

Upper Cumberland

WORKFORCE



Developing Talent to Support Long-term, Regional Workforce Needs

Local Plan 2020-2022

**UPPER CUMBERLAND LOCAL WORKFORCE
DEVELOPMENT BOARD, INCORPORATED**

Serving the following Tennessee Counties:

**Cannon, Clay, Cumberland, DeKalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam,
Smith, Van Buren, Warren, and White.**

Forward

The Workforce Innovation and Opportunity Act (WIOA) is a federally funded program through the U.S. Department of Labor and the State of Tennessee Department of Labor and Workforce Development. WIOA is the primary source of federal funds for workforce development activities throughout the nation, with legislation requiring an infrastructure of multiple partners to contribute to operations and services. WIOA funds are awarded to the Consortium of Local Elected Officials (LEOs) of a Local Workforce Development Area (LWDA) to serve two primary customers- job seekers and businesses through a One-Stop Operations system branded as the American Job Center (AJC) system. The intent of WIOA is to strengthen the workforce system through innovation and alignment of services to promote individual and economic growth while meeting the needs of businesses and industries within the area. WIOA puts a primary focus on assisting individuals with barriers to employment by increasing their access to employment, education, training and support so that they may be successful in the labor market.

The Workforce Innovation and Opportunity Act (WIOA) provides for the establishment of local workforce development boards in each local area to carry out the provisions of the act. Each local workforce development board is certified by the Governor of the State, who in partnership with the State Board, establishes criteria for the Locally Elected Officials (LEOs) to use in the appointment of members to the area's local board. The Consortium of LEOs of the Upper Cumberland local workforce area have appointed members and established the Upper Cumberland Local Workforce Development Board, Incorporated (UCLWDB) to oversee workforce services in Cannon, Clay, Cumberland, DeKalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, Van Buren, Warren and White counties. Members are volunteers representing private employers, higher education, organized labor, non-profit organizations and public entities. The UCLWDB, in consultation with the Consortium of LEOs, is responsible for the oversight and selection of the One-Stop Operator and Career Services Provider (CSP) for adults, dislocated workers and youth programs. The UCLWDB is a licensed corporation in the State of Tennessee with 501(c)(3) tax status from the Federal Internal Revenue Service and operates as an independent administrative and fiscal entity. The UCLWDB has appointed staff to the board to assist in carrying out administrative functions as prescribed by WIOA, including Business Services.

The UCLWDB establishes the mission and vision for the utilization of WIOA funds allocated to our local workforce development area (LWDA). The Board Chairman and Chief Local Elected Official (CLEO) provide leadership and oversight, while the Executive Committee makes recommendations to the Board concerning actions as delegated within the UCLWDB By-laws. At the forefront of all UCLWDB activities will be a driving Vision and Mission:

Vision of the Upper Cumberland Local Workforce Development Board

The vision of the UCLWDB is to serve as a strategic leader and convener of local workforce development system stakeholders. The UCLWDB will partner with employers and the workforce development system to develop policies and investments that support public workforce system strategies, that support regional strategies and regional economies, the development of effective approaches- including local and regional sector partnerships and career pathways and high quality, customer centered service delivery and service delivery approaches.

Upper Cumberland Local Workforce Development Board Mission Statement

To engage employers, educators and community partners in creating a life-long learning environment in the Upper Cumberland that attracts and retains strong businesses as well as a diverse, talented workforce critical for sustaining a vibrant, growing and innovative economy. The UCLWDB will achieve this vision and mission by:

- Developing strategic partnerships with employers and training providers to align training services with the needs of area employers;
- Enhancing career development services for job seekers to increase job success and knowledge of high skill and in-demand careers;

- Securing state and/or federal funding to develop training programs that support career pathways that build upon the existing skills of the workforce and develop new skills to meet high skill and in-demand careers; and
- Coordinating WIOA activities with the region's economic development plan to coordinate current and future workforce goals and activities.

Part I- Operating Systems and Policies

Section A: Description of the one-stop delivery system, including roles and resource contributions of the one-stop partners.

The One-Stop delivery system in the Upper Cumberland is a quality focused, employer-driven and customer-centered system that is tailored to meet the specific needs of individuals in both rural and suburban communities. Under the one-stop umbrella are the core partner programs, Title 1- Adult, Dislocated Worker, and Youth, Title II- Adult Education, Title III- Wagner-Peyser, Title IV- Vocational Rehabilitation and Temporary Assistance for Needy Families. In addition to core programs, the following are required programs available in the local area:

- Title V Older Americans Act/Senior Community Service Employment Program (SCSEP)
- Career & Technical Education Programs (Carl D. Perkins Act)
- Trade Adjustment Assistance (TAA)
- Veterans Employment Services/Jobs for Veterans Grant
- Unemployment Insurance
- Supplemental Nutrition Assistance Program (SNAP)
- Second Chance (Reentry)
- Reemployment Services and Eligibility Assessment (RESEA)

Additional WIOA Partners utilized within Upper Cumberland AJCs are as follows:

- Post-Secondary Representatives-TCATs, training centers and institutions
- TN Reconnect
- Department of Human Services
- Economic and Community Development- Highlands Economic Partnership
- Local Sheriff Offices and Department of Corrections
- Volunteer Mental Health
- TBR Pathways to Prosperity
- Drug Collation/Power of Putnam

Services are coordinated between partner programs through the process of initial assessment and utilization of the common intake form. The utilization of this form allows for access to in-demand services for clients when they enter the doors of the American Job Centers of our region and will be immediately assessed for referrals to programs and services in the center. Initial eligibility for external providers such as TN Reconnect, Department of Human Services, Volunteer Mental Health, and other entities will also be assessed upon entry into the AJC. The One Stop Operator serves as the convener of services in the American Job Center network of the Upper Cumberland. As such, the OSO will ensure that services are being provided in a fair and equitable manner to all businesses and individuals that enter the facility. A detailed list of resources contributions of each one-stop partner is attached to this plan. (*See Resource Contributions, Attachment 1*).

A.1: Identify the career services and other program services to be provided, include the location at which services will be accessible for all AJC sites.

The workforce services listed above (Section A) are delivered by the UCLWDB through the American Job Center (AJC) network. The Upper Cumberland is comprised of a fourteen-county area, with two comprehensive American Job Centers and seven Affiliate workforce centers. **A list of all Upper Cumberland AJC locations and coresponding physical addresses is attached to this plan.** (*See AJC Locations List, Attachment 2*).

Our Comprehensive sites provide career services and ensure job seekers and employers have access to programs, services and activities of all required One-Stop partners. **Each comprehensive site delivers all workforce partner services listed above within Section A** and is physically and programmatically accessible to individuals with disabilities and language barriers by providing the following:

- Assistance from at least one WIOA Title I staff person who is physically present during operational hours.
- Assistance from at least one program staff person who is physically present during operational hours.
- Direct links to One-Stop Partner staff who can provide program information or services.
- Basic career services (such as eligibility determination, initial assessment of skills, job search placement assistance, and labor market information).
- Access to training services (such as occupational skills training, on-the-job training, incumbent worker training, skills upgrade and retraining, and job readiness training).
- Access to any employment and training services under WIOA Section 134(d).
- Access to employment and training activities carried out by the One-Stop Partners.
- Workforce and labor market information.
- Phone use for job seekers, fax machine use to transmit documents, or access to computers in the resource room.

Our Affiliate sites provide support and enhance customer access to AJC services in support of comprehensive centers. Unlike comprehensive sites, affiliate sites do not provide immediate physical access to every required One-Stop partner. Rather, assistance from program staff is provided through referrals and appointments. The frequency of One-Stop Partner program staff physical presence is determined through the Partner's Memorandum of Understanding (MOU). **Each affiliate site delivers all workforce partner services listed above within Section A** and is physically and programmatically accessible to individuals with disabilities and language barriers by providing the following:

- Assistance from at least one WIOA Title I staff person who is physically present during operational hours. Title I staff member assists with linkages to One-Stop Partner staff who can provide additional program information or services.
- Basic career services (such as eligibility determination, initial assessment of skills, job search placement assistance, and labor market information).
- Access to training services (such as occupational skills training, on-the-job training, incumbent worker training, skills upgrade and retraining, and job readiness training).
- Access to any employment and training services under WIOA Section 134(d).
- Access (through referrals and appointments) to employment and training activities carried out by the One-Stop Partners.
- Workforce and labor market information.
- Phone use for job seekers, fax machine use to transmit documents, or access to computers in the resource room.

Additionally, newly created Upper Cumberland Points of Contact supplement and enhance customer access to AJC services in support of comprehensive and affiliate sites. Points of Contact provide access to One-Stop partner programs, services, and activities to job seekers and employers in rural areas not served through an AJC. The Upper Cumberland Executive Director works with county mayors to strategically locate Points of Contact within community libraries and local government offices to utilize computer and technology equipment provided through the location.

The COVID-19 pandemic has brought changes necessary changes to our AJCs. Service delivery has been temporarily altered for the months of March, April and May 2020. However, beginning June 1, 2020, the UCLWDB will begin transitioning back to normal service provision within our buildings. Detailed information on our phased re-opening is provided within the UCLWDB Re-Opening Plan (*See UCLWDB Re-Opening Plan, Attachment 3*).

A.2 Explain how the one-stop centers provide all required or relatable services of customers based upon their respective needs and a customer centered design.

UCLWDB AJC facilities are universally designed to accommodate serving the public, including meeting all safety and accessibility requirements mandated by law. Service delivery is designed for the average user with a broad range of abilities, reading levels, learning styles, and cultures. Ensuring simple, flexible, efficient and accessible services within our AJCs make our design relatable and adjustable to customers' respective needs. The customer centered approach begins with gaining a deeper understanding of the needs of our customers. Upon entry into Upper Cumberland AJCs, customers are first greeted with a warm welcome and personal assessment of their individual needs. Under the UCLWDB AJC Initial Assessment Policy (*See UCLWDB Initial Assessment Policy, Attachment 4*) a key service provided in the AJC system is the initial assessment of a participant's knowledge, skills, and abilities to support that participant's employment goal. The initial assessment determines needs and strategies to achieve sustainable employment. It also serves as a basis for training and supportive services which are determined on an analysis of information gathered from the participant during the intake process. This assessment allows the service provider to indicate what services the participant needs and where applicable, should include referrals to appropriate partner staff and agencies. Any individual seeking employment or training services in the AJC will receive an Initial Assessment on the day they first receive service from staff. These individuals must, at a minimum, receive an interview during which time a Common Intake Form is completed by a Welcome Function staff person. This initial intake will assist in determining the individual's needs, goals, and services to be delivered. The next step should be assisting the individual with creating an account in Jobs4TN. The Common Intake Form is immediately uploaded to the participant's account in Jobs4TN so that referrals to the appropriate partner staff can then take place. The technologies and equipment utilized during this process focus on a balance between warm human interaction and convenient computer technology to provide a customer centered design.

A.3 Provide information regarding the one-stop operator and describe the methods for coordinated service delivery between the operators and partners. Include name of OSO, describe functions and scope of work of OSO, and how OSO was procured.

The One Stop Operator was procured through a blind competitive procurement process, where all information regarding the authors of the submission were removed. The Request for Proposals (RFP) was publicly advertised and posted along with being distributed to area businesses and providers in order to ensure that any interested party had an equal opportunity to apply to provide One Stop Operator services in the local workforce area. The procurement period was open for over thirty days and all submissions had identifying information redacted prior to scoring being completed. Each bid submission received individual blind scoring. Scores were then presented to the UCLWDB Executive Committee where identifying information was added and then discussed. The Executive Committee voted to recommend, and the Board later unanimously voted to approve, Mid Cumberland Human Resource Agency as the selected provider for both One-Stop Operator and Career Services. (*See Upper Cumberland Local Workforce Development Board's Procurement Policy, Attachment 5*).

As the One-Stop Operator, Mid Cumberland Human Resource Agency's primary role is to coordinate multiple American Job Center (AJC) partners and service providers throughout the Upper Cumberland. In doing so, they will assure functional alignment of services and management of operational resources; conduct quality review of partner and service provider activities; and facilitate the Welcome Function at the AJC. As One-Stop Operator, Mid Cumberland Human Resource Agency (MCHRA) ensures functional alignment success within the AJC by conducting regular evaluations of practices and referral processes, as well as by having an open line of communication between partners and the One Stop Operator Staff. MCHRA's current program model relies heavily on open communication with regular assessment of staff performance and service delivery- all guided by the local board's goal of continuous improvement. Performance goals are tracked on a monthly basis to ensure the AJCs are successful while remaining cost effective. The OSO provides formal supervision to the Welcome Function team, as well as functional supervision throughout the AJC in conjunction with Team Leads. Mid Cumberland's duties as the One-Stop Operator are further defined through contractual obligation with the UCLWDB. (*For a comprehensive list of OSO responsibilities under this contract, see OSO Responsibilities, Attachment 6*).

A.4 Describe the local One-Stop Operator's role and responsibility for coordinating referrals among required partners.

The One Stop Operator is the facilitator of referrals and co-enrollments in the service delivery system. Referral to appropriate programs is crucial for participant success throughout their career pathway. Upon entry to an Upper Cumberland AJC, all individuals complete the Common Intake Form. This cost-effective procedure immediately alerts staff members to the individual customer needs. Welcome Function staff, under the management of the OSO, assess the individual's information and make an immediate referral to all partner programs for which the customer may be eligible. Whenever possible, a warm-hand off method is utilized where clients are physically introduced to other partners within the American Job Center. While this method is not consistently available at affiliate sites, referrals are well processed through communication measures. In cases where referrals cannot be made in person, the Common Intake Form is scanned and emailed to the appropriate partner program for future coordination with the client. The One Stop Operator continually tracks, monitors, and trains staff on the established processes and improvements for customer referrals.

Referral partners include but are not limited to, Title I programs, Adult, Dislocated and Youth, Title II Adult Education, Title III Wagner-Peyser to include SNAP E&T, RESEA and TRA/TAA, along with Title IV Vocational Rehabilitation and Temporary Assistance for Needy Families (TANF). Each month, AJC Partners receive an estimated 135 referrals from community-based partners such as TN Reconnect, Human Resource Agencies, TCATS and Community Colleges. Each of those referrals are contacted by Career Specialists within 48 hours and an estimated 80% are enrolled in an AJC partner program.

Section B: Technology in the One-Stop System

B1. How the workforce centers are implementing and transitioning to an integrated, technology-enabled intake and case management information system for programs carried out under WIOA.

Upper Cumberland AJCs engage the Welcome Function to efficiently deliver an integrated intake system for both businesses and job seekers. Upon entry, all visitors sign in to the center through the VOS greeter which then triages the individual to the appropriate program, career advisor or case manager based upon expressed needs. This sign-in data is regularly reviewed by our local One-Stop Operator, Board Staff and the Regional Planning Council. Each monitors the VOS greeter reports to ensure that services are delivered in a timely manner throughout Upper Cumberland and Middle Tennessee workforce networks. The Upper Cumberland is also working with the Regional Planning Council to create new dashboards to further analyze and progress from this intake data.

Within the 2020-2022 program years, the Upper Cumberland will seek to partner with the Tennessee Department of Labor and Workforce Development, as well as other key stakeholders, to work towards establishing a Virtual American Job Center. A virtual center will allow customers to access staff members and workforce services through technology, rather than scheduling an in-person meeting. Many areas within the Upper Cumberland service area have benefited from state and economic development broadband expansion initiatives- making access to a virtual site possible for most residents. The UCLWDB envisions the Virtual American Job Center as an innovative and modern strategy to service delivery throughout the area.

Many virtual services are already being provided as workforce and provider staff have been forced to work in Alternate Work Stations (AWS) during the COVID-19 pandemic. Creativity has been key in developing strategies to continue services during this time. The Upper Cumberland has been responsive through providing laptop computers for staff, developing a process for virtual enrollments, monitoring work flow, creating virtual check-ins, and a host of other problem-solving methods. While challenging, this time has proven that a virtual process is not only needed, but possible. Workforce partners have learned to communicate and refer virtually and are creating makeshift integrations to keep services flowing. The Upper Cumberland will seek to capitalize on this movement by evaluating where virtual models could benefit AJC processes. One opportunity to be explored is the use of technology to implement an integrated intake system. Creating a combined and unified intake system would not only streamline processes, but would also boost co-enrollments and braiding of services. Additionally, it would facilitate a more uniform experience for participants. At the forefront of any virtual process development will be ensuring that all participants have a simple and effective engagement experience.

Survey asks virus effects on business

BY LINDSAY PRIDE
HERALD-CITIZEN

The Highlands Economic Partnership and the Upper Cumberland Local Workforce Development Board are surveying area businesses about the effects of COVID-19.

A social media post shared by HEP reads that the survey is to "better understand the needs of the business community, identify how we can offer support, overcome challenges associated with COVID-19 and rebuild our workforce."

Survey questions include business name and contact information, the type of business, operating status, government relief for COVID-19 effects on business and how many employees businesses need as they reopen.

HEP was started in 2006 by the Cookeville-Putnam County Chamber of Commerce as the Highlands Initiative, a partnership to boost economic and community development in Jackson, Overton, Putnam and White counties.

Complete the survey at <http://ow.ly/nMaD50A1WXXK>.

Amid the COVID-19 pandemic, we must not only offer virtual services only within ourselves. Ailing industries need a workforce response that will push forward and assist in building virtual services to answer regional education and training needs. Higher education institutions have moved all current classes to online models only, with the future of upcoming semesters uncertain. With all in-person meetings cancelled, technical colleges have struggled to provide the "hands-on" learning required for in-demand sectors such as nursing, welding and manufacturing. Work-Based Learning programs have come to a halt as only essential employees are allowed in buildings. Additionally, manufacturers report difficulty training incumbent workers with gathering restrictions in place. The only answer to these dilemmas is to develop virtual training tools to be used at each level. Keeping our educational and training programs moving- whether through traditional models or new virtual ones-is crucial in producing skilled workers for our economy. We are currently partnering with The Highlands Economic Partnership to conduct a survey for Upper Cumberland employers to best determine their needs in response to COVID-19, as evidenced in the article to the left. (Herald Citizen Newspaper, June 9, 2020). The Upper Cumberland will use this information to focus on evolving training methods throughout the area beginning late summer 2020. Each planning session will seek to move forward with this promising strategy and share best practices in advancement.

One promising solution would involve workforce support in developing virtual reality training for educators and employers. Virtual reality training has been in the pipeline for some time. Given the current pandemic restrictions, the environment is prime to launch into fruition throughout the workforce area. The UCLWDB

Executive Director, staff and TDLWD Regional Director recently engaged in conversations with representatives from Advanced Manufacturing and the consensus was clear- virtual training is the future. In response, Upper Cumberland stakeholders will work with this integral group to provide support in development and activation.

An additional new strategy the Upper Cumberland will seek to expand is the linkage between the One-Stop operations and Unemployment Insurance (UI) programs. Again, the COVID-19 pandemic has created an environment that is ripe for capitalizing on this linkage. When businesses and industry were hit hard by pandemic effects in March 2020, the Tennessee Department of Labor and Workforce Development (TDLWD) was thrust into the front lines of this attack. TDLWD's response was swift to include a mass inclusion of training all able bodies to respond to Unemployment needs. Within Upper Cumberland American Job Centers, Title III staff were trained to provide Tier I and some Tier II assistance. Title I staff were immediately trained to give UI technical support and our One-Stop Operator has become a de-facto UI resource for our community. One-Stop system members of all levels have risen to the occasion to meet UI and workforce needs during this crisis. As the crisis begins to resolve into a sustainable "normal," the UCLWDB will pursue ways to not only sustain this linkage but to further strengthen this collaboration. We now have cross-trained staff ready to continue the alliance and move forward into the future of one-stop design.

B2. How the Local Board will facilitate access to services provided through the one-stop delivery system, including the remote areas, through the use of technology and other means.

As the Upper Cumberland LWDA largely consists of remote and rural areas, it is crucial to our success that the needs of these communities are met. The UCLWDB sets priority on assuring WIOA services are accessible to all job-seekers and employers throughout the Upper Cumberland. Accessible technology is particularly important in our many rural areas, which are often areas of high poverty where transportation barriers are present. The UCLWDB addresses this need by mobilizing partner efforts into these communities where a brick and mortar AJC is not present. Our current One-Stop Operator Title I staffing structure provides adequate staffing to bring Title I staff into these rural communities for "pop-up" type mobile AJC events, while still maintaining the mandatory Title I presence in Affiliate Sites and Comprehensive Centers. Mobile events are marketed in coordination with agencies that are physically present in these areas of low income and where individuals with barriers often utilize the services of those agencies- such as HRAs, DHS offices, Health Departments, UT Extension Offices and community libraries. When necessary, the

One-Stop Operator also coordinates with local transportation agencies in an attempt to facilitate transporting individuals that are lacking access to transportation so they are more likely to attend events, such as Mobile Job Coach visits or Hiring Fairs. Basic career services, access to individualized career services and AJC partner programs are made available at every event along with internet access so that job searches and unemployment claims can be completed. Using the Mobile Job Coach, the UCLWDB is able to extend its vision and mission into previously underserved locations, respond to emergency situations, and provide additional support during job fairs. By going into our communities and meeting clients where they are, on their terms, the UCLWDB is better able to promote services and meet the needs of area individuals.

Another example of the Upper Cumberland facilitating access in remote areas is our innovative partnership with the Remote Area Medical (RAM) Clinic. RAM is a mobile medical clinic that provides medical and dental services to individuals without insurance. Our staff was able to provide assistance over the two-day event, gaining access to a target audience of almost one thousand low-income individuals. This partnership was an exciting way to present information on WIOA services to individuals as they waited their turn for medical services. We look forward to continuing this partnership on an annual basis as RAM returns to our service area. We will be able to tailor our efforts in these upcoming events based upon lessons



The Upper Cumberland is also seeking to expand access to One-Stop services by providing face-to-face WIOA assistance in all of our counties. New Points of Contact have recently been established in Upper Cumberland counties that do not have an established brick and mortar AJC location. A workforce representative is now present one day a week in five additional counties where participants previously have been forced to commute. Workforce staff set up in an agreed-upon location in coordination with the county mayor’s office to provide services and assistance. Individuals who may not have access to these opportunities otherwise are able to receive the full menu of workforce services. The UCLWDB Executive Director has worked personally with County Mayors to establish these Points of Contact and continues to foster their success to make the physical presence sustainable.

Lastly, updating our Google Marketing has proved an effective tool to provide awareness of, and access to, the AJC system. Providing information and direct links to AJC social media and the UCLWDB website permeates through any location barriers rural areas may have.



American Job Center at Cookeville - Performance on Google for May 2020

Section C: Strategic Support of the TN Combined Plan

The mission and vision of the UCLWDB will be drive local goals for furtherance of Middle Tennessee regional goals, in turn actively supporting the Tennessee Combined Plan goals. Resources and plans will be aligned to these endeavors using all partners stakeholders to exceed business expectations. By aligning the educational and skill set requirements through career pathways for the workforce, businesses will remain competitive in the global

environment. Thus, the UCLWDB, as part of the Middle Tennessee Region, will focus fully on these four strategic goals:

- Develop a clear connection to current employers.
- Construct a solid workforce pipeline infrastructure.
- Integrate seamlessly with city, county and regional economic development.
- Use data and predictive analysis to drive the system.

The UCLWDB, as members of the Middle Tennessee Regional Council, will engage in the four-pronged approach listed below to collectively support the TN Combined Plan:

Cultivate interest in middle skill in-demand careers- This will be accomplished through a targeted campaign focusing on key populations to raise career awareness. The UCLWDB will conduct meaningful career pathway exploration opportunities using its educational partners. Opportunities will include career fairs, job shadowing, and work-based learning opportunities as methods of exploration. The UCLWDB will work with our regional LWDA counterparts to offer regional career events geared toward large-based manufacturing companies such as Nissan. Finally, the UCLWDB will continue to review regional barrier eliminators for disadvantaged students and workers to further expand career achievement.

Grow Training Capacity- The UCLWDB will work with our bordering LWDAs to ensure that educational partners throughout the Middle Tennessee Region have the capacity to deliver skills needed for self-sustainment. We will seek to align workforce supply and demand in order to meet employer needs. In response to the COVID-19 needs of employers, efforts will concentrate on growing digital skills and virtual trainings. Together we will leverage available virtual resources and seek creative development of alternate methods of educating workers.

Connect employers to talent pools- Connecting employers to future workers will begin with apprenticeships and work-based learning opportunities. These “earn and learn” trainings will focus on in-demand sectors of Healthcare, Information Technology, Construction, Education, Logistics and Transportation and Advanced Manufacturing. The UCLWDB and our regional counterparts will work collectively with employers to establish apprenticeship programs that benefit not only our own LWDAs, but the region as a whole.

Upskill Frontline Workers- Frontline workers have been crucial in sustaining workforce and economic demand during the COVID-19 pandemic. Moving into the next program years, it is vital to our local and regional success that frontline workers remained trained to match evolving need. Through employer engagement and workforce incentives, the UCLWDB will seek to provide frontline workers with incumbent worker training. Additionally, we will join Middle Tennessee regional workforce efforts focused on workforce pipelines geared towards frontline industries such as Healthcare and Advanced Manufacturing.

C1. Expanding access to employment training and education and supportive services for eligible individuals, particularly eligible individuals with barriers to employment.

The UCLWDB, in partnership with entities that carry out core programs, will expand access to employment, training, education and supportive services by increasing investments in transportation, technology and community partnerships:

Transportation: We recognize that transportation continues to be a significant barrier to participants in our rural area and continue to work to remove this barrier. The UCLWDB has adjusted the Supportive Services Policy transportation payment amounts to reflect a responsiveness to this need, while still remaining as relative to regional policy alignment as possible. Our Career Specialists have been trained to discover individual transportation issues and how to provide relief through monetary assistance. Our Career Specialists report that this consistent support through travel expenditures is a highly effective tool in maintaining communication with clients. When clients know they can be reimbursed for their travel expenditure every two weeks, it provides a dependable contact opportunity to keep them actively engaged with their Career Specialist. Beyond supportive service travel payments, transportation methods are also being increased by accessing public bus lines within the Cookeville area. Board Staff and One-Stop partners recently partnered with the Upper Cumberland Human Resource Agency Transportation Division to establish a bus route that includes the Putnam County Comprehensive AJC.

Technology: The COVID-19 pandemic has rapidly increased the realization that our technologic capabilities are crucial to expanding access to all individuals, including those with barriers. As the American Workforce Policy Advisory Board recently stated: “The future of work is no longer on the horizon- it is here and now. The seismic shift in education and work requires companies and educational institutions to be nimbler and more flexible in their delivery of training.” This Presidential Advisory Board discussed what the UCLWDB has already evaluated: adapting workers to the current economic environment now requires creative infusion of technology in all aspects of workforce training. Demand jobs will begin to range from tele-health and IT technical support, to logistics and supply-chain management, along with sustaining fields like software engineering, skilled trades and many more service sector jobs. Educational institutions are moving even traditionally “hands-on” instruction courses to online modules. We concur that the word “seismic” is an accurate description of the recent workforce and educational shift our nation, state, and local workforce are currently experiencing. We will meet this shift during the 2020-2022 program years, but not alone. Our response will necessitate utilizing perhaps the greatest additional partner involvement we have yet to experience. The UCLWDB is working with Twin Lakes Telephone Corporative, the largest internet provider within the Upper Cumberland area, to continue expanding internet services to individuals in all of our counties. Our available workforce cannot be prepared to meet the “new normal” of educational and workforce training if they do not have access to reliable internet. Through economic grants and workforce recommendations, access continues to be expanded throughout our area. Additionally, the UCLWDB is working with Twin Lakes to waive installation fees and create special pricing packages to make access more affordable. And for our clients who need assistance meeting the financial requirement, the UCLWDB has adjusted our Supportive Services Policy to provide reimbursement for internet services. Finally, all partners will be called upon to review their assessment, enrollment and communication strategies to not only initially engage and sustain customers through technology, but to prepare them to enter a workforce predicated upon it.

Community Partnerships: Expanding access during the COVID-19 pandemic era will necessitate utilizing perhaps the greatest additional partner involvement we have yet to experience. In addition to the joint efforts listed above, we will seek to increase access to employment and training services through strengthened community partnerships. The UCLWDA is actively engaged with the Highlands Economic Partnership (HEP), Jobs for the Future, and Pathways to Prosperity through Harvard University.



The HEP is a collaborative, public/private sector program designed to boost economic and community development in several of the counties in the Upper Cumberland. More than 85 investor companies made up of federal, state, city and county governments and agencies, chambers of commerce, key officials and business leaders throughout the region, play key roles in the program’s development. While not all of the fourteen counties of the Upper Cumberland are represented on the Steering

Committee of the HEP, all counties in the Upper Cumberland (UC) benefit from the work of the organization. For example, Career and Technical instructors at Putnam, White, and Warren Counties serve alongside local manufacturing and post-secondary representatives on the Pre-Engineering, Advanced Manufacturing Committee, an ad hoc committee of the HEP. Through the collaboration of this group areas of manufacturing needs such as Industrial Maintenance and Tool & Die training have been identified. The Livingston TCAT has agreed to offer the training to companies within the UC. On the job training or Incumbent Worker training dollars have been offered to companies who participate.

C2. Facilitating the development of career pathways and co-enrollment in core programs.

Development of career pathways and co-enrollment in core programs are integral parts of preparing future workforce. The Upper Cumberland area was actually one of the first areas within the country to participate in the foundational career pathways development through our work with the Highlands Economic partnership (discussed above). We continue to partner with the Highlands Economic Partnership and have also developed relationships with Tennessee Re-Connect and Veterans’ groups within local colleges. As part of the Harvard University Pathways to Prosperity, Career pathways have been established for the region in key areas of study such as Healthcare, IT, and Advanced Manufacturing to encourage participants to take that first step toward a higher paying job by establishing stackable credentials which seem more reachable. Career Pathways offer the option of getting on or off the path at any point. For example, a participant may choose to pursue the Healthcare pathway. This particular pathway offers

the option of building their skills/ attainment as follows: Certified Nurse Assistant licensure (TCAT) → Registered Nurse (Community College) → Bachelors of Science Nursing (University). Healthcare articulation agreements between TCATs, Community Colleges, and four-year Universities exist throughout the region. These agreements decrease the time between certifications/degrees for participants and standardizes plans of study across the region so that all participants have the same opportunity for skill/degree attainment. Similar articulation agreements exist for IT and Advanced Manufacturing. Responsive creation of in-demand pathways will continue to be encouraged through GIVE grant partnerships. GIVE grants focus on expanding learning opportunities within rural counties. Local partnerships are encouraged to develop work-based learning and apprenticeship opportunities for secondary and post-secondary learners. The UCLWDB will partner with the following educational institutions to cultivate grant-funded programs designed to meet the needs of industries throughout our service area. Our partnership responsibilities will include identifying potential students through informed customer choice, tuition assistance, and provision of supportive services.

For our Youth initiatives, the UCLWDB is investing in Summer work-based learning opportunities. We have partnered with the Upper Cumberland Regional Coordinator for Tennessee Pathways to create summer learning opportunities within in-demand pathways through paid work experience. The Coordinator's experience with pathways work-based learning has been an asset to our endeavors, as well as connections already established with school counselors and CTE instructors. Tennessee Pathways was able to identify students eligible and ready to participate, while we brought engaged employers willing to participate to the table. These opportunities were set to begin in early May 2020 with several weeks of classroom instruction. Once summer break began, students would transition from classroom learning into on-the-job training regularly monitored by a program coordinator. The UCLWDB was to provide subsidized wages as well as assisted curriculum development. However, the COVID-19 pandemic halted all school programs in late April 2020. We look forward to conducting this program Summer 2021, as we feel it will be a valuable tool in creating a Pathways prepared future workforce.

C3. Improving access to activities leading to a recognized post-secondary credential (including a credential that is an industry-recognized certificate or certification, portable, and stackable).

Rural Graduation Initiative: In partnership with Superintendents of Schools and CTE supervisors, our AJC teams are developed and implemented a pilot program for 2019 in Clay, Fentress, Pickett, and Van Buren Counties called Rural Graduation Initiative (RGI). From experience we know that TN Promise does pay for tuition; however, tuition is only one piece of the puzzle of higher education. Books, transportation, supplies, etc. are not covered by TN Promise and yet they are vital to student success. We theorized that many students never even apply for a post-secondary opportunity because they are aware of these barriers that still exist in spite of tuition assistance. Through RGI, workforce services information is presented to juniors and seniors at a general assembly at each high school. Students who are interested in assistance in finding a job or supportive services assistance that will allow them to attain a post-secondary credential self-identify via postcards that are distributed. We saw great success through this program in 2019 and plan to not only continue RGI in these counties, but to expand into our other counties during program years 2020-2022.

Financial Aid Office Involvement: Upon polling our seasoned Career Specialists, we learned their most valuable resources are Financial Aid Officers (FAOs) at TCATs and post-secondary institutions. FAOs are able to assist in identifying individuals who need assistance in making their educational dreams a reality. In addition, FAOs are instrumental in "getting the word out" about WIOA programs. For example, when the COVID-19 pandemic hit, the UCLWDB temporarily adjusted policy to provide laptops for students who had no means of finishing their courses that had been forced online. This was an invaluable support to TCATs and post-secondary institutions and greatly strengthened those partnerships as we were able to meet their need in a time of crisis. The majority of students we were able to assist were identified by the Career Specialist in conjunction with FAOs. This realization has prompted the UCLWDB to focus on training all Career Specialists on how to best engage FAOs and utilize that partnership in upcoming years.

Veterans: Veterans services will include assessing skills obtained while serving in the military and translating those abilities into marketable skills in the civilian labor force. The UCLWDB will participate in the use of Prior Learning Assessments (PLA) provided by the Universities located within our region. Each University offers varying levels of

PLA for their students with some Universities offering as much as 60 credits for PLA, while others may offer as few as 6. The disparity is currently being addressed by establishing a PLA database which can be used by Veterans and Career Specialist in establishing a career pathway for participants. PLA credit is extremely valuable to Veterans in that the time to degree can be shortened significantly, and avoids paying for courses for which the participant has already had extensive training through their military service.

ETPL Development & Customer-Choice Awareness: Continued development of the Eligible Training Provider List (ETPL) is another method by which expanded access will occur. Ensuring a well-rounded list of educational opportunities and interests are included allows inclusion of as many individuals as possible. Our ETPL is also evaluated through a regional perspective to ensure regional alignment with our bordering LWDA's. Additionally, the UCLWDB is looking at adopting an orientation procedure for new WIOA enrollees. This orientation would focus on educating newly enrolled individuals on WIOA services- including ETPL providers and educational and training opportunities available to them.

Section D: Coordination with State, Regional, and Local Partners

The Upper Cumberland Local Workforce Development Board is part of the Middle Tennessee Workforce Planning Region. As such, the UCLWDB's Local Plan seeks to support both the Regional Plan as well as the State Combined Plan. All local goals and implementation strategies feed into the larger goals and strategies of our Regional and State workforce partners.

D1. Adult, Dislocated Worker and Youth employment and training activities under WIOA Title I.

Mid Cumberland Human Resource Agency (MCHRA) is the competitively procured provider of Adult, Dislocated Worker and Youth employment and training activities under WIOA Title I. MCHRA and the UCLWDB work together to create a specialized approach to providing services throughout the Upper Cumberland. Synchronization is prefaced upon coordinating with local, regional and state agendas.

- Career Specialist Training
- Supportive Services policy development
- Coverage in all counties
- TCAT partnerships
- Site monitoring/staff interviews
- New initiative enrollment

D2. Adult education and literacy activities under WIOA Title II. Include how the Local Board will carry out the review of local applications submitted under Title II consistent with WIOA Sec. 107 (d)(11)(A) and (B)(i) and WIOA Sec. 232. The Putnam County School System (PCSS) administers Adult Education within the Upper Cumberland. Services include focus on literacy but also include Adult Basic Education, Adult Secondary Education, Corrections/Re-Entry, Workplace English as Second Language (ESL) and Integrated Education and Technology. The Putnam County School System aligns itself with the local workforce plan as a valued partner in many facets of the workforce system. This partnership is demonstrated by the Workplace ESL classes being provided to FICOSA, a local manufacturing company, to meet a need of skill improvement in English language acquisition. Additionally, Adult Education and Workforce partner with TCAT Crossville to provide basic skill instruction before the HESI test to improve the first-time pass rate. This enables students to enter into the nursing program, an in-demand occupation for our local area and region. The newly launched IET with TCAT at Crossville also supports a healthcare career pathway. Additionally, adult education offers instruction in ten of the fourteen local county jails to support the local, regional, and state focus on removing barriers to employment for ex-offenders and promote positive re-entry.

Adult Education staff also aligns itself with workforce by participating in cross-training events to ensure there is a working knowledge base of all programs and to maximize the use of these program and benefits. Local and regional workforce planning meetings are attended as needed as well as partners' meetings. The adult education district coordinator serves as a member on local workforce boards and committees. Our class structure and services provide access to education and training needed to help support job seekers and workers transition to sustainable employment. Adult education teachers employ contextualized learning strategies that correlate to in-demand sectors of health care, advanced manufacturing, and information technology. Soft-skills are embedded within the

adult education program including elements of customer service, problem solving, interpersonal skills, time management, and flexibility. Coordinated activities among partners help transition students to post-secondary education and training in advanced manufacturing such as mechatronics and robotics. Furthermore, co-enrollment in a variety of programs leverages resources to allow all partners to reach successful measurable outcomes and to more quickly impact community prosperity. Referrals to Youth Can, WIOA, SNAP E&T, and Vocational Rehabilitation are completed upon intake, exit, or as needs of students arise. The Local Board will carry out the review of local applications submitted under Title II. The State Division of Adult Education forwards applications from applicants' selected service area to the UCLWDB. The UCLWDB Executive Director and Board Chairman had the opportunity to make recommendations to the Division based upon whether the applications were in alignment with UCLWDB goals and plans. Additional factors reviewed in support were dashboard reports, One-Stop Operator data submitted by Adult Education, and performance reports.

