ADA)

The ADA protects current and former employees and applicants from discrimination based on disability status.

The ADA considers an employee or job applicant to have a disability based on a number of criteria including if the impairment or condition **substantially limits a major life activity**. Examples of major life activities include, but are not limited to, seeing, hearing, communicating, and concentrating.

Reasonable Accommodations

Employees with actual (or perceived) mental or physical disabilities have the right to be free from discrimination and harassment. An example of this would be denying training to an employee as a result of their disability status.

In addition to being in a work environment that is free from harassing behavior, qualified individuals (i.e., persons otherwise able to perform a job) with disabilities may request **accommodations** to enable them to work.

An accommodation:

1. Must be **reasonable**.
 2. Cannot cause **undue hardship** to the employer or **fundamentally alter the position**.
-

The Interactive Process

The reasonable accommodation process is interactive and requires communication from all parties.

Employees must contact their supervisor or designated department to officially initiate the **interactive process**.

Documentation of the disability may be required in order to receive accommodations; however, all medical documentation is confidential and should be filed separate from personnel files.

Sexual Harassment

Sexual Harassment is any **unwelcome** sexual advance, request for sexual favors, or verbal or physical conduct of a sexual nature that is **severe or pervasive** enough to create a hostile or intimidating environment.

Quid Pro Quo Sexual Harassment - "This For That"

Quid pro quo sexual harassment generally results in a tangible employment decision based upon the employee's acceptance or rejection of unwelcome sexual advances or requests for sexual favors.

This kind of harassment is committed by a supervisor or someone who can effectively make or recommend formal employment decisions (such as termination, demotion, or denial of promotion) that will affect the victim.

Hostile Environment Based On Sex

Hostile Environment can result from physical contact, verbal comments, non-verbal actions of a sexual nature, or a combination of these. These acts, however, must be unwelcome and reach a level of **severity** or **pervasiveness** in order to be considered sexual harassment.



Connie Stewart



Table of Contents > MODULE 3: Sexual Harassment > Examples of Sexual Harassment

Examples of Sexual Harassment



What Does It Look Like?

The following is a non-exhaustive list of acts that could be considered sexual harassment:

1. Unsolicited back rubs, neck, or shoulder massages.
2. Cornering, trapping, or blocking another person's path.
3. Remarks about physical characteristics, appearance, or attractiveness.
4. Sexual jokes, comments, or innuendos.
5. Repeated requests for dates.
6. Displays of sexually explicit or graphic content.
7. Unwanted personal gifts or attention.
8. Sexual emails, texts, or posts on social media.

If any employee believes that they have been subjected to any of these or similar acts, they should contact their Equity Officer about the situation as soon as possible. The Equity Officer at DSCC is Sheila Gillahan, Director of Human Resources. She may be reached at gillahan@dscce.edu or 286-3316.

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What Is Title VI?

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on **race, color, religion, sex, and national origin** in any program that receives **federal financial assistance**. This includes state agencies and educational institutions

TBR has two general guidelines related to compliance with Title VI:

- [G-125: Process for Filing Title VI Complaints](#)
- [G-130: Limited English Proficiency](#)

How Does It Apply To DSCC?

Generally, DSCC employees might encounter potential issues in the provision of services to the public, such as community-based educational or support programs.

Student claims of harassment or discrimination based on race, color, religion, sex, or national origin would fall under Title VI. However, **workplace** claims of harassment or discrimination would *mostly likely* fall under Title VII as opposed to Title VI.

Examples of prohibited behaviors based on **race, color, religion, sex, or national origin** include:

- Denying benefits.
- Restricting participation.
- Providing services in a different manner.
- Restricting service to particular times for groups.

What Is Limited English Proficiency?

Title VI requires entities to provide meaningful access to programs, activities, and services to individuals that have Limited English Proficiency ("LEP").

- LEP individuals do not speak English as their primary language and have a limited ability to communicate in English.

LEP individuals cannot be denied or provided with a lesser form of service because of an inability to understand English. (i.e. – providing service only one day a week for specific language speakers).