D3. Wagner-Peyser Act services under WIOA Title III.

Title III Wagner-Peyser (WP) Staff play an integral role in Upper Cumberland AJCs. Job Services, which includes labor exchange information, are provided daily through co-enrollments with Title I. Registration of new customers in VOS and updates for existing customers are provided, along with assessments and referrals. WP Staff also serve on the Business Services Team to organize Job Fair events hosted within the AJC. WP Staff, at the request of the TDLWD, have been temporarily re-assigned to Unemployment Insurance claim assistance since March 2019. This will continue for the foreseeable future until the TDLWD adjusts the assignment. During this time, they have continued to list job openings both on our social media platforms and the Jobs4TN website. WP has also continued to promote hiring events during this time by working on creative adaptations such as "Drive-Thru" Job Fairs as well as outdoor tent-held events.

D4. Vocational Rehabilitation services under WIOA Title IV.

The Vocational Rehabilitation (VR) Program collaborates with AJC partners, community rehabilitation service providers, educational institutions and employers to ensure that eligible persons with disabilities receive the services necessary to obtain employment in their communities. VR accepts referrals from all AJC partners and determines eligibility for all applicants. VR will work with partner staff to share in the provision of services- including support services, as appropriate, for eligible participants co-enrolled in Title I services or other AJC services. For eligible individuals and based on individual rehabilitation needs, the full array of VR referral, assessment, training, employment, counseling and guidance, specialized and support services is potentially available. VR Business Services provides employment services for individuals along with consultation services for AJC partner staff and local businesses. Students and youth with disabilities are provided pre-employment transition services based on transition from school to postsecondary education or employment related needs. VR will maintain the co-location of VR counselors at Comprehensive and selected Affiliate AJCs along with funding for AJC infrastructure costs. Counselors will continue to work with AJC partner staff to provide consultations and services for individuals with disabilities and coordination of shared services for co-enrolled participants. A VR representative serves on the UCLWDB membership for planning and development of MOUs and the operation of the AJC system.

D5. Relevant secondary and post-secondary education programs and activities with education and workforce investment activities.

The UCLWDB has partnered with the Putnam County Board of Education and The Highlands Economic Partnership to provide pathways development focused on a Kindergarten-Job approach. This innovative method begins workforce pipeline development in middle school. By high school graduation, our goal is to have students prepared to move on to post-secondary training or ready to work. **For those identifying as ready to work, our partnership utilizes core partner programs to seek training in an initial certification or skillset by graduation. Career Pathways through the Carl Perkins Act is an integral part of the strategy not only in Putnam County, but also in all counties within our workforce area. We continue to partner with the Highlands Economic Partnership to expand these relationships and bring the K-12 approach to all of our school systems. Engagement of other secondary school systems beyond Putnam County has been a workforce weakness in past program years. However, moving into Program Years 20-22, the UCLWDB will focus a concerted effort of working with core partner programs to engage all secondary school systems within our area. These secondary level efforts have also developed relationships with**

Tennessee Re-Connect and Veterans' groups within local colleges to ensure Perkins initiatives and Career Pathways remain within in-demand occupations. In addition, we have representation from vocational, two-year and four-year schools serving on our local Board. Their input helped to develop our recently updated Support Services Policy to effectively use supportive service payments to bridge the gap between tuition assistance and incidental education expenses that can often continue to present barriers for some students. We partner with post-secondary institutions on a number of measures. From ETPL development, tuition assistance, and provision of supportive services for students, workforce brings resources to assist student success. Our Career Specialists are encouraged to cultivate strong relationships with post-secondary educational institutions in their assigned counties. Additionally, we will look to co-locate AJC Affiliate Sites within post-secondary institutions as the opportunities present. Our Warren County Affiliate site is already co-located within the Motlow State Robotics and Training Center facility in McMinnville. This co-location has proved successful and mutually beneficial for Motlow Students as well as WIOA enrollments.

D6. How the Local Board will support the strategy identified in the State Plan and work with entities carrying out core programs and other workforce development programs, including the programs of study authorized under the STEM act to support service alignment.

The UCLWDB recognizes a need to match educational and skills training to high demand occupations. Based upon the LEAP analysis, intentional fostering of STEM programs is necessary to meet the future needs of businesses. As workforce agendas move forward with greater Pathways to Prosperity development, there will be a heavy emphasis on STEM activities. The Upper Cumberland has emerged as a workforce area leader in adopting unique a "Kindergarten through Job" mentality in their Pathways approach. This program prepares students at an early age to not only make workforce decisions, but also begins early development of STEM related skills. Building a foundation of STEM minded individuals for the next workforce generation is critical to sustaining regional employer needs. This approach is unique as traditional Pathways programs target students beginning in the 9th grade. By taking this unorthodox approach as we have been able to reach students earlier to prepare them for future workforce and educational decisions. Even at this early age students are introduced to college and work-ready paths and the ground work is laid for an eventual decision between the two. The UCLWDB, in conjunction with the Putnam County School System, has also included dual enrollment as a best practice for developing the K-Job approach. The Putnam County school system has over 900 students dually enrolled in high school and post-secondary courses. Through dual enrollment students are able to complete the same curriculum towards industry certifications as full-time TCAT students. The UCLWDB has been able to massively increase dual enrollment participation by actually bussing students into the TCATs. The UCLWDB is also focusing on more instant gratification of STEM related skills development. Workforce data within the LEAP report shows a heavy employer need in Health Sciences, particularly for certified LPNs. The region is responding by working with area TCATs to expand LPN programs. Many of our TCATS are seeing exponential growth through dual enrollment into health-related certifications. Similar programs for computer specialist certifications are also thriving as a result of the region working to meet the skill needs of employers.

D7. Services to Veterans and eligible spouses, to include priority of service and use of available Jobs for Veterans State Grants (VSG) staff.

Jobs for Veterans staff will focus on combining workforce efforts to host Veteran Job Fair events. Veteran-friendly employers will be recruited by a joint effort between the Business Services Team and Jobs for Veterans staff. Working in conjunction will allow workforce resources and established employer connections to be utilized. Workforce will also provide marketing services targeting Veterans and soon-to-exit service members. Partners at Vocational Rehabilitation will also be included to address any barrier needs. The opportunity also exists to include a Regional perspective by partnering with the Fort Campbell Strong project located in the Northern Middle LWDA. This would expand opportunities available to Veterans through increased employer and Veteran participation.

D8. Other services provided in the One-Stop delivery system including but not limited to programs outlined in WIOA Sec. 121.

DHS/TANF-DHS provides a variety of services to individuals seeking eligibility for and receiving SNAP and TANF. TANF provides temporary cash assistance and child care subsidies and a variety of other support services available to help customers make the transition to self-sufficiency. Title I and TANF work to encourage co-enrollments as a natural integration of services. By braiding Workforce and TANF resources, the UCLWDB can more fully meet participant need. WIOA funds are last-dollar but can be utilized to pick up where DHS/TANF resources stop in areas such as transportation and child care. Additionally, WIOA can provide tuition assistance and job training to offer a “hand-up,” not just a “hand-out.”

SCSEP- Workforce aligns services with the Senior Community Service Employment Program (SCSEP) by assisting SCSEP participants transitioning into unsubsidized workforce. Title I Staff provide help with computer skills, online job searches, resume assistance, and job readiness skills. When appropriate and eligible, supportive services may be provided to remove barriers such as lack of interview clothing or to meet transportation needs.

D9. Provide a copy of the local supportive service policy and describe how the Local Board will coordinate the provision of transportation and other appropriate supportive services in the local area.

Transportation is primarily coordinated throughout the Upper Cumberland through supportive services. Our workforce area consists of largely rural areas where urbanized transportation methods are not available. Many communities do not have access to bus or van routes and therefore rely on their own personal vehicles for transportation. Additionally, many individuals living in rural areas must drive long distances to participate in WIOA activities. For our many rural areas, one-way travel to a training institution can be over an hour drive. This creates a financial barrier as the individual must provide for gasoline and car maintenance. The UCLWDB recognizes transportation as a massive barrier for much of our population and therefore, places a high value on offering transportation assistance. We have developed the UCLWDB Supportive Services Policy (*See UCLWDB Supportive Services Policy, Attachment 7*) to address and help alleviate this barrier through supportive service payments towards mileage reimbursements and car maintenance. Additionally, our policy allows for reimbursements of ride share and public transportation costs in the limited areas it is available.

D10. Describe the local referral process. Identify entities between who the referrals occur, internal and external methods used to refer, roles related to referrals, methods of tracking referrals, specific arrangements to assure that individuals with barriers to employment, including those with disabilities, can access available services.

The One Stop Operator is the facilitator of referrals and co-enrollments in the Upper Cumberland. Referral to appropriate programs is crucial for participant success throughout their career pathway. Once a Common Intake Form is completed the Welcome Function staff assess the individual’s information and makes an immediate referral to all partner programs to which the customer may be eligible. The One Stop Operator continually tracks, monitors, and trains staff on the established processes for customer referrals. The One-Stop Operator continuously monitors UCLWDB referral and enrollment processes to ensure improvement for our customers and partner staff. Continually gathering information allows adjustment to be made and new referral tools to be developed. One referral tool recently developed by our One-Stop Operator is the Common Intake. The Common Intake Form is used to address customer needs and is also used as a referral tool for AJC Partners. This cost-effective procedure immediately alerts staff members to the individual customer needs. Whenever possible, a warm-hand off method is utilized where clients are physically introduced to other partners within the American Job Center. Unfortunately, this method is not consistently available at affiliate sites. In cases where referrals cannot be made in person, the common intake is scanned and emailed to the appropriate partner program for future coordination with the client.

Referral partners include but are not limited to, Title I programs, Adult, Dislocated and Youth, Title II Adult Education, Title III Wagner-Peyser to include SNAP E&T, RESEA and TRA/TAA, along with Title IV Vocational Rehabilitation and Temporary Assistance for Needy Families (TANF). Each month, AJC Partners receive an estimated 135 referrals from community-based partners such as TN Reconnect, Human Resource Agencies, TCATS and Community Colleges. Each of those referrals are contacted by Career Specialists within 48 hours and an estimated 80% are enrolled in an AJC Partner Program.

As One-Stop Operator, Mid Cumberland Human Resource Agency (MCHRA) ensures functional alignment success within the AJC by conducting regular evaluations of practices and referral processes, as well as by having an open line of communication between partners and the One Stop Operator Staff. MCHRA's current program model relies heavily on open communication with regular assessment of staff performance and service delivery- all guided by the local board's goal of continuous improvement. Performance goals are tracked on a monthly basis to ensure the AJCs are successful while remaining cost effective. After completing their established goals, a participant is exited and will receive follow-up services for 12 months. The follow-up process tracks progress of participants in their employment and educational placements through phone calls, emails, meetings, and social media. Services available during follow-up include career development, resolving workplace issues, mentoring, and referrals to community agencies.

The One-Stop Operator complies with WIOA Section 188 and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) by providing for the physical and programmatic accessibility of facilities, programs, services, technology, and materials for individuals with disabilities. Full access is ensured through extensive training for all staff on addressing and meeting needs of individuals with disabilities. (WIOA Section 108[b][6][C]. In addition to training, access is achieved through various tools utilized within the AJCs to assist customers with barriers. All comprehensive AJCs are equipped with assistive devices for the hearing and vision impaired, including CapTel phones. These phones allow customers with disabilities to reach independence in their job searches and other career services. Every aspect of our American Job Centers, including the Welcome Function is ADA compliant and is developed in order to provide exceptional services to the elderly and individuals that have disabilities of any kind. In addition to this, AJC staff are trained on providing priority of services to veterans, and all signage is clear, legible and typed.

Section E: Provision of Adult and Dislocated Worker Employment and Training Activities

Adult and Dislocated worker expenditures are set to steadily increase throughout the 2020-2022 program years. The resulting workforce climate from the COVID-19 pandemic has created numbers of dislocated workers we have not seen in a generation. In the midst of pandemic restrictions, April 2020 brought the highest unemployment rate in Tennessee state history of 14.7%. According to the Tennessee Department of Labor and Workforce Development, the Upper Cumberland has seen an average of one thousand new unemployment claims filed each week between March 15, 2020 and May 15, 2020. This has had enormous effects on the workforce system at all levels and we are needed now more than ever. The ULCWDB is preparing to invest every resource available into Adults and Dislocated Workers to stabilize and reignite our local workforce. In addition to our annual workforce budget allocated by the Tennessee Department of Labor and Workforce Development, the following additional grant programs and dollars will be invested within our local area during the 2020-2022 program years:

GIVE Grants- The Upper Cumberland area will partner with local educational institutions to expend nearly \$5,000,000.00 in GIVE grants funding. GIVE grants are awarded to educational institutions and focus on expanding learning opportunities within rural counties. Workforce will come alongside our partners at receiving institutions of Motlow State Community College, Volunteer State Community College, TCAT Livingston and TCAT McMinnville execute GIVE grant initiatives within our communities.

Institution	Amount of Funding	Intent of Grant
Motlow State Community College	\$949,410.00	Teaching Innovative Learning Technologies (TILT)
TCAT Livingston	\$1,000,000.00	Fabricating a new workforce in Clay County through welding technology.
TCAT Livingston	\$1,000,000.00	Diesel Maintenance
TCAT McMinnville	\$1,000,000.00	Shaping careers through machining
Volunteer State Community College	\$1,000,000.00	Go Tech: Growing opportunities with technology

Apprenticeship Grants- Designed to increase the use of apprenticeship and pre-apprenticeship programs as a dependable workforce strategy for Upper Cumberland companies. The PY 20-22 years expect ample funding for apprenticeships within our region. Local and Regional planning, coordination and cooperation of apprenticeships will be a forward focus of the Upper Cumberland in these coming years.

LWDA	Amount of Funding
Upper Cumberland	\$55,000.00

Consolidated Business Grants- Work based training programs are an effective strategy to provide high-quality employment opportunities to participants, as well as providing skilled workers to meet the needs of area employers. The Upper Cumberland has received the following funds to develop work-based learning and support regional training opportunities in 2020:

LWDA	Amount of Funding
Upper Cumberland	\$246,300.00

Unfortunately, COVID-19 pandemic business closures and social distancing restrictions have created an impossibility of performance for our CBG contracts prior to the contract deadline. The UCLWDB has applied for an extension on these funds to be able to complete our CBG contracts by the end of the 2020 calendar year. We are awaiting a final response on this extension.

Rural Initiative Grants- RI Grants bring much needed funding to workforce development in Tennessee's At-Risk and Distressed Counties. The administration of these funds will work to strengthen rural areas within the region. The Tennessee Department of Labor and Workforce Development Commissioner has set Distressed and At-Risk counties as a focus, recognizing they having the greatest number of barriers to enter the workforce system. In collaboration with Governor Lee, the Commissioner has created a vision to address this special population. In support of their agenda, Upper Cumberland Initiative monies will assist individuals within these areas in the following ways:

LWDA	Funding Amount	Focus
Upper Cumberland	\$504,356.40	For the Distressed Counties of Clay, Jackson and Fentress, the focus will be on bridging the training gap for out-of-school youth who have experienced broken educational pathways. For the At-Risk Counties of Warren, Overton and Van Buren, funding will support re-entry initiatives bringing TCAT welding training into the county jails.

Dislocated Worker Grants/National Emergency Grants- The Upper Cumberland LWDA will seek funds to support disaster recovery through 2020 Federal Dislocated Worker Grants funding opportunities. These funds will be applied for and disbursed by the State of Tennessee to areas of greatest need. Awarded funds will support COVID-19 disaster relief, humanitarian efforts and employment recovery. The UCLWDB is hopeful funds will be awarded to assist in purchasing required personal protective equipment as well as utilizing dislocated workers to clean and sanitize local government offices.

E1. A description and assessment of the type and availability of adult and dislocated worker employment and training activities.

Administration of the grant dollars listed above increases the Upper Cumberland's capacity to facilitate work readiness and boost the local area supply of skilled workers available to our employers. Beyond special grant funded opportunities, the UCLWDB will focus on workforce development through individualized services, work-based learning programs, barrier removal, and concentrated efforts on adapting our workforce. *

Individualized Services: The UCLWDB is preparing to answer workforce needs by providing a wide range of employment and training activities for Adults and Dislocated Workers. These range from intensive one on one case management to financial supportive service programs. Employment services for these clients include assistance with job search, assistance with resume creation, access to workshops, and financial assistance to enter into employment (i.e., purchase of uniforms or financial assistance with gas to get to and from work and job searches). In regards to training, adult and dislocated worker clients are given assessments to determine potential career fields for which they may be best suited, as well as given information on Labor Market Information to make the best decision on a career field that they want to enter. In addition, Career Specialists can assist clients in utilizing the Eligible Training Provider List (ETPL) to find programs that are in their choice of career fields and are eligible for WIOA funding. Following placement in gainful employment, Career Specialists provide ongoing support and guidance to help each participant overcome specific employment-focused challenges and barriers, ultimately leading to greater job retention and growth. We seek to maintain close relationships with local training providers, such as TCATs, and community partners, such as Adult Education, food banks, and TN Reconnect to maximize WIOA services and provide complete wraparound support for participants. Many enrollments for Title I come through these means, as well as common intakes that are processed on customers as they enter the AJC. Both of these practices are excellent methods of ensuring that participants are receiving needed services such as referral to training, supportive service assistance, and placement and retention in employment. It is our best practice to partner with community organizations and leverages their resources to more fully serve AJC customers with individualized services.

Work Based Learning Programs: As presented in detail in Section I of this plan, work-based learning programs will be heavily relied upon to provide training opportunities to Adults and Dislocated Workers. As economic changes occur, Middle Tennessee businesses are already reporting the need to adapt business models to survive. One large-market plant based within the Upper Cumberland area has become an early example of successful adjustments. Traditionally a synthetic auto parts supplier, they have now converted their lines to produce synthetics used for N-95 masks. Representatives from this plant have already reached out to workforce representatives for assistance in training for these new skills. The assistance Workforce can provide will be invaluable in sustaining this business and keeping their people retained in employment.

Barrier Removal: Removing barriers to provide universal access throughout our workforce area is essential to the WIOA program. With this in mind, the Upper Cumberland systematically reviews internal policies for ways to remove barriers. We also participate in regional policy alignment reviews to ensure any policy variations do not create barriers for eligible programs or potentially eligible participants. Removing barriers increases access to education, training, and employment universally. The Upper Cumberland will focus on innovating and creating programs to respond to populations with unique barriers within our local area and workforce region. As an example, the UCLWDB is in partnership with the Mayor and county leadership in Clay County (a Distressed County), along with Upper Cumberland Work at Home Initiative (a private-based group) to address their largest workforce barrier: lack of job opportunities.



Clay County is remote with few industries to access for employment. Due to their physical location, many individuals are lacking reliable transportation to commute to jobs outside the county. We have been able to collaborate with a private work-from-home company to consult on training needs and at-home jobs available. We have also joined in Twin Lakes, the area internet provider, to assist low-income individuals in securing the equipment and service needed to work at home. Our Work-From-Home Partnership is also setting up a small training facility where interested individuals can upskill their computer and customer service efficiency so as to be primed for at-home customer service virtual jobs.

Adaptable Workforce: Ensuring Middle Tennessee job seekers are prepared to enter and retain employment not only requires funded training programs and barrier removal plans, but also the ability to adapt with a changing workforce environment. The COVID-19 pandemic has brought some of the most drastic effects to workforce in modern history. The long-term effects of pandemic business adjustments and economic impact are still unknown. However, one thing is certain: our workforce must be adaptable. Fostering an adaptable workforce will require assisting the many dislocated workers COVID-19 has produced. Hardest hit industries include leisure and hospitality,

manufacturing, and professional services. Concentrated efforts will be made in each of these areas. Programs for skills upgrade and job search assistance will also be supplemented with creative methods for income production. The Upper Cumberland will be working towards enhancing strategies to promote entrepreneurial skills training and microenterprise services locally and on the regional level. This will be accomplished through crucial community partnerships accessed to serve innovation and business development in various stages. Pipeline entrepreneurial skills training will be encouraged through Career and Technical Education instructors as well as secondary school STEM programs. On-the-Job Trainings will be asked to expand to evolve individual interests and inclinations. Once ready to utilize these skills, partnerships with local non-profit entrepreneurial offices, Small Business Administrations and area Chambers of Commerce will facilitate business plan development and successful acquisition of start-up funds.

E2. A description of how the local board will coordinate workforce investment activities carried out in the local area with statewide rapid response.

In addition to working with complementary service providers to leverage support provided to customers, the One-Stop Operator also works directly with employers facing layoffs to connect dislocated workers with WIOA services and other outreach events. This process helps those individuals to return to the workforce as quickly and seamlessly as possible. Rapid Response events are a coordinated effort by multiple partner programs and generally include the following:

- Onsite Rapid Response presentation facilitated by at least one representative from each program, providing a summary of programs and services offered through the American Job Center.
- An informational packet which includes a full list of all AJC locations in the region, directory of AJC Services listing all partners, list of recent job postings on Jobs4TN for specific counties, directory of resources such as DHS and Health Dept. contact information, Adult Education, SNAP E&T and TN Reconnect materials.
- Access to local employers for specialized recruiting
- Mobile AJC services to include assistance with Jobs4TN, resume writing, cover letter, mock interviews, and job search
- Onsite scheduling of appointments with Title I Dislocated Worker Career Specialist if desired
- Referrals to partners and other agencies as appropriate

Section F: Youth Activities

Current Youth program activities provide access to all fourteen elements legislated through WIOA. The end goal of gainful employment is reached by participation in a number of activities. These activities may include tutoring to ensure attainment of a diploma or equivalent, exploration of and linkages to postsecondary educational and occupational training opportunities, assistance with employment readiness and search, and linkage to employers and the job market. Youth participants are provided opportunities for Paid Work Experience (PWE), the One-Stop Operator's subsidized employment program which connects WIOA Title I Youth participants to valuable work experience. A PWE placement often aligns with a participant's educational and career goals and provides an opportunity for youth to gain valuable on-the-job experience. After the short-term employment comes to an end, participants are often hired permanently by the worksite employer. If not, they are able to move on to a new opportunity with the experience and references gained. Additionally, if it is determined that a youth participant has a disability, they are co-enrolled with vocational rehabilitation for additional services. This co-enrollment gives the youth access to support above and beyond what Title I can provide.

F1. A description and assessment of the type and availability of youth workforce investments activities, including activities for youth with disabilities, and an identification of successful models of these activities.

Title I Youth services are currently provided through a contracted service provider procured in conjunction with the Title I Adult and Dislocated Worker services. However, upon recent recommendation of the state, the Title I Youth services will be competitively procured through a separate Request for Proposal (RFP) for PY2020 and forward. The UCLWDB acknowledges the need to evaluate and redesign the youth program strategies and delivery of services. Implementing a separate Youth Services RFP along with the TDLWD comprehensive Youth Program Framework will allow the UCLWDB to better align services, partnerships and resources to prepare youth- including those with disabilities and barriers to employment for success in attaining education, training and employment goals.

Upon receipt of information regarding the comprehensive Youth Program Framework in March 2020, the UCLWDB began the process of evaluating current practices, strategies, and service delivery. We have been able to identify areas of noncompliance, areas in need of improvement, as well as areas of best practices. Upon approval and implementation of the Workforce Services Policy (expected at the June 5, 2020 State Workforce Board meeting) the UCLWDB will revise the local policy to align with Workforce Services Policy – Youth Program Service Design and Framework -WIOA. The UCLWDB will utilize the Youth Services RFP, contract and Memorandum of Understanding (MOU) to drive the Youth programs alignment with federal, state and local policy. The anticipated revisions will structure the program as follows:

Procurement: The RFP will include a detailed outline of the fourteen (14) youth program elements as identified in section 129 of WIOA (*See Youth Program Elements, Attachment 8*) and the program performance goals (*See Performance Goals, Attachment 9*). The RFP will encourage providers to cultivate partnerships with other non-traditional agencies such as nonprofits that have established programs and services that align with the fourteen (14) youth program elements. While also encouraging providers to incorporate innovative approaches and outreach programs to reach the youth population, including those with disabilities and barriers to employment.

- Proposals must include a detailed outline and strong program design of how the bidder will execute the fourteen (14) youth program elements and attain full compliance with WIOA Youth Program standards.
- Proposals must demonstrate the bidder's ability to deliver services to the targeted population in accordance with locally established guidelines.
- Proposals must demonstrate whether the organization leverages community-based resources, including partnerships with organizations that provide leadership development, mentoring services and private sector employment involvement.
- Proposals must highlight the bidder's experience in engaging at risk youth in similar activities.
- Proposals must illustrate the understanding of and commitment to meeting goals and objectives established by the UCLWDB.

The awarded contract will redefine the fourteen program elements, program goals and measurements to ensure the effectiveness of the providers compliance with WIOA Youth Program standards that ensures a positive return on investment, economic impact and performance outcomes. The awarded contract will include assurances that service delivery will be based upon preparation for post-secondary educational opportunities, occupational training services that lead to attainment of a recognized secondary credential, work-based learning opportunities, youth development services and employment services. The awarded contract will clearly define penalties and sanctions including; but not limited to termination of the contract. Along with the contract and a detailed MOU will outline co-enrollments and the delivery of services among partners by identifying the specific program elements each partner is responsible for and how to ensure that each of the fourteen program elements are made available to participants. To ensure each of the fourteen program elements are made available to participants, the UCLWDB will work with the youth provider to develop and incorporate a document signed by both the case manager and the participant defining each of the program elements. This document should be uploaded to the Virtual One Stop (VOS) for each youth participant. The MOU will encourage co-enrollment and detail the referral process and how referrals will be tracked to maximize partner resources and braiding funds to meet the educational and employment goals.

Program Framework: Through previous monitoring and evaluation of the youth program the UCLWDB acknowledges the need to improve various elements to better serve the participants and improve state and federal data validation outcomes. Previous desktop reviews indicate a "cookie cutter" pattern in the development of Objective Service Assessment (OAS), Individual Service Strategy (ISS) and the Individual Employment Plan (IEP) for individual participants and a need to better align the OAS, ISS and IEP. The UCLWDB will assist the youth provider in providing training assistance to case managers focusing on the program framework related to the intake and orientation process, assessments used to identify service needs, developing ISS plans that are directly linked to one or more performance indicators that identify a career pathway that includes education and employment goals, career coaching to assist the participant in making informed decisions to complete the program, supportive services that enable the participant to participate in youth activities and follow-up services to ensure the participant is successful in employment and/or post-secondary education and training beyond program completion. The UCLWDB will work

with the provider to determine a system to be used for tracking referrals made when an individual has been identified as ineligible. Individuals identified as ineligible must be referred to another agency who is able to serve the individual.

Partnerships: The UCLWDB is dedicated to establishing and cultivating partnerships to ensure program and participant success and will continue to look for opportunities to expand the collaboration. The UCLWDB has a strong partnership with the Local Education Agencies (LEA) in each of the fourteen counties to promote the programs within the American Job Centers for not only youth but all citizens of the region. The UCLWDB believes the LEAs are a key partner in the success of our programs. Through our Rural Graduation Initiative established in 2018 and our partnership with the Upper Cumberland TN Pathways Coordinator we have been able to expand our partnership to not only high school counselors but all school counselors K-12 and Career and Technical Education (CTE). We actively participate in school career and college fairs and we are an active partner in the LEAs professional development activities. This partnership helps to ensure we are connected to the students and their families. Prior to COVID-19, we were actively working with the Upper Cumberland TN Pathways Coordinator and CTE educators across the region to expand and extend the work-based learning experiences for students to include summer employment opportunities in their identified pathway. A new partner this past year, that will soon be creating a presence in one of our comprehensive sites is Volunteer Behavioral Health. We have streamlined our partnership with them to also include professional development opportunities with the LEAs. Securing the presence of Volunteer Behavioral Health in our AJC will ensure a smooth referral process and delivery of specific program elements. We believe this partnership will become a promising practice as our sound partnership with Vocational Rehabilitation (VR). Our sound partnership with VR allows for a seamless referral and co-enrollment immediately upon identification of the need for services during the intake process. The continued growth of the Highlands Economic Partnership and TN Pathways proves to be a best practice in aligning the K-12, post-secondary, workforce development and employers in meeting the growing needs of the in-demand sectors identified for the Upper Cumberland in Advanced Manufacturing, Health Sciences, IT/Computer Science and Education. Representatives from both partners serve as members of the UCLWDB.

Youth Targeted Populations Committee: To ensure the success of the Youth program the UCLWDB will look to further utilize the established Youth Committee to evaluate and assist with developing effective strategies that support the state and local goals, to produce positive outcomes for the participants and the program activities. The committee will look to create opportunities for former participants to share their success in the program and provide volunteer opportunities for former participants.

F2. A description of how local areas will meet the requirement that a minimum of 50% with waiver or 75% with waiver, of the youth expenditures for out-of-school youth.

In 2018, the UCLWDB voted to opt-out of participating in the In-School Youth (ISY) waiver, opting instead to focus on Out-of-School-Youth (OSY) in our region. We are consistently meeting the seventy five percent (75%) requirement of OSY expenditures through Individual Training Accounts (ITAs) provided to OSY. These ITAs are based on the local Individual Training Accounts policy allowing OSY access to training programs provided by an approved provider on the Eligible Training Provider List (ETPL). The seventy five percent (75%) OSY requirement is an element of the service provider contract and MOU. Expenditures are monitored by the fiscal agent and staff to the board through desktop review, site visits, fiscal and contract monitoring. The UCLWDB will continue to focus on providing services to OSY. However, through outreach and partnerships with the local education agencies (LEAs) we have identified a need to support and serve more ISY. If approved, the state proposed waiver to reduce the seventy five percent (75%) to fifty percent (50%) will allow us the opportunity to better serve the Upper Cumberland youth population regardless of the school status. This shift will produce a larger pool of young people who are prepared to meet the workforce needs of the area.

F3. A description of how the LWDA will meet the requirements of the in-school youth waiver including the expenditure requirement for in-school youth and ITA opportunities for in-school youth.

Our strong partnership with local education agencies (LEAs) and post-secondary providers has allowed the unique opportunity to identify a gap in serving ISY- especially at-risk youth. Our partnership provides the secondary school counselors and post-secondary financial aid staff the opportunity to connect students to Title I staff. UCLWDB staff

will continue to cultivate relationships with LEAs through professional development training opportunities within AJCs and the Title I youth program services. We will also continue our presence within schools by attending career fairs and college prep sessions as requested by the LEAs. The UCLWDB will again utilize the LEAs and post-secondary contacts as a source for outreach to at-risk youth, while working to connect with other partners as a means of outreach. The UCLWDB will look for opportunities to partner with employers to provide work-based learning opportunities, including pre-apprenticeships to at-risk youth. If approved, the state proposed waiver expanding ITAs to at-risk ISY will allow at-risk students the opportunity for work-based learning (WBL). WBL programs will allow hands-on experiences ISY would not otherwise receive. These experiences promote self-sufficiency as well as creating a positive mentoring opportunity. In turn, WBL enables area employers to fill gaps in talent shortage while creating a pipeline of skilled workers entering the workforce. The UCLWDB believes in utilizing the RFP, contract and MOU to drive the delivery of service along with providing training assistance to the provider and case managers. Focusing on the delivery of service to increase the success of the Title I youth program in preparing youth to meet the current and future needs of the workforce in the Upper Cumberland.

Section G: Priority Populations

G1. Provide information on how priority will be given to recipients of public assistance, other low-income individuals and individuals who are basic-skills deficient.

Priority for receipt of individualized career services and training services is determined during enrollment and will be given to adult customers in the following order, regardless of funding levels:

- First to veterans and eligible spouses who are also recipients of public assistance, low-income individuals including those who are underemployed, or basic skills deficient.
- Second to recipients of public assistance, other low-income individuals including those who are underemployed, or individuals who are basic skills deficient.
- Third to veterans and eligible spouses who are not recipients of public assistance, not low-income individuals including underemployed or who are not basic skills deficient.
- Fourth to individuals who do not fall within the above categories but do meet local discretionary priorities: Currently there are NO local discretionary priorities established for the UCLWDB.
- Fifth level of priority is to other individuals who do not fall within the above categories but do meet Title I Adult program eligibility.

The One Stop Operator coordinates priority of service training at a minimum quarterly basis, but generally more often on an as needed basis. The purpose of this training is to ensure priority of service provisions are in place and in accordance with TDWLD priority of service procedures. Additional situational training is provided whenever needed at the request of partner staff, as well as in instances when training is deemed necessary.

G2. Describe how the local Board will determine priority populations and how to best serve them, along with any state requirements.

Determining priority of service begins at the point of entry of all the American Job Centers within the Upper Cumberland. Point of entry includes not only the physical sites but also via any web portal for those applying for services. It is the responsibility of the One Stop Operator to ensure that all staff of the AJC are trained to assist customers in order of priority of service. Priority of service falls into two main categories; priority of service to veterans and priority of service for the WIOA Title 1 Adult program. Procedures for determining these priorities are outlined within the UCLWDB Veterans Priority of Service and Adult Priority of Services policies (*See Attachments 10 and 11*). **All WIOA partners are required to follow these UCLWDB Priority of Service policies and procedures. UCLWDB monitoring staff consistently monitor both the One-Stop Operator and Career Services Provider, as well as assess partners, to ensure they properly deliver priority service to customers who qualify.** Regular training is required of all provider staff to assure high quality services are delivered to those who take precedence. Additionally, each AJC has banners and signage in their welcome area notifying Veterans and eligible persons that they have priority of service.

G3. Describe how the local board will focus efforts on priority populations to help meet the negotiated State and Local Performance Measures (KPIs).

The UCLWDB will engage in a three-pronged approach when serving priority populations to help meet performance measures:

Internal Documents- The UCLWDB will utilize the Request for Proposals (RFP) process and the resulting contract award to drive efforts to focus on priority populations. The RFP published will require bidders to incorporate into their plans a focus on priority populations in their RFP responses. A component of the RFP will ask bidders to provide a response on how and what innovative outreach approaches they will take to reach priority populations. This will allow the UCLWDB to select a provider dedicated to serving priority populations and will in turn, make the selected provider ultimately more successful in meeting performance requirements. The UCLWDB Partner's Memorandum of Understanding (MOU) is also used to pinpoint each partners' specific focus on priority populations. The MOU is the guiding document for service provision between all contributing partners in our local workforce system. Moving into Program Years 2020-2022, the UCLWDB plans to require more detail within the MOU to specifically outlining each partner's efforts to assist priority populations. Further development of both the RFP components and Partner's MOU will encourage co-enrollment, which will ultimately be crucial in meeting KPIs.

Delivery of service- Meeting performance measures in priority populations will necessitate an evaluation of our service delivery processes and methods. An honest evaluation of customer survey feedback, mayoral and partner input, as well as board member discussions will look at all aspects of service delivery to determine where strides can be made. Improved delivery of service will not only boost client experience but also naturally improve performance outcomes.

Outside Agencies- The UCLWDB will secure outside agency partnerships to assist priority populations in meeting program goals. Outside agencies can help us identify priority populations and help to provide the holistic approach to serving them. For instance, the UCLWDB has cultivated a strong partnership with Volunteer Mental Health, a local area provider of mental health services. They have been able to bring a new skill set to the workforce table by offering their mental health expertise. Prior to this partnership, we found many individuals were unable to complete WIOA programs even when provided all of our workforce tools. We were unable to address pre-existing mental health and drug addiction issues that prevented ultimate success. Through our partnership we have been able to fill this gap and address participants as a whole. This has proved particularly needed in our work with Justice-Involved Individuals. Volunteer Mental Health has been a vocal partner in all UCLWDB re-entry programs for this reason.

Section H: Training Policies and Activities

H1. How the local area will encourage the use of work-based learning strategies, including the local area goals for specific work-based learning activities and proposed outcomes related to these activities.

The Upper Cumberland Local Workforce Development Board has maintained Business Outreach and Consolidated Business Grants (CBG) Coordinator responsibilities as a function of Staff to the Board. The rationale for this decision is the need for immediate support and oversight when providing services to businesses throughout the Upper Cumberland. Standard operating procedure for this position requires ongoing conversations with business representatives about their training needs which promotes incumbent worker or on-the job training opportunities. The CBG Coordinator also serves as the Business Team Lead for the AJC. The regular exchange of information expedites the process of supporting business training and hiring needs by all AJC partners. Maintaining close contact with post-secondary training providers has presented several opportunities for customized training. For example, a local business has approached the Livingston TCAT to request a skills upgrade training for their employees. The TCAT President connected the HR representative with the CBG Coordinator. Through this connection, the Company is able to offer this important training without the worry of covering the cost of the entire course. *(See Upper Cumberland Local Workforce Development Board WIOA Work Based Training Policy, Attachment 12).*



The UCLWDB's goal is to weave career and technical education and career pathways into our work-based learning strategies. Providing employers with a skilled and trained workforce ready to meet their pipeline needs begins by offering work-based learning programs in high schools. The UCLWDB approach utilizes the Tennessee Pathways Program Coordinators and CTE instructors in every county to develop work-based learning opportunities for each of our counties. Currently, the UCLWDB is hard at work creating a program that teaches career education along with soft skills as a direct request from industry professionals. Our hope is to provide paid work

experiences with partner businesses to encourage participation within in-demand industry sectors. For many low-income youth in our distressed counties, participation in education and training often must be balanced against the need to earn a paycheck. By combining paid work with academic instruction, work-based learning makes it easier for participants to support themselves and their families while gaining skills and credentials that translate into longer-term career advancement. By harnessing a strategic partnership with the TN Pathways Program, CTE instructors, and industry professionals, UCLWDB hopes to expose youth to different career opportunities, help them build work experience and work history, and increase understanding of the application of classroom learning on the job site.

H2. Provide a copy of the local ITA Policy and describe how training services in WIOA Sec. 134 will be provided through the use of ITA accounts, including if contracts for training services will be used, and how contracts will be coordinated with the use of ITA accounts, and how the local board will ensure informed customer choice in the selection of training programs.

Individual Training Accounts (ITAs) allow Adults, Dislocated Workers and Out-of-School Youth to access training from an entity on the State's approved Eligible Training Provider List (ETPL) that will assist them in obtaining self-sufficient employment. ITAs are developed following a comprehensive assessment of the customer's needs. See Upper Cumberland Local Workforce Development Board's Individual Training Account Policy, Attachment 4. To receive training services, the assessment should determine that the participant 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.
- 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.
- To have the skills and qualifications to participate successfully in training services.

H3. Provide a copy of the local ETPL policy and procedures. Describe how the local board will ensure the continuous improvement of the ETPL and that providers will meet the employment needs of local employers, workers and job seekers.

All Eligible Training Provider (ETP) programs approved for initial eligibility must be reviewed annually by the UCLWDB. This annual subsequent review ensures continuous improvement by analyzing several factors. First, the UCLWDB reviews the ETP's past efforts in providing services. Secondly, their success in achieving appropriate performance metrics from their submitted quarterly reports is assessed. Third, any supplemental information on how providers are meeting the needs of local employers, workers and job seekers is considered. Only those programs with a minimum of ten (10) WIOA students enrolled during the reporting year are considered for subsequent eligibility decisions. Any program that fails to meet the minimum performance standards, as established by the State, will be removed from the ETPL for a minimum period of one (1) program year. (*See Upper Cumberland Local Workforce Development Board's ETPL Policy and Procedures, Attachment 13*). In order to ensure customer choice is given to clients of the Upper Cumberland region, all Career Specialists are trained by the Career Service Provider in providing a full view of programs that are eligible to them under the ETPL. All clients are referred to this list so that they can see the programs that are eligible to be paid for through WIOA funding. In addition, Career Specialists provide Case Management by discussing the options of training providers and giving input, when solicited, on the financial components of the programs that they chose.

H4. Explain how the LWDB has reviewed their ETPL providers to determine if there are enough providers to meet the demand of industry.

The UCLWDB takes great pride in tailoring approved programs and providers to the needs of local employers, workers, and jobseekers. In order to ensure that continuous improvement of eligible providers of services are being utilized, the local board maintains strong relationships with providers and industry representatives. Our Board member roster includes members from training institutions who provide educated input on training demands. (They are, however, asked to abstain from voting on ETPL matters to avoid conflicts of interest). Additionally, our Board roster is full of industry representatives from both large and small industries within different types of sectors. Their perspective on current and upcoming workforce and pipeline demand is invaluable to Board decisions. Our county mayors also provide crucial information on their commerce and skilled workforce needs. Each mayor is able to

communicate the pulse of their county's economic demands. External industry opinion beyond our mayors and Board members is also gathered through regular meetings with the Highlands Economic Partnership Advanced Manufacturing Committee. As our staff cultivates relationships with industry representatives through any of these measures, each is invited to attend local board meetings so they can contribute to the vision of our region.

Section I: Work-Based Learning Initiatives

Work-Based Learning (WBL) initiatives are an effective strategy to provide high-quality employment opportunities to participants, as well as providing skilled workers to meet the needs of area employers. UCLWDB WBL opportunities focus on On-the-Job Training, Registered Apprenticeships, Incumbent Worker Training, and Work Experience. Our WBL initiatives are employer-driven and provide grant subsidies to employers who hire individuals facing barriers to employment. All work-based training contracts will be limited to "in-demand" occupations (defined in WIOA Section 3(23)) within the local labor market. The term "in-demand industry sector or occupation" is an industry sector that has a substantial current or potential impact (including jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate. Labor Market Information (LMI) shall be provided by to the Board for consideration of approval for WBL funding requests, along with local economic factors, population density, and workforce education levels.

Work-Based Learning advocacy and outreach is a primary focus of UCLWDB Staff to the Board. The Business Services Coordinator, under the supervision of the UCLWDB Executive Director, functionally directs Business Services in coordination with the OSO. They work as a cross-functional team to develop service strategies and engage businesses throughout the region in alignment with local and regional goals. All outreach activities and services are recorded within VOS by the Business Services Team member that conducted the outreach or performed the service. Quarterly reports of outreach and activities shall be provided to the UCLWDB representative for Compliance and Monitoring. WBL advocacy requires maintaining close contact with post-secondary training providers and community partners. These connections have presented several opportunities for customized training. UCLWDB connections with area TCATs have been able to foster WBL trainings that are responsive to industry needs. For example, a local manufacturing business recently approached the Overton County TCAT to request skills upgrade training for their employees. The TCAT Director, UCLWDB Executive Director and Special Projects Coordinator are working together to develop WBL opportunities to answer this need. WBL advocacy and outreach is also stemmed through our relationships with community and economic groups such as The Highlands Economic Partnership. UCLWDB Staff to the Board attend frequent meetings with industry officials such as chamber meetings or board meetings to ensure our objectives are in line with the needs of the employers of the region.

Registered Apprenticeships: Registered Apprenticeship is a work-based learning model where apprentices have supervised on-the-job training, along with job-related education, all while working full-time for the employer and earning a wage that increases during progression of the program. Registered Apprenticeship provides the apprentice with an advanced set of skills that meet the specific needs of industry employers. Apprenticeships are registered and validated by the U.S. Department of Labor. Upon completion of the RA program, participants will receive a nationally recognized and portable credential from the U.S. Department of Labor. In Program Years 2020-2022, the UCLWDB will working to expand apprenticeship strategies with local employers and build industry interest. The on-boarding of Regional Apprenticeship Directors will assist in coordination of these swelling efforts, as will a focus on Apprenticeships by the TDLWD and Governor.



Already, the UCLWDB has begun working with the Overton County TCAT and Volunteer State Community College to develop a curriculum for a Tool & Die Apprenticeship. We are currently awaiting direction from the newly appointed Regional Apprenticeship Director on moving forward with the paperwork needed to register the apprenticeship. Additionally, UCLWDB is developing a strategic partnership with Motlow State Community college in hopes of growing apprentice opportunities. Motlow State is now a Registered Apprenticeship Program (RAP) provider as approved by the U.S. Department of Labor (USDOL) and can quickly design apprenticeship programs based on the needs of area employers, providing them access to larger talent pools. The UCLWDB will continue to host regular meetings regarding apprenticeships to include community economic groups and employers. We will also continue workshops for employers interested in apprenticeships, such as the one advertised above (Facebook, Upper Cumberland AJC, January 2020). We have recently created a contact list for those with already established apprenticeship programs in the region to use a resource for new programs. Growing educated interest and a resource base will set the stage for building a thriving apprenticeship program.

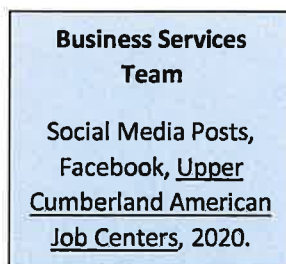
Consolidated Business Grants: Consolidated Business Grants (CBGs) are provided through two programs in the Upper Cumberland. On-the-Job Training (OJT) is a form of work-based training provided to an eligible WIOA participant upon entry into employment and while engaged in paid work. OJTs are customized to address specific gaps in the trainee's knowledge or skills that are inhibiting their ability to perform assigned duties fully and adequately. In contrast, Incumbent Worker Training (IWT) is designed to meet the specific requirements of an employer or group of employers and conducted with a commitment by the employer or group of employers to continue to employ an individual upon successful completion of training. IWTs may be used to help avert layoffs or to increase the skill levels of employees so they are eligible for promotion advances within the company and create backfill opportunities. OJT and IWT requests are maintained by the UCLWDB Staff to the Board and recommended for approval through the appropriate funding streams provided that funds are available through CBG or formula Dollars. In Program Year 2019, the UCLWDB allocated \$527,778.00 to our robust Consolidated Business Grants (CBG) program. These funds were disbursed throughout the Upper Cumberland in ten different counties, twenty-four various businesses, and thirty-six separate training contracts. CBG funding has been secured for Program Year 2020 and the UCLWDB was set to expend all CBG funds through approved training contracts by July 2020. However, due to COVID-19 business social distancing restrictions, all contracts experienced an impossibility of fulfillment. We are currently awaiting decision on an application for extension on the expending of these funds due to emergency. In the meantime, Board Staff are working with our CBG businesses to explore alternate methods of providing assistance.

Youth Work Based Learning: Work Experience is defined as subsidized or unsubsidized work experience that is a planned, structured learning experience in a workplace for a limited time. This experience provides participants with opportunities for career exploration and skill development. Work experience must include academic and occupational education. The UCLWDB has formed a strong work-based learning partnership with the Regional Coordinator for Tennessee Pathways. In conjunction with the Highland Economic Partnership, we made a combined effort to place over three hundred Upper Cumberland students in summer work-based learning positions in 2019. For summer 2020, we were set to exceed that number with summer work-based learning opportunities for youth in the Upper Cumberland. However, COVID-19 school closures and business social distancing restrictions required the suspension of these activities. We look forward to advancing this program again in summer 2021.

Section J: Business Team Structure and Strategies

The UCLWDB has maintained Business Outreach responsibilities as a function of Staff to the Board. The rationale for this decision is the need for immediate support and oversight when providing services to businesses throughout the Upper Cumberland. The Business Services Team is led by UCLWDB Staff to the Board Special Projects Coordinator and is made up of Team Leads, OSO, the Local Veterans Employment Representative (LVER), and a representative from the following partner agencies; Adult Education, Vocational Rehabilitation, Department of Human Services, and TN Dept. of Labor and Workforce Development. The Business Services Team works to provide include job fairs, workshops, direct referrals, Work Opportunity Tax Credit explanations, federal bonding assistance, training grant

opportunities and Veteran's services to Upper Cumberland businesses. This team meets monthly to maintain a service strategy and regularly exchange information to support business training and hiring needs by all AJC partners. Strategies are based on the needs of the community, as identified by the board, and are in alignment with local, region and state efforts.



The Business Services Team saw tremendous success hosting job fairs within the Putnam County AJC in late 2019 and early 2020. They were able to host twice weekly hiring events and enjoyed record turn out by both employers hiring and job seekers. This not only increased engagement between employers and future employees, but also increased foot traffic into the AJC building. These prosperous events received positive industry feedback and further strengthen existing and budding business relationships. The team's forward goal is to continue regular hiring fairs not just at the Putnam County AJC, but also in the Cumberland County AJC as well. In addition to these regular hiring events at both comprehensive centers, the team plans to host at least one hiring event every month in each Affiliate AJC site. Although temporarily halted by COVID-19 gathering restrictions and AJC temporary closures, the Business Services Team is ready to adapt and build upon their success. They are busy working towards creative ways to continue connecting employers and potential employees within an adapted environment. Virtual assistance is being offered to employers by listing open positions on JOBS4TN, creating marketing flyers, and support with pandemic adjustments. Additionally, virtual hiring fairs, "drive-through" hiring events and employment experiences that practice safe social distancing are also being explored for the near future.

Section K: Initiatives for Distressed and At-Risk Counties

K1. Provide details on how the local board will implement new programs to best serve rural areas (Distressed and At-Risk).

Programs to support rural areas are crucial to the Upper Cumberland. Not only is our workforce area predominately rural, but forty-three percent of our territory is defined as either Distressed or At-Risk. Out of the fourteen counties we serve, three are considered "At-Risk" and three are "Distressed." While all of our rural counties share common challenges, we recognize "At-Risk" and "Distressed" counties face economic and workforce issues unique to their location, community resources and circumstances. With an understanding of these differences, the UCLWDB will take a two-fold approach to most effectively utilize our Rural Initiative funding over the next two program years. This two-fold approach will focus on bridging rural educational gaps within our "Distressed" counties and programs for justice-involved individuals within our "At-Risk" Counties.

Distressed Counties: Project "Pathways Interrupted"- For our distressed counties, the goal is to get individuals working as quickly as possible. Through operating a separate program called Rural Graduation Initiative (RGI), the UCLWDB has identified a population often left-behind. Open discussions with local mayors, educational partners and school counselors pointed to educational gaps existing within the Out-of-School Youth (OSY) and sometimes Adult populations that we serve. Particularly within our distressed counties, these partners encounter many former students who intended to go on to post-secondary training but were unable to actually attend due to an unanticipated lack of funding. Additionally, some may have intended to go immediately to work upon graduation but quickly learned they need training or supportive services to make this happen. Either way, their anticipated plans or pathway fell through, leaving a gap in their lives and within the local workforce. This unmet gap can cause educational plans to become an impossibility and the individual must eventually settle for underemployment or no employment at all. This can become a long-term reality where resources are unavailable for the individual to rebuild

their pathway. Realizing this gap, the UCLWDB seeks to use Rural Initiative Funding to launch a program called "Pathways Interrupted," bridging the gap in rural education needs. Community partners such as guidance counselors, CTE instructors, and financial aid officers will be utilized to identify potential enrollees. Rural Initiative funds will be used to pay for actual training costs of participants enrolled through "Pathways Interrupted." Remaining funds will be utilized through supportive service payments on any Title I eligible participant enrolled through the "Pathways Interrupted" program. Being able to invest these additional funds into supportive services within Distressed Counties will allow us to open doors for both the Out-of-School Youth and Adult populations who have encountered a pathway interrupted. This project will be tracked through surveys as well as tracking the number of program enrollees and participant outcome through VOS. After the project timeline has expired, the UCLWDB will measure success by comparing various program data.

At-Risk Counties: Justice-Involved Individuals Initiatives- While re-entry is a priority throughout the entire service area, the UCLWDB proposes a concentrated expansion of training for justice involved individuals within our at-risk areas of Warren, Van Buren and Overton Counties. This determination considered the fact that re-entry resources already existed within these counties. Also considered were physical location and access to training facilities. In fact, Warren County actually served as the pilot county for re-entry programs within the Upper Cumberland Local Workforce Area. The local Mayor within Warren County has been very active in initiating re-entry programs and recently received a 3-Star Grant to increase re-entry training within the Warren County Correctional Facility. Rural Initiative funding will partner with this program and braid resources to build the Warren County re-entry project and later expand it into Overton and Van Buren counties.

This partnership and expansion will use Rural Initiative and workforce resources to provide TCAT training on-site at the local correctional facility. Current inmates in good standing, who already possess a GED or High School diploma, will be eligible to enroll in TCAT training to earn a welding certification. This program will include four hundred, thirty-two (432) instructional hours. Four Hundred twenty-four (424) of those hours will be on-site hours at the correctional facility and eight (8) hours will be conducted at the TCAT McMinnville for final testing. Students will have the opportunity to earn two certificates: Welders Helper and Shielded Metal Arc Welder. Upon successful completion, a warranty of competence will also be issued. Infused into the curriculum will be soft skills training so as to increase the re-entry participant's chances of gaining and keeping meaningful employment upon completion of the program. This soft-skills training will include resume writing, interview techniques, etc. The final phase will be interviews and temporary placement with one of three (3) employer partners for fourteen (14) working days where they may have an opportunity to be employed thereafter. While the COVID-19 pandemic has temporarily halted access to our local jails, the program will move forward once access is restored. As the program is underway, this model will be used to expand similar programs into Overton and Van Buren counties.

Section L: Initiatives for Justice-Involved Individuals

Re-entering the community is a challenging transition for justice-involved individuals who face many barriers in restarting their lives outside of incarceration. Recently released individuals are historically difficult to contact once outside incarceration and face competing influences that often impede success. UCLWDB programs for Justice-Involved Individuals (JII) address these issues by beginning the WIOA relationship while still incarcerated. AJC staff have completed training to be able to access every county jail within our fourteen-county service area. To this end, the UCLWDB has begun offering Adult Education classes within these jails. Our hope is to build upon these courses by creating co-enrollments from Adult Education into WIOA as inmates progress. Rural Initiative funding will also begin providing TCAT courses within jails in our At-Risk counties.

Beyond meeting Justice-Involved Individuals while incarcerated, our JII programs seek to provide assistance as individuals transition from incarceration to community. Our Veterans and Wagner Peyser staff provide services to all county jails and prison inmates within 30 days of discharge to begin preparing them for outside employment. This includes workshops on resumes, applications, interview skills, and dress for success. Participants are then co-enrolled with WIOA and other partners to ensure the widest range of services is provided. Veterans and Wagner-Peyser Staff are also included in local Drug Court and Veteran Recovery Court processes. As such, individuals subject to the Court are mandated to meet with AJC staff, who then seek to assist in removing potential barriers to employment.

During Program Year 2019, the UCLWDB formed a re-entry strategic planning group utilizing multiple community and faith-based partners. This group included partners such as mental health, drug courts, human services agencies, higher education representatives, and probation officers together for a wrap-around approach. This team immediately created a “Re-entry Contact List” as well as an up-to-date “Justice-Involved Employer List” and continues to work towards building a strong re-entry program. Continued and expanded coordination between the Department of Children’s Services (DCS), Department of Human Services (DHS), law enforcement representatives (i.e. Parole and Probation Officers, Jail Administrators), local attorneys, housing authorities, mental health organizations, drug recovery programs and homeless shelters is our goal moving into Program Years 2020-2022. An example of this coordination is already happening in the Cookeville AJC as it hosts foster care classes for justice-involved individuals in conjunction with DCS.

Our re-entry strategic planning group also has some exciting initiatives on the horizon. Innovative thinking has been the hallmark of our meetings. With partner engagement and a creative approach, the following re-entry programs have moved into planning phases:

Daily Reporting/Community Resource Center Module- Our team identified a desire for a Daily Reporting Center (DRC)/Community Resource Center (CRC) type facility to assist in transitioning released individuals. Tennessee Department of Corrections (TDOC) DRC/CRC facilities work with offenders through a balance supervision and rehabilitative services. Their model creates accountability for recently justice-involved individuals while providing concentrated access to probation, mental health, drug recovery, education, and workforce services. While the TDOC does not have funding to place an official DRC/CRC in our service area, we believe our team can create a local “DRC/CRC”-type center patterned off this model. Warren County, already a leader in JII programs, is excited to explore this option for their county. Workforce and Warren County re-entry stakeholders are working together to put this plan into reality within the 2020-2022 Program Years. Our team recently toured an official DRC/CRC in Knoxville, Tennessee and spent several hours learning from their staff. As we continue to move forward, we are seeking mandated participation through Warren County judges, grant funding opportunities, and a rental space to host the facility.



Members of the Upper Cumberland Re-entry Task Force visited TDOC Day Reporting Center in Knox County on December 6, 2019.

Tiny House Re-entry Community- Housing is an enormous barrier for justice-involved individuals transitioning back into the community. These individuals typically lack a steady income to afford housing directly out of incarceration. Chances of recidivism are also greatly increased when the ex-offender immediately returns to their original environment that may include unhealthy influences or lack support needed to be successful. The UCLWDB has actions underway to pursue the creation of a Tiny Home Community in Putnam County to serve as a workforce-focused half-way house community.

We have received initial support from the County Mayor as well as pledges of support from faith-based groups. We have sought out and received guidance from similar programs in other states that have proven successful. This initiative was gaining great speed prior to a temporary halt during the COVID-19 pandemic. As our workforce crisis begins to stabilize from this emergency, we look forward to pursuing our next steps. We have several methods of funding we plan to pursue for this project. Funds will be used to provide a community manager, provide insurance, and cover secondary costs. We will work with the county to secure gifted land on which to create the community. Our faith-based groups will be utilized to purchase building materials and provide labor to build the home structures. This is an exciting venture and would, to our knowledge, be the first of its kind in Tennessee.

Part II- Performance Goals and Evaluation

The Upper Cumberland Local Workforce Development Board (UCLWDB) Performance Plan: Measuring, Monitoring and Tracking Local Performance 2020-2023 is attached to this Local Plan (*See Attachment 14*). Our Performance Plan outlines the actions the UCLWDB will take in becoming and remaining a high performing board, consistent with the factors developed by the State Workforce Board (SWB). This plan defines local performance measures, how progress will be tracked and reported to the local board pertaining to the WIOA Primary Indicators of Performance for the core programs and Key Performance Indicators (KPIs). In carrying out this plan, the UCLWDB will utilize a performance team consisting of a representative from each of the following programs: Title I Adult and Dislocated Worker, Title I Youth, Wagner-Peyser, Senior Community Service Employment Program (SCSEP), Re-employment Services and Eligibility (RESEA), Trade Adjustment Assistance (TAA), Supplemental Nutrition Assistance Program Employment and Training (SNAP), Jobs for Veterans State Grants (JVSG), Migrant and Seasonal Farm Work (MSFW), Reentry, One Stop Operator and Staff to the Board. The performance team will have dedicated regular mid-quarter meetings to consistently track and review performance data with a common goal to improve outcomes and reduce gaps in performance, to consistently meet or exceed state, regional and local targets. Mid-quarter meetings will take place during the months of February, May, August and November. The performance plan and team will focus on seven areas of performance improvement: Communication, Collaboration, Customer Service, Leadership-Management, Resources, policy and Procedures and Performance Improvement.

Communication: Staff to the Board will ensure that each of the performance team program representatives have a clear understanding of the performance definitions and the roles and responsibilities.

Collaboration: Team representatives will work together to ensure the coordination of all programs by encouraging co-enrollments and utilizing the referral process.

Customer Service: The success of the programs and the American Job Center is dependent on the integration and deliverance of services based upon the customer needs rather than the program focus.

Leadership-Management: The key is leadership and management buy-in, if the leadership and management team of each program is not fully vested the efforts of the local board and program partners will only go so far. The vested attitude and culture must be transmitted to the front-line staff. The leadership and management of each program must ensure that front-line staff have the knowledge of partner programs and work to create a seamless collaboration.

Resources: Performance team representatives will review and analyze resources and the use of resources to include but not limited to technology, staffing, training, and technical assistance. The team will analyze data from various reports such as case load reports, greeter and traffic count reports, case note reports and exit status to identify trends and target areas of improvement.

Policy and Procedures: The performance team representatives will analyze procedures to ensure daily processes are aligned and occurring to meet performance targets including, but not limited to, data entry, timeliness of data entry and program referrals.

Performance Improvement: The performance team representatives for each program will use the data, trends, and outcomes identified during the mid-quarter meetings to identify areas of improvement and deficiencies.

Staff to the Board, along with performance team representatives, will track performance outcomes using local, regional and state data sources and reporting tools. Outcomes will be reported to the local board using a dashboard report that explains in detail the performance indicators. The UCLWDB will be able to use the dashboard reports and meeting outcomes to make fact-based decisions to drive performance, strategies and policy alignment in meeting the local negotiated performance targets to become and remain a high performing board.

Primary Indicators of Performance- Section 116 of the Workforce Innovation and Opportunity Act (WIOA) establishes performance accountability indicators for the individuals served by each of the six core programs, Adult, Dislocated Worker, and Youth authorized under WIOA Title I and administered by the U.S. Department of Labor; the Adult Education and Family Literacy Act (AEFLA) program authorized under WIOA Title II and administered by the U.S. Department of Education (ED); the Employment Services (ES) authorized under the Wagner-Peyser Act, as amended by WIOA Title III and administered by DOL; and the Vocational Rehabilitation (VR) program authorized under Title I of the Rehabilitation Act of 1973, as amended by WIOA Title IV and administered by ED.

Title I Adult, Dislocated Worker and Youth, Title II Adult Education, Family Literacy Act must meet expected levels of performance for the following:

- Employment Second Quarter after Exit
- Employment Fourth Quarter after Exit
- Median Earnings Second Quarter after Exit
- Credential Attainment Rate
- Measurable Skill Gains

Title III Employment Services under Wagner-Peyser must meet expected levels of performance for the following:

- Employment Second Quarter after Exit
- Employment Fourth Quarter after Exit
- Median Earnings Second Quarter after Exit

The Credential Attainment Rate and Measurable Skill Gains indicators do not apply to the Wagner-Peyser Employment Service program; therefore, this program will not submit expected levels of performance for these indicators. The Vocational Rehabilitation (VR) program authorized under Title I of the Rehabilitation Act of 1973, as amended by WIOA Title IV, will have two full years of data available for the following indicators for PY 20 and PY 21.

- Measurable Skill Gains

The departments will designate the following programs as “baseline” for VR PY 20 and PY 21.

- Employment Second Quarter after Exit
- Employment Fourth Quarter after Exit
- Credential Attainment Rate

Effectiveness in Serving Employers indicator will be measured as a shared outcome across all six core programs to ensure a holistic approach to serving employers. The state will continue piloting approaches for measuring this indicator for the first two years of PY 20-23. The state will not submit an expected level of performance for this indicator for PY 20 and PY 21. However, core programs are expected to collect data and report on this indicator for PY 20 and PY 21. The local board, the chief local elected official and the Governor must negotiate and reach agreement on local levels of performance for two years at time, based on the state’s negotiated levels of performance. Adjustments shall be made for the expected economic conditions and the expected characteristics of participants to be served in the local area, using the statistical adjustment model developed pursuant to subsection (b)(3)(a)(viii) of WIOA.

The UCLWDB members, the chief local elected official and the Governor must negotiate and reach agreement on local levels of performance for two years at time, based on the state’s negotiated levels of performance. Local negotiations must be completed by September 30th within each year that negotiations occur. PY 18 and PY 19 final outcomes will be used in determining goals for PY 20 and PY 21. The UCLWDB’s most recent State negotiated Primary Indicators of Performance are attached (*See Primary Indicators of Performance, Attachment 15*) and will be updated when PY 20 and PY 21 negotiations are determined.



Key Performance Indicators (KPIs)- Provide a way of measuring the effectiveness of an organization in achieving its goals. In pursuit of continuous improvement, the Tennessee Department of Labor and Workforce Development developed annualized regional and state KPIs. KPIs align with the Governor's Objective to become the best public workforce in the nation; increase transparency, fiscal accountability, responsiveness, and foster regional collaboration.

KPIs are set by the state and were developed in order to increase the impact of the public workforce system, primarily through increased enrollment. The state identified the following programs to have new enrollment targets:

- Title I Adult, Dislocated Worker and Youth
- Title II Adult Education
- Title III Wagner-Peyser
- Title IV Vocational Rehabilitation (VR)
- Senior Community Service Employment Program (SCSEP)
- Trade Adjustment Assistance (TAA)
- Supplemental Nutrition Assistance Program Employment and Training (SNAP)
- Jobs for Veterans State Grant (JVSG)
- Re-Employment Services and Eligibility Assessments (RESEA)
- Migrant and Seasonal Farm Work (MSFW)
- Reentry
- Temporary Assistance for Needy Families (TANF)

From the state targets and guidelines, Executive Directors within the Grand Planning Region used local knowledge, potential to serve and historical data to develop local targets. In January of 2020, the UCLWDB Executive Director, Staff to the Board and a representative from each of the programs worked with State staff to refine the quarterly targets based on local knowledge, seasonal trends and historical enrollment data. The UCLWDB's most recent State negotiated KPIs are attached to this plan. *(See Key Performance Indicators, Attachment 16).*

Eligible Training Providers- In accordance with section 122(d) of WIOA, training services must be provided by an Eligible Training Provider (ETP). Training is available through the Eligible Training Provider List (ETPL) comprised of training institutions deemed eligible to receive WIOA Title I funds. The ETPL ensures the accountability, quality and labor-market relevance of programs and ensures customer choice. The initial eligibility of the training provider ensures that WIOA participants using Individual Training Accounts (ITAs) for high quality training programs that lead to positive educational and employment outcomes. The United States Department of Labor (USDOL) requires the Tennessee Department of Labor and Workforce Development (TDLWD) to annually report on the performance of the providers included on the ETPL. State minimum performance standard measures are:

- WIOA student completion rate for each program must be $\geq 40\%$
- All student's completion rate for each program must be $\geq 40\%$
- WIOA student placement rate for each program must be $\geq 70\%$
- All student's placement rate for each program must be $\geq 70\%$

MPCR- Ensuring, monitoring and reporting the Minimum Participant Cost Rate (MPCR) is an integral part of performance evaluation. MPCR procedures are discussed within Section B.3 of the Fiscal Management part of this Local Plan.

Part III- Technical Requirements and Assurances

Section A: Physical Accessibility

The UCLWDB requires all area partners to agree 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 must 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. Partners further assure that they are currently in compliance with applicable state and federal laws and regulations regarding these issues. All Partners will cooperate with compliance monitoring that is conducted at the local level to ensure that all American Job Center 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 educational level. An interpreter will be provided within a reasonable time frame to any customer with a language barrier. Assistive devices, such as screen-reading software programs and assistive listening devices must be available to ensure both physical and programmatic accessibility within the UCLWDB American Job Centers. *(See Auxiliary Aids and Americans with Disabilities Aid Policy, Attachment 17).*



The comprehensive one-stop center serves as the hub for access to services for customers as well as local businesses. In order to ensure non-discriminatory practices, all customers are assessed using the same process and referred based on their individual circumstances to the appropriate program. When significant barriers are found, the provider partners strongly with Vocational Rehabilitation to ensure that processes are in line with the needs of the individual with disabilities. Programmatic accessibility is facilitated within the UCLWDB through utilization of several key tools. The Mobile Career Coach has proved to be an effective outreach tool in areas of high need but limited accessibility. Also utilized are tools such as Direct Linkage, used when needed for affiliate site counties via phone calls and ZOOM meetings and email. This is especially necessary when partner programs are not co-located in affiliate sites. Title I staff coordinates the service delivery and access to partners in their welcome function as well as throughout a client's enrollment in Title I. Title I is the only staff located in all One Stops, therefore the remaining partners are available via direct linkage whenever needed. All UCLWDB customers have access to accessible devices for hearing, reading, typing and computer use. Our AJC's are equipped with highly trained staff that are able to assist individuals with disabilities and the additional services available to them within the AJC and their communities. All AJC locations have passed ADA compliance through TN Department of Human Services. Outreach to this population is conducted through regional partners such as DHS, Department of Human Services programs, Vocational Rehabilitation, Community Coalitions, and other community action groups. When UCLWDB partners are not physically located within the American Job Center, they are available for contact through direct linkage such as phone calls, video conferencing, email and text messaging (preference for medium of direct linkage is utilized in that order.) Direct connection is made whenever possible, and all partners are accessible from each AJC location.

The One-Stop Operator complies with WIOA Section 188 and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) by providing for the physical and programmatic accessibility of facilities, programs, services, technology, and materials for individuals with disabilities. Full access is ensured through extensive training for all staff on addressing and meeting needs of individuals with disabilities. (WIOA Section 108[b][6][C]. In addition to training, access is achieved through various tools utilized within the AJCs to assist customers with barriers. All comprehensive AJCs are equipped with assistive devices for the hearing and vision impaired, including CapTel phones. These phones allow customers with disabilities to reach independence in their job searches and other career services.

Every aspect of our American Job Centers, including the Welcome Function is ADA compliant and is developed in order to provide exceptional services to the elderly and individuals that have disabilities of any kind. In addition to this, AJC staff are trained on providing priority of services to veterans, and all signage is clear, legible and typed.

Section B: Fiscal Management

B1. Identify the entity responsible for the disbursement of grant funds described in WIOA as determined by the CLEO or Governor under WIOA.

The entity responsible for the disbursement of grant funds as described in WIOA and as determined by the CLEO, is the Upper Cumberland Local Workforce Development Board, Incorporated (UCLWDB). This entity has approved 501(c)(3) tax status from the Internal Revenue Service and operates as a non-profit corporation. The UCLWDB assumed fiscal responsibilities effective July 1, 2019. *(See Fiscal Agent Agreement, Attachment 18).*

B2. Provide a copy of the local procurement policy and procedures and describe the competitive process that will be used to award the sub-grants and contracts for WIOA Title I activities.

A copy of the local procurement policy and procedures is attached to this plan. *(See UCLWDB Procurement Policy, Attachment 5 and UCLWDB Procurement Manual, Attachment 19).* All competitive procurement transactions will be conducted in a manner providing full and open competition consistent with the standards provided in 2 CFR 200.319. 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. The UCLWDB procurement transactions will contain no requirements that unduly restrict competition as specified in 2 CFR 200.319(a) and (b). The UCLWDB procurement procedures will ensure that all solicitations:

- incorporate a clear and accurate description of the technical requirements for the material, product(s), or service(s) to be procured in a manner that does not duly restrict competition, and
- identify all requirements that the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

The UCLWDB will ensure that all prequalified lists of persons, firms, or products, that are used in acquiring goods and service are current and include enough qualified sources to ensure maximum open and free competition. The UCLWDB will not preclude bidders from qualifying during the solicitation period.

When conducting competitive proposals, the following requirements apply:

- A formal sealed bid solicitation process shall be used when the estimated aggregate total of the expense is \$50,000 or more, including renewal terms of multi-year awards. This formal competitive process will be conducted by issuing a Request for Proposals (RFP). UCLWDB procurement professionals should consult the UCLWDB Procurement Manual when conducting a formal solicitation process. All awarding contracts must be approved by majority vote of UCLWDB members.
- Requests for proposals must be publicized on the UCLWDB website as well as applicable legal publications and identify all evaluation factors and their relative importance. Efforts will be made to make the RFP as widely available as possible. Any response to publicized requests for proposals must be considered to the maximum extent feasible;
- Proposals must be solicited from an adequate number of qualified sources;
- The UCLWDB will follow the TDLWD's methods for conducting technical evaluations of the proposals received and for selecting recipients;
- Contracts will be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.
- UCLWDB procurement professionals will follow the UCLWDB Procurement Manual in conducting procurement processes and procedures.

All Requests for Proposals (RFPs) that contain requests for One-Stop Operators and Career Service Providers must include the duties set forth in 20 CFR 678.620 which are adopted in the State of Tennessee's Regional and Local Planning policies, as well as the State's One-Stop Delivery and Design System policy. Both the selection of One-Stop Operator and Career Service Provider must be competitively procured, either as one combined or two separate RFPs. The UCLWDB will follow all federal, state, and local competitive procurement requirements in this selection process. Additionally, the UCLWDB will follow the Tennessee State Guidelines for Local Workforce Development Boards One-Stop Operator and Career Services Provider Procurement as well as the Evaluator Training Guide developed and provided by the Tennessee Central Procurement Office. All efforts will be made to actively solicit goods and services from minority-owned, woman-owned, service-disabled veteran-owned, businesses owned by persons with disabilities, and small businesses when possible.

B3. Describe how the LWDA will meet the required 40% MPCR.

The UCLWDB is accountable to ensure that all program goals and performance standards are met, including the Minimum Participant Cost Rate (MPCR). The Upper Cumberland Local Workforce Development Board shall ensure the state required minimum of their WIOA Title I formula allocations WIOA Section 128(b)(4) and 133(b) is expended

on allowable participant costs under WIOA funded services per WIOA Section 129(c)(2), WIOA Section 134, TEGL 19-16 and TEGL 21-16. Contracted service providers must meet the UCLWDB MPRCR requirement, which will meet or exceed the state minimum. This requirement is controlled through the service provider contract agreement (*See Contract for One-Stop Operator and Career Services, Attachment 20*). Providers are held accountable to the UCLWDB for MPCR attainment, just as the UCLWDB is accountable to the State for minimum participant expenditures. The UCLWDB Fiscal Agent monitors the MPCR monthly to evaluate percentage status and identify any potential risks which may negatively impact this metric. Any failure to meet the minimum MPCR will result in issued sanctions from the UCLWDB (*See UCLWDB Remedies and Sanctions Policy, Attachment 21*).

The State Workforce Board conducts quarterly reviews of local workforce area required expenditure rates. To provide for continuous improvement, if the UCLWDB falls below the required rate the UCLWDB will submit a narrative with the quarterly report explaining why the expenditure rate was not attained. If the UCLWDB falls below the required rate for three consecutive quarters, it must submit a local board approved Corrective Action Plan providing a detailed analysis of the inability to attain a minimum the required training expenditure rate (*See UCLWDB Minimum Participant Cost Rate Policy, Attachment 22*). The UCLWDB is currently under a MPCR Corrective Action Plan, submitted to the State Workforce Board in May 2020. This plan not only details reasons for the inability to reach the minimum rate, but also creates actions for improvement. (*See UCLWDB MPCR Corrective Action Plan, Attachment 23*).

Section C: Budget Information and Supporting Materials

C1. Provide a detailed budget.

The UCLWDB detailed budget is attached. (*See Attachment 24*).

C2. Provide a budget narrative that includes a detailed explanation of expenditures by the line items listed on Standard Form 424A.

A budget narrative is attached. (*See Attachment 25*).

C3. Cash-in-kind sources, if any.

Currently, there are no cash in-kind sources included in the UCLWDB budget.

C4. Any other funding sources.

As a non-profit corporation, the UCLWDB is ready recipient of alternate funding sources. Non-federal grants and private funding sources are being actively pursued to generate unrestricted funds. Any potential opportunities identified will be presented to the CLEO and Board Chair for a decision on proceeding.