The DSCC Human Resources Office and the Student Services Office have contact information to aid an individual who has a limited ability to communicate in English. Please contact Sheila Gillahan (286-3316) or Larenda Fultz (286-3234) if you are aware of an individual who needs assistance.



Course Home Content Resources Communication Evaluation

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Filing a Complaint



How To File A Complaint

Employees who feel harassed, or are aware of potential incidents of harassment, **do not have to confront the harasser in order to file a complaint!** If an individual does not feel safe doing so, they can report the harassment to any supervisor or to one of the following individuals:

Director of Human Resources/Title IX Coordinator

Ms. Sheila Gillahan
1510 Lake Road
Dyersburg, TN 38024
Eller Administration Building - Room 231
gillahan@dscc.edu
731-286-3316

Dean of Student Services

Ms. Larenda Fultz
1510 Lake Road
Dyersburg, TN 38024
Dyersburg Campus
Student Center - Room 123
fultz@dscc.edu
731-286-3234

Under the policy, supervisors are **required** to report complaints harassment and discrimination. These reports cannot be kept private or confidential.

Complaints must be brought within **365 days** of the last date of the alleged discriminatory act/behavior. However, please note that complaints that fall under Title VI must be filed within **180 days**.

DSCC Policy: 06:07:02-03 - Discrimination and Harassment - Complaint and Investigation Procedure

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The Investigative Process

The investigative process typically includes:

- Interviews with the party bringing the complaint and the accused.
- Relevant individuals who may have knowledge of the alleged harassment.
- Review of other evidence such as documentation (i.e., emails, text messages, etc.).

An investigation requires disclosing facts on a need-to-know basis; therefore, **confidentiality cannot be guaranteed**. Complaining parties should understand that information will be disclosed only on a need-to-know basis with appropriate parties, but complete confidentiality cannot be promised.

The policy allows **sixty (60) calendar days** for investigation and resolution of a complaint; however, there can be an extension beyond this limit if there are issues such as difficulty reaching witnesses or the complexity of the complaint.

Informal Resolution

The policy allows that, at any point during the investigative process, the parties in the complaint may agree to attempt to informally resolve the complaint. **Both** parties must agree to attempt informal resolution and **either** party can end the process at any time. If informal resolution is attempted and not successful, the investigation will resume.

What Is Retaliation?

Federal and state laws, as well as TBR and DSCC policies, **strictly prohibit retaliation** in any way against an individual for reporting harassment or participating in an investigation of harassment. In fact, individuals can be held liable for retaliation even if an investigation showed that harassment did not occur.

Retaliation includes any **adverse action** taken against an employee for **filing a complaint or participating in a harassment or discrimination investigation**.

Acts of retaliation can lead to disciplinary action up to, and including, termination.

Who Must Follow TBR and DSCC Policies

All DSCC employees, students, and applicants for admission or employment are covered by the harassment and discrimination policy and are required to follow the provisions of the policy.

Supervisors, managers, and administrators must follow and enforce these policies. These individuals are also accountable for harassment and discrimination that **they knew, or should have known has/had taken place.**

Employees and students also do not have to tolerate harassment by visitors, contractors, or hosts for a program associated with DSCC. Even if the individual is a not an employee of DSCC does not remove DSCC's obligation to ensure an environment free from harassment and discrimination.