C5. Description of any other leveraged funds to include any fee based and/or revenue generated.

None at this time, but we are actively pursuing revenue generating opportunities for the future.

C6. Provide description of in-kind resources, including the methods to determine their value.

Currently, there are no cash in-kind sources included in the UCLWDB budget.

C7. Attach supporting materials (not form letters).

Other than the detailed budget already attached, there are no additional supporting materials included.

Section D: Transfers of Workforce Funds

D1. To transfer funds between the adult and dislocated worker funding streams.

It is the intent of the UCLWDB to work within the parameters established by each of the funding streams created by Title I grants. UCLWDB evaluates expenditures and enrollment of participants by funding stream monthly. UCLWDB

retains the option to re-designate up to 100% of funds between Adult and Dislocated Worker to ensure availability of resources and flexibility to meet changing customer needs. Plant closures or economic down turns in the area may dictate the need for immediate review resulting in a request to transfer funds from Adult to Dislocated Worker. Technical assistance from State Staff would play an integral part in any decisions to transfer funds between funding streams.

D2. To use funds for incumbent worker training as outlined in WIOA Sec. 134(d)(4)(A)(i).

The UCLWDB Fiscal Agent and Executive Director work together to evaluate the need for resignation of funds. If a transfer is deemed necessary, specific amounts are identified and a request to transfer is presented to the CLEO and Board Chair. If they are in agreement, the request is then forwarded by the CLEO and Board Chair to the TDLWD Grants and Budget Department through the Grants4TN system.

D3. To use funds for transitional jobs as outlined in WIOA Sec. 134(d)(5).

The UCLWDB Work Based Training Policy (*See Attachment 12*) allows for provision of transitional jobs to individuals with barriers to employment who are chronically unemployed or have an inconsistent work history. The UCLWDB Work Based Training Policy restricts the implementation of this work-based learning strategy to not more than 10% of local formula funds. Transitional jobs are time limited, aligned with the individual's specific needs for skill training and hands on job experience. These jobs, combined with comprehensive career and supportive services, seek to demonstrate the individual's success in the workplace, and develop skills leading to entry and retention in unsubsidized employment.

Section E: Cooperative Agreements for Provision of Services

E1. Include cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers and other efforts at cooperation, collaboration and coordination.

UCLWDB planned Cooperative Agreements for service provision attached to this Local Plan. (*See Attachment 26*).

Section F: Title VI Trainings

Title VI Training is conducted annually with all staff within our AJC system. Copies of Title VI trainings to all service providers, One-Stop Operators and LWDB staff are attached. (*See Attachment 27*).

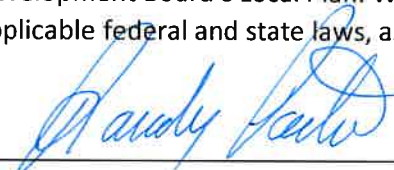
Signature Page

SUBJECT: Upper Cumberland Tennessee Local Workforce Development Board, Local Plan

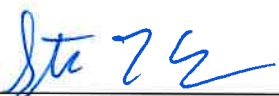
FROM: Honorable Randy Porter, Putnam County Mayor
Chief Local Elected Official, UCLWDB

Stephen Crook, Chairman
Upper Cumberland TN Local Workforce Development Board

The attached WIOA document represents the Upper Cumberland Tennessee Local Workforce Development Board's Local Plan. We certify that we will operate in accordance with this plan and applicable federal and state laws, as well as regulations.



Randy Porter, Putnam County Mayor
Chief Local Elected Official
Upper Cumberland Local Workforce Development Board



Stephen Crook, Chairman
Upper Cumberland TN Local Workforce Development Board

ATTACHMENT 1

Upper Cumberland LWDA Partners

Program	Partner Organization	Cookeville AJC	Cumberland County AJC	Dekalb County Affiliate Site	Fentress County Affiliate Site	Macon County Affiliate Site	Overton County Affiliate Site	Smith County Affiliate Site	Warren County Affiliate Site	White County Affiliate Site
Adult, Dislocated Workers, and Youth Programs - WIOA Title I	MCHRA	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Adult Education - (WIOA Title II)	Adult Education	Yes	Yes	No	No	No	No	No	No	No
RESEA (Re-employment Services Eligibility and Assessment) - Local	MCHRA	No	No	No	No	No	Yes	Yes	Yes	No
RESEA (Re-employment Services Eligibility and Assessment) - WIOA Title III	TN Department of Labor and Workforce Development	Yes	Yes	No	No	No	No	No	No	No
SCSEP - WIOA Title V	MCHRA	Yes	No	No	No	No	No	No	No	No
SNAP (Supplemental Nutrition Assistance Program)	TN Department of Labor and Workforce Development	Yes	Yes	No	No	No	No	No	No	No
TAA (Trade Adjustment Assistance)	TN Department of Labor and Workforce Development	Yes	Yes	No	No	No	No	No	No	No
Veterans Services - WIOA Title III	TN Department of Labor and Workforce Development	Yes	Yes	No	No	No	No	No	No	No
Vocational Rehabilitation - WIOA Title IV	TNDHS Vocational Rehabilitation Program	Yes	Yes	No	No	No	No	No	No	No
Wagner-Peyser Employment Services	TN Department of Labor and Workforce Development	Yes	Yes	No	No	No	No	No	No	No

Cost Allocation and Partner Contributions

Office Sharing / Payment Ratio

American Job Centers - 2 Comprehensive Centers & 7 Affiliate Sites

Partner Program	# of Staff	Weekly Hours	# of FTEs	Payment Ratio	Location
Adult, Youth, and Dislocated Worker (WIOA Title I)	8	233	6.2	92.08%	Cookeville, Comprehensive Center
SCSEP (WIOA Title V)	1	19	0.5	7.92%	
Adult Education (WIOA Title II)	2	75	2.0	100.00%	
Wagner-Peyser Employment Services (WIOA Title III)	2	75	2.0	30.77%	
RESEA (WIOA Title III)	1	38	1.0	15.38%	
Trade/TAA (WIOA Title III)	1	38	1.0	15.38%	
Veterans Services (WIOA Title III)	2	75	2.0	30.77%	
SNAP (WIOA Title III)	1	19	0.5	7.69%	
Vocational Rehabilitation (WIOA Title IV)	1	38	1.0	100.00%	
Cookeville Total	19	608	16.2	4.00	
Adult, Youth, and Dislocated Worker (WIOA Title I)	3	113	3.0	100.00%	Cumberland County, Comprehensive Center
SCSEP (WIOA Title V)	0	0	0.0	0.00%	
Adult Education (WIOA Title II)	2	60	1.6	100.00%	
Wagner-Peyser Employment Services (WIOA Title III)	2	75	2.0	30.77%	
RESEA (WIOA Title III)	1	38	1.0	15.38%	
Trade/TAA (WIOA Title III)	1	38	1.0	15.38%	
Veterans Services (WIOA Title III)	2	75	2.0	30.77%	
SNAP (WIOA Title III)	1	19	0.5	7.69%	
Vocational Rehabilitation (WIOA Title IV)	1	38	1.0	100.00%	
Cumberland Total	13	454	12.1	4.00	
Adult, Youth, and Dislocated Worker (WIOA Title I)	1	38	1.0	100.00%	DeKalb, Affiliate Site
DeKalb Total	1	38	1.0	1.0	
Adult, Youth, and Dislocated Worker (WIOA Title I)	1	38	1.0	100.00%	Fentress, Affiliate Site
Fentress Total	1	38	1.0	1.0	
Adult, Youth, and Dislocated Worker (WIOA Title I)	1	38	1.0	100.00%	Macon, Affiliate Site
Macon Total	1	38	1.0	1.0	
Adult, Youth, and Dislocated Worker (WIOA Title I)	1	38	1.0	75.76%	Overton, Affiliate Site
RESEA (Local)	1	12	0.3	24.24%	
Overton Total	2	50	1.3	1.0	
Adult, Youth, and Dislocated Worker (WIOA Title I)	1	26	0.7	68.00%	Smith, Affiliate Site
RESEA (Local)	1	12	0.3	32.00%	
Smith Total	2	38	1.0	1.0	
Adult, Youth, and Dislocated Worker (WIOA Title I)	2	63	1.7	84.00%	Warren, Affiliate Site
RESEA (Local)	1	12	0.3	16.00%	
Warren Total	3	75	2.0	1.0	
Adult, Youth, and Dislocated Worker (WIOA Title I)	1	38	1.0	100.00%	White, Affiliate Site
White Total	1	38	1.0	1.0	
Total	27	845	22.6		

ATTACHMENT 2

Upper Cumberland American Job Center Locations

Cumberland County American Job Center
(Comprehensive)
60 Ridley St, Suite 101
Crossville, TN 38555

DeKalb County American Job Center (Affiliate)
726 S. Congress Blvd.
Smithville, TN 37166

Fentress County American Job Center (Affiliate)
308 Main St. South, Suite 101
Jamestown, TN 38556

Macon County American Job Center (Affiliate)
607 Hwy. 52 Bypass East
Lafayette, TN 37083

Overton County American Job Center (Affiliate)
106 West Henson St.
Livingston, TN 38570

Putnam County American Job Center
(Comprehensive)
580 S Jefferson Ave, Suite A.
Cookeville, TN 38501

Smith County American Job Center (Affiliate)
120 Pauline Gore Way, Suite A.
Carthage, TN 37030

Warren County American Job Center (Affiliate)
110 S. Court Square
McMinnville, TN 37110

White County American Job Center (Affiliate)
826 Valley View Dr.
Sparta, TN 38583

ATTACHMENT 3

Upper Cumberland Local Workforce Development Re-Opening Plan

Effective Date: Immediately

Protocols Prior to Re-Opening American Job Centers (AJC)

This guidance, formulated with input from all partners listed in the Upper Cumberland's Local Workforce Development Board's Memorandum of Understanding, will establish the recommendations for re-opening and operating the American Job Centers following the COVID-19 pandemic. The One-Stop Operator (OSO) will communicate requirements outlined in this plan to all partner staff in the Upper Cumberland. Oversight for training and plan implementation will be a function of the OSO with input and support from the UCLWDB staff to the Board.

Current Operations: The Upper Cumberland Local Workforce Development Areas (UCLWDA) is currently operating under the Unified AJC Services Plan for Upper Cumberland LWDA. See attached copy. The LWDA will continue to operate under this guidance until June 1, 2020.

Planning Phase:

The Upper Cumberland will utilize data from the Tennessee Department of Health to establish a phased re-opening approach. This data-driven process will be continually analyzed before moving through planned re-opening phases. If data indicates it is unsafe in the area of the AJC, the planned opening will be delayed until data confirms the area safe for business operations.

1). Communication Plan

In collaboration with the Tennessee Department of Labor and Workforce Development, a series of press releases will be submitted to newspapers within the 14-county area that makes up the Upper Cumberland LWDA. These press releases will be submitted for publication so that they coincide with the phased re-opening plan established by the AJC partners and will provide specific information on processes, services offered, AJC capacity, and expected screening protocols. A distinction between the AJC and the services provided by the staff located therein and Unemployment Insurance services will be clearly communicated through the press releases, social media and radio. Marketing flyers will be distributed to coincide with the phased re-opening to all county mayors, partner staff, chambers of commerce, the LWDA/AJC website, and the general public. Planned openings and closing of the AJCs will be communicated to Workforce.Board@tn.gov for updating AJC availability on <https://www.tn.gov/workforce>.

Site Contamination Communication Plan – A contingency communication plan will be developed should any AJC become contaminated. The plan will communicate that the site will be closed for a minimum of 14 days, sanitization process, and protocols for re-opening. The OSO will be responsible for notifying all partners and staff to the board. The communication plan established for the Unified AJC Plan will be used for that process.

2) Orientation and Training for AJC staff

Prior to opening any AJC, all staff (listed in the MOU) will receive training on the new protocols, established in their re-opening plan. The training will consist of an explanation of the plan, how to serve customer, safety protocols, sanitation processes, communication plans, proper use of personal protection equipment, social distancing protocols for the AJC, screening protocols for the AJC and security, and contingency plans for closure should a site become contaminated. The OSO with input and oversight from

staff to the board will conduct the training May 21, 2020 between the hours of 9 – 11 am. via Google Meet. The De-escalating Customers/Clients PowerPoint provided by the TNDLWD has been distributed to all partners with the requirement that the information be reviewed and an email sent to the OSO indicating that the partner has read and understands the material.

Re-Opening American Job Center Protocols

Sanitization

Cleaning Schedule – Prior to the opening of all Upper Cumberland AJCs, each center will undergo a deep cleaning by a cleaning service vendor prior to the June 1 re-opening date. Dates and time vary by comprehensive and affiliate sites. The landlords of all affiliate sites have been contacted and have provided cleaning protocols established for their locations. The OSO has confirmed via email that CDC standards for cleaning will be observed. The two comprehensive sites will continue to have deep cleaning on a weekly basis, as well as, daily personal equipment cleaning by individual staff. Staff in affiliate sites will also conduct daily personal equipment cleaning and will abide by the cleaning schedule established by their respective landlords.

Hand Sanitizing Stations – Hand sanitizing stations will be placed throughout the facility – Welcome Center, bathrooms, breakroom, copier stations, etc.

Use of Public Equipment – Any equipment used by the public (resource room computers, copiers) or multiple individuals (copier stations, Welcome Center equipment) will be sanitized after each use. The use of public spaces such as breakroom and vending machines will be restricted during Phases I and II to mitigate the possibility of contamination. The use of public spaces as previously described will be limited during Phase III. Water fountains will be closed until Phase IV.

Dedicated Staff for Maintaining Sanitization Protocols – The Upper Cumberland intends to utilize the funds from the National Dislocated Worker Grant to employ dislocated workers to assist partner staff in the maintenance of sanitization protocols in common areas at both comprehensive sites - sanitizing public equipment after each use, maintain social distancing guidelines, refilling hand sanitizing stations, and general common space sanitizing. The OSO will establish and monitor these duties for each AJC.

Personal Protective Equipment

Masks – Partners will be required to wear masks while inside the AJC. Each partner will be provided with three cloth masks. Masks will be provided to the general public. While not required, mask use will be strongly encouraged.

Protective Barriers – Plexiglas protective barriers will be installed in all high traffic areas. Partners will be provided with Plexiglas protective barriers for their work stations. These protective barriers will be sanitized on a daily basis and will be considered personal equipment.

Gloves – Partners will be provided gloves for use when sanitizing equipment and handling documents from participants.

The expense for PPE will be covered through the supplies portion of the Infrastructure Funding Agreement as appropriate.

Customer Experience

Establishment of Social Distancing - To ensure social distancing protocols (six feet of separation) are followed, visual distance cues such as general signage and demarcation lines on the floor will be posted. Lobby chairs have been removed so that the remaining chairs are spaced six feet apart. Resource room computers have been inactivated and chairs removed at the inactive stations so that the remaining computer stations can safely be utilized within the six feet of separation distance. The large conference room will be utilized for customer appointments since cubicles do not allow for the mandated six feet of separation.

Check-In Kiosks – Kiosks will not be utilized by the general public in order to mitigate the possibility of contamination. In order to allow customers to wait in their vehicles until their designated appointment time, a staff member dedicated for this purpose will enter all check in information on the kiosk for both comprehensive sites. Affiliate sites will be checked in by staff members through their computers. This method will create a queue of customers and assist in maintaining an orderly approach to crowd control.

Security – For the protection of staff members and AJC customers, the LWDB has established safety protocols. This includes fire safety, evacuation plans, and the presence of security personnel. The Cookeville AJC is co-located with the Tennessee Bureau of Investigation. Increased observation and presence will be requested by this agency at the Cookeville location. In anticipation of large crowds, irate customers, and potential threats at all sites, additional law enforcement presence and patrols will be requested for each comprehensive and affiliate. The De-escalating Customers/Clients PowerPoint provided by the TNDLWD has been distributed to all partners with the requirement that the information be reviewed and an email sent to the OSO indicating that the partner has read and understands the material.

The OSO in partnership with the Title III Team Lead provided active shooter training (ALICE) for all partners at a recent quarterly training.

Quotes from third party security are being secured. Ability to provide this service will depend on whether funding grants are made available.

Full Access to Service – The opening of the AJC will allow for customers to have full access to all services whether virtually or in person. Staff members will be provided a list of core program services and how to access these services including meaningful assistance with Unemployment Insurance. Staff will be clearly instructed that they should NEVER tell a customer they cannot assist them with a core service or that the funding is not available if the participant meets eligibility requirements for a program.

AJC Hours – The available hours for the AJC will be clearly communicated through press releases and social media templates to all stakeholders including but not limited to: the general public, county mayors, AJC partners, and board members. Once the volume of customers has been assessed, extended hours or specialized hours for vulnerable populations may be put in place.

AJC Capacity - The capacity guidelines based on the six feet of separation guidelines for each AJC in the Upper Cumberland is as follows:

Putnam	6 participants + staff
Cumberland	6 participants + staff
Warren	1 participant + staff
White	1 participant + staff
Dekalb	1 participant + staff
Smith	1 participant + staff
Overton	1 participant + staff
Fentress	1 participant + staff
Macon	1 participant + staff

As discussed in a previous section of this plan, each AJC will develop a protocol which allows participants to wait in vehicles until their designated appointment time.

Screening Protocols - Screening protocols have been established to prevent potentially infected individuals from entering the AJC. A no-touch thermometer has been purchased and will be used at all locations to identify individuals with a fever (100.4F+). Anyone with a fever will not be allowed into the AJCs for the safety of all staff and customers.

Google Survey will be utilized for daily screening of AJC staff. Due to HIPPA only the OSO and the Executive Director will have access to the survey. Each staff member will answer the following questions.

- 1) Have you been in close contact with a confirmed case of COVID 19?
- 2) Are you experiencing a cough, shortness of breath, or sore throat?
- 3) Have you had a fever in the last 48 hours?
- 4) Have you had a new loss of taste or smell?
- 5) Have you had vomiting or diarrhea in the last 24 hours?

If an employee answers yes to any of the above questions, or has a fever, they will be immediately informed to seek medical attention. These individuals will not be allowed in the AJC until written return to work statements have been provided by a medical professional.

Mental Health – The Upper Cumberland has entered into a partnership with Volunteer Behavioral Health through an MOU. The MOU establishes services provided and a physical office space designated within the Cookeville AJC for a mental health specialist at minimum of 1 day per week. Protocols for a "warm-hand-off" will be reviewed with all AJC staff.

Liability – Liability will be premised on someone suffering an injury/sickness that should have been reasonably foreseeable. The following guidelines will be followed to mitigate the liability of re-opening the AJCs.

- 1) Prevent opening of the American Job Centers until the Governor and public health officials state it is safe to continue business operations.
- 2) Take all reasonable steps to clean surfaces for lingering virus prior to opening to staff/public.
- 3) Keep distance intervals in place for staff and customers.
- 4) Immediately shut down any facility where a known risk is identified. This would include the identification of a staff member or customer who has been in the facility and is known to have contracted the COVID 19 virus (or any serious contagious disease). The facility will

remain closed for a minimum of fourteen calendar days, and will undergo a deep cleaning/sanitization.

- 5) Any staff/customer who may have come in contact with an infected person will be instructed to seek testing by directing them to the nearest testing facility. If testing is refused or a positive result is reported, the staff member or customer will be prevented from entering the AJC for a minimum of 14 days. The employer's established sick leave policy will be used if a staff member cannot enter the facility.
- 6) The LWDB will follow all guidance provided by the Tennessee Department of Labor and Workforce Development and the guidance provided by the CDC on reopening guidelines for business at <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html>.

Phase I

Appointment Only (June 1, 2020 – June 15, 2020)

Data from the Tennessee Department of Health indicates that the number of COVID 19 cases continues to rise in the Upper Cumberland with anticipated peak dates of mid to late July. Based upon this information the LWDB and its partners will return to the AJCs on June 1 with all AJC services to customer continuing as specified either virtually or by phone as specified in the Unified Plan submitted to TNDLWD staff.

The two-week period of June 1 – June 15 will be utilized as follows:

1. Allow time for partners to assess whether pre-determined protocols are a best practice or an adjustment is needed.
2. Scheduling protocols for appointments will be established based upon AJC capacity and partner availability.
3. Staff will also have time to adjust to daily reporting screening data which will alleviate some of the stress of adjusting to a new environment.
4. Safety protocols can be reviewed and practiced on site.
5. Discuss the possibility of a "buddy system" as recommended by state staff.
6. Continue to monitor data on the number of COVID 19 cases.

Individual, on-site appointments will begin on June 15 with the doors to the AJC remaining locked. This includes appointments for use of the resource room. Customers will be encouraged to bring their personal PPE with them for their appointment. Screening and sanitization protocols described earlier in this plan will be fully operational. The hours of operation for all partners during Phase I, with the exception of Title III staff, will be 8 am – 4:30 pm. These hours will be continually reviewed and adjusted as needed based upon customer flow and demand. Partner feedback will determine the need of providing adjusted hours for customers with children and special needs due to health conditions. Title III will continue to operate on the 7 am – 7 pm schedule until directed otherwise by state staff.

A maximum of 3 customers in the resource room and 3 customers meeting with partner staff will be allowed in the comprehensive AJCs during this time. Due to the six feet apart distancing guidelines, a maximum of 1 participant per affiliate site will remain in effect until full operations are resumed.

Transition from Phase I to Phase II will be based upon data provided by the Tennessee Department of Health and in partnership with each county mayor. A significant upward trajectory as described by the CDC at <https://www.whitehouse.gov/openingamerica/> will require a re-evaluation of the plan before transitioning to Phase II.

Phase II

All Partner Services with Limited Building Capacity (July 1, 2020 – July 14, 2020)

The LWDB will provide notification of the transition from Phase I to Phase II to workforce.services@tn.gov by June 22, 2020.

Customers will be encouraged to bring their personal PPE with them for their appointment. Screening and sanitization protocols described earlier in this plan will be fully operational. The hours of operation for all partners during Phase I, with the exception of Title III staff, will be 8 am – 4:30 pm. These hours will be continually reviewed and adjusted as needed based upon customer flow and demand. Partner feedback will determine the need of providing adjusted hours for customers with children and special needs due to health conditions. Title III will continue to operate on the 7 am – 7 pm schedule until directed otherwise by state staff.

Transition from Phase II to Phase III will be based upon data provided by the Tennessee Department of Health and in partnership with each county mayor. A significant upward trajectory as described by the CDC at <https://www.whitehouse.gov/openingamerica/> will require a re-evaluation of the plan before transitioning to Phase III.

Phase III

All Partner Services with Increased Building Capacity (July 15, 2020 – August 4, 2020)

The LWDB will provide notification of the transition from Phase II to Phase III to workforce.services@tn.gov by July 6, 2020.

The hours of operation for all partners during Phase III, with the exception of Title III staff, will be 8 am – 4:30 pm. These hours will be continually reviewed and adjusted as needed based upon customer flow and demand. Partner feedback will determine the need of providing adjusted hours for customers with children and special needs due to health conditions. Title III will continue to operate on the 7 am – 7 pm schedule until directed otherwise by state staff.

Transition from Phase III to Phase IV will be based upon data provided by the Tennessee Department of Health and in partnership with each county mayor. A significant upward trajectory as described by the CDC at <https://www.whitehouse.gov/openingamerica/> will require a re-evaluation of the plan before transitioning to Phase IV.

Phase IV

Full Operations (August 5, 2020)

The LWDB will provide notification of the transition from Phase III to Phase IV to workforce.services@tn.gov by July 27, 2020.

The hours of operation for all partners during Phase IV will return to pre-pandemic hours during this phase. Sanitization protocols will remain in place.

A significant upward trajectory as described by the CDC at <https://www.whitehouse.gov/openingamerica/> will require a re-evaluation of the plan and may result in a return to one of the phases previously described.

Challenges or Concerns to Re-Opening

Anticipated challenges or concerns associated with re-opening the AJCs include:

- Funding for increased cleaning services
- Continual purchases of PPE
- Shortages of PPE
- Funding for PPE
- Funding for security
- Privacy protocols
- Mental and physical health of partner staff
- Need for increased AJC staff
- Planning for the anticipated cyclical return of COVID 19 in the fall

X


Randy Porter

CLEO

X


Stephen Crook

UCLWDB Chairman

ATTACHMENT 4

Upper Cumberland
Local Workforce Development Board
POLICIES AND PROCEDURES

Title: AMERICAN JOB CENTERS INITIAL ASSESSMENT POLICY
Date of Adoption: 9-25-18

PURPOSE: This policy establishes guidance to carry out an effective intake, initial assessment, and determination of appropriate programs which will result in employment for participants utilizing services offered by the American Job Center (AJC).

POLICY: A key service provided in the AJC system is the initial assessment of a participant's knowledge, skills, and abilities to support that participant's employment goal. The initial assessment determines needs and strategies to achieve sustainable employment. It also serves as a basis for training and supportive services which are determined on an analysis of information gathered from the participant during the intake process. This assessment allows the service provider to indicate what services the participant needs and where applicable, should include referrals to appropriate partner staff and agencies.

Any individual seeking employment or training services in the AJC will receive an Initial Assessment on the day they first receive service from staff. These individuals must, at a minimum, receive an interview during which time a *Common Intake Form* (form attached to this policy) is completed by a Welcome Function staff person. This initial intake will assist in determining the individual's needs, goals, and services to be delivered. The next step should be assisting the individual with creating an account in Jobs4TN. The *Common Intake Form* will be uploaded to the participant's account in Jobs4TN. Referrals to the appropriate partner staff can take place at any point after the *Common Intake Form* has been completed.

INSTRUCTIONS:

- a. Initial Assessment – A key service provided in the AJC system is the initial assessment of a participant's knowledge, skills, and abilities to support their employment goal. The

Initial Assessment determines the participant's needs and is the basis for creating a service plan. Information gathered for the initial assessment will include:

- i. Determine if participant is job ready
- ii. Determine if barriers exist, and if present, what additional services may be provided for success
- iii. Determine appropriate partner staff referrals
- iv. Determine participant's skills, abilities, and interests
- v. Determine participant's goals

b. Initial Assessment Process – Each step of the participant's assessment process will gather information useful to provide the best possible service strategy. Staff will use the assessment to learn about the participant's occupational goals, existing skills, and work readiness to determine if any barriers to employment are present.

- i. Occupational Goal Evaluation – analyze participant's goal for established in-demand occupation for the current local labor market. If participant has an unclear or unfavorable career goal, career development services are offered.
- ii. Analyze participant's work history and experience.
- iii. Determine participant's occupational skills and abilities, including any transferrable skills
- iv. Assess participant's current level of education and determine if sufficient to reach career goal.
- v. Consider service needs such as the desire to pursue training or education and provide information accordingly. Information regarding training or education services is provided so that the participant can make informed decisions regarding career paths.
- vi. Determine if the participant has barriers to employment. Available service options for barriers will be assessed at this point.
- vii. Determine the participant's next steps, which may include a comprehensive assessment and the development of an individual employment plan, co-enrollment of programs and/or referral to partner agencies.

c. Job Search Skills Assessment – Evaluation to determine a participant's planning, preparation, and job seeking skills.

- i. Review participant's resume for necessary updates
- ii. Review participant's interview and communication skills
- iii. Assist with job search plan and abilities
- iv. Assess participant's basic computer skills and access to online job searches
- v. Evaluate participant's motivation to find work
- vi. Assess participant's willingness to enhance job search skills

d. Services - Based on the information provided through the Initial Assessment, Initial Assessment Process, and Job Search Skills Assessment, the Provider will determine the next level of service. Where continued services are necessary, a comprehensive assessment and individual employment plan may be developed. Where supportive services are needed, referrals to appropriate partner programs will be made. With partner coordination, the following training may be provided:

- Work-based training skills with instructions
- Occupational skills training
- On-the-Job training
- Skills upgrade
- Customized training
- Training in a registered apprentice program

For questions regarding this policy, contact Becky Hull, Executive Director, Upper Cumberland Local Workforce Development Board at bhull@ucworkforce.org

Attachments: Common Intake Form

Effective Date: September 25, 2018

Policy Duration: Indefinite



Board Chairperson, UCLWDB



Common Intake Form

Tell us a little about you:

Name _____ Age 16-24 25 or older

Address _____

Email _____ Phone: _____

Gender Male Female Prefer not to answer

Ethnicity Hispanic American Indian Black
 Asian White Prefer not to answer

Veteran Status Veteran Qualified Spouse of Veteran
 Transitioning Service Member Not a Veteran

Authorized to work in the U.S. U.S. Citizen Resident Alien
 Refugee Work Authorization

Do you have a disability? Yes No Prefer not to answer

Work Status Employed Unemployed Rec'd notice of termination or military separation

How did you hear about us? _____

Were you laid off from your most recent job? Yes No
If yes, which company? _____

Are you currently receiving or have you received Unemployment Insurance? Yes No

Are you interested in completing a certification or training program? Yes No

Financial Assistance - Please check all forms of assistance you've received in the last 6 months

TANF SNAP (Food Stamps) Refugee Assistance
 SSI Alimony Assistance Household Income: _____

Number in household: _____





Common Intake Form - Cont.

Barriers to Employment - Please check all that apply

- Checkboxes for: Lack HISET or HS Diploma, Has HISET/GED, Homeless, Offender, Lack Job Skills, Other

Education Level

- Checkboxes for: HS Diploma, Some College, Associates, Bachelor, Masters, Doctorate, None

What is the primary reason for your visit? _____

For Official Use Only

Staff Assisting: _____ Date _____

- Referred to: Title I (WIOA), Youth CAN, SNAP E & T, Voc Rehab, Adult Education, Title V, Trade, Dress for Success, TANF, RESEA, LVER, DVOP, TOPS, Resource Room, Other



Common Intake Form

Tell us a little about you:

Name _____ Age 16-24 25 or older

Address _____

Email _____ Phone: _____

Gender Male Female Prefer not to answer

Ethnicity Hispanic American Indian Black
 Asian White Prefer not to answer

Veteran Status Veteran Qualified Spouse of Veteran
 Transitioning Service Member Not a Veteran

Authorized to work in the U.S. U.S. Citizen Resident Alien

Refugee Work Authorization

Do you have a disability? Yes No Prefer not to answer

Work Status Employed Unemployed Rec'd notice of termination or military separation

How did you hear about us? _____

Were you laid off from your most recent job? Yes No
If yes, which company? _____

Are you currently receiving or have you received Unemployment Insurance? Yes No

Are you interested in completing a certification or training program? Yes No

Financial Assistance - Please check all forms of assistance you've received in the last 6 months

TANF SNAP (Food Stamps) Refugee Assistance
 SSI Alimony Assistance Household Income: _____

Number in household: _____





Common Intake Form - Cont.

Barriers to Employment - Please check all that apply

- Barriers to Employment checkboxes: Lack HiSET or HS Diploma, Has HiSET/GED, Homeless, Offender, Lack Job Skills, Other

Education Level

- Education Level checkboxes: HS Diploma, Some College, Associates, Bachelor, Masters, Doctorate, None

What is the primary reason for your visit? _____

For Official Use Only

Staff Assisting: _____ Date _____

- Referred to checkboxes: Title I (WIOA), Youth CAN, SNAP E & T, Voc Rehab, Adult Education, Title V, Trade, Dress for Success, TANF, RESEA, LVER, DVOP, TOPS, Resource Room, Other

ATTACHMENT 5

**Upper Cumberland
Local Workforce Development Board
POLICIES AND PROCEDURES**

Title: PROCUREMENT POLICY
Date of Adoption: 05-29-19

PURPOSE: This policy communicates methods of the Upper Cumberland Local Workforce Development Board (hereinafter referred to as “UCLWDB”) in the procurement of goods and services obtained with Workforce Investment Opportunity Act (WIOA) funds and sets forth the requirements provided by the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Rule Title 2 of the Code of Federal Regulations, 2 CFR 200; State of Tennessee Procurement Procedures Manual; and the WIOA Supplementary Financial Guide.

BACKGROUND: WIOA Section 184(a)(3)(A) requires that each State (including the Governor of each State), local area (including the chief local elected official), and provider receiving funds under this title comply with the appropriate uniform administrative requirements for grants and agreements applicable for the type of entity receiving the funds, as promulgated in circulars or rules of the Office of Management and Budget (OMB).

OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Rule Title 2 of the Code of Federal Regulations, 2 CFR 200 supersedes and streamlines requirements from OMB Circulars A-21, A-87, A-110, A-122, A-89, A-102, A-133 and the guidance in Circular A-50 on Single Audit Act follow-up. 2 CFR 200, also referred to as the “Super Circular,” consolidates the guidance previously contained in the aforementioned citations into a streamlined format that aims to improve both the clarity and accessibility of the guidance.

POLICY:

Section I - Appropriate Use of Funds

Section I.I - General Standards of Ethical Conduct

The UCLWDB is almost entirely grant funded, requiring most of the funds received be for specific, limited purposes or are subject to restrictions by a governing body. The UCLWDB uses all funds, regardless of type, in a manner consistent with applicable federal and state laws and regulations, UCLWDB policies, and other restrictions or designation governing their use. Funds received by the UCLWDB will be expended for ordinary and reasonable business-related expenses that support the UCLWDB's mission.

Section I.II – Conflict of Interest

Any attempt to realize personal gain through public employment, inconsistent with the responsible discharge of that public employment, is a violation of public trust. 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 matter pertaining to the award of a contract or subcontract in which he or she may have a conflict of interest. The UCLWDB's Conflict of Interest Policy provides 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/she has a real, perceived, or potential conflict of interest. Conflicts of Interest must be disclosed in writing when known in advance or announced to the voting body. The party must recuse himself/herself from any further discussion and/or vote on the matter in question. Violations of such standards are subject to disciplinary actions provided in the UCLWDB's Conflict of Interest Policy. *(See UCLWDB Conflict of Interest Policy)*

Section II - Purchasing and Procurement

Section II.I – General Procurement Guidelines

The UCLWDB, the fiscal agent for the Upper Cumberland Local Workforce Development Area (LWDA), adheres to the following guidelines to procure good and/or services. 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 Unallowable Costs, Including Food) and Workforces Services Policy- Workforce Services (Property Management)-WIOA.

The UCLWDB will use documented procurement procedures that reflect State and local laws and regulations, provided that the procurements conform to applicable Federal law and standards identified in 2 CFR Parts 200.317 through 200.326.

The UCLWDB's procurement procedures will avoid acquisition of unnecessary or duplicative items and promote cost-effective use of shared services by entering into state and local intergovernmental agreements for procurement or use of common or shared goods and services where appropriate. The UCLWDB will use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

Section II.II - Methods of Procurement:

- (1) Small Dollar Purchases- Non-recurring purchases totaling less than \$10,000.00 cumulatively in expenses may be made without documenting quotes or proposals from multiple vendors. All small dollar purchases should be approved prior to purchase by the UCLWDB Fiscal and Executive Directors.
- (2) Informal Competitive Solicitations- Purchases totaling less than \$50,000.00 in expense may be based upon written, telephone or electronic bids. For purchases totaling \$10,000.00-\$49,999.99, quotes must be solicited from at least three (3) vendors. A current website, electronic quote, catalogue, price list, or price available at retail to the general public may count as a quote. Quotes must be sufficiently documented within the procurement file. The selected quote must be approved by the UCLWDB Executive Committee prior to purchase.
- (3) Formal Competitive Solicitations- A formal sealed bid solicitation process shall be used when the estimated aggregate total of the expense is \$50,000 or more, including renewal terms of multi-year awards. This formal competitive process will be conducted by issuing a Request for Proposals (RFP). UCLWDB procurement professionals should consult the UCLWDB Procurement Manual when conducting a formal solicitation process. **All awarding contracts must be approved by majority vote of UCLWDB members.**

Excepted from the above are:

- (1) Cost-Reimbursement Only- Procurement transactions between UCLWDB and units of state and local government which shall be conducted on cost-reimbursement basis only. (WIOA Sec. 184(a)(3)(B))
- (2) Sole Source Purchase- A Sole source purchase available from only a single supplier. Written justification and supporting documentation for Sole Source purchases must be submitted for approval by the Executive Director.
- (3) Emergency Purchases- Emergency purchases do not include conditions arising from neglect or indifference or failure to anticipate normal needs. Request for an emergency purchase should be made to the UCLWDB Budget Committee by the Executive Director accompanied by detailed documentation of the need for emergency request.

Section II.III - Competitive Procurement

All competitive procurement transactions will be conducted in a manner providing full and open competition consistent with the standards provided in 2 CFR 200.319. 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. The UCLWDB procurement transactions will contain no requirements that unduly restrict competition as specified in 2 CFR 200.319(a) and (b).

The UCLWDB procurement procedures will ensure that all solicitations:

- 1) incorporate a clear and accurate description of the technical requirements for the material, product(s), or service(s) to be procured in a manner that does not duly restrict competition, and
- 2) identify all requirements that the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

The UCLWDB will ensure that all prequalified lists of persons, firms, or products, that are used in acquiring goods and service are current and include enough qualified sources to ensure maximum open and free competition. The UCLWDB will not preclude bidders from qualifying during the solicitation period.

When conducting competitive proposals, the following requirements apply:

- 1) Requests for proposals must be publicized on the UCLWDB website as well as applicable legal publications and identify all evaluation factors and their relative importance. Efforts will be made to make the RFP as widely available as possible. Any response to publicized requests for proposals must be considered to the maximum extent feasible;
- 2) Proposals must be solicited from an adequate number of qualified sources;
- 3) The UCLWDB will follow the TDLWD's methods for conducting technical evaluations of the proposals received and for selecting recipients;
- 4) Contracts will be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.
- 5) UCLWDB procurement professionals will follow the UCLWDB Procurement Manual in conducting procurement processes and procedures.

All Requests for Proposals (RFPs) that contain requests for One-Stop Operators and Career Service Providers must include the duties set forth in 20 CFR 678.620 which are adopted in the State of Tennessee's Regional and Local Planning policies, as well as the State's One-Stop Delivery and Design System policy. Both the selection of One-Stop Operator and Career Service Provider must be competitively procured, either as one combined or two separate RFPs. The UCLWDB will follow all federal, state, and local competitive procurement requirements in this selection process. Additionally, The UCLWDB will follow the Tennessee State Guidelines for Local Workforce Development Boards One-Stop Operator and Career Services Provider Procurement as well as the Evaluator Training Guide developed and provided by the Tennessee Central Procurement Office.

All efforts will be made to actively solicit goods and services from minority-owned, woman-owned, service-disabled veteran-owned, businesses owned by persons with disabilities, and small businesses when possible.

Section III - Contracts and Invoicing

Section III.I – General contractual guidelines

The UCLWDB will maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. A contract management system will be maintained to monitor all UCLWDB contracts. The UCLWB will 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:

- 1) contractor integrity;

- 2) compliance with public policy;
- 3) record of past performance; and
- 4) financial and technical resources.

The UCLWDB will maintain records sufficient to detail the history of procurement. These records will include but are not limited to:

- 1) rationale for the method of procurement;
- 2) selection of contract type;
- 3) basis for contractor selection or rejection, and
- 4) the basis for the contract price.

Section III.II – Contract Method and Financial Reporting

The financing of the WIOA program will be on limited advance or reimbursement basis, in accordance with procedures established by the Tennessee Department of Labor and Workforce Development. **The Sub recipient or contractor shall not retain funds which exceed immediate cash needs.**

- A. All claims reimbursements (drawdowns) will be submitted via Grants4TN. Drawdown requests must be received by the TDLWD by noon on Friday two weeks prior to the expected payment date.
- B. Disbursements will be processed and credited to the appropriate bank by ACH transfer or journal voucher, depending on the entity requesting the funds.
- C. In order to report WIOA program costs, local grant recipient or contractor shall prepare the Monthly Accrual Expenditures Report in accordance with the procedures established by the TDLWD. These reports must be submitted on an accrual basis to conform to requirements and negotiated items set forth in the contract.
- D. Accurate and timely submittal of information is critical to UCLWDB and TDLWD financial functions. All required reports, to include drawdown request, monthly ACCRUAL expenditure reports, contract closeout packages, and other required reporting must be submitted timely. Failure to meet reporting requirements may result in remedies for noncompliance (2 CFR 200.338) including but not limited to:
 - i. Temporary withholding of cash payments pending correction of the deficiency
 - ii. Disallow all or part of the cost of the activity or action not in compliance
 - iii. Whole or partial suspension of the award

Section III.III– Sub-Contractor Financial Management

Sub-contractors who have received an award from the UCLWDB will exercise sound financial systems to allow for effective control and accountability of all funds, property, and other assets to ensure they are used solely for authorized purposes.

- A. Accounting systems shall meet and follow generally accepted accounting principles.
- B. Accounting systems shall be supported by source documentation, which identifies the source and use of contract funds.

- C. Accounting systems shall follow consistent rules for aggregation of detailed data to summary level.
- D. Written procedures shall be in place for determining reasonableness, allowability, and allocability of contract costs.
- E. Accounting records may be maintained on a cash or accrual basis. If the records are maintained on a cash basis, the grantee or subgrantee must maintain a set of linking records, typically accrual spreadsheets, so that the reported costs are traceable during monitoring or auditing to the official accounting records or books of account. For reporting purposes only, financial data shall be submitted on an accrued expenditure basis. An accrued expenditure is expenses incurred for services and (or) products used, but an invoice has not been received or payment is not made to the supplier of services or products by the end of the reporting month

Section IV - Allowable Costs

Section IV.I – General Cost Requirements

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.

The UCLWDB and subrecipients must comply with the federal allowable cost principles that apply to their organization (CFR 97.22). When utilizing WIOA funds, all costs must be considered reasonable and necessary. The reasonability of costs shall be determined based upon the limitations of funds and applicable federal cost principles as set forth in *Tennessee Department of Workforce Services Policy-WIOA Allowable and Disallowed Costs, Including Food (TN WIOA 17-1)*. Per CFR 200.403, costs must meet the following general criteria in order to be allowable under Federal awards:

- (A) Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.
- (B) Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amounts of cost items.
- (C) Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the non-Federal entity.
- (D) 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.
- (E) 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.

- (F) 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).
- (G) Be adequately documented. See also §200.300 Statutory and national policy requirements through 200.309 Period of performance of this part.

When determining if WIOA funds should be expended, the following questions should be asked:

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

Section IV.II – Travel

The costs 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.

Section IV.III – 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 circumstance. When attending meetings and conferences, UCLWDB employees may be reimbursed the costs of meals if the costs is of a type generally recognized as ordinary and necessary.

When sponsoring a meeting or conference, the UCLWDB may provide light refreshments to employees and members attending. The costs 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. The validating documentation should specify which subjects were discussed, a list of participants, and an itemized and dated receipt for meal costs.

Section IV.IV – 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.

Section IV.V – Disallowed Costs

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

- (1) Legal expenses
- (2) Construction costs or capital expenditures
- (3) Public service employment, except where authorized under Title 1 of WIOA
- (4) Employment-generating activities
- (5) Wages of Incumbent Workers during participation in economic development provided through the state workforce system
- (6) Foreign travel or first-class airline tickets
- (7) Employment or training programs for sectarian activities
- (8) Expenses prohibited under any other federal, state, or local law or regulation
- (9) Costs of entertainment (tickets to shows or sporting events, gratuities, etc.)
- (10) Contributions, donations and sponsorships

Section IV. VI - Suspension and Debarment (2 CFR 2900)

The UCLWDB and its contractors are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR part 180. These regulations restrict awards, sub-awards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance or activities.

ATTACHMENTS: None

EFFECTIVE DATE: May 29, 2019

DURATION: Indefinite

CONTACT: For questions regarding this policy, contact Becky Hull, Executive Director, Upper Cumberland Local Workforce Development Board at bhull@ucworkforce.org



Board Chairperson, UCLWDB

ATTACHMENT 6

Contractual Obligations of One-Stop Operator within the Upper Cumberland

(A) Oversee management of all area One-Stop Centers and service delivery. The One-Stop Operator (OSO), under contract with Upper Cumberland Local Workforce Development Board (UCLWB), will oversee the daily management and delivery of service in the AJCs within the Upper Cumberland LWDA. Responsibilities include:

- i. Oversee One-Stop property, including buildings and equipment. OSO will report any maintenance or building issues to the UCLWDB Executive Director.
- ii. Facilitating appropriate changes and/or maintenance to assure the One-Stop property presents a professional atmosphere for job seekers, employer and partner customers, and is conducive to AJC activities.
- iii. Observing and addressing any concerns to assure the staff present as professional, (i.e., appearance, conduct and service to customers).
- iv. Providing functional direction and supervision of the AJC partner staff located at the centers in coordination with Supervisors/Team Leads, including:
 - a. Scheduling appropriate coverage of customer needs during regular, holiday and/or extended hours, as needed;
 - b. Implementing work schedules for shared responsibilities (customer flow, workshops, assessments, etc.) that are fair and equitable to all AJC partner staff and meet the needs of customers;
 - c. Providing leadership and guidance to encourage AJC partner staff to function as a team;
 - d. Addressing deviations from functional supervision with ACJ partner staff, seeking to resolve with their respective supervisor; and
 - e. Evaluate services being provided at the AJCs to ensure that all required services (as mandated by State and Federal laws) are being provided at or through the Centers.
 - f. Evaluate various customer experiences (including but not limited to employers, jobseekers, and partner staff).
- v. Coordinating the continuing good standing of AJC Certification status as directed by the UCLWDB Executive Director.
- vi. Provide OSO services at all area AJCs, including affiliate and access points, and assure partner coordination of AJC and community services for referral of customers.
- vii. Ensure that all services are being provided in a manner consistent with any local, regional, or state plans created or certified by the UCLWDB.
- viii. Ensure meaningful access to all customers by incorporating the principles of a customer-centered design. This includes, but is not limited to, flexible space usage, the use of pictorial, written, verbal, and tactile modes to present information for customers with disabilities and English language learners; and providing recommendations to the UCLWDB for necessary accommodations and adequate space for the use of assistive devices and adaptive technologies.
- ix. Overseeing full implementation and use of State systems by all Local Workforce Development partners as appropriate in accordance with the UCLWDB's Electronic Case Files Policy and the TDLWD's Electronic Case Files Guidance and the Tennessee Workforce Services Memorandum-Timeliness and Accuracy of Reporting- WIOA dated April 16,2018.
- x. Managing fiscal responsibility for the system or site, ensuring that sufficient documentation to collaborate and support expenditures for participants is uploaded into Jobs4TN/VOS/Concur Management System, as determined and directed by the UCLWDB.
- xi. Evaluating performance (as indicated in the TDLWD Incentives and Sanctions Policy).

- xii. Planning and reporting responsibilities:
 - a. Prepare and submit to the UCLWDB Executive Director a monthly report of new enrollments regarding target performance and service levels.
 - b. Coordinate with UCLWDB Fiscal Agent to prepare and submit to the UCLWDB Executive Director a quarterly report of participant expenditure by program (Adult, Dislocated Worker, Youth, RESEA or Title V (SCSEP)).
 - c. Coordinate with the UCLWDB Fiscal Agent to review and submit a monthly report detailing reconciliation of expenses and activities between the Jobs4TN and Grants4TN systems to the UCLWDB Executive Director.
 - d. Prepare and submit to the UCLWDB Executive Director a quarterly report of customer satisfaction (including at a minimum, individuals, employers, and partner staff) as a result of survey(s) being conducted.

(B) Evaluate Performance (as identified in the Performance Measures Section) and implement required actions to meet performance measures. *Note: This does NOT include performance negotiations, as this is specifically a local board function.* Mid Cumberland Human Resource Agency will be expected to meet or exceed negotiated performance levels. Rigorous quality assurance mechanism will be developed by the UCLWDB to ensure attainment of performance measures.

The One-Stop Operator will evaluate performance of comprehensive and affiliate sites by:

- i. Developing a working knowledge of WIOA Performance Measures for all AJC partners, including how they correlate for overall performance of local and regional goals;
- ii. Developing a working knowledge of the State data information system, Virtual One Stop (VOS), used to record data and extract reports as needed;
- iii. Prepare and analyze reports related to One-Stop services for the UCLWDB, including but not limited to:
 - a. Overall Traffic counts via VOS Greeter
 - b. Customer sign-in to specific partners via VOS Greeter
 - c. Participant registrations via VOS Greeter
 - d. Case Notes for participants via VOS
 - e. Activities for participants via VOS
 - f. Co-enrollments for participants via VOS
 - g. Prepare and submit to the UCLWDB Executive Director a monthly report of new enrollments regarding target performance and service levels
 - h. Coordinate with UCLWDB Fiscal Agent to prepare and submit to the UCLWDB Executive Director a quarterly report of participant expenditures by program (Adult, Dislocated Worker, Youth, RESEA and Title V (SCSEP))
 - i. Prepare and submit to the UCLWDB Executive Director a quarterly report of customer satisfaction (to include at a minimum, individuals, employers, and partner staff) as a result of survey(s) being conducted.
- iv. Coordinating with the UCLWDB Executive Director to develop formats and issue reports to reflect current status towards expected performance standards, monitoring, new enrollees, monthly service levels, compliance with data validation, and any other reports deemed necessary by the UCLWDB Executive Director.

(C) Evaluate various customer experiences (including but not limited to employer, job seekers, and partner staff) The One-Stop Operator will develop and initiate UCLWDB approved evaluation processes to determine customer experiences in the AJC sites. Evaluation methods may be either on-site or on-line, be timely in the customer experience and maintain confidentiality, and must show meaningful follow-up. The

UCLWDB Executive Director will utilize results of on-going evaluations to assess services of the One-Stop Operator and report results to the Board. The UCLWDB Executive Director shall determine the manner in which the results of on-going evaluations will be reported to the Local Board. The OSO will share results with the AJC partners to celebrate successes and address opportunities for improvement.

(D) Ensure coordination of partner programs. The One-Stop Operator will be responsible for the coordination of core and required partners, both on-site and off-site, for all AJC sites and access points, including, but not limited to the following activities:

- i. Maintaining and updating a digital and hard copy listing of all partner programs, including a brief description of service and contract information to assure that all staff in the AJC have up-to-date information for referral of customers;
- ii. Reporting changes in Memorandums of Understanding and Resource Sharing Agreements to the UCLWDB Executive Director, or designee, to assure agreements remain up-to-date; and
- iii. Scheduling staff meetings with on-site partners in the comprehensive centers and regular coordination meetings with local off-site partners for all centers. The One-Stop Operator will also participate in annual MOU meetings of all required partners.

(E) Act as liaison between the One-Stop Center and the Upper Cumberland Local Workforce Development Board. The One-Stop Operator will serve as liaison between the UCLWDB Executive Director, or designee, and AJC partners of all AJC sites and access points, including resolving customer complaints or partner issues, proposing promising practices, and disseminating general communication of UCLWDB policies and procedures. The OSO will be required to provide any performance reports deemed necessary by the UCLWDB including but not limited to, performance data for all on-site partners, pace of spending reports, cost per outcome, attainment of service levels, and other reports deemed necessary by the UCLWDB.

(F) Define and provide means to meet common operational needs (such as training, technical assistance, additional resources, etc.) The OSO will meet common operational needs of the comprehensive and affiliate centers by:

- i. Developing and implementing training manuals and instructional activities to promote excellence in customer service and other AJC related topics;
- ii. Providing technical assistance to staff and partner agencies to understand the vision, mission, goals and objectives of the UCLWDB and the AJC;
- iii. Under the guidance of the UCLWDB Executive Director, or designee, develop partnerships with community organizations, education, industry, etc. to provide access to additional resources such as loan of equipment, access to scholarships or services, donations, etc.; and
- iv. Cross training of AJC staff, as appropriate, to increase staff capacity, expertise, and efficiency.
- v. Assemble and manage functional teams within the AJC, including but limited to the Welcome Function Team.

(G) Oversee full implementation and usage of all State systems by the local area. The OSO will provide oversight of full implementation and usage of State systems in the AJC sites by:

- i. Working with all AJC partner staff to determine system access and skill levels;
- ii. Expediting requests for access and/or training with the State to assure a seamless system of reporting for the AJC;
- iii. Coordinating with the UCLWDB Executive Director, or designee, to determine performance and data validation concerns for staff using State systems;

- iv. Ensuring all appropriate staff, whether in the American Job Center or Contractor central office, understand their duties and responsibilities in regards to entering all appropriate information and data into the state reporting systems in a timely and accurate manner; and
- v. Providing technical assistance to AJC partner staff in usage of State systems.

(H) Design the integration of systems and coordination of services for the site and partners. The OSO will provide leadership of partners at all AJC sites and access points to design an integrated system that provides seamless coordination of services by:

- i. Reviewing local, regional, and State Plans to understand the vision of leadership;
- ii. Reviewing AJC Certification Application and Partners MOU to have a general knowledge of partner program services;
- iii. Meeting with all partner programs to assess similarities and differences;
- iv. Establishing a local workgroup or "Welcome Function Team" to gather front-line experience and partner "buy-in" to enhance an integrated customer flow and coordination of services;
- v. Develop a plan to be submitted to the UCLWDB Executive Director, or designee, to assure all AJC partners are contributing to the centers, both financially as well as through resources and staff time; and
- vi. Service integration shall focus on serving all customers seamlessly, including any targeted populations as deemed by the UCLWDB, by providing a full range of services staffed by relevant functional teams, consistent with the purpose, scope and requirements of each partner program.

(I) Manage fiscal responsibility for the system or site. The OSO will maintain fiscal responsibility and accountability for applicable UCLWDB approved contracts/budgets for management of the AJCs. In coordination with the fiscal agent, the OSO will be responsible to oversee the Infrastructure Funding Agreement (IFA) between partners for the AJCs. Responsibilities will include gathering and updating data (square footage, full-time equivalents, traffic counts, etc.) to allocate expenses on a fair and equitable basis to all partners and preparing/submitting invoices to partners to remit payment to the fiscal agent. The OSO may also recommend purchases to the UCLWDB Executive Director, or designee, and AJC Partners for necessary increases in the IFA. These could include items such as replacement equipment, furniture for additional staff, and other shared expenses such as advertising or supplies that will impact the IFA.

(J) Plan and report responsibilities. The OSO will develop adequate staffing plans for the AJCs and report responsibilities to the UCLWDB Executive Director and AJC partner staff leadership for approval. Staffing plans will assure that customer service needs are met and include the flexibility to shift staff when necessary to meet demand. Staffing plans may include shared responsibilities including workshops, welcome function, assessments, etc. and should be equitable based upon program benefit. Staffing plans should include contingency plans for when staff must be out due to sickness, vacation, scheduled training, etc.

(K) Write and maintain business plan. The OSO will write and maintain a Business Plan for management of the AJCs that supports the UCLWDB's Local and Regional Plans. The submitted bid to this RFP shall serve as a Business Plan and will include an Executive Summary, Relevant Experience, Approach to Work, Staffing/Project Management, and Fiscal Accountability and Budget and will become a component of the contractual agreement.

(L) Market One-Stop Career Center Service. The OSO will market the AJC center services by:

- i. Coordinating with the UCLWDB Executive Director to distribute marketing materials to AJCs and appropriate venues;
- ii. Coordinating with the UCLWDB Executive Director and all partners to promote any special events such as open houses, job fairs, etc., and provide support for facility needs;

- iii. Reaching out to community organizations in coordination with UCLWDB Executive Director to present services of the AJC for target populations and job seekers; and
- iv. Evaluating branding compliance throughout the AJCs to ensure consistency and adherence to all federal, state and local mandates.

(M) Facilitate the sharing and maintenance of site data, with emphasis on the state system. The OSO will facilitate the sharing and maintenance of data in the comprehensive centers, including but not limited to State systems by:

- i. Coordinating with the UCLWDB Executive Director, or designee, to determine compliance with applicable policies/procedures for data sharing and maintenance of Personally Identifiable Information (PII);
- ii. Coordinating UCLWDB approved data sharing agreements between AJC internal and external partners to streamline customer service;
- iii. Training staff on sharing and maintenance of data protocols, including PII and confidentiality; and
- iv. Monitoring compliance with UCLWDB data sharing policies and procedures to determine compliance and reporting any discrepancies to the UCLWDB Executive Director.

(N) Integration of available services and coordination of programs for the site with all partners. The OSO will be the lead for integration of available services and coordination of programs for all partners, internal and external, of all AJC sites, including but not limited to the following:

- i. Designing and implementing a multi-partner orientation for customers;
- ii. Coordinating multi-partner materials to provide a comprehensive overview of all available services;
- iii. Developing, coordinating and scheduling workshops and other informational offerings to be delivered by all AJC partner staff or other entities;
- iv. Developing seamless customer flow to functional units; and
- v. Providing cross training for AJC partner staff to assure customers receive a seamless, positive experience when accessing service.

ATTACHMENT 7

Upper Cumberland
Local Workforce Development Board
POLICIES AND PROCEDURES

Title: SUPPORTIVE SERVICES POLICY
Date of Adoption: Updated November 19, 2019

PURPOSE: To establish the Supportive Services Policy under Title I of the Workforce Innovation and Opportunity Act (WIOA) for the Upper Cumberland Local Workforce Development Board (UCLWDB). All WIOA-enrolled adults, dislocated workers, out-of-school and in-school youth are eligible for supportive services as defined in **WIOA Section 3(59)**. This policy will establish guidelines for uniformity, where feasible, in the process and amount of supportive services provided to individuals. Such guidelines are consistent with **WIOA Sections 134(d)(2)** and **129(c)(2)** and were developed during the regional planning process by the UCLWDB in consultation with One-Stop Partners and area providers within the WIOA Middle Tennessee Planning Region (**WIOA Section 106(c)(1)(F)**).

POLICY: Supportive services are available to clients enrolled in UCLWDB career and training grant-funded initiatives who are unable to obtain supportive services through community programs providing such services. In accordance with WIOA, the UCLWDB has developed this written policy to ensure high quality comprehensive service provision, non-duplication of resources and reasonable limits on the amount and duration of these services.

Supportive services must be provided in a manner that maximizes informed client choice in selecting supportive service providers (where applicable) and be in accordance with the goals/activities outlined in the client's Individual Employment Plan or Individual Service Strategy. The cost of supportive services must be reasonable and competitive in price. 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. The career specialist will assist the client with such choices but the ultimate decision rests with the client. However, when making decisions regarding these costs, all UCLWDB staff should consider if the purchase is "reasonable" and "prudent" as well as a good use of taxpayer dollars. WIOA is not an entitlement program. Supportive services are limited, must be based upon documented financial need (entered into VOS by case managers) and

leveraged with other local and state resources. UCLWDB supportive services payments should be limited to items/needs that are directly related to assisting clients in obtaining gainful employment.

Who May Receive Supportive Services: Funds allocated to the UCLWDB may be used to provide supportive services to the following participants:

Adults and Dislocated Workers who:

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

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

These services may include, but are not limited to **(20 CFR 680.900) (20 CFR 681.570)**:

- Linkages to community service
- Assistance with transportation
- Assistance with child care and dependent care
- Assistance with housing
- Needs-related payments
- Assistance with educational testing
- Reasonable accommodations for individuals with disabilities
- Legal aid services
- Referrals to health care
- Assistance with uniforms or other appropriate work attire and work-related tools
- Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes
- Payments and fees for employment and training-related applications, tests, and certifications

Needs-Related Payments: One-Stop centers provide financial assistance as a supportive service for the purpose of enabling participants to engage in training **WIOA Section 134(d)(3)**. Unlike other supportive services, to qualify for needs-related payments the participant must be enrolled in training. To receive need-related payments:

- A. Adults and Out of School Youth (OSY) aged 18-24- Must be unemployed, not qualify for (or have ceased qualifying for) unemployment compensation and be enrolled in a program of training services under **WIOA Section 134(d)(4)**.
- B. Dislocated Workers- Must be unemployed and
 1. Ceased to qualify for unemployment benefits or trade readjustment allowance under TAA, and be enrolled in a program of training services under **WIOA Section 134(d)(4)** by the end of the 13th week of 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; or

2. Unable to qualify for unemployment benefits or trade readjustment assistance under TAA and be enrolled in a program of training services under **WIOA Section 134(c)(3)**.

Payments to Dislocated Workers shall not exceed the greater of **(20 CFR 680.970)**:

- A. The applicable weekly level of unemployment benefits for participants who were eligible for unemployment as a result of a qualifying dislocation; or
- B. 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 incomes, as determined by UCLWDB.

The following guidelines will apply to individuals receiving supportive services through the American Job Centers within the Upper Cumberland Local Workforce Development Board:

A. Transportation Assistance:

Transportation assistance will be provided as needed to WIOA-enrolled participants. This includes but is not limited to gas assistance, arranged rides, travel reimbursement (based on miles driven), and bus passes. This service will be provided to participants who are currently engaged in training, job search, or employment. There is *no set cap/limit* for transportation assistance; however, assistance may be limited based on available funding within the UCLWDB supportive services budget.

The table below will be utilized to calculate the allowance for travel of those participants who have shown a need for such expenses as determined by the Career Services Provider staff. Based upon the fact that the Upper Cumberland region is comprised of predominately rural areas, daily allowances are higher than ones found in urban areas. However, mileage allowances are not intended to reimburse the participant for all costs incurred with transportation, but to reduce the overall burden of participating in a training component. One-way miles should be verified through an online provider such as Google Maps or MapQuest and documented in the participant's file.

ONE WAY MILES	DAILY ALLOWANCE
05 – 10	\$ 4.00
11 – 20	\$ 7.00
21+	\$10.00

B. Childcare Assistance:

If childcare support is not available through other resources, such as Families First, then support will be provided as needed to WIOA-enrolled participants on a short-term basis to allow the participant to reach an educational or employment goal. This service will be provided to participants who are currently engaged in training, job search, or employment only and the following will apply:

1. Care must be for child(ren) who are dependents between ages 0-12 years old. Documentation must be provided (in the form of birth certificate, court order, etc.) proving that the child is his/her legal responsibility.
2. A statement of need must be signed by the participant that she/he, as the sole support of the child and requires daycare assistance. This should be kept in the participant's file.
3. The UCLWDB Child Care Services Participant of Understanding Form must be signed by the Participant and kept in the participant's file prior to receiving payments.
4. Payment will made to the Participant as reimbursement for actual amount of child care costs incurred during training, after submitting monthly invoice from child care provider and verification of payment. All forms and payments should be documented within the participant file.
5. Childcare assistance will be limited to *\$2,400 per year per participant*.

Childcare rates:

- Full-time care (Birth to 24 months of age) Up to \$34/day
- Full-time care (2 to 5 years of age) Up to \$30/day
- Children 6-12 years of age Up to \$20/day
- Part-time care (before/after school) Up to \$10/day

6. Medical Care:

Medical care assistance will be provided as needed to WIOA-enrolled participants. This service will be provided to participants who are currently engaged in training, job search, or employment. This service is to cover medical needs/situations that arise when a current participant is actively participating in a Title I activity that would prevent the continuance of their attendance. When possible, payment should be made directly to the provider. If the situation requires payment to the participant, invoices/receipts will be required as proof of the expense. All payments must be recorded in the participant's file. Medical care assistance will be limited to *\$1,000 per year*. Examples of medical care services:

- Eye Exam/Glasses
- Dental Services
- Hearing Aids

7. Employment/Training-Related Expenses:

Employment and/or training-related expenses may be funded for a WIOA-enrolled participant. This assistance will be provided to increase the likelihood of establishing and maintaining employment. Invoices/receipts are required, and all payments must be recorded in the participant's file. Examples of employment/training-related supportive services:

- Vaccinations
- Blood Tests
- Drug Screens
- Physicals
- Background Checks
- Seminars
- Professional Societies
- Conferences
- Legal aid services

8. Vehicle Repair:

WIOA-enrolled participants may receive support related to vehicle repair and/or maintenance while actively participating in Career or Training activities. This service includes, but is not limited to, tires, vehicle repairs, and mechanical repairs. The vehicle must be registered to the participant with a copy of the title placed within the participant's file. Vehicle repairs will be limited to \$1,000 per year.

Any repair/parts/support that will exceed \$500 must have a minimum of three (3) estimates by a certified mechanic and/or auto parts store before the support payment can be approved. Invoices/receipts are required, and all payments must be recorded within the participant's file.

9. Emergency Supportive Services:

WIOA funds can be used when a current participant has an emergency arise while actively participating in WIOA career or training activities which would prevent the continuation of their attendance. The purpose of the funds must be documented. Payments made to the participant require a copy of the bill or receipt *listing the participant as the debtor* attached to the authorization. Rent/Housing payments will require a copy of a lease agreement naming the participant. Authorizations to vendors for items should be returned with proof (a signature) that the person received the items. The following are cost limits, per service/per year, established by UCLWDB:

- Utilities (electric, gas, water) \$500/year
- Rent/Housing \$750/year
- Phone Service/Internet/Data Plan \$250/year
- Automobile Insurance \$350/year

10. Workforce Development and Training Supplies:

WIOA-enrolled participants may receive assistance with supplies while actively participating in career or training activities. The UCLWDB has established there are no cost limits imposed on required books and supplies for any post-secondary training. Books and supplies assistance will be determined each semester/trimester, etc. based on a required book/supply list from the training provider. A copy of the required book/supply list and proof of payment should be kept in the participant's file. Additional supply payments must be documented and may be made for the following:

Basic Supplies for Training (\$150 max/semester), including but not limited to:

- Highlighters, Pens, Pencils, Binders, Notebooks, Calculators, 3-Hole Punches, Backpacks (Satchels, Over the Shoulder Bags, Laptop Bags, Laptop Cases), Staplers, Scissors, Markers, Colored Pencils, Loose Leaf Paper, Paper Clips, Binder Clips, Dividers, Index Cards, and other supplies as deemed necessary by Career Services Provider Staff

Supplies needed for employment (\$1,000 max/year), including but not limited to:

- Stethoscope, Footwear, Uniforms, Watches, Clothing for Interviews/ Employment, Payment of Licensure/Credentials, Hardhats, Earplugs, Gloves, Safety Vests, Thermal Clothing, Protective Gear, and other supplies as deemed necessary by Career Services Provider Staff

11. Tutoring (WIOA Title I Youth Only):

If a WIOA Youth participant needs assistance in completing a training program, HiSET program, getting into a training program, or passing an entrance test for a field of work or military, the Career Services provider will contract with a certified teaching professional to provide tutoring services. The licensed professional must present their license for review by Career Services Provider staff as well as sign a Contract Service Agreement. The contracted provider will be paid at a rate of \$15.00 per hour not to exceed 5 hours a week. All payments must be documented in the participant’s file. Contracted tutoring for a Youth participant will not exceed \$200/year.

12. Incentives (WIOA Title I Youth Only): Incentive payments may be made to youth participants in the follow up phase of services for each quarter the participant provides documentation of allowable placement for up to four (4) quarters. Allowable placement includes: employment, military enlistment, post-secondary and advanced training, etc. Documentation includes a completed Employment Verification form documenting contact with the participant’s employer, a pay stub, a transcript for current post-secondary or extended training program, proof of active service in the military or other documentation of being employed or attending post-secondary.

HiSET

- | | |
|---|-------|
| i. Attend four classes after orientation
totaling 12 class Hours | \$100 |
| ii. Complete the HiSET voucher | \$100 |
| iii. Completion of HiSET | \$250 |

Follow up

- | | |
|---|---------------|
| iv. Milestones of placement in Q1-Q4 after exit | \$100/quarter |
|---|---------------|

Unallowable Support Services- Support services may not be used to pay for expenses incurred prior to the participant’s enrollment into the WIOA program. Advances against future payments are not allowed. Unallowable services include, but are not limited to:

- Fines and penalties such as traffic violations, late finance charges, and interest payments
- Taxes, hospital bills, past due credit card bills

- Entertainment, including tips
- Contributions and donations
- Prescription/over-the-counter drugs
- Vehicle or mortgage payments
- Refund deposits
- Alcohol or tobacco products
- Pet food
- Items to be purchased by family or friends
- Out-of-state job searches and relocation expenses that will be paid by the prospective employer

Exceptions- Waivers to this policy may be granted on a case-by-case basis subject to the approval of the UCLWDB Executive Committee. In such instances, a written justification outlining the circumstances shall be required.

Priority of Service- Participants in the WIOA programs who face significant barriers to employment (recipients of public assistance, low-income individuals, or individuals who are basic skills deficient) should be given service according to their level of need. UCLWDB Priority of Service Policies should be followed.

Monitoring of Payments: UCLWDB staff will monitor funds for supportive services to ensure that they are allowable and spent without duplication of services. The service provider should keep monthly reports detailing participant payments and make available to the Board staff upon request. As part of its routine monitoring procedures, UCLWDB staff will regularly examine participant files for allowable payments, basis of determination of needs, and documentation required to ensure program integrity and efficiency.

Conflict of Interest Policy- All UCLWDB intake/eligibility forms or documents to provide a benefit (training, gas card, etc.) must include a disclosure stating that workforce system members (CLEOs, LWDB members, Board Staff, WIOA staff, AJC partner staff, and WIOA sub recipients and/or contractors) will not provide direct service during the intake or eligibility determination of a family member or close acquaintance. No workforce staff or member will have a personal or business relationship with, or a positive bias for, or a special interest in, that particular applicant. Accusations that certain decisions were influenced by a conflict of interest will be avoided by the participant being served by another workforce staff member.

- If such a relationship exists between a workforce member and a participant, documentation including the name of the member and the nature of the relationship must be maintained in the participant's file.
- A list of any Workforce members who have disclosed any of these close relationships will be maintained by UCLWDB staff and will be provided to Program Accountability Review (PAR) program monitors at the onset of all monitoring visits.

- Training concerning internal conflicts of interest will be provided to all workforce members on an annual basis. All new staff members and providers will be informed of this policy.

For questions regarding this policy, contact Becky Hull, Executive Director, Upper Cumberland Local Workforce Development Board at bhull@ucworkforce.org

Attachments: Child Care Services Participant Statement of Understanding

Effective Date: December 8, 2019

Policy Duration: Indefinite



Board Chairperson, UCLWDB

ATTACHMENT 8

UCLWDB Youth Program Elements

In order to support the attainment of a secondary school diploma or its recognized equivalent, or entry into post-secondary education and career readiness for participants, all youth programs shall provide services consisting of the following program elements:

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 (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential
2. Alternative secondary school services, or dropout recovery services, as appropriate
3. Paid and unpaid work experiences (WEX) that have an academic and occupational education component. Local boards must ensure that the academic and occupational components are being met with each work experience. WEX can include:
 - Summer employment opportunities and other employment opportunities available throughout the school year;
 - Pre-apprenticeship programs;
 - Internships and job shadowing; and
 - On-the-Job training opportunities
4. Occupational 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
5. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral (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)
7. Supportive services
8. Adult mentoring for the period of participation and a subsequent period, for a minimum total of 12 months
9. Follow-up services, for a minimum of 12 months, after the completion of participation (as appropriate)
10. Financial Literacy Education
11. Entrepreneurial Skills Training
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
13. Activities that help youth prepare for and transition to postsecondary education and training
14. Education offered concurrently with, and in the same context as, workforce preparation activities and training for a specific occupation or occupational cluster

ATTACHMENT 9

ATTACHMENT 10

Upper Cumberland
Local Workforce Development Board
POLICIES AND PROCEDURES

Title: VETERANS AND ELIGIBLE SPOUSE PRIORITY OF SERVICE POLICY
Date of Adoption: 9-25-18

PURPOSE: The purpose of this policy is to communicate guidelines of the Upper Cumberland Local Workforce Development Board (UCLWDB) related to delivery of WIOA services to veterans and other covered persons under 38 U.S.C. 4215. These regulations implement the priority of service to Veterans and Eligible Spouses and are to be applied to all workforce preparation, development or delivery, and programs or services directly funded in whole or in part by the United States Department of Labor.

POLICY: UCLWDB will provide priority of service for all veterans and eligible spouses (covered persons) who receive services under any qualified job training program. This action requires that a veteran or eligible spouse will receive access to a service earlier than a non-covered person for the receipt of career assistance.

Any individual self-identifying as a covered person should be provided immediate priority in the delivery of employment and training services. At the point of entry, staff will inform covered persons that by identifying as a veteran or an eligible spouse, they are entitled to Priority of Service. In addition, staff must inform covered persons of the full array of employment training and placement services available, as well as the applicable eligibility requirements for programs and services.

UCLWDB will offer priority of service to veterans and eligible spouses receiving career assistance in the following order:

Priority 1- Participant is an eligible veteran or spouse of a veteran who is receiving public assistance and is considered low-income or basic skills deficient.

Priority 2- Participant is not a veteran or spouse of a veteran who is receiving public assistance and is considered low income or basic skills deficient.

Priority 3- Participant is an eligible veteran or spouse of a veteran who has no barriers.

Priority 4- Participant is not a veteran or spouse of a veteran.

The UCLWDB has several stop gaps in place to identify Veterans within the AJCs. Upon entry, customers see a sign at the visitor kiosk informing Veterans of their priority of service. This information is also located within the kiosk itself. Additionally, the Common Intake (that all customers complete) asks potential Veterans to identify themselves. Any customer who signifies that they are in fact a veteran, or eligible spouse of a Veteran, is given the **Military Services Form (see attached)** to complete while at the point of entry and then given priority of service.

AJC staff must distinguish between the identification of a veteran for priority of services and the verification of a veteran's status or the verification of an eligible spouse. If an individual self-identifies as a veteran, or eligible spouse, at the AJC, that individual should be provided with immediate priority in the delivery of employment services. When a veteran or eligible spouse undergoes eligibility determination for enrollment it is then appropriate to initiate verification of veteran status.

DEFINITIONS:

"Priority of Service" is defined as to take precedence or precede.

"Veteran" - Person who has served at least one day of active duty in the military, naval, or air service, and who was discharged or released from such service with other than a dishonorable discharge.

Eligible Spouse (must meet one qualification)-

- A spouse of a veteran who died of a service connected disability.
- A spouse of any member of the Armed Forces serving on active duty who, at the time of the application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - a. Missing in action
 - b. Captured in the line of duty by a hostile force, or
 - c. Forcibly detained or interned in the line of duty by a foreign government or power
- A spouse of a veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veteran Affairs.
- A spouse of any veteran who died while a disability was in existence.

A spouse will lose eligibility if it is derived from a living veteran, or a service member, who loses their status which made them eligible.