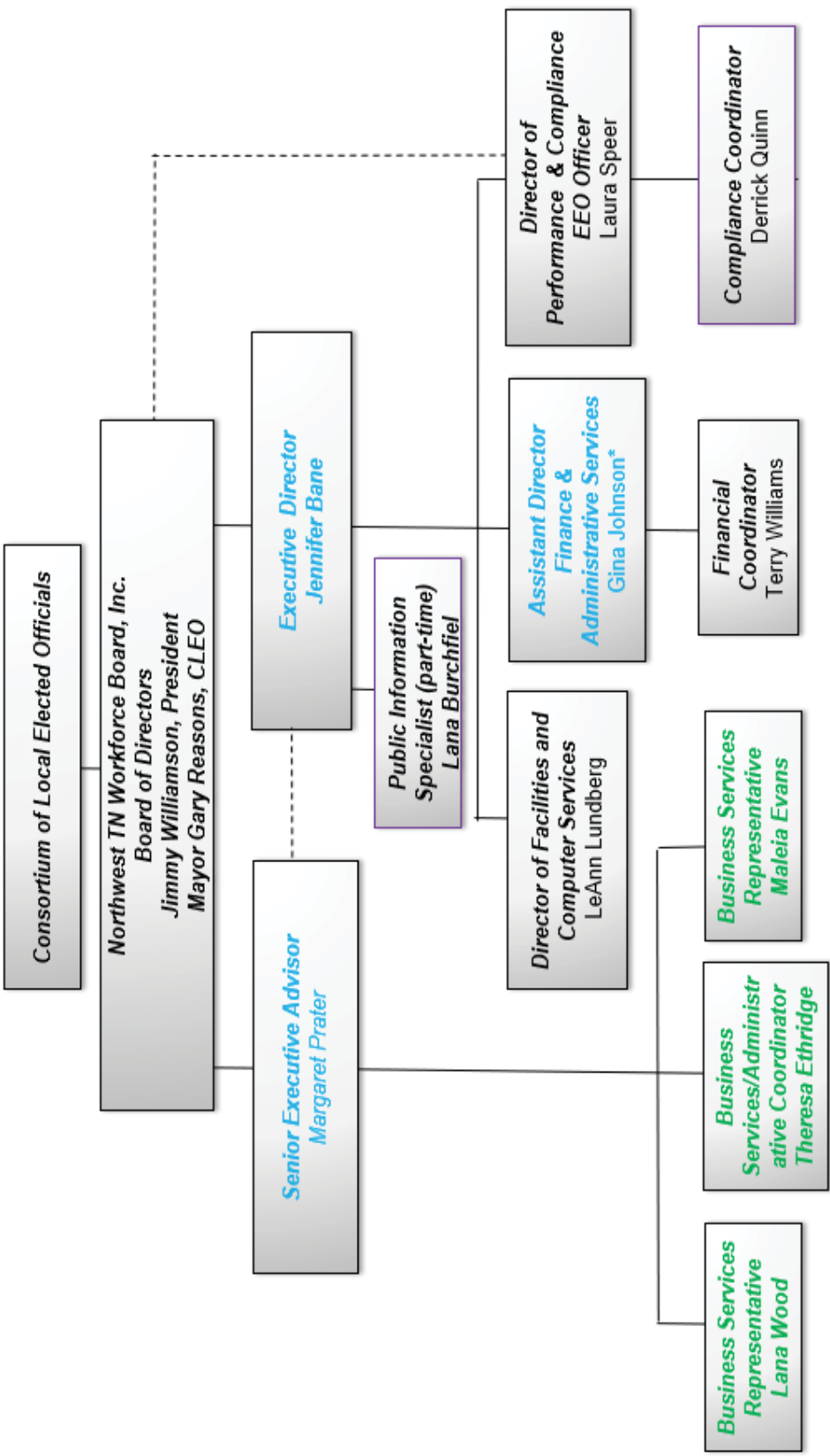
What You Need To Remember About Workplace Harassment

- Members of the same protected class can harass individuals in that same protected class. It's the behavior that counts—not the protected class of the participants.
- A person can feel harassed even if they are not the intended target of the behavior.
- While not all harassing behavior meets the standard of illegal conduct, any workplace harassment is inappropriate and **should not be tolerated**.

Tools For A Respectful Workplace

- THINK BEFORE YOU SPEAK!
- Do not mix personal and professional communications which can lead to misinterpretations.
- Do not touch anyone without their permission.
- Consider how you would react if the same behavior were directed toward your spouse, significant other, or family member.
- Avoid behavior that demeans, degrades, abuses, or shows disrespect to any individual.
- Recognize that the same remarks or gestures that seem acceptable to some people may be embarrassing, offensive, or unwanted by others.
- Ask yourself how you would feel if your behavior were captured on video, reported in print, or highlighted on the nightly news.
- Seek assistance promptly if you are the target of or observe behavior that you believe qualifies as harassment.
- Respect everyone!