ATTACHMENTS: Military Service Form
UCLWDB AJC Customer Flow Chart

EFFECTIVE DATE: October 1, 2018

DURATION: Indefinite

CONTACT: For questions regarding this policy, contact Becky Hull, Executive Director, Upper Cumberland Local Workforce Development Board at bhull@ucworkforce.org

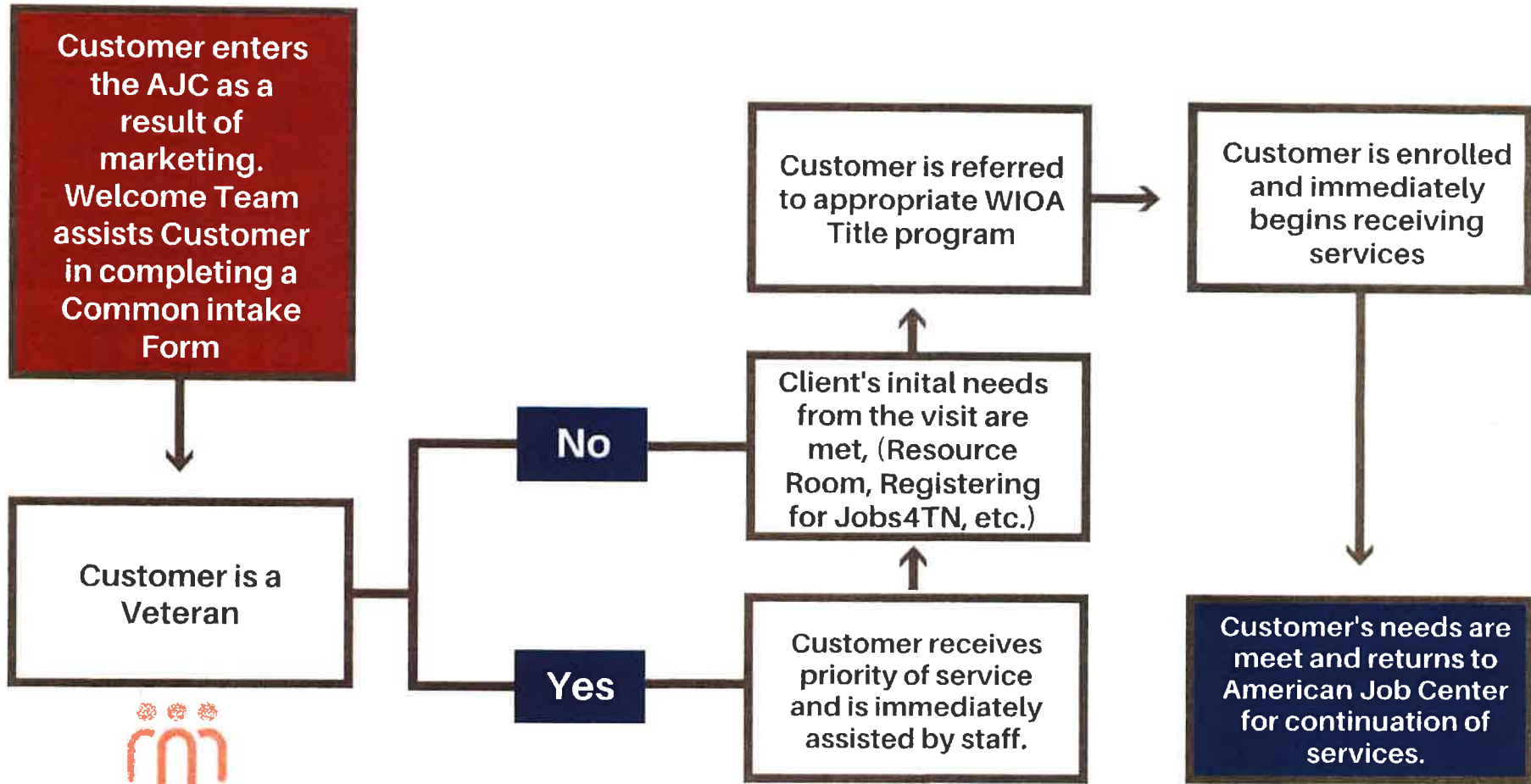


Board Chairperson, UCLWDB

MILITARY SERVICES FORM

Priority of service is the right of every qualifying individual who served in the military or eligible military spouses to receive employment, training, and placement services before non-eligible persons, as long as other provisions of the law are met. Please complete this questionnaire so we can determine your eligibility for services.

SERVED IN THE MILITARY (Section A)	
Date: _____	
Full Name: _____ SSN: _____	
Branch of Service: _____ Discharge Type: _____ Dates of Service: _____ Rank/Rate: _____	
Contact Information: (_____) _____ E-Mail: _____	
Home <input type="checkbox"/> Cell Phone <input type="checkbox"/>	
How can we help you today? _____	
Have you ever served on active duty in any branch of the Armed Forces, or are you a Transitioning Service Member, Wounded Warrior, Spouse or Family Caregiver of a service member or veteran? If so you may be entitled to additional services if you can attest to at least one of the criteria below:	
<p>1. Are you a special disabled or disabled veteran whereas you are; Entitled to compensation (or who but for the receipt of military retired pay would be entitled to Compensation)? or _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Have a claim pending with the VA; or _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Were discharged or released from active duty because of a service-connected disability? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2. Are you homeless or without a permanent residence? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3. A recently-separated service member, (Within 3 years of End of Active Service) who at any point in the previous 12 months has been unemployed for 27 or more weeks? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>4. An offender, who is currently incarcerated or has been released from custody? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>5. Are you in need of a high school diploma or equivalent certificate? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>6. Low-income (as defined by the State. (See attached chart)? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>7. Are you between the ages of 18 and 24? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
OTHER ELIGIBLE (Section B)	
<p>1. Are you a Transitioning Service Member with any of the criteria as defined in section A? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2. Do you have a letter from the VA stating you are an eligible spouse? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3. Does your spouse have a total disability from a service-connected disability? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>4. Has your spouse been listed as forcibly detained or interned by a foreign government or power, missing in action, or captured in line of duty for a total or more than 90 days? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>5. Are you the surviving spouse of a veteran who died of a service-connected disability as evaluated by the VA or while having a total permanent service-connected disability? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>6. Are you a "Wounded Warrior" currently in a treatment facility or a caregiver of one? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
MILITARY DOCUMENTS	
<p>1. Do you need to obtain a DD214? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2. Did you receive a DD2958 Service Member Career Readiness Standard/Individual Transition Plan? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	



MID CUMBERLAND
WorkForce Services

Amerian Job Center Customer Flowchart

Mid Cumberland WorkForce Services

American Job Center
TENNESSEE

ATTACHMENT 11



580 S. Jefferson
Cookeville, TN 38501
913.520.6020 (ph)

**Upper Cumberland
Local Workforce Development Board
POLICIES AND PROCEDURES**

Title: ADULT PRIORITY OF SERVICES
Date of Adoption:

PURPOSE: To establish the Upper Cumberland Workforce Development Board's (UCWDB) policy for WIOA Title I Adult priority of service requirements.

POLICY: Basic career services will be made available to all job seekers providing priority of service to eligible Veterans and Spouses (*See UCLWDB Veterans and Eligible Spouse Priority of Service Policy*). Priority for receipt of individualized career services and training services is determined during enrollment and will be given to adult customers in the following order, regardless of funding levels:

- First to veterans and eligible spouses who are also recipients of public assistance, low-income individuals including those who are underemployed, or basic skills deficient.
- Second to recipients of public assistance, other low-income individuals including those who are underemployed, or individuals who are basic skills deficient.
- Third to veterans and eligible spouses who are not recipients of public assistance, not low-income individuals including underemployed or who are not basic skills deficient.
- Fourth to individuals who do not fall within the above categories but do meet local discretionary priorities: *Currently there are NO local discretionary priorities established for the UCLWDB.*
- Fifth level of priority is to other individuals who do not fall within the above categories but do meet Title I Adult program eligibility.

INSTRUCTIONS:

- The above priority requirements do not necessarily mean that only the recipients of public assistance and other low-income individuals can receive WIOA Adult funded career and training services.
- Priority of service is determined during eligibility and enrollment.

- Priority of service does not guarantee that by virtue of status an individual will always receive service. The individual must be eligible and able to benefit from the services.
- Once a participant is enrolled in a WIOA individualized career service or training service, that participant may not be displaced by an individual who qualifies for priority of service.
- If the priority of service is based on basic skills deficient criteria, the participant's file must contain academic tests which include the participant's name, date of test, and results.
- An individual with a disability whose family does not meet income eligibility criteria will qualify for priority as a low-income adult.
- Underemployed individuals, who are employed full or part-time, must also meet the definition of a low-income individual to be eligible for the adult priority.
- Adult participants shall be determined by the program operator as in need of and able to benefit from services.

DEFINITIONS:

Adult Eligibility – to be eligible for the WIOA Adult Program an individual must be 18 years of age or older; be a citizen or noncitizen authorized to work in the US; and meet Military Selective Service registration requirements (males only).

Basic Skills Deficient – is an individual who is unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society. (*UCLWDB has defined basic skills deficient as an individual who has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test (CASAS or TABE).*)

Eligible Spouse – an "eligible spouse" must meet one qualification:

- A spouse of any veteran who died of a service connected disability
- A spouse of any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days
 - Missing in action
 - Captured in the line of duty by a hostile force, or
 - Forcibly detained or interned in the line of duty by a foreign government or power
- A spouse of a veteran who has a total disability resulting from a service-connected disability, as evaluated by the department of Veteran Affairs.
- A spouse of any veteran who died while a disability was in existence.

Family – a family is defined as two or more individuals related by blood, marriage, or decree of court; living in a single residence; and included in one or more of the following categories:

- A married couple and dependents;
- A single individual, parent or guardian, and dependents; or
- A married couple.

Low-Income Individual – is an individual who meets any of the following criteria:

- 1) Recipient of **Public Assistance** includes individuals who receive, or in the past six months have received, or are a member of a family that is receiving or in the past six months has received assistance through one or more of the following:
 - a. Supplemental Nutrition Assistance Program (SNAP);
 - b. Temporary Assistance for Needy Families (TANF);
 - c. Supplemental Security Income (SSI); or
- 2) **Low-Income** includes:
 - a. Recipients of public assistance (defined above),
 - b. Individuals in a family with a total income that does not exceed the higher of the poverty line, or falls below seventy percent (70%) of the Lower Living Standard Income Level (LLSIL),
 - c. Receives or is eligible to receive a free or reduced-price lunch,
 - d. Homeless,
 - e. Foster youth, or
 - f. Individuals with disabilities whose own income meets the income requirement but who is a member of a family whose income does not meet this requirement.

Disadvantaged Adult- Adult who received an income or is a member of a family that received a total family income that in relation to family size, does not exceed the higher of the poverty line or seventy percent of the LLSIL.


Veteran – Person who served in the active military, naval or air service and who is discharged or released therefrom under conditions other than dishonorable.

For questions regarding this policy, contact Becky Hull, Executive Director, Upper Cumberland Local Workforce Development Board at bhull@ucworkforce.org

Attachments: Annual WIOA Poverty Guidelines 2018

Effective Date: September 25, 2018

Policy Duration: Indefinite



Board Chairperson, UCLWDB

Attachment I - Annual WIOA Poverty Guidelines 2018

Instructions

- 1) **Assess the Individual-**
Determine the individual's county of residence and family size.
- 2) **Use the Tennessee Metropolitan and Nonmetropolitan County Table-**
Look-up the Individual's county of residence within the Tennessee Metropolitan and Nonmetropolitan County Table to determine whether or not the individual is living in a metro or non-metro county.
- 3) **Use the WIOA 2018 Poverty Guidelines Table-**
If the individual is residing in a metropolitan county, when determining eligibility use the *higher* of the 70% LLSIL Metro with the Poverty Level.
If the Individual is residing in a non-metropolitan county, when determining eligibility use the *higher* of the 70% LLSIL Non-Metro with the Poverty Level.

Annual WIOA Poverty Guidelines 2018 Effective May 29, 2018			
Family Size	70% LLSIL - Metro	70% LLSIL - Non-Metro	Poverty Level
1	\$9,410	\$9,255	\$12,140
2	\$15,418	\$15,080	\$16,460
3	\$21,162	\$20,897	\$20,780
4	\$26,126	\$25,549	\$25,100
5	\$30,835	\$30,151	\$29,420
6	\$36,063	\$35,260	\$33,740
7	\$41,291	\$40,369	\$38,060
8	\$46,519	\$45,478	\$42,380
9	\$51,747	\$50,587	\$46,700
10	\$56,975	\$55,696	\$51,020
11	\$62,203	\$60,805	\$55,340
12	\$67,431	\$65,914	\$59,660
Calculation of additional family members			
	70% LLSIL - Metro	70% LLSIL - Non-Metro	Poverty Level
Family of 6	\$36,063	\$35,260	\$33,740
(-) Family of 5	\$30,835	\$30,151	\$29,420
Difference	\$5,228	\$5,109	\$4,320
For each additional family member add	\$5,228	\$5,109	\$4,320

Note: In most cases 70% of LLSIL will exceed the Federal Poverty Level, the exceptions are highlighted in yellow.

Tennessee Metropolitan and Nonmetropolitan County Table

Anderson		Metro	Hancock	Non-Metro		Obion	Non-Metro	
Bedford	Non-Metro		Hardeman	Non-Metro		Overton	Non-Metro	
Benton	Non-Metro		Hardeman	Non-Metro		Perry	Non-Metro	
Bledsoe	Non-Metro		Hardin	Non-Metro		Pickett	Non-Metro	
Blount		Metro	Hawkins		Metro	Polk		Metro
Bradley		Metro	Haywood	Non-Metro		Putnam	Non-Metro	
Campbell		Metro	Henderson	Non-Metro		Rhea	Non-Metro	
Cannon		Metro	Henry	Non-Metro		Roane		Metro
Carroll	Non-Metro		Hickman		Metro	Robertson		Metro
Carter		Metro	Houston	Non-Metro		Rutherford		Metro
Cheatham		Metro	Humphreys	Non-Metro		Scott	Non-Metro	
Chester		Metro	Jackson	Non-Metro		Sequatchie		Metro
Claiborne	Non-Metro		Jefferson		Metro	Sevier	Non-Metro	
Clay	Non-Metro		Johnson	Non-Metro		Shelby		Metro
Cocke	Non-Metro		Knox		Metro	Smith		Metro
Coffee	Non-Metro		Lake	Non-Metro		Stewart	Non-Metro	
Crockett		Metro	Lauderdale	Non-Metro		Sullivan		Metro
Cumberland	Non-Metro		Lawrence	Non-Metro		Sumner		Metro
Davidson		Metro	Lewis	Non-Metro		Tipton		Metro
Decatur	Non-Metro		Lincoln	Non-Metro		Trousdale		Metro
DeKalb	Non-Metro		Loudon		Metro	Unicoi		Metro
Dickson		Metro	Macon		Metro	Union		Metro
Dyer	Non-Metro		Madison		Metro	Van Buren	Non-Metro	
Fayette		Metro	Marion		Metro	Warren	Non-Metro	
Fentress	Non-Metro		Marshall	Non-Metro		Washington		Metro
Franklin	Non-Metro		Maury		Metro	Wayne	Non-Metro	
Gibson	Non-Metro		McMinn	Non-Metro		Weakley	Non-Metro	
Giles	Non-Metro		McNairy	Non-Metro		White	Non-Metro	
Grainger		Metro	Meigs	Non-Metro		Williamson		Metro
Greene	Non-Metro		Monroe	Non-Metro		Wilson		Metro
Grundy	Non-Metro		Montgomery		Metro			
Hamblen		Metro	Moore					
Hamilton		Metro	Morgan		Metro			

ATTACHMENT 12

**Upper Cumberland
Local Workforce Development Board
POLICIES AND PROCEDURES**

Title: WIOA WORK BASED TRAINING POLICY
Revised: June 9, 2020

PURPOSE: This policy outlines the procedures to implement and manage work-based training agreements and contracts. These programs will be carried out through eligible WIOA Adult and Youth formula funding, Consolidated Business Grants (CBG), and other special work-based training grant contracts as funded.

POLICY: Work Based Training (WBT) Programs are an effective strategy to provide high-quality employment opportunities to participants, as well as providing skilled workers to meet the needs of area employers, and may include On-the-Job Training, Registered Apprenticeships, Transitional Jobs, Incumbent Worker Training, Work Experience and Job Shadowing.

Work-based training is employer-driven and provides grant subsidies to employers who hire individuals facing barriers to employment. These subsidies are provided when an employer agrees to hire the individual into unsubsidized employment after participation (*Federal Register Vol. 81, No 161, Page 56149, Subpart F*). On-the-Job Training, Registered Apprenticeships, Transitional Jobs, Incumbent Worker Training, Work Experience and Job Shadowing are work-based training models that can be effectively used to target different jobseekers, workers, and employer needs.

I. Types of Work-Based Training:

- A. On-the-Job Training (OJT)- OJT is a form of work-based training provided to an eligible WIOA participant upon entry into employment and while engaged in paid work. OJTs are customized to address specific gaps in the trainee's knowledge or skills that are inhibiting their ability to perform assigned duties fully and adequately. UCLWDB OJT programs should ensure that participants are trained to perform specific job tasks. OJT requests shall be funded through formula funds when appropriate and available. CBG funds will be allocated only when IWT and RA requests have been fully exhausted. WIOA Section 3(44) defines "on-

the-job training” as training by an employer that is provided to a paid participant while engaged in productive work in a job that:

1. Provides knowledge or skills essential to the full and adequate performance of the job;
2. Is made available through a program that provides reimbursement to the employer of up to fifty (50) percent (State and local areas may negotiate up to 75%) of the wage rate of the participant, except as provided in *WIOA Section 134(c)(3)(H)(i)*, for the extraordinary costs of providing training and additional supervision related to the training.
3. Is limited in duration as appropriate to the occupation for which the participant is being trained, considering the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.”

- B. Registered Apprenticeship (RA)- Registered Apprenticeship is a work-based learning model where apprentices have supervised on-the-job training, along with job-related education, all while working full-time for the employer and earning a wage that increases during progression of the program. Registered Apprenticeship provides the apprentice with an advanced set of skills that meet the specific needs of industry employers. Apprenticeships are registered and validated by the U.S. Department of Labor. Upon completion of the RA program, participants will receive a nationally recognized and portable credential from the U.S. Department of Labor. The UCLWDB may also include support services, in coordination with career and or training services, to participants in an RA program in accordance with supportive services consistent with *WIOA Section 134(d)(2)*, *TEGL 19-16*, and local policies.
- C. Transitional Jobs- Transitional Jobs are time-limited, subsidized work opportunities and may be in the public, private, or nonprofit sectors. These jobs, combined with comprehensive career and supportive services, are intended for individuals with barriers to employment, those who are chronically unemployed, or individuals with an inconsistent work history, demonstrate the individual’s success in the workplace, and develop skills leading to entry and retention in unsubsidized employment. Under *WIOA Section 134(d)(5)*, local boards may use up to ten percent (10%) of their adult and dislocated worker funds to provide transitional jobs to individuals.
- D. Incumbent Worker Training (IWT)- The term “incumbent worker training” means training that is designed to meet the specific requirements of an employer or group of employers and conducted with a commitment by the employer or group of employers to continue to employ an individual upon successful completion of training. IWTs may be used to help avert layoffs or to increase the skill levels of employees so they are eligible for promotion advances within the company and create backfill opportunities. Under *WIOA Section 134(d)(4)(A)(i)*, local boards can use up to twenty percent (20%) of their adult and dislocated worker funds to provide for the Federal share of the cost of providing incumbent worker training. Incumbent Working Training requests shall take precedent for CBG funds allocated to the UCLWDB. IWT requests shall be considered first in concurrence with the UCLWDB Strategic Development Plan, provided requesting contractors meet the in-demand industry,

occupation or declining industry standards set forth in this policy. OJT requests shall be maintained by the UCLWDB Staff to the Board and recommended for approval through the appropriate funding streams provided that funds are available through CBG or formula Dollars.

- E. Work Experience- Work Experience is defined as subsidized or unsubsidized work experience that is a planned, structured learning experience in a workplace for a limited time. This experience provides participants with opportunities for career exploration and skill development. Work experience must include academic and occupational education (20 CFR 681.600).
 - F. Pre-Apprenticeship- A Pre-Apprenticeship program is coursework or training designed to prepare individuals to enter and succeed in a registered apprenticeship program. Once the participant completes the pre-apprenticeship program, he or she typically has the opportunity to interview for a registered apprenticeship program. Pre-Apprenticeship programs have a documented partnership with at least one registered apprenticeship program. Pre-apprenticeships are not paid positions and should not be confused with a youth apprenticeship program.
 - G. Job Shadowing- Job Shadowing is a work experience option where youth learn about a job by walking through the work day as a shadow to become competent workers. This experience is a temporary, unpaid exposure to the work place in an occupational area of interest to the youth.
- II. Eligibility for Employees/Trainees:** Work-based training opportunities must be identified as an appropriate activity for program participants on the Individual Employment Plan (IEP) or Individual Service Strategy (ISS). IEPs or ISSs, and/or case notes, will specify goals of the work-based training activity by identifying the purpose of the activity and expected outcomes.
- III. Participant Eligibility and Enrollment:** For all categories of Work Based Training, with the exception of Incumbent Worker Training, recipients shall be determined as eligible participants under one of the provisions of WIOA Title I by the Area Career Services Provider. The Local Career Services Provider shall be responsible for enrollment, establishment of Individual Service Strategies, and subsequent case management of each WBT recipient. The Career Services Provider shall complete all appropriate documentations and or services (including the 2nd and 4th quarter post training reports required of any WIOA Title I participant) and provide engaged and active case management through sustained case notes and input into the VOS case management system.
- IV. Requirements for Employed Participants:** Employees receiving IWT funds shall be regular full-time employees having a sustained work history with the contractor for a minimum of six (6) months. Excepted from this requirement will be cohorts of similarly situated employees to be trained under the IWT Grant where the majority of cohort members meet the minimum time in

employment. Title I eligibility is not a requirement for IWT participants to receive funds. However, all IWT participants must be documented in VOS as an IWT recipient.

V. Employer Eligibility:

- A. Employers participating in work-based training must be registered with the IRS, have an account with Unemployment Insurance, and carry workers' compensation insurance (*Federal Register Vol. 81, No. 161, Page 56117*).
- B. The employer must be financially solvent and have an adequate payroll record keeping system that tracks hours worked, gross pay, deductions, and net pay.
- C. The agreement between the UCLWDB and the employer will not displace any currently employed worker (*WIOA Section 1819(b)(2)(A)*). Agreements will not be made with an employer who has terminated any regular employees, or otherwise reduced the workforce, in order to hire an OJT employee.
- D. No contract may be written with a company that has relocated (for the first 120 days after beginning operations) if the move has resulted in any employee job losses at the original location (*WIOA Section 181(d)(2)*). To verify that the relocation has not resulted in a loss of employment WIOA program staff and the OJT employer must complete a Standardized Pre-Award Review.
- E. The employer must not currently be involved in a labor dispute or have workers currently in a layoff status (*20 CFR 680.840*).
- F. Employees may not work on construction, maintenance, or operation of any facility that is used for sectarian activities (*WIOA Section 188(a)(3)*).
- G. The prospective employers must not meet the existing "pattern of failing to provide OJT participants with continued long-term employment as regular employees with wages and employment benefits" (*20 CFR 680.700(b)*).
- H. The employer must not illegally discriminate in training or hiring practices because of race, color, sex, national origin, religion, disability, political beliefs or affiliation, or age (*WIOA Section 188(a)(2)*).

VI. In-Demand Occupation Limitation: All work-based training contracts will be limited to "in demand" occupations (defined in *WIOA Section 3(23)*) within the local labor market.

- A. The term "in-demand industry sector or occupation" is an industry sector that has a substantial current or potential impact (including jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate.
- B. Labor Market Information (LMI) shall be provided by to the Board for consideration of approval for funding request. Additional considerations regarding specific local economic factors, population density, workforce education level, and all other considerations

deemed appropriate and necessary in due course of award approval shall be within the sole discretion of the Board.

- VII. Contractor Reimbursement:** Contractors shall submit invoices and all required documentation delineated within the Training Contract on or before the 5th day of each month subsequent to the beginning of the contract term and for the duration of the contract. The contractor shall make final invoicing no later than 10 calendar days after completion of the contract regardless of the calendar day. Reimbursement will be made to the Contractor by the UCLWDB Fiscal Agent within 45 Days upon full and correct invoicing.

- VIII. Data and Reporting-** UCLWDB or its contractors will properly record in the Jobs4TN system each work-based participant, including all necessary information about that participant. The UCLWDB will also ensure that all necessary information about the employer, participating in work-based training, be input in the same system. Monthly work-based expenditures will be entered into Grants4TN.

- IX. Priority of Service:** Statutory Adult Priority of Services requirements apply to work-based training. Veterans and eligible spouses continue to receive priority of service for all job training programs funded by the US Department of Labor, which include WIOA programs. *See UCLWDB Adult Priority of Service Policy and UCLWDB Veterans and Eligible Spouse Policy.*

- X. Contract Requirements:** Every work-based opportunity will include a contract agreement with the employer and a training plan for the employee. The contract must include the requirements of WIOA rules and regulations, the type of occupation and skills, the competencies to be learned, and the length of training that will be provided.

- XI. Basic Requirements:** The UCLWDB will monitor and review local plans and policies on a regular basis to ensure that their work-based activities are aligned with, and are facilitating the progress of, the career pathways strategies outlined in their local plan.

- XII. Cost Per Participant:** The UCLWDB will ensure a minimum of 50% of their WIOA Title I formula allocations are spent on allowable participant costs. Certain WIOA funded services, including on-the-job training expenses (*20 CFR 681, TEGL 19-16 and 21-16*) are considered as "qualifying" expenditures toward the minimum expenditure calculation. In all cases, qualifying expenditures are those that represent the cost of services as described below and do not include administrative, personnel staff or operating expenditures of the UCLWDB, UCLWDB staff, one-stop operators, and/or contracted service providers. *See UCLWDB Minimum Participant Cost Rate Policy.*

- XIII. Monitoring:**
 - A. All work-based training contracts must be monitored at least once by the UCLWDB. Monitoring will be based on the contract agreement between the employer and the UCLWDB. The employer shall submit to UCLWDB invoice forms, payroll records

showing gross wages paid to the trainee, and time records showing the actual hours worked. The UCLWDB fiscal agent will reimburse employers with UCLWDB program funds for the regular hours a trainee actually worked.

- B. UCLWDB On-the-Job contracts will be written so as to coordinate with Local, State, and Federal monitoring guidance and will include oversight of participant training and corresponding employer payroll records. The UCLWDB Monitoring Officer will also conduct onsite monitoring visits shortly after the trainee begins work and include additional visits at appropriate intervals as determined by the length of the training plan.
- C. To ensure effective monitoring, desk reviews of correspondence from the employer, including payment invoices and required documentation will be regularly conducted.
- D. The UCLWDB Business Services Coordinator will regularly review each trainee's progress in meeting program and service strategy objectives. Such strategies should include the trainee's acquisition of basic/occupational skills and the adequacy of supportive services provided as related to work-based training. Any deviation from the work-based training contract should be dealt with and documented promptly.
- E. The UCLWDB Compliance and Monitoring Officer shall set a quarterly projected budget for general expected funds execution. The OSO shall provide, at minimum, quarterly reports delineating participant cost and expenditures. This data will verify required utilization of formula funds. The UCLWDB Staff to the Board will review for compliance and may direct corrective actions should any discrepancies be identified.

XIV. Work-based Training Advocacy and Outreach: The UCLWDB Staff to the Board Business Services Coordinator, under the supervision of the UCLWDB Executive Director, will functionally direct Business services in coordination with the OSO as a cross-functional team to develop service strategies and engage businesses throughout the region in alignment with the UCLWDB Strategic Development Plan. The Team shall, at minimum, be comprised of the UCLWDB Staff to the Board Business Services representative which shall include the Team Lead, the OSO or designated representative, the Local Veterans Employment Representative (LVER), and a representative from the following partner agencies; Adult Education, Vocational Rehabilitation, Department of Human Services, and TN Dept. of Labor and Workforce Development. Strategies shall be based on the needs of the community, as identified by the board, which will dictate strategic sector targeting in alignment with the UCLWDB Strategic Development Plan. All outreach activities and services provided shall be properly recorded within VOS by the Business Services Team member that conducted the outreach or performed the service. Quarterly reports of outreach and activities shall be provided to the UCLWDB representative for Compliance and Monitoring.

XV. Goals for Anticipated Participants: The UCLWDB Staff to the Board shall calculate minimum anticipated participants based upon the MCPR programmed fund ratios. This shall set the minimum number of participants required to execute programmed funds. Additional data may be collected through the American Job Center to adequately reflect actual client traffic. Labor market statistics will also be factored in calculation to ensure reasonable forecasting can be made. The default growth rate shall be determined by the TN Dept of Labor and may be supplemented at the discretion of the Board to reflect area-based needs.

ATTACHMENTS: None

EFFECTIVE DATE: July 1, 2020

DURATION: Indefinite

CONTACT: For questions regarding this policy, contact Becky Hull, Executive Director, Upper Cumberland Local Workforce Development Board at bhull@ucworkforce.org

Board Chairperson, UCLWDB

* Revised by Full Board vote
6-9-20. Waiting on
Chairperson's signature -
vote was taken in virtual
meeting.

ATTACHMENT 13

Upper Cumberland
Local Workforce Development Board
POLICIES AND PROCEDURES

Title: Eligible Training Provider Process and Procedures
Date of Adoption:

PURPOSE: This policy provides information and direction for the Eligible Training Provider process, eligibility, application procedures, the appeal process, dissemination of the list, and reporting requirements.

POLICY: In order to maximize customer choice and assure that all significant population groups are served, an Eligible Training Provider process must assure that significant numbers of competent Eligible Training Providers (ETPs), offering a wide variety of training programs and occupational choices, are available to customers. Eligible participants who need training use the Eligible Training Provider List (ETPL) to make an informed choice. In this way, the ETPL helps to provide consumer choice, while also supporting increased performance accountability. Only those programs that are approved/listed on the State's ETPL are eligible for referral and enrollment of a Workforce Innovation and Opportunity Act (WIOA) customer.

I. Eligible Training Provider Access:

A. How to Apply to Become an Eligible Training Provider:

- i. Prospective ETPs must submit initial eligibility criteria through the online application within the State data system, which is currently Virtual One-Stop Data Management Tracking System (VOS). This should include: training services to be offered, information addressing alignment of the training services with in-demand industry sectors and occupations to the extent possible, performance and cost information, and annually meet performance levels on specified performance measures as required and established by the State.
- ii. Staff to the Upper Cumberland Local Workforce Development Board (UCLWDB) will review the initial eligibility online application for verification

and completeness and to verify the training provider is in compliance with all Tennessee regulations pertaining to training authorization.

- a. If the ETP is not compliant or the application is incomplete, the UCLWDB must notify the training provider within fifteen (15) days of receiving the application and prepare the application to be reviewed at the next LWDB meeting.
 - b. If the ETP is compliant and its application is complete, the UCLWDB must review the application within five (5) days of receiving the necessary information
 - c. The UCLWDB cannot send WIOA participants to new training providers until they are approved by a LWDB and the State office has been notified of the approval of the new provider.
- iii. Each provider and/or program must make a formal board presentation seeking approval and full board approval must be awarded through a voting process to be placed on the ETPL. Each provider will have the opportunity to make a board presentation or the staff will be allowed to make the presentation on behalf of the provider based upon the information entered into VOS seeking full board approval.
 - iv. Providers must supply any supplemental information as requested by the board to assist in the initial eligibility decision.
 - v. The provider will be notified of the board decision within ten (10) business days and the VOS system will be updated to reflect the WIOA approval status.

B. Training Provider Eligibility (TEGL 41-14):

To be eligible to receive funds, the training provider must meet at least one of the following requirements:

- i. A postsecondary educational institution that is eligible to receive Federal funds under Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et. seq.) and provides a program that leads to an associate degree, baccalaureate degree, or certificate.
- ii. An entity that carries out programs under the National Apprenticeship Act of August 16, 1937; 50 Stat. 664, Chapter 663; 29 U.S.C. 50 et. seq.
- iii. Another public or private provider of a program of training services for the general public or specialized training for participant populations that face multiple barriers to employment such as providers directly associated with the Division of Rehabilitation Services, TN Department of Human Services. These populations include the following categories: low income individuals with barriers to employment and people with disabilities.
- iv. LWDBs if they meet the conditions of WIOA Section 107(g)(1)

- v. Another public or private provider with demonstrated effectiveness providing training to a population that faces multiple barriers to employment. These populations include:
 - a. Displaced homemakers
 - b. Low-income individuals
 - c. Indians, Alaskan natives, and native Hawaiians, as such terms are defined in WIOA Section 166(b)
 - d. Individuals with disabilities, including youth who are individuals with disabilities
 - e. Older individuals
 - f. Ex-offenders
 - g. Homeless individuals (as defined in Section 41403(6) of the Violence Against Women Act of 1994 [42 U.S.C. 1404e-2(6) as amended in 2013]); or homeless children and youths (as H.R. 803-10 defined in Section 725[2] of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a [2] and Section 721).
 - h. Youth who are in or have aged out of the foster care system
 - i. Individuals who are English language learners, including individuals who have low levels of literacy and individuals facing substantial cultural barriers
 - j. Eligible migrant farmworkers, as defined in WIOA Section 167(i), and services to other low-income individuals
 - k. Individuals within two (2) years of exhausting lifetime eligibility under Part A of Title IV of the Social Security Act (42 U.S.C. 601 et. seq.)
 - l. Single parents (including single pregnant women)
 - m. Long-term unemployed individuals
 - n. Other groups the Governor determines to have barriers to employment (WIOA Section 134[c][3][E])

C. Program of Training:

A program of training services should consist of one (1) of the following:

- i. One (1) or more courses or classes that, upon successful completion, leads to a certificate, an associate degree, or baccalaureate degree, or a competency or skill recognized by employers;
- ii. A training regimen that leads to competitive integrated employment for individuals with disabilities that provides individuals with additional occupational skills or competencies generally recognized by employers; or
- iii. Identical programs offered in different locations by the same training provider must be considered as one program, and will not require separate applications unless the regulatory agency uses location as a factor in defining a unique program.

D. ETPL Exceptions:

The following training activities are exempt from utilizing the ETPL process.

- i. On-the-Job training and Customized Training (as defined by WIOA)
 - a. Skill enhancement and workplace literacy are considered to be short-term prevocational and, therefore, are not defined as training services for the purposes of this policy.
 - b. Short-term prevocational services are not tied to a specific occupation and include course-like services such as Literacy and Adult Basic Education, Workplace Literacy, introductory computer classes, as well as development of learning skills, communication skills, interviewing skills, punctuality training, personal maintenance skills, and professional conduct to prepare individuals for unsubsidized employment or training.
 - c. Community-based organizations and other private organizations providing training.

E. Registered Apprenticeship Programs (TEGL 41-14):

- i. Registered Apprenticeship programs are not subject to the same application, performance information requirements, or period of initial 4 eligibility procedures as other providers because such programs have gone through a detailed application and vetting procedure to become Registered Apprenticeship programs, sponsored by the United States Department of Labor.
- ii. In collaboration with the State Director of Apprenticeship, the State will contact all current program sponsors at the time of this writing to elicit their interest in being part of the ETPL. The goal is to place as many Registered Apprenticeship programs on the ETPL as possible.
- iii. In collaboration with the State Director of Apprenticeship, the State will ascertain at least every two (2) years those ETPs that have lost their registration status.
- iv. The State will work in collaboration with the State Director of Apprenticeship to develop a simplified process for new Registered Apprenticeship programs to become part of the ETPL.
- iv. Minimal information is required for Registered Apprenticeship programs for ETPL placement. The information required is outlined below:
 - a. Occupation(s) included within the registered apprenticeship program,
 - b. Name and address of the Registered Apprenticeship program sponsor,
 - c. Name and address of the provider of related instruction, including location of instruction if different from program sponsor's address,
 - d. Method and length of instruction, and
 - e. Number of active apprentices
- v. Program sponsors that do not provide the related instruction component of a Registered Apprenticeship program may be required to provide additional information about their education provider, including the cost of instruction. This is the only time that cost information will be required for Registered Apprenticeship programs.

- vi. Registered Apprenticeship programs are exempt from performance and reporting-related requirements in order to enable these evidence-based programs to be placed on the ETPL with minimum burden.
- vii. Registered Apprenticeship programs with openings for new apprentices will automatically be considered a statewide demand occupation to facilitate WIOA funding support as appropriate.
- viii. A Registered Apprenticeship program on the ETPL will be available to every Local Workforce Development Area (LWDA) in the State.
- ix. The only criterion that applies to apprenticeships is that they be registered as apprenticeship programs with the U.S. Department of Labor.

F. Out-of-State Providers, Except Registered Apprenticeship Programs:

- i. ETPs that are headquartered outside of Tennessee who do not have in-state training facilities may apply to any LWDB where they wish to provide services. Applications must include all information required by these policies.
- ii. Reciprocal Agreements (WIDA Section 122[g]). Local Workforce Development Boards can send a Tennessee WIDA participant to a provider located in a different State given that the training provider appears on the other State's ETPL.
- iii. Reciprocal Agreements are subject to the following guidelines:
 - a. Use of an out-of-state provider as part of a reciprocal agreement does not assure the ETP placement on the Tennessee ETPL.
 - b. If the ETP wants to appear on the Tennessee TEPL, it must complete the process for becoming an approved Tennessee ETP.
 - c. If the LWDB utilizes a training provider that does not appear on the Tennessee ETPL, it is the responsibility of the LWDB to track and report the necessary performance information needed for subsequent eligibility determinations. To fulfill this obligation, the LWDB must ensure that verification of enrollment, completion, and subsequent placement for ETPs are recorded in the State performance tracking system (currently Virtual One-Stop Data Management Tracking System [VOS]).

G. Out-of-Area Providers, Except Registered Apprenticeship Programs:

- i. If an ETP has a physical presence in the State, its ETPL application must be submitted to the LWDB covering the area where that training provider is headquartered or has its main campus.
- ii. Any LWDB can approve a satellite site for a training program so long as that training provider and program have been first approved by the LWDB in which the provider is headquartered.
- iii. Local Workforce Development Boards can approve training providers for the State ETPL when the training provider does not have a permanent

training structure anywhere in Tennessee; in such a case, such providers are treated as out-of-state training providers.

II. Appeal of Local Workforce Development Board Denial:

A. Provider Application Denial:

- i. If the local board denies a ETPs initial application for listing on the ETPL, the board must, within thirty (30) days from the date of determination, inform the ETP in writing, including the detailed reason(s) for the denial and complete information on the appeal process.

B. Reasons for Denial of Application for Initial Eligibility:

- i. The UCLWDB board or the State may deny eligibility if the application from an ETP is not complete or not submitted within required time frame.
- ii. The LWDB or the State may deny eligibility if an applicant fails to meet the minimum criteria for initial listing specified in this policy (WIOA Section 122[c][1]).
- iii. The UCLWDB may deny eligibility if the training programs offered by the ETP do not lead to gainful employment in in-demand occupations as determined by a labor market analysis.
- iv. The UCLWDB may deny eligibility if the training program demographics (i.e. cost and length) are substantially higher (beyond fifty percent [50%]) than previously approved programs offering the same credential (within the past two [2] program years).
- v. The UCLWDB or the State may deny eligibility if it is determined that the applicant intentionally supplied inaccurate information (WIOA Section 122[f][1][B]).
- vi. The UCLWDB or the State may deny eligibility to a training provider who has been found to have substantially violated any WIOA requirements (WIOA Section 122[f][1][B]).

C. Appeals to the Local Workforce Development Board:

- i. This procedure applies to appeals by the provider to the LWDB based on the denial of a ETPs application for the initial listing on the ETPL.
 - a. A training provider wishing to appeal a decision by the UCLWDB must submit an appeal to the UCLWDB within thirty (30) days of the issuance of the denial notice. The appeal 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.
 - b. The UCLWDB will have one to three (1-3) impartial appeal officers who are responsible for re-evaluating the supplemental materials supplied by the ETP in addressing the initial reasons for denial. An impartial appeal officer may be any staff member uninvolved in the initial designation.

- c. The UCLWDB will notify the ETP of the final decision of the appeal within thirty (30) days of receipt of the appeal.
- d. The appeal notification will reference the process for filing a State appeal in the event that the ETP is not satisfied with the outcome of the local appeal.

D. Appeals to the State:

This procedure applies only to ETPs who have exhausted the local appeal process and are dissatisfied with the UCLWDB's final decision.

- i. A training provider wanting to appeal to the State must submit an appeal request to the State within thirty (30) days from the LWDBs 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, specifications of the program(s) in question, the reason(s) for the appeal (i.e. grounds), and the signature of the appropriate provider official.
- ii. The State will promptly notify the appropriate LWDB when it receives a request for appeal. The State will also notify the appropriate LWDB when it makes the final decision on an appeal.
- iii. The State appeal process includes the opportunity for the appealing ETP 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 ten (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 issue(s), and to be represented.
- iv. The five-member State appeals committee, chaired by the hearing officer, will administratively review the appeal, make a preliminary decision, and notify the ETP and the LWDB. The committee may either uphold or reverse the LWDB decision.
- v. The State appeals committee must render a decision within sixty (60) days from receiving the training provider's initial state-appeal request.

III. Dissemination of the ETPL:

A. Statewide Dissemination and Customer Access:

- i. The State will ensure that the ETPL is accurate and current. The State must ensure that the updated list is available to all LWDBs (WIOA Section 122[d][1]) and to the general public through the State website wherever internet service is available.
- ii. The UCLWDB is responsible for ensuring that all American Job Center (AJC) staff members within the Upper Cumberland area have access to the ETPL, and are knowledgeable about utilizing the ETPL; the UCLWDB is also to

ensure local access to the ETPL for customers within the AJCs (WIOA Section 122[d][1]).

- iii. The UCLWDB is responsible for ensuring that all American Job Center staff within the Upper Cumberland do not allow WIOA participants to enroll in programs that do not appear on the ETPL.

IV. Program Changes:

A. Adding New Programs (Previously Approved Providers):

- i. The ETP must submit the program using the online web application within VOS for addition to the ETPL.
- ii. The application materials are received electronically by the UCLWDB staff and reviewed for completeness.
- iii. After verification of completeness, the application materials are presented to the UCLWDB for its vote on whether to add the program to the ETPL.

B. Adding New Registered Apprenticeship Programs:

Registered Apprenticeship sponsors that want to add new programs to the ETPL must indicate their interest in being included on the list and must use the online web application to submit their programs.

C. Making Changes to Program Information:

- i. Revision(s) to already approved and existing program curriculums must first be approved by the appropriate State authorizing agency (Tennessee Higher Education Commission, Tennessee Board of Regents, etc.).
- ii. The ETPL must submit the proper forms using the online web application to make changes on the ETPL.
- iii. Changes submitted by the ETP are subject to review by the Operator and the State.
 - a. a. Changes in program cost or length that are beyond twenty-five percent (25%) must be resubmitted to the LWDB for approval as a new program.
- iv. It is the responsibility of the ETP to ensure that information displayed on the ETPL is accurate.
 - a. a. ETPs with inaccurate information on the ETPL as discovered in conjunction with a Data Validation review or a Data Accuracy Report are subject to removal from the ETPL for a set suspension period or until all information is corrected (whichever occurs later).

D. Removing Programs from the ETPL:

- i. Any time after initial program approval by the UCLWDB, the ETP - including Registered Apprenticeship programs - can request to have a program removed from the ETPL.

- ii. If a program is removed from the ETPL, with the exception of Registered Apprenticeship programs, the ETP is still required to submit quarterly performance reports until the last WIOA training participant completes or withdraws from the program.
- iii. Failure to submit the remaining quarterly performance reports will subject the ETP to the penalties detailed in Section Nine (9) of the state policy.
- iv. If at any point after initial approval training is temporarily not offered or is permanently deleted from the ETPs selection of the programs, it must be removed from the ETPL within thirty (30) days of the institutional decision.

V. Performance Data (Registered Apprenticeship Programs are Excluded):

A. Provider Quarterly Report Requirements:

- i. ETPs must provide the information necessary to determine program performance and to meet other requirements of the WIOA. The ETP must agree to make available verifiable data to validate any information submitted (WIOA Section 122[d][1]).
- ii. ETPs on the ETPL are required to submit quarterly performance reports to the State. The report must contain individual-level data for all participants in programs offered by the ETP that have serviced at least one (1) student with the assistance of WIOA funding.
- iii. The reports are due to the State on the specified due dates.
 - a. a. Quarterly report due dates: January 15th, April 15th, July 15th and October 15th of every year.
 - b. b. In the event that the due date falls on a State holiday or a weekend reports are due by the conclusion of the next business day.

VI. WIOA Eligible Training State Performance Measures:

The WIOA Participant Program Completion Rate measure, outlined below in Table 1, became available in 2018 and will be reviewed annually by the Governor and the State Workforce Development Board.

Table 1: WIOA Eligible Training Provider State Performance Measures

Performance Measure	Description
All Students Credential Attainment Rate	Total number of students who obtain a recognized post-secondary credential, or a secondary school diploma or its recognized equivalent during participation or 1 year after exit divided by the total number of students exiting the program (both completers and

	non-completers) within the 12 month reporting period
All Student* Employment Rate During 2 nd Quarter After Exit	Total number of students exiting (both completers and non-completers) from the applicable program that were working in unsubsidized employment during the 2nd quarter subsequent to the exit quarter (the calendar quarter containing the exit or completion date), divided by the total number of students exiting the program.
All Student* Employment during 4 th Quarter After Exit	Total number of students exiting (both completers and non-completers) from the applicable program that were working in unsubsidized employment during the 4th quarter subsequent to the exit quarter (the calendar quarter containing the exit or completion date), divided by the total number of students exiting the program.
All Student* Median Earnings in Employment During 2 nd Quarter After Exit	Median earnings expressed as an hourly rate for all students exiting the applicable program and working in unsubsidized employment during the 2nd quarter subsequent to the exit quarter (the calendar quarter containing the exit or completion date).
WIOA Participant Program Completion Rate	Total number of WIOA participants completing the applicable program divided by the total number of WIOA participants exiting the program (both completers and non-completers) within the 12 month reporting period.
WIOA Participant Credential Attainment Rate	Total number of WIOA participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent during participation or 1 year after exit divided by the total number of WIOA participants exiting the program (both completers and non-completers) within the 12 month reporting period.
WIOA Participant Employment Rate During 2 nd Quarter After Exit	Total number of WIOA participants exiting (both completers and non-completers) from the applicable program that were working in unsubsidized employment during the 2nd quarter subsequent to the exit quarter (the calendar quarter containing the exit or completion date), divided by the total

	number of WIOA participants exiting the program.
WIOA Participant Employment Rate During 4 th Quarter After Exit	Total number of WIOA participants exiting (both completers and non-completers) from the applicable program that were working in unsubsidized employment during the 4th quarter subsequent to the exit quarter (the calendar quarter containing the exit or completion date), divided by the total number of WIOA participants exiting the
WIOA Participant Median Earnings in Employment During 2nd Quarter	Median earnings expressed as an hourly rate for WIOA participants exiting the applicable program and working in unsubsidized employment during the 2nd quarter subsequent to the exit quarter (the calendar quarter containing the exit or the completion date).

*Applies to All Students within a WIOA-eligible program.

VII. Performance Measure Calculation Methodology and Process:

A. Performance Measure Calculation Methodology:

The following performance measures will be calculated separately for two distinct Populations of students: Credential Attainment Rate, Employment Rate During 2nd Quarter After Exit, Employment Rate During 4th Quarter After Exit, and Median Earnings 2nd Quarter After Exit-

- i. The WIOA Participant population comprises only students who are participants in WIOA.
- ii. The All Student population includes every student enrolled in a WIOA approved training program.

The Program Completion Rate measure will be calculated for the WIOA Participant population only.

B. Program Completion Rate:

The program completion rate for WIOA Participant populations reflects the Following fraction: Number = Total number completing program during the twelve (12) month reporting period.

$$\frac{\text{Total \# WIOA Participants Completing Program in 12-Month Period}}{\text{Total \# WIOA Participants Exiting Program in 12-Month Reporting Period (completers and non-completers)}}$$

The denominator (total number WIOA Participants exiting the program) is defined as the total number of new program enrollments and number of active (continuing) students during the twelve (12) month reporting period minus the total number still enrolled in the program at the conclusion of the reporting period.

$$\begin{array}{rcccl} \text{Total \# Exiting Program} & & \text{Total \# Program} & & \text{Total \#Still Enrolled} \\ \text{In 12-Month} & = & \text{Enrollments in 12-} & - & \text{at End of 12-Month} \\ \text{Reporting Period} & & \text{Reporting Period} & & \text{Reporting Period} \end{array}$$

C. Credential Attainment Rate:

The credential attainment rate reflects the following fraction: Numerator= Total number who obtain a recognized post-secondary credential, or secondary school diploma or its recognized equivalent during participation or one (1) year after exit; Denominator = Total number exiting the program (both completers and non-completers) during the twelve (12) month reporting period.

$$\frac{\text{Total \# Obtaining Credential, Diploma, or Equivalent During Participation or 12-Months After Exit}}{\text{Total \# Exiting Program in 12-Month Reporting Period}}$$

D. Employment Rate During 2nd Quarter After Exit:

The employment rate is represented by the following fraction: Numerator = Total number exiting the program (both completers and non-completers) during the twelve (12) month reporting period with wages reported in the 2nd quarter subsequent to the exit quarter (the calendar quarter containing the exit or completion date); Denominator = Total number exiting the program (both completers and non-completers) during the twelve (12) month reporting period.

$$\frac{\text{Total \# Exiting Program in 12-Month Reporting Period with Wages in 2nd Quarter After Exit}}{\text{Total \# Exiting Program in 12-Month Reporting Period}}$$

Reported employment is found through unemployment insurance records in Tennessee Department of Labor and Workforce Development (TDLWD) and, as available, through other states or through Federal payroll records.

* All student measures will be calculated using only All Student numerator and denominator; WIOA Participant measures will be calculated using only WIOA participant numerator and denominator.

E. Employment Rate During 4th Quarter After Exit:

The employment rate is represented by the following fraction: Numerator = Total

number exiting the program (both completers and non-completers) during the twelve (12) month reporting period with wages reported in the 4th quarter subsequent to the exit quarter (the calendar quarter containing the exit or completion date); Denominator = Total number exiting the program (both completers and non-completers) during the twelve (12) month reporting period.

Total # Exiting Program in 12-Month Reporting Period **with** Wages in 4th Quarter
After Exit

Total # Exiting Program in 12-Month Reporting Period

Reported employment is found through unemployment insurance records in TDLWD and, as available, through other states or through Federal payroll records.

* All student measures will be calculated using only All Student numerator and denominator; WIOA Participant measures will be calculated using only WIOA participant numerator and denominator.

F. Median Earnings During 2nd Quarter After Exit:

This measure calculates the median quarterly earnings in unsubsidized employment of individuals exiting the program (both completers and non-completers) during the reporting period with earnings in the 2nd quarter subsequent to the exit quarter (the calendar quarter containing the exit or completion date).

The calculated median quarterly earnings is then divided by five hundred twenty (520) hours (the standard number of hours considered full time employment in a calendar year) to arrive at an hourly rate for comparison to the Federal minimum wage.

Reported employment is found through unemployment insurance records in TDLWD and, as available, through other states or through Federal payroll records.

* All student measures will be calculated using only All Student numerator and denominator; WIOA Participant measures will be calculated using only WIOA participant numerator and denominator.

VII. Subsequent Eligibility Determination:

A. Subsequent Eligibility:

- i. All programs approved for initial eligibility by the UCLWDB must be reviewed annually by the UCLWDB. Subsequent eligibility requirements under WIOA apply to ETPs transitioning to WIOA Title 18 who were previously eligible under WIA Title I and new ETPs that were determined to be initially eligible under WIOA to determine their continued eligibility

- to remain on the ETPL. This determination is called "Subsequent Eligibility) (WIOA Section 122[c][2] and 20 CFR 663.530) until changed to WIOA.
- ii. Subsequent eligibility determinations are made on an annual basis using the performance data supplied quarterly by the ETP.
 - iii. Only those programs with a minimum of ten (10) WIOA students enrolled during the reporting year are considered for subsequent eligibility decisions.
 - iv. Any program that fails to meet the minimum performance standards, as established by the State, will be removed from the ETPL for a minimum period of one (1) program year.
 - v. The State compiles and disseminates an annual Subsequent Eligibility Report. The report is posted for public viewing online through the ETPL website.
 - vi. ETPs receive the opportunity to review and correct their performance information prior to Subsequent Eligibility decisions and public dissemination of the report.
 - vii. The State adheres to the following guidelines when displaying performance data for each provider:
 - a. All programs with a minimum of one (1) WIOA participant during the reporting year will appear in the report.
 - b. For confidentiality purposes, only those programs with a minimum of ten (10) WIOA students enrolled during the reporting year have all their performance data displayed for public viewing.

B. Failure to Meet Subsequent eligibility:

- i. The State must remove a program if, as a result of the subsequent eligibility determination process, the program is found not to have met the minimum levels of performance set by the State (WIOA Section 122[b][1][A]).
 - a. If the State removes a program from the ETPL for subsequent eligibility reasons, the State must, within ten (10) days of its decision, inform the LWDB in writing and include the reason(s) for the removal.
- ii. Prior to removal by the State, the UCLWDB must have the opportunity to submit supplemental performance data in efforts to keep the program on the ETPL. The types of supplemental data submitted may include information explained within WIOA Section 122(b)(2)-(b)(4)(D) and 20 CFR 680.490.
 - a. The specific economic, geographic, and demographic factors in the local areas in which training providers seeking eligibility are located; and
 - b. The characteristics of those served by the eligible training providers seeking eligibility, including the demonstrated difficulties in serving such populations, where applicable.

- iii. Any program removed from the ETPL for subsequent eligibility reasons must remain off of the ETPL for a minimum of one (1) complete program year.
- iv. In order for the program to be added back to the ETPL, the ETP must reapply through the LWDB. Performance data is required as part of the application process for the time period when the program was removed from the ETPL.
- v. While a program is removed from the ETPL for subsequent eligibility reasons, the ETP cannot receive new training participants utilizing ITA funds for the removed programs.

IX. Accuracy of Information:

A. Data Validation:

- i. To ensure that accuracy and validity of the information supplied by Eligible Training Providers, the State conducts data validation visits at least once every year for all ETPs or as warranted eligible by WIOA enrollment numbers.
 - a. During data validation visits, the State audits ETP files to verify previously submitted student, program, and provider information.
- ii. ETPs must meet the enrollment threshold before a data validation visit can occur. The enrollment threshold is as follows:
 - a. An ETP must have a minimum of fifteen (15) WIOA participants enrolled in its combined program offerings over a two (2) year period.
- iii. ETPs will receive at least a twenty-one (21) calendar-day advanced notice of the State's upcoming audit.
- iv. The ETPs must make available all files pertaining to WIOA participants covering the three (3) most recent program years.
- v. Each student file must contain documents to validate the following elements:

(a) Proof of Enrollment	(b) Program of Enrollment
(c) Program Completion	(d) Enrollment Date
(e) Completion Date	(f) Withdrawal Date (if applicable)
(g) Credential Received	(h) WIOA Participant Status

- vi. ETPs must also make available internal documents or sources to validate the following program elements:

(a) Program Name	(b) Program Length
(c) Program Cost	(d) Program Credential Offered

- vii. ETPs may be removed from the ETPL for a period of ten to ninety (10-90) days if the score they receive for data validation is not satisfactory.
- viii. If the State discovers evidence of intentionally misleading performance

information, the ETP will be removed from the ETPL for a period of no less than two (2) years.

- ix. The State will notify the certifying LWDB of the audit findings within ten (10) days of auditing.

X. ETPL Penalties:

A. Removal of a Provider or Program on the ETPL:

- i. The State may remove a program if the ETP fails to submit all the data required for subsequent eligibility determination within the required time frames (WIOA Section 122[b][2]).
- ii. The State may remove a program if an ETP fails to notify the State of any program changes including but not limited to costs, location of training, or change in State authorization status.
- iii. The State may remove a program at any point at which it is determined that the program does not meet the minimum criteria for initial listing specified in this procedure. For example, a program can be removed if its eligibility depended on accreditation, and the accreditation was lost (WIOA Section 122[b][1][E]).
- iv. The State may remove a program if it is determined that the applicant intentionally supplied inaccurate information.
- v. The State may remove a program if the ETP is found to have substantially violated any WIOA requirements.
- vi. The State may remove a program or ETP if it loses its accreditation after an appeal process.
- vii. The State may remove a program or ETP, at the request of the LWDB, for any of the following reasons:
 - a. Unethical/illegal billing practices
 - b. Violations of the Title VI Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; or the Act Discrimination Act 1975.
 - c. Lack of qualified training personnel or building infrastructure
- viii. The State must conduct an investigation prior to removing an ETP at the request of the UCLWDB.
- ix. The State may remove a program or ETP at the request of the institution.
 - a. If an eligible training provider requests removal from the ETPL for a particular program or the institution as a whole; It can be reactivated on the ETPL within one (1) year Assuming that it was in good standing when it was removed and no changes occurred in their program demographics during the removal period.
 - b. If an ETP whose self-requested removal is off the ETPL for

a period of time greater than one (1) year, that training provider must reapply for placement on the ETPL to the UCLWDB.

B. Suspension from the ETPL:

- i. ETPs may be suspended from the ETPL for any of the following actions:
 - a. Failure to submit quarterly performance reports or the exemption claim sheet by the deadlines
 - b. Failure to keep current the eligible training provider and program demographics information displayed on the ETPL
 - c. Failure to respond to a State request for a data validation visit
 - d. Poor performance during a data validation visit
 - e. Failure to submit corrections needed following quarterly report validation by the specified deadline
 - f. Failure to comply with State request for information
- ii. During any State or Federal criminal investigation launched against the institution or key personnel at the institution, the ETP may be removed from the ETPL until a final resolution is reached. Depending on the final resolution, the provider may be permanently removed from the ETPL.

C. Financial Reimbursement:

An ETP whose eligibility is terminated as a result of the reasons specified above in Section IX-Subsequent Eligibility Determination (A)(ii)-(vi) of the current policy for a program shall be liable for repayment of all funds received during any period of noncompliance (WIOA Section 122(f)(1)(C)).

For questions regarding this policy, contact Becky Hull, Executive Director, Upper Cumberland Local Workforce Development Board at bhull@ucworkforce.org

Attachments: None

Effective Date: January 15, 2018

Policy Duration: Indefinite



Board Chairperson, UCLWDB

ATTACHMENT 14

Measuring, Monitoring and Tracking Local Performance

UPPER CUMBERLAND LOCAL WORKFORCE DEVELOPMENT BOARD
PERFORMANCE PLAN

2020-2023

Purpose

This plan will outline the actions the Upper Cumberland Local Workforce Development Board (UCLWDB) will take to remain a high performing board, consistent with the factors developed by the State Workforce Board (SWB). This plan will define local performance measures, how progress will be tracked and reported to the local board, pertaining to the WIOA Primary Indicators of Performance and Key Performance Indicators (KPIs).

Performance Measures

- Primary Indicators of Performance- Section 116 of the Workforce Innovation and Opportunity Act (WIOA) establishes performance accountability indicators for the individuals served by each of the six core programs, Adult, Dislocated Worker, and Youth authorized under WIOA title I and administered by the U.S. Department of Labor; the Adult Education and Family Literacy Act (AEFLA) program authorized under WIOA title II and administered by the U.S. Department of Education (ED); the Employment Services (ES) authorized under the Wagner-Peyser Act, as amended by WIOA title III and administered by DOL; and the Vocational Rehabilitation (VR) program authorized under title I of the Rehabilitation Act of 1973, as amended by WIOA title IV and administered by ED.

The primary indicators as outlined under section 116(b)(2)(A) of WIOA are:

- Employment Rate – Second Quarter After Exit
- Employment Rate – Fourth Quarter After Exit
- Median Earnings – Second Quarter After Exit
- Credential Attainment
- Measurable Skill Gains
- Effectiveness in Serving Employers

The local board, the chief elected official and the Governor must negotiate and reach agreement on local levels of performance for two years at time, based on the state’s negotiated levels of performance. Adjustments shall be made for the expected economic conditions and the expected characteristics of participants to be served in the local area, using the statistical adjustment model developed pursuant to subsection (b)(3)(a)(viii) of WIOA.

Local negotiations must be completed by September 30th within each year that negotiations occur. The UCLWDB’s most recent State negotiated Primary Indicators of Performance are attached to this plan in “Attachment I”.

- Key Performance Indicators (KPIs)- Provide a way of measuring the effectiveness of an organization in achieving its goals. In pursuit of continuous improvement, the Tennessee Department of Labor and Workforce Development developed annualized regional and state KPIs. KPIs align with the Governor’s Objective to become the best public workforce in the nation; increase transparency, fiscal accountability, responsiveness, and foster regional collaboration.

KPIs are set by the state and were developed in order to increase the impact of the public workforce system, primarily through increased enrollment. The state identified the following programs to have new enrollment targets:

- Title I Adult, Dislocated Worker and Youth
- Title II Adult Education
- Title III Wagner-Peyser
- Title IV Vocational Rehabilitation (VR)
- Senior Community Service Employment Program (SCSEP)
- Trade Adjustment Assistance (TAA)
- Supplemental Nutrition Assistance Program Employment and Training (SNAP)
- Jobs for Veterans State Grant (JVSG)
- Re-Employment Services and Eligibility Assessments (RESEA)
- Migrant and Seasonal Farm Work (MSFW)
- Reentry
- Temporary Assistance for Needy Families (TANF)

From the state targets and guidelines, Executive Directors within the Grand Planning Region used local knowledge, potential to serve and historical data to develop local targets. In January of 2020, the UCLWDB Executive Director, Staff to the Board and a representative from each of the programs worked with State staff to refine the quarterly targets based on local knowledge, seasonal trends and historical enrollment data.

These targets are soft, meaning as a pilot measure there are no rewards or sanctions associated with these measures at this time. The UCLWDB’s most recent State negotiated KPIs are attached to this plan in “Attachment II”.

Performance Team

Staff to the Board will utilize the team of partner representatives that met in January of 2020 to refine the State developed KPIs for the local area to analyze data, track and monitor the progress of the Primary Indicators of Performance and Key Performance Indicators. The partner

representatives will be known as the performance team. The team consist of a representative from the following programs:

- ✓ Title I Adult and Dislocated Worker
- ✓ Title I Youth
- ✓ Wagner Peyser
- ✓ Senior Community Service Employment Program (SCSEP)
- ✓ Re-Employment Services and Eligibility Assessments (RESEA)
- ✓ Trade Adjustment Assistance (TAA)
- ✓ Supplemental Nutrition Assistance Program Employment and Training (SNAP)
- ✓ Jobs for Veterans State Grants (JVSG)
- ✓ Migrant and Seasonal Farm Work (MSFW)
- ✓ Reentry
- ✓ One Stop Operator
- ✓ Staff to the Board

Timeline

The performance team will have dedicated regular mid-quarter meetings to consistently track and review performance data with a goal to improve outcomes and reduce gaps in performance, to consistently meet or exceed state and local targets. Meetings will be led by the Performance and Information System Manager. Team representatives will be required to bring reports from their programs to include new enrollments calculations for the previous quarter and the current quarter to date. Mid-quarter meetings will allow the use real time data to gage current quarter status while reviewing the previous reported quarter data.

Mid-quarter meetings will take place during the months of February, May, August and November.

Focus

The performance team will focus on seven areas Communication, Collaboration, Customer Service, Leadership-Management, Resources, Policy and Procedures and Performance Improvement.



Communication

Are we communicating a clear definition of performance targets and performance progress with all parties?

The Performance and Information System Manager will ensure that each of the performance team program representatives have a clear understanding of the performance definitions and the roles and responsibilities. The performance team program representatives will be responsible for communicating to their program teams and front-line staff these definitions and roles and responsibilities. Staff to the Board will report the outcomes of the performance team meetings and quarterly performance updates to the local board by means of local dashboard reports and state report cards. Presenting them in a format that is clear and easy to read and understand. The performance team representatives will be responsible for communicating the same reports and outcomes to their individual program team members especially front-line staff. Staff to the Board and performance team representatives will also be responsible for communicating performance deficiencies and how each program will address these deficiencies as well as performance accomplishments. Performance updates will become a standard component of the quarterly cross trainings, executive committee meetings and Board meetings.

Collaboration

Are we working together as a team with shared goals?


Team representatives will work together to ensure the coordination of all programs by encouraging co-enrollments and utilizing the referral process. Co-enrollment enables the participant to receive a full spectrum of services to meet their educational and employment needs. A collaborative approach must be communicated and implemented with all front-line staff to ensure we are addressing and serving the priority populations as defined in WIOA section 3(24) and assisting those hardest to serve. Program representatives will be asked to identify how each program will focus their efforts on priority populations to help meet negotiated state and local performance levels. Team representatives will identify best practices and share program achievements and challenges.

Customer Service

Are we providing high-quality customer service tailored to meet the employment needs of local employers, workers and job seekers?

The success of the programs and the American Job Center is dependent on the integration and deliverance of services based upon the customer needs rather than the program focus. The performance team representatives along with the leadership-management staff of each program will work with front-line staff to ensure that customer choice and need is top priority. By ensuring meaningful assistance and case management is continually being provided, ensuring customer choice in training and provider selection utilizing the Eligible Training Provider List (ETPL), making the fourteen youth program elements available to youth participants and basing program enrollment on customer need and not enrollment targets.

The performance team representatives will take a closer look at the current customer service survey and the process to design a new survey and determine a best practice for distributing, collecting and reviewing the survey results to maximize customer experiences.

Leadership-
Management

Do we have the cooperation of the leadership and management staff of each program to cultivate a team approach that spans the fourteen-county region in meeting and exceeding performance indicators rather than the silo approach?

The key is leadership and management buy-in. If the leadership and management team of each program is not fully vested the efforts of the local board and program partners will fail miserably! The vested attitude and culture must be transmitted to the front-line staff. The leadership and management of each program must ensure that front-line staff, including the welcome function team, have the knowledge of partner programs and work to create a seamless collaboration. The leadership and management staff of each program must ensure that front-line staff and the welcome function team continuously receive training and technical assistance. The Performance and Information Systems Manager along with Staff to the Board will make continued efforts to provide training opportunities and will work with the state to secure additional technical assistance and training as needed. The leadership and management staff must clearly communicate performance trends and create ownership among team members and program partners and foster the ownership that local performance measures affect the performance levels of the region and state.

Resources

Do we have the resources needed to carry out the work of the program/s to ensure performance measures are met and are we utilizing outside resources?

Performance team representatives will review and analyze resources and the use of resources to include but not limited to technology, staffing, training, and technical assistance. The team will analyze data from various reports such as case load reports, greeter and traffic count reports, case note reports and exit status to identify trends and target areas of improvement. The data will be disaggregated to look not only at the local area but by American Job Center location and individual case managers. Team representatives will coordinate activities with other core programs and outside agencies, including community resources unique to each county within our region.

Policy & Procedures

Are policies and procedures aligned and informed based on performance data results?

The performance team representatives will analyze procedures to ensure daily processes are aligned and occurring to meet performance targets including, but not limited to, data entry, timeliness of data entry and program referrals. The performance team will ensure front-line staff are educated in policies, case management, processes and procedures and will continuously communicate changes. The representatives will review policies and provide feedback to Staff to the Board on adjustments needed to policies and procedures that will allow for continuous positive performance outcomes. Staff to the Board will keep the team representatives updated on policy change and provide feedback to the local board based on adjustments suggested by the performance team.

Performance Improvement

How will we promote continuous improvement in performance and improve performance deficiencies?

The performance team representatives for each program will use the data, trends, and outcomes identified during the mid-quarter meetings to identify areas of improvement and deficiencies. The team representatives will communicate these outcomes to front-line staff and work with leadership and management staff to complete a Performance Improvement Plan to address deficiencies identified from the previous completed quarter. The Performance Improvement Plan that identifies performance deficiencies and strategies planned to improve performance outcomes must be submitted to the Staff to the Board within two weeks of the mid-quarter meeting. As well, performance achievements will be communicated and

celebrated with front-line staff. The Staff to the Board will review and present the Performance Improvement Plans and performance achievements to the local board.

Conclusion

Performance team representatives, program leadership-management staff and Staff to the Board will use data analysis results and updates from each of the seven focus areas to compile a dashboard report to be communicated to leadership-management staff, front line staff and the local board. The performance team will be able to make informed decisions and develop strategies to address and identify gaps in performance.

Staff to the Board along with the performance team representatives will track performance outcomes using local, regional and state data sources and reporting tools and will report the outcomes to the local board using a dashboard report that explains in detail the performance indicators. Utilizing the report data, updates from the seven focus areas along with labor market information will enable the UCLWDB to have a better understanding of the needs of the local area. This plan and updates will be presented to board members during regularly scheduled board meetings as well as to the Executive Committee. The UCLWDB will be able to use the dashboard reports and meeting outcomes to make fact-based decisions to drive performance, strategies and policy alignment in meeting the local negotiated performance targets to become and remain a high performing board.

ATTACHMENT 15

**Upper Cumberland Primary Indicators of Performance
PY20 and PY21 Negotiations**

Title I - Adult		
	PY 20 Negotiated Level	PY 21 Negotiated Level
Employment - 2nd Quarter after Exit	TBD by Sept 30	TBD by Sept 30
Employment - 4th Quarter after Exit	"	"
Median Earnings - 2nd Quarter after Exit	"	"
Credential Attainment Rate	"	"
Measurable Skill Gains	"	"

Title I - Dislocated Worker		
	PY 20 Negotiated Level	PY 21 Negotiated Level
Employment - 2nd Quarter after Exit	TBD by Sept 30	TBD by Sept 30
Employment - 4th Quarter after Exit	"	"
Median Earnings - 2nd Quarter after Exit	"	"
Credential Attainment Rate	"	"
Measurable Skill Gains	"	"

Title I - Youth		
	PY 20 Negotiated Level	PY 21 Negotiated Level
Employment - 2nd Quarter after Exit	TBD by Sept 30	TBD by Sept 30
Employment - 4th Quarter after Exit	"	"
Median Earnings - 2nd Quarter after Exit	"	"
Credential Attainment Rate	"	"
Measurable Skill Gains	"	"

Title II - Adult Education		
	PY 20 Negotiated Level	PY 21 Negotiated Level
Employment - 2nd Quarter after Exit	TBD by Sept 30	TBD by Sept 30
Employment - 4th Quarter after Exit	"	"
Median Earnings - 2nd Quarter after Exit	"	"
Credential Attainment Rate	"	"
Measurable Skill Gains	"	"

Wagner-Peyser - Employment Service		
	PY 20 Negotiated Level	PY 21 Negotiated Level
Employment - 2nd Quarter after Exit	TBD by Sept 30	TBD by Sept 30
Employment - 4th Quarter after Exit	"	"
Median Earnings - 2nd Quarter after Exit	"	"
Credential Attainment Rate	N/A	N/A
Measurable Skill Gains	N/A	N/A

Vocational Rehabilitation		
	PY 20 Negotiated Level	PY 21 Negotiated Level
Employment - 2nd Quarter after Exit	Baseline	Baseline
Employment - 4th Quarter after Exit	Baseline	Baseline
Median Earnings - 2nd Quarter after Exit	Baseline	Baseline
Credential Attainment Rate	Baseline	Baseline
Measurable Skill Gains	TBD	TBD

All WIOA Core Programs		
	PY 20 Negotiated Level	PY 21 Negotiated Level
Effectiveness in Employers Serving	N/A	N/A
Repeat Business	TBD	TBD
Employer Penetration	TBD	TBD

ATTACHMENT 16

Upper Cumberland Local Workforce Development Board
Key Performance Indicators

Adult and Dislocated Work
New Enrollments

2020 Target

Quarter 1	110
Quarter 2	80
Quarter 3	90
Quarter 4	75
Total	355

Youth
New Enrollments

2020 Target

Quarter 1	73
Quarter 2	54
Quarter 3	54
Quarter 4	35
Total	216

Adult Education
Enrollments

PY 2019 Target

Quarter 1 July 1 to Sept 30	305* Actual
Quarter 2 Oct 1 to Dec 31	124* Actual
Quarter 3 Jan 1 to March 31	149
Quarter 4 April 1 to June 30	224
Total	802 (2.82%)

SCSEP
Exits

2020 Target

Quarter 1	3
Quarter 2	4
Quarter 3	5
Quarter 4	2
Total	14

Upper Cumberland Local Workforce Development Board
Key Performance Indicators

Wagner-Peyser
New Enrollments

2020 Target

Quarter 1	267
Quarter 2	380
Quarter 3	499
Quarter 4	240
Total	1386

RESEA
Co-enrollments

2020 Target

Quarter 1	26
Quarter 2	27
Quarter 3	27
Quarter 4	12
Total	92

Trade Adjustment
Assistance
Title I Adult and Youth
Co-enrollment Rate

2020 Target

Quarter 1	50.00%
Quarter 2	50.00%
Quarter 3	50.00%
Quarter 4	50.00%

JVSG
New Enrollments

2020 Target

Quarter 1	1
Quarter 2	8
Quarter 3	10
Quarter 4	5
Total	24

Reentry
New Enrollments

2020 Target

Quarter 1	45
Quarter 2	60
Quarter 3	61
Quarter 4	50
Total	216

SNAP E&T
New Enrollments

2020 Target

Quarter 1	22
Quarter 2	23
Quarter 3	25
Quarter 4	21
Total	91

MSFW
New Enrollments

2020 Target

Quarter 1	5
Quarter 2	9
Quarter 3	9
Quarter 4	8
Total	31

TANF
New Enrollments

2020 Target

Quarter 1	
Quarter 2	
Quarter 3	NA
Quarter 4	NA

VR
New Enrollments

2020 Target

Quarter 1	
Quarter 2	
Quarter 3	NA
Quarter 4	NA

In Development

In Development

ATTACHMENT 17

**Upper Cumberland
Local Workforce Development Board
POLICIES AND PROCEDURES**

Title: Auxiliary Aids and Americans with Disabilities Act Policy
Date of Adoption: June 9, 2020

PURPOSE: The Upper Cumberland Local Workforce Development Board, Incorporated, underscores the importance of using technology to increase physical and programmatic accessibility to high quality workforce services. To afford individuals with disabilities equal opportunity to participate in WIOA Title I programs and activities, the Upper Cumberland workforce area will take all reasonable steps to furnish an appropriate auxiliary aid or service to those in need of hearing, seeing, or English language assistance.

POLICY: This policy sets forth guidance requirements for all Upper Cumberland workforce area American Job Centers (AJC) and service providers to ensure compliance with the ADA requirements, as well as ensuring access to participants with disabilities in regard to the use of auxiliary aids and other communication assistance. This policy also addresses the use of service dogs in the AJC.