Northwest TN Workforce Board, Inc. – Organizational Chart – October 2018



H. Outreach Efforts and Public Comment Process

To receive and consider input into the development of the local plan, in compliance with WIOA Sec. 108(d), the NWTNWB's PY 2018-2020 Local Plan is being published for a 15-day comment period between January 3, 2019 and January 17, 2019, prior to submission of the plan on January 18, 2019. Public notice is being submitted for publication to local newspapers in the 9-county service area and is being published on the organization's website, www.NWTNJobs.org, and Facebook and Twitter pages. Additionally, an electronic communication regarding the posting of the local plan is sent to all American Job Center partners, NWTNWB members (representing business, labor organizations, education, and others), standing committee members, Local Elected Officials, and other workforce system stakeholders for review and comments. The plan is being made available to be viewed on the website and hard copies are being made available at all 9 AJCs in the local area during this time. Additionally, a public listening session hosted outside of normal work hours (Monday – Friday, 8:00 am – 5:00 pm) is scheduled for January 14, 2019 and is being publicized along with the notification of the local plan posting.

All comments are to be submitted in writing to a designated single point of contact, Jennifer Bane – Executive Director, who will compile all comments received during the period of public comment and share them with board members and senior leaders for consideration and integration into the plan as appropriate. Any comments received, including those that represent disagreement with the proposed local plan, will be included within the local plan's attachments.

During the planning process, stakeholders and the regional planning council met as listed below to develop the plans:

Date	Meeting Description
12/4/2018	Planning guidance shared with local stakeholders via email
12/6/2018	Planning guidance shared with Regional Planning Council via email
12/11/2018	Comments/Feedback on modifications to current local plan due
12/18/2018	Update Board Executive Committee on status of planning process and review progress to date (published and open to the public)
12/18/2018	Local strategic planning session conference call (published and open to the public)
12/18/2018	Comments/Feedback on modifications to current regional plan due
1/3/2019	Local and Regional Plans posted for public comment (publicized and stakeholders notified)
1/14/2019	Public listening session outside normal working hours (publicized and stakeholders notified)
1/15/2019	Regional Planning Council Meeting
1/17/2019	End of 30 Day Public Comment Period
1/18/2019	Local and Regional Plans submission deadline

Regional Plan Attachments

A. Outreach Efforts and Public Comment Process

To receive and consider input into the development of the Regional Plan for PY 2018-2020 and the corresponding local plans for each of the three areas in the region, in compliance with WIOA Sec. 108(d), all plans are being published for a 15-day comment period between January 3, 2019 and January 17, 2019, prior to submission of the plan on January 18, 2019. Public notice is being submitted for publication to local newspapers in the region and is being published on the organizations' websites and social media pages. Additionally, an electronic communication regarding the posting of the local and regional plans is sent to all American Job Center partners, regional planning council (RPC) members, local board members (representing business, labor organizations, education, and others), standing committee members, Local Elected Officials, and other workforce system stakeholders for review and comments. The plans are being made available to be viewed on the local areas' websites and hard copies are being made available at all AJCs in the region during this time. Additionally, a public listening session hosted outside of normal work hours (Monday – Friday, 8:00 am – 5:00 pm) is scheduled in each local area and is being publicized along with the notification of the local and regional plan posting.

All comments are to be submitted in writing to a designated single point of contact, Jennifer Bane – Executive Director for the Northwest TN area, who will compile all comments received during the period of public comment and share them with RPC and board members and senior leaders for consideration and integration into the plan as appropriate. Any comments received, including those that represent disagreement with the proposed local or regional plan, will be included within the local or regional plan's attachments.

Local Elected Officials, LWDB members, core and required partner programs, private business, postsecondary institutions, and economic development agencies, including Small Business Development Centers, Chambers, and Development Districts were invited to participate in development of the transitional local and regional plans, and the modifications to those plans. The information gathered during local and regional planning sessions guided the RPC throughout the remainder of the regional planning process. During the transitional regional planning process, and during the plan modification process, stakeholders and the RPC met as listed below to develop the regional plan modification:

Date	Meeting Description
7/26/2016	Northwest Local Strategic Planning Session
7/28/2016	Southwest Local Strategic Planning Session
7/29/2016	Greater Memphis Local Strategic Planning Session
8/9/2016	West TN Regional Strategic Planning Session
10/14/2016	Regional LWDA Directors met to discuss Policy 22 and next steps
11/2/2016	West TN LWDB Regional Planning Preparation Meeting
11/15/2016	Update Northwest Board on Status of Region Plan Process and review progress to date
11/26/2016	Update Southwest Board on Status of Region Plan Process and review progress to date
11/29/2016	Regional Planning Council Meeting
1/10/2017	Regional Planning Council Meeting
1/23/2017	Draft Regional Plan Published for 30 Day Public Comment Period (through 2/21/17)
1/25/2017	Update Greater Memphis Board on Status of Region Plan Process and review progress to date
1/26/2017	Update Southwest Board on Status of Region Plan Process and review progress to date
2/21/2017	Regional Planning Council Meeting; End of 30 Day Public Comment Period
2/28/2017	Update Northwest Board on Status of Region Plan Process and review progress to date
12/6/2018	Planning guidance shared with Regional Planning Council via email
12/18/2018	Comments/Feedback on modifications to current regional plan due
1/3/2019	Local and Regional Plans posted for public comment (publicized and stakeholders notified)
1/14/2019	Local listening sessions for the Northwest and Southwest areas

1/15/2019	Regional Planning Council Meeting
1/17/2019	End of 30 Day Public Comment Period
1/18/2019	Local and Regional Plans submission deadline

B. Documentation of Outreach Efforts

In addition to email communications and meetings as listed above, all required planning partners, as well as the State Workforce Development Board, received the below public notice, customized for each area, regarding planning meetings listening sessions, and other public meetings related to the planning process. The notices were also sent to newspapers, posted on websites and social media pages of the local areas, and printed and posted at the AJCs, along with a hard copy of the appropriate local plan and the regional plan.

Public Notice

The Local Workforce Development Areas of West Tennessee, **Southwest** serving Chester, Decatur, Hardeman, Hardin, Haywood, Henderson, Madison, McNairy, **Northwest** serving Benton, Carroll, Crockett, Dyer, Gibson, Henry, Lake, Obion, Weakley, and **Greater Memphis** serving Lauderdale, Tipton, Fayette, and Shelby Counties have prepared Local Plans and a Regional Plan for the 2018-2020 program years.

The Northwest Local Plan and West TN Regional Plan are OPEN FOR PUBLIC COMMENT JANUARY 3-17, 2019 and will be available at any American Job Center or online at www.NWTNjobs.org during this time. Submit comments or questions in writing to Jennifer Bane at 708 E. Court Street Dyersburg, TN 38024.

Local Plan Listening Sessions have been scheduled in each area.

The Northwest Listening Session is scheduled for JANUARY 14, 2019 FROM 5:00 – 6:00 PM

NWTDD Office, 124 Weldon Dr., Martin, TN

A Regional Planning Council meeting is scheduled for JANUARY 15, 2019 AT 10:00 AM


American Job Center, 1124 Whitehall, Jackson, TN


All meetings are open to the public. For additional information, contact Jennifer Bane at jbane@nwtworks.org or 731-286-3585.

This project is funded under an agreement with the TN Dept. of Labor & Workforce Development. EOE. Auxiliary aids/services available upon request. TDD# 711.

NORTHWEST SIGNATURE PAGE

The Northwest Local Plan and the Regional Plan for the West Tennessee region is submitted in accordance with the provisions of the Workforce Innovation and Opportunity Act. We further certify that we will operate our Workforce Development Act Program in accordance with the plans and applicable federal and state laws and regulations.

<p>Workforce Development Board Chair</p> <p> Signature</p> <p><i>Jimmy Williamson</i> Chair</p> <p><i>1/9/19</i> Date</p>

<p>Chief Local Elected Official</p> <p> Signature</p> <p><i>Mayor Gary Reasons</i> Chief Local Elected Official</p> <p><i>1/18/2019</i> Date</p>