I. Auxiliary Aids

The Upper Cumberland will ensure the following auxiliary aids and services – or similar assistance as may be appropriate – be made to customers in need of such aids and services in accordance with 28 CFR 36.303 and ADA Effective Communication Guidelines (Attachment A of this policy):

- 1) Over-the-phone interpretation
- 2) Consecutive interpretation, either in person or written translation
- 3) Sign language interpretation
- 4) Text Telephone (TTY) devices, telephone amplifiers, or assistive listening devices
- 5) Computer aided transcription services
- 6) Hearing-aid compatible (HAC) telephones captioning services and equipment
- 7) Audio recordings, computer disks, visual devices, certain material in braille, and other assistive technologies designed to help needs of individuals who have hearing or seeing difficulties

If consecutive interpretation is provided with the Upper Cumberland area AJCs, the interpreter must be licensed as a Certified Interpreter in the State of Tennessee. In determining the type of auxiliary aid or

service to a participant with a disability, assisting staff must give primary consideration to the request of the participant.

II. Service Animals (TCA 62-7-112):

Service animals may be used by individuals with disabilities in assistance with “work tasks” (work task is defined within the definition section of this policy).

1. No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any Upper Cumberland workforce area AJC, which operates as a place of public accommodation. Pursuant to 28 CFR 36.302(c)(2), a public accommodation may ask the individual with a disability to remove a service animal from the premises if:
 - a) The animal is out of control and the animal’s handler does not take effective action to control it; or
 - b) The animal is not housebroken.If an animal is properly excluded under 28 CFR 36.302(c)(2), AJC staff shall give the individual with a disability the opportunity to obtain goods, services, and accommodations without having the service animal on the premises. 28 CFR 36.302(c)(3)
2. The Upper Cumberland workforce area AJC system recognizes that only dogs are considered to be service animals in the State of Tennessee. Service animals are any dog that is individually trained to do work or preform a work task for the benefit of an individual with a disability, including providing physical, sensory, psychiatric, intellectual, or mental assistance.
3. AJC staff is not responsible for the care or supervision of a service animal.
4. Individuals with disabilities shall be permitted to be accompanied by their service animal in all areas of the AJC where members of the public, program participants, clients, customers, patrons, or invitees, as relevant, are allowed to go.
5. AJC staff shall not ask about the nature or extent of a person’s disability or require documentation in order to allow the individual to be accompanied by a service animal.
6. In determining whether an animal qualifies as a service animal, AJC staff may:
 - a) Ask if the animal is required because of a disability; or
 - b) Ask what task the animal has been trained to perform.
7. AJC staff shall not ask or require an individual with a disability to pay a surcharge or comply with any other requirements not applicable to people without pets.

III. Definitions

1. **Auxiliary Aids and Services** (Americans with Disabilities Act of 1990, amended, Section 12103(1); 28 CFR 36.303): Includes qualified interpreters, note takers, computer-aided services, written materials, telephone handset amplifiers, assistive listening devices or systems, CAP TEL phones, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDDs), videotext displays, or other effective methods of making aurally delivered materials available to individuals with hearing impairments, qualified readers, taped texts, audio recordings, Brailled materials, large print materials, or other effective methods of making visually delivered materials available to

individuals with visual impairments, acquisition or modification of equipment or devices, or other similar services and actions.

2. **Disability:** ADA defines a person with a disability as an individual who has a physical or mental impairment that substantially limits at least one major life activity, has a record of such impairment, or is regarded as having such impairment. Under ADA, "disability" is not a medical term but instead a legal categorization. (Americans with Disabilities Act of 1990, amended, Section 12102(1).
3. **Major Life Activities:** include but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, breathing, learning, reading, concentrating, thinking, communicating, and working. Major life activities also include major bodily functions. (Americas with Disabilities Act of 1990, amended, Section 12102(2), and Americans with Disabilities Act Amendments Act of 2008 Section 4(a)(2)).
4. **Consecutive Interpretation:** a translation technique where the interpreter waits for the speaker to finish a sentence or idea before rendering the speaker's words into the target language.
5. **Primary Consideration:** honoring the choice of the participant with a disability unless the provider can demonstrate one of the following: another equally effective means of communication is available; or the use of the chosen means would result in a fundamental alteration of service, program, or activity (28 CFR 35.164); or that the use of the chosen means would result in an undue financial or administrative burden (28 CFR 35.164).
6. **Work Task:** for the purpose of this policy, the appropriate work or task of a service animal may include, but is not limited to the following; assisting individuals who are blind or low vision with navigation or other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue, pulling a wheelchair, assisting an individual during a seizure, alerting an individual to the presence of allergens, retrieving items such as medication or the telephone, providing physical support, assistance with balance and stability to persons with mobile disabilities, helping people with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. A work task *may not* include crime deterrent by effect of the animal's presence, or the provision of emotional support, well-being, comfort, or companionship.

ATTACHMENTS: ADA Effective Communications Guidelines

EFFECTIVE DATE: July 1, 2020

DURATION: Indefinitely

CONTACT: For questions regarding this policy, contact Becky Hull, Executive Director, Upper Cumberland Local Workforce Development Board at bhull@ucworkforce.org

Board Chairperson, UCLWDB

* Passed by Full Board
vote 6-9-20. Waiting
on Chairperson's signature.
Vote was taken during
virtual meeting.

ATTACHMENT 18



WIOA FISCAL AGENT AGREEMENT
BETWEEN THE
CHIEF LOCAL ELECTED OFFICIAL (CLEO) OF THE
CONSORTIUM OF LOCAL ELECTED OFFICIALS FOR THE UPPER CUMBERLAND
LOCAL WORKFORCE DEVELOPMENT AREA
AND THE
UPPER CUMBERLAND LOCAL WORKFORCE DEVELOPMENT BOARD,
INCORPORATED

THIS AGREEMENT is entered into by and between the following parties: The Chief Local Elected Official (CLEO) representing the Consortium of Local Elected Officials (LEOs) of the Upper Cumberland Local Workforce Development Area and the Upper Cumberland Local Workforce Development Board, Incorporated.

WITNESSETH that:

WHEREAS, Federal Public Law 113-128 of the Workforce Innovation and Opportunity Act of 2014- Title I (“WIOA”) enacted by Congress of the United States and signed into law by the President of the United States has prescribed a unified workforce investment system that increases employment, retention, and earnings of participants, and increases the attainment of recognized post-secondary credentials by participants, and as a result improves the quality of the workforce, reduces welfare dependency, increases economic self-sufficiency, meets the skill requirements of employers and enhances the productivity and competitiveness of the Nation; and

WHEREAS, in accordance with WIOA Section 107(d)(12)(B)(I), the Consortium of Local Elected Officials (LEOs) of the Upper Cumberland Local Workforce Development Area serve as the local grant recipient for WIOA funds allocated to the local area and bear such liability; and

WHEREAS, in accordance with WIOA Section 107(d)(12)(B)(II), in order to assist in the administration of the grant funds, the Chief Local Elected Official (CLEO) representing the Consortium of Local Elected Officials (LEOs) may designate an entity to serve as local fiscal agent to serve as a grant subrecipient for WIOA funds. This designation, however, shall not relieve the Consortium of the liability for any misuse of grant funds; and

WHEREAS, in accordance with 20 CFR 679.420, when the Chief Local Elected Official (CLEO) representing the Consortium of Local Elected Officials (LEOs) elects to appoint a fiscal agent to assist in the administration of grant funds, the CLEO must ensure the fiscal agent has clearly defined roles and responsibilities.

NOW, THEREFORE, the parties agree that the CLEO has designated as Fiscal Agent and Administrative Entity for the Upper Cumberland Local Workforce Development Area as the **Upper Cumberland Local Workforce Development Board, Incorporated** and shall have duties and responsibilities as follows:

- (1) Receive funds
- (2) Ensure sustained fiscal integrity and accountability for expenditures of funds in accordance with Office of Management and Budget circulars, WIOA and the corresponding Federal Regulations and State policies
- (3) Respond to audit financial findings
- (4) Maintain proper accounting records and adequate documentation
- (5) Prepare financial reports
- (6) Provide technical assistance to sub-recipients regarding fiscal issues
- (7) Procure contracts or obtain written agreements
- (8) Conduct financial monitoring of service providers
- (9) Ensure independent audit of all employment and training programs

The fiscal agent shall have full authority, which includes signatory authority, to execute the above listed duties and responsibilities but shall take no action that has not been authorized by the CLEO.

The fiscal agent shall maintain communication between the Consortium of Local Elected Officials (LEOs) through a detailed financial report at quarterly meetings of the Consortium. In addition, the fiscal agent shall give monthly financial reports to the Chief Local Elected Official (CLEO) chosen to represent the Consortium. The fiscal agent shall also be responsible for providing local WIOA financial reports to the Local Board and Tennessee Department of Labor and Workforce Development as required.

Further in accordance with WIOA Section 107(f)(1), the parties to this agreement agree that the Upper Cumberland Local Workforce Development Board, Incorporated will serve as the Staff to the Board Administrative Entity to assist in carrying out the functions of the local board in accordance with the Consortium of Local Elected Officials (LEOs).

Pursuant to 20 CFR 679.400, should an entity be chosen to provide additional workforce functions beyond the fiscal functions described at WIOA sec. 107(d), such an entity is required to clarify additional roles and responsibilities. Staff to the Board functions under the Upper Cumberland Local Workforce Development Board, Incorporated shall:

- (1) Develop and submit a 4-year local plan for the local area, in partnership with the chief elected official and consistent with WIOA sec. 108;
- (2) If the local area is part of a planning region that includes other local areas, develop and submit a regional plan in collaboration with other local areas. If the local area is part of a planning region, the local plan must be submitted as a part of the regional plan;
- (3) Conduct workforce research and regional labor market analysis to include:
 - a) Analyses and regular updates of economic conditions, needed knowledge and skills, workforce, and workforce development (including education and training) activities to include an analysis of the strengths and weaknesses (including the capacity to provide) of such services to address the identified education and skill needs of the workforce and the employment needs of employers;
 - b) Assistance to the Governor in developing the statewide workforce and labor market information system under the Wagner-Peyser Act for the region; and
 - c) Other research, data collection, and analysis related to the workforce needs of the regional economy as the WDB, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions;
- (4) Convene local workforce development system stakeholders to assist in the development of the local plan under § 679.550 and in identifying non-Federal expertise and resources to leverage support for workforce development activities. Such stakeholders may assist the Local WDB and standing committees in carrying out convening, brokering, and leveraging functions at the direction of the Local WDB;
- (5) Lead efforts to engage with a diverse range of employers and other entities in the region in order to:
 - a) Promote business representation (particularly representatives with optimum policy-making or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the Local WDB;
 - b) Develop effective linkages (including the use of intermediaries) with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities;
 - c) Ensure that workforce investment 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; and
- d) 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), that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations;
- (6) With representatives of secondary and postsecondary education programs, lead efforts to develop and implement career pathways 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;
 - (7) Lead efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers and job seekers, and identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs;
 - (8) Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and job seekers, by:
 - a) Facilitating connections among the intake and case management information systems of the one-stop partner programs to support a comprehensive workforce development system in the local area;
 - b) Facilitating access to services provided through the one-stop delivery system involved, including access in remote areas;
 - c) Identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills; and
 - d) Leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment;
 - i) In partnership with the chief elected official for the local area:
 - e) Conduct oversight of youth workforce investment activities authorized under WIOA sec. 129(c), adult and dislocated worker employment and training activities under WIOA secs. 134(c) and (d), and the entire one-stop delivery system in the local area;
 - f) Ensure the appropriate use and management of the funds provided under WIOA subtitle B for the youth, adult, and dislocated worker activities and one-stop delivery system in the local area; and
 - g) Ensure the appropriate use management, and investment of funds to maximize performance outcomes under WIOA sec. 116;
 - (9) Negotiate and reach agreement on local performance indicators with the chief elected official and the Governor;
 - (10) Negotiate with CLEO and required partners on the methods for funding the infrastructure costs of one-stop centers in the local area in accordance with § 678.715

- of this chapter or must notify the Governor if they fail to reach agreement at the local level and will use a State infrastructure funding mechanism;
- (11) Select the following providers in the local area, and where appropriate terminate such providers in accordance with 2 CFR part 200:
 - a) Providers of youth workforce investment activities through competitive grants or contracts based on the recommendations of the youth standing committee (if such a committee is established); however, if the Local WDB determines there is an insufficient number of eligible training providers in a local area, the Local WDB may award contracts on a sole-source basis as per the provisions at WIOA sec. 123(b);
 - b) Providers of training services consistent with the criteria and information requirements established by the Governor and WIOA sec. 122;
 - c) Providers of career services through the award of contracts, if the one-stop operator does not provide such services; and
 - d) One-stop operators in accordance with §§ 678.600 through 678.635 of this chapter;
 - (12) In accordance with WIOA sec. 107(d)(10)(E) work with the State to ensure there are sufficient numbers and types of providers of career services and training services serving the local area and providing the services in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities;
 - (13) Coordinate activities with education and training providers in the local area, including:
 - a) Reviewing applications to provide adult education and literacy activities under WIOA title II for the local area to determine whether such applications are consistent with the local plan;
 - b) Making recommendations to the eligible agency to promote alignment with such plan; and
 - c) Replicating and implementing cooperative agreements to enhance the provision of services to individuals with disabilities and other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination;
 - (14) Develop a budget for the activities of the Local WDB, with approval of the chief elected official and consistent with the local plan and the duties of the Local WDB;
 - (15) Assess, on an annual basis, the physical and programmatic accessibility of all one-stop centers in the local area, in accordance with WIOA sec. 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and
 - (16) Certification of one-stop centers.

The Upper Cumberland Local Workforce Development Board, Incorporated shall have all operational and supervision authority in fulfilling the duties outlined within this Agreement. The

terms of this Agreement become effective upon acceptance by the Consortium, as represented by the Chief Local Elected Official (CLEO), and shall remain in force until such time as one or more parties call for a modification, amendment or alteration of the terms and conditions herein.

Signatory Authorities:



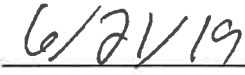
Randy Porter
Mayor, Putnam County
Chief Local Elected Official (CLEO)
Upper Cumberland Local Workforce Area



Date



Steven Crook
Chairman
Upper Cumberland Local Workforce Development Board, Inc.



Date

ATTACHMENT 19

Upper Cumberland

WORKFORCE



Developing Talent to Support Long-term, Regional Workforce Needs

PROCUREMENT MANUAL

Issued July 2019

I. Purpose and Application

The purpose of this manual shall be to outline procurement processes of the Upper Cumberland Local Workforce Development Board, Inc. (hereinafter referred to as "UCLWDB") in the procurement of goods and services obtained with Workforce Investment Opportunity Act (WIOA) funds. This manual is designed to accompany and support the Upper Cumberland Local Workforce Development Board Procurement Policy (Revised May 2019), which is the guiding principle setting procurement policies within the UCLWDB. This manual shall provide the order and steps of procurement methods so as to establish a consistent and repetitive approach to UCLWDB expenditures.

II. Procurement Methods

UCLWDB procurements shall fall within the three following categories: Small Dollar Purchases, Informal Competitive Solicitations, and Formal Competitive Solicitations. Processes detailing these methods are set forth in Section III of this Manual. Exceptions to prescribed procurement methods will be allowed only in the following circumstances:

- (1) Cost-Reimbursement Only- Procurement transactions between UCLWDB and units of state and local government which shall be conducted on cost-reimbursement basis only. (WIOA Sec. 184(a)(3)(B))
- (2) Sole Source Purchase- A Sole source purchase available from only a single supplier. Written justification and supporting documentation for Sole Source purchases must be submitted for approval by the Executive Director.
- (3) Emergency Purchases- Emergency purchases do not include conditions arising from neglect or indifference or failure to anticipate normal needs. Request for an emergency purchase should be made to the UCLWDB Budget Committee by the Executive Director accompanied by detailed documentation of the need for emergency request.

III. Procurement Processes

The following processes shall be applied to the UCLWDB Procurement methods named in Section II of this Manual.

- (1) Small Dollar Purchases- Non-recurring purchases totaling less than \$10,000.00 cumulatively in expenses may be made without documenting quotes or proposals from multiple vendors.

A. Small Dollar Purchasing Guidelines

- i. Prior to making small dollar purchases, a Purchase Order Request shall be completed by the UCLWDB employee or department head requesting the purchase and submitted to the UCLWDB Fiscal Agent. Request should include:
 - a. Item to be purchased
 - b. Dollar Amount
 - c. Seller Name
 - d. Justification for the purchase
 - e. Date
- ii. UCLWDB Fiscal Agent shall review the Purchase Order Request to determine whether the cost is reasonable and necessary. Consideration will also be given as to the overall UCLWDB budget and funds available.
- iii. Upon determination that the cost is payable and necessary, the Fiscal Agent shall sign the Purchase Order Request and submit to the UCLWDB Executive Director for final purchasing authority.
- iv. Once approved by the UCLWDB Fiscal Agent and Executive Director, the Purchase Order will be returned to the Fiscal Agent for payment. Receipt and/or documentation of payment should be attached to the Purchase Order and retained in current fiscal year records.

B. Small Dollar Purchase Restrictions

- i. Splitting of purchases or invoices so as not to exceed the small dollar threshold is prohibited.
- ii. Small dollar purchase authority should not be used for expenses reoccurring in nature.

(2) Informal Competitive Solicitations- Purchases totaling less than \$50,000.00 in expense may be based upon written, telephone or electronic bids.

A. Informal Competitive Solicitations Guidelines

- i. For purchases totaling \$10,000.00-\$49,999.99, the UCLWDB Fiscal Agent shall solicit informal competitive bids from at least (3) vendors.
- ii. A current website, electronic quote, catalogue, price list, or price available at retail to the general public may count as a quote.

- iii. The UCLWDB Fiscal Agent will review and revise the specifications for quotes, if necessary, to ensure fair and open competition.
- iv. All quotes received should be documented within the purchase file.
- v. If more than three (3) quotes are secured, the UCLWDB Fiscal Agent has authority to select the top three (3) competitive quotes to present for consideration.
- vi. The UCLWDB Fiscal Agent shall present the three (3) quotes to the UCLWDB Executive Committee at an open meeting for their discussion and consideration.
- vii. The UCLWDB Executive Committee has final authority to select the winning bid. Minutes reflecting the selection through an approved motion should be included within the purchase file.

B. Informal Competitive Solicitations Restrictions

- i. Splitting of purchases or invoices so as not to exceed the \$50,000.00 threshold is prohibited.
- ii. The Informal Competitive Solicitations process may be used for expenses reoccurring in nature, so long as:
 - a. The total contract amount awarded does not exceed \$50,000.00 or;
 - b. If the expense is reoccurring in nature but does not require an initial awarded contract amount (such as monthly internet or phone service), the Informal Competitive Solicitations process may be if the reoccurring expense will not exceed the \$50,000.00 threshold within a fiscal year.

(3) Formal Competitive Solicitations- A formal sealed bid solicitation process shall be used when the estimated aggregate total of the expense is \$50,000 or more, including renewal terms of multi-year awards. This formal competitive process will be conducted by issuing a Request for Proposals (RFP) and must be consummated through a written contract approved by majority vote of UCLWDB members and signed by the UCLWDB Board Chairman. All steps within the Formal Competitive Solicitations process should be documented within an individual RFP Process File and retained by the UCLWDB Compliance Officer.

A. Formal Competitive Solicitations Guidelines

- i. After verifying that funds are available, the UCLWDB Fiscal Agent will submit the RFP specifications to the UCLWDB Compliance Officer who will draft and prepare the RFP for publication. The RFP must include:
 - a. Complete, accurate and detailed specifications of the goods or services to be purchased. If the RFP is for services a Scope of Work section is required;
 - b. Instructions and information concerning bid or proposal submission requirements, including proposal format, deadline for submissions, address to which proposals should be delivered, RFP process timetable, and any other special information;
 - c. Time and terms of delivery, specifying when delivery must be made or begin;
 - d. Bond and insurance requirements, if any;
 - e. Instruction, forms and any documents necessary to enable vendors to prepare and submit proposals (e.g., anticipated contract award or price list);
 - f. Bidder qualifications;
 - g. Prohibited Vendors;
 - h. Evaluation process and criteria used to evaluate proposals;
 - i. Delivery or performance schedule;
 - j. Inspection requirements;
 - k. Record retention requirements;
 - l. Operating systems and technical requirements;
 - m. Method and contact for submitting bid questions or inquiries;
 - n. Bid protest procedure and deadline to submit bid protest;
 - o. Any contract terms and conditions required by the UCLWDB or Tennessee Department of Labor and Workforce Development.
- ii. The draft RFP will be submitted to the UCLWDB Executive Director for review and approval.
- iii. Once approved by the UCLWDB Executive Director, the RFP shall then be submitted to the UCLWDB Executive Committee, who shall have final approval authority. Minutes reflecting an approved motion should be included in the RFP Process File.

- iv. Following documented approval by the UCLWDB Executive Committee, the RFP shall be returned to the UCLWDB Fiscal Agent to prepare for publication.
- v. The RFP will be published by posting on the UCLWDB website, any applicable legal publications, and may also be sent to interested vendors via electronic mail. Efforts should be made to publish as widely as possible. To the extent feasible, a record of all vendors retrieving a copy of the solicitation must be maintained within the RFP Process File.
- vi. The UCLWDB Fiscal Agent will receive sealed bids until 4:00 pm (CST) on the day specified within the RFP and secure them until the date and time scheduled for review.
- vii. Sealed bids will be issued to individual Selection Committee members along with a score sheet for review and bid evaluation. The Selection Committee and scoring criteria will be chosen in accordance with Part (B) of this Section. Members shall open sealed bids and conduct their review and scoring privately. Procedural discussions are allowed between Committee members. Discussion between other committee or UCLWDB members regarding merits of the bids or scoring levels is improper. Each Selection Committee member shall then return the bids and score sheets to the UCLWDB Compliance Officer within the designated timeframe.
- viii. The UCLWDB Compliance Officer will present score sheets and bid evaluations to the UCLWDB Executive Committee at a scheduled and open meeting. Minutes reflecting evaluation discussions and approved motion to issue a recommendation should be retained within the RFP Process File.
- ix. The UCLWDB Executive Committee will review score sheets and hold discussion on bid submissions in order to recommend a bid selection to the full Board. The recommendation will be at the discretion of UCLWDB Executive Committee members, taking all facts and specifications into account, and may not necessarily be of the lowest bidder. However, if the Executive Committee recommends an award to a bidding entity who was not the lowest bidder, written justification by the Chairman must be included in the RFP Process File.
- x. If the RFP will award more than \$150,000.00, the winning bid to purchase must be approved by the full Board. Where necessary, the UCLWDB Executive Committee shall submit an award recommendation to the full Board at a called and open meeting at which quorum is present. The Board will have final authority on selection of the winning bid. Minutes reflecting

evaluation discussions and approved motion to select a winning bid should be retained within the RFP Process File.

- xi. The UCLWDB Compliance Officer will prepare and forward the awarding contract to the UCLWDB Executive Committee for approval. Minutes reflecting evaluation discussions and approved motion to accept and issue the contract should be retained within the RFP Process File.
- xii. The UCLWDB Compliance Officer shall then submit the awarding contract to the successful bidder for signatory approval. The successful bidder will then return the signed contract, along with any bond, insurance documentation, or other required information, to the UCLWDB Fiscal Director for review and processing.
- xiii. Upon full execution by all signatory parties, the contract will be forwarded to the UCLWDB Compliance Officer. A copy of the fully executed contract will be sent to the contractor. The original shall be retained within the RFP Process File.

B. Selection Committee and Scoring Criteria

- i. The RFP Selection Committee shall consist of three (3) members chosen by the UCLWDB Executive Director. Selection Committee members may or may not be UCLWDB members but must not have any affiliation with bidding entities or potential personal gain from the contract award.
- ii. Once chosen by the UCLWDB Executive Director, the UCLWDB Compliance Officer shall meet with each Selection Committee member to inform them of their duties as well as the UCLWDB Conflict of Interest Policy. Each member will be required to sign a Conflict of Interest Statement, which must be retained within the RFP Process File.
- iii. Score sheets will be developed by the UCLWDB Compliance Officer based upon the selection criteria developed by the UCLWDB Fiscal and Executive Directors and included within the RFP. Score sheets should be based upon a total possible score of 100 and include room for written justification to support each score. Original score sheets must be retained within the RFP Process File.
- iv. The UCLWDB will follow the TDLWD's methods for conducting technical evaluations of the proposals received and for selecting recipients.

- iv. Score sheets and any information learned from evaluation discussions should be kept confidential.

C. RFPs for One-Stop Operators and Career Service Providers

All Requests for Proposals (RFPs) that contain requests for One-Stop Operators and Career Service Providers must include the duties set forth in 20 CFR 678.620 which are adopted in the State of Tennessee's Regional and Local Planning policies, as well as the State's One-Stop Delivery and Design System policy. Both the selection of One-Stop Operator and Career Service Provider must be competitively procured, either as one combined or two separate RFPs. The UCLWDB will follow all federal, state, and local competitive procurement requirements in this selection process. Additionally, the UCLWDB will follow the Tennessee State Guidelines for Local Workforce Development Boards One-Stop Operator and Career Services Provider Procurement as well as the Evaluator Training Guide developed and provided by the Tennessee Central Procurement Office.

D. Request for Information (RFI)

An RFI is a solicitation sent to a broad base of potential suppliers for the purpose of developing strategy, building a database, or preparing a Request for Proposals. An RFI enables an equitable and simultaneous comparison of vendors. The UCLWDB may use this tool to gather information about the availability of goods or services. An RFI is created by the Compliance Officer and may be utilized when:

- i. The UCLWDB has a procurement need, but requires more information to fully understand the industry; or
- ii. The UCLWDB desires to identify vendors who are available to supply the needed goods or services, or the UCLWDB determines the RFP process will benefit from an RFI.

IV. General Procurement Guidelines

A. Selection Priority

When procuring goods or services, the UCLWDB will make all efforts to actively solicit goods and services from minority-owned, woman-owned, service-disabled veteran-owned, businesses owned by persons with disabilities, and small businesses when possible.

B. Suspension and Debarment

The UCLWDB and its contractors are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR part 180. These regulations restrict awards, sub-awards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance or activities.

C. WIOA Restrictions

This Procurement Manual and all UCLWDB procurement policies and procedures follow federal and state guidelines. All purchases are made in accordance with Workforce Services Policy- WIOA (Allowable and Unallowable Costs, Including Food) and Workforces Services Policy- Workforce Services (Property Management)-WIOA.

The UCLWDB will use documented procurement procedures that reflect State and local laws and regulations, provided that the procurements conform to applicable Federal law and standards identified in 2 CFR Parts 200.317 through 200.326.

D. Public Funds Responsibility

The UCLWDB's procurement procedures will avoid acquisition of unnecessary or duplicative items and promote cost-effective use of shared services by entering into state and local intergovernmental agreements for procurement or use of common or shared goods and services where appropriate. The UCLWDB will use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

For questions regarding this manual, contact Becky Hull, Executive Director, Upper Cumberland Local Workforce Development Board at bhull@ucworkforce.org

ATTACHMENT 20



**CONTRACT FOR SERVICES
BETWEEN THE
THE UPPER CUMBERLAND LOCAL WORKFORCE
DEVELOPMENT BOARD, INCORPORATED
AND
MID CUMBERLAND HUMAN RESOURCE AGENCY
UNDER THE
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

I. PARTIES TO THE AGREEMENT

THIS AGREEMENT, numbered **20-UC-OSOCSP-101**, entered into by the UPPER CUMBERLAND LOCAL WORKFORCE DEVELOPMENT BOARD, INCORPORATED, hereinafter referred to as UCLWDB, and MID CUMBERLAND HUMAN RESOURCE AGENCY, hereinafter referred to as MCHRA or "the Contractor," as the selected provider of One-Stop Operator and Title I Career Services for Adult and Dislocated Workers, Title I Youth, RESEA, and WIOA Title V (SCSEP) Services for the Upper Cumberland Local Workforce Area.

II. PURPOSE

The purpose of this Agreement is to provide One-Stop Operator and WIOA Title I Adult and Dislocated Worker Career Services and Title I Youth Services as defined under Scope of Work, along with other pass-through contracts, such as RESEA and Title V (SCSEP), awarded to the UCLWDB from the Tennessee Department of Labor and Workforce Development.

III. AUTHORITY

This Agreement shall be in accordance with the requirements and programs standards of Public Law 113-128, as may be amended and titles "Workforce Innovation and Opportunity Act" (WIOA); U.S. Department of Labor, Employment and Training Administration's WIOA Regulations; 20 CFR Parts 676, 677, 678 et. al,

Workforce Innovation and Opportunity Act, Final Rule; and the appropriate Local Workforce Development Area/One-Stop Delivery System under the provisions of the various Workforce Innovation and Opportunity Funding Authorities contained in Title I of the WIOA.

IV. PERIOD OF PERFORMANCE

Notwithstanding the execution of this Agreement, the effective date of this Agreement shall be **July 1, 2020**, and costs may be incurred from that date, subject to the availability of funds and final execution of this Agreement. The Contractor shall receive reimbursement of all documented and reasonable expenses not to exceed **\$ 488,140.00** of which a minimum of 50% must be spent on direct participant costs. Maximum contract obligation can be increased up to 15% based on UCLWDB funds availability and board approval. Additional funding may be awarded when needed if contractor has met performance requirements. The Contractor agrees that any questioned or disallowed costs are the sole responsibility of the Contractor.

In consideration of the provision of One-Stop Operator services and Title I Career Services for Adults, Dislocated Workers and Youth Services, RESEA and Title V (SCSEP), the UCLWDB shall reimburse the Contractor monetary fees in accordance with the contract budget and the approved policies of the UCLWDB for the period beginning **July 1, 2020** and ending **September 30, 2020**.

V. PERFORMANCE MEASURES

In accordance with State Workforce Development Board (SWDB) guidance, and the Workforce Innovation and Opportunity Act (WIOA), Title I local area formula funds of the Upper Cumberland Local Workforce Development Board (UCLWDB) must meet a minimum participant cost rate for allowable WIOA funded services. The minimum participant cost rate (MPCR) is a State identified performance accountability measure pursuant to WIOA, Section 116(b)(2)(B). The MPCR serves as a benchmark for participant expenditures to more effectively focus Federal resources on serving individuals, ultimately impacting performance and outcomes while emphasizing financial integrity of taxpayer dollars in partnership with our workforce system stakeholders. The Upper Cumberland Local Workforce Development Board shall ensure that the state minimum of their WIOA Title I formula allocations are allowable participant costs under WIOA funded services per WIOA Section 129(c)(2), WIOA Section 134, TEGL 19-16 and TEGL 21-16, *and may set their local MPCR requirement above the state minimum. The UCLWDB requires fifty percent of Upper Cumberland local workforce area Title I funds be spent on direct participant expenditures.* UCLWDB is responsible for meeting State negotiated MPCR and performance goals and will hold the entity awarded the contract for this RFP responsible as well.

(A) Primary Indicators of Performance. Section 116(b)(2)(A) of the Workforce Innovation and Opportunity Act (WIOA) establishes performance accountability indicators and performance reporting requirements to assess the effectiveness of States and local areas in achieving positive outcomes for individuals served by each of the six core WIOA programs as follows:

- i. Employment Rate – Second Quarter After Exit
- ii. Employment Rate – Fourth Quarter After Exit

- iii. Median Earnings – Second Quarter After Exit
- iv. Credential Attainment
- v. Measurable Skills Gains
- vi. Effectiveness in Serving Employers

The UCLWDB, in conjunction with the Chief Local Elected Official and the Governor of Tennessee, shall negotiate and reach agreement on local levels of performance based on the State adjusted levels of performance established under WIOA subsection (b)(3)(A). The UCLWDB's most recent negotiated performance metrics for Program Year 2019 are attached to this contract as "Attachment A." *UCLWDB is responsible for meeting the primary indicators of performance and will hold the contractor responsible as well.*

(B) Key Indicators of Performance. Key Performance Indicators (KPIs) are set by the State and may address Federal, State or Local priorities. KPIs focus on increasing the overall impact of the public workforce system, primarily through increased enrollment. The UCLWDB's most recent state negotiated KPIs are attached to this contract as "Attachment B". *The UCLWDB is responsible for meeting the KPIs set for the local area as well as regional and state targets. The UCLWDB will hold the contractor responsible as well.*

Contractor will submit reports of expenditures, clients served, goals versus actual performance reports, WIOA performance reports, audits, reviews made by other entities, or any information that is necessary for the UCLWDB to evaluate the performance of the contractor. Contractor performance will be assessed, but not limited to, the following measures:

- i. Create efficiencies in UCLWDB American Job Center locations.
- ii. Ensure all UCLWDB policies and procedures are followed.
- iii. Effectiveness in achieving positive outcomes.
- iv. Coordination of activities and projects with other core programs and agencies.
- v. Effectiveness in serving the Priority Populations as defined in WIOA section 3(24) as "individuals with barriers to employment".
- vi. Demonstration of meaningful case management.
- vii. Demonstration of how program activities are executed and accomplished.
- viii. Effectiveness in cultivating a team approach across core programs by continuously meeting or exceeding performance indicators/KPIs rather than an individual silo approach.
- ix. Maintaining effective working relationships with partners.

Contractor will follow and remain in good standing with the UCLWDB and Tennessee Department of Labor and Workforce Development's Remedies and Sanctions policies. Failure to remain in good standing may result in termination of this contract. Any renewal(s) or extension(s) will be subject to this standing as well as overall performance measures.

VI. BUDGET AND FINANCIAL RESPONSIBILITY

CAREER SERVICES BUDGET	AMOUNT*
Adult	\$152,000.00
Youth	\$110,000.00
Dislocated	\$146,000.00
RESEA	\$19,200.00
SCSEP	\$34,770.00
	\$461,970.00 Career Services TOTAL

ONE STOP OPERATOR BUDGET	AMOUNT*
Program & Administrative	\$26,170.00
	\$26,170.00 One-Stop Operator TOTAL

**Amounts are projected and contingent upon WIOA contract and funding availability. The UCLWDB reserves the right to amend contracted amount upon receipt of finalized awards from the Tennessee Department of Labor and Workforce Development.*

In all programs except for RESEA, a minimum of 50% of program expenditures must be for direct participant costs. Failure to reach the state Minimum Participant Cost Rate (MPCR) as required by the Upper Cumberland Local Workforce Development Board Minimum Participant Cost Rate Policy will result in sanctions issued pursuant to the Upper Cumberland Local Workforce Development Board Remedies and Sanctions Policy.

The financing of the WIOA program is on limited advance or reimbursement basis, in accordance with procedures established by the Tennessee Department of Labor and Workforce Development. The Sub recipient of WIOA funds or its contractor may not retain funds which exceed immediate cash needs.

The Contractor will exercise sound financial systems to allow for effective control and accountability of all funds, property, and other assets to ensure they are used solely for authorized purposes.

- A. Accounting systems shall meet and follow generally accepted accounting principles.
- B. Accounting systems shall be supported by source documentation, which identifies the source and use of contract funds.
- C. Accounting systems shall follow consistent rules for aggregation of detailed data to summary level.
- D. Written procedures shall be in place for determining reasonableness, allowability, and allocability of contract costs.
- E. Accounting records for administrative costs will be maintained on an accrual basis. Accounting records for participant costs will be maintained on a cash basis. If the records are maintained on a cash basis, the grantee or subgrantee must maintain a set of linking records, typically accrual spreadsheets, so that the reported costs are traceable during monitoring or auditing to the official accounting records or books of account. An accrued expenditure is expenses incurred for services

and (or) products used, but an invoice has not been received or payment is not made to the supplier of services or products by the end of the reporting month.

- F. Contractor will work with the UCLWDB Fiscal Agent to ensure state systems Grants4TN and Jobs4TN reconcile within a one (1) month variance. Failure to do so will result in delay of payment for submitted monthly invoice until systems are sufficiently reconciled. Continued failure will result in Board issued sanctions pursuant to the Upper Cumberland Local Workforce Development Board Remedies and Sanctions Policy.

The Contractor has a duty to immediately inform the UCLWDB Fiscal Agent and Executive Director of any and all real, anticipated, or projected budget variances. Contractor will provide monthly fiscal invoices, reports and trends to the UCLWDB Fiscal Agent as requested. Failure to comply may result in disallowed payments, non-reimbursements and/or be considered a breach of this agreement.

VII. SCOPE OF WORK FOR ONE-STOP OPERATOR DUTIES

As the One-Stop Operator, Mid Cumberland Human Resource Agency's primary role is to coordinate multiple American Job Center (AJC) partners and service providers throughout the Upper Cumberland LWDA to assure functional alignment of services and management of operational resources; conduct quality review of partner and service provider activities; and facilitate the Welcome Function at the AJC.

(A) Oversee management of all area One-Stop Centers and service delivery. The One-Stop Operator (OSO), under contract with Upper Cumberland Local Workforce Development Board (UCLWB), will oversee the daily management and delivery of service in the AJCs within the Upper Cumberland LWDA. Responsibilities include:

- i. Oversee One-Stop property, including buildings and equipment. OSO will report any maintenance or building issues to the UCLWDB Executive Director.
- ii. Facilitating appropriate changes and/or maintenance to assure the One-Stop property presents a professional atmosphere for job seekers, employer and partner customers, and is conducive to AJC activities.
- iii. Observing and addressing any concerns to assure the staff present as professional, (i.e., appearance, conduct and service to customers).
- iv. Providing functional direction and supervision of the AJC partner staff located at the centers in coordination with Supervisors/Team Leads, including:
 - a. Scheduling appropriate coverage of customer needs during regular, holiday and/or extended hours, as needed;
 - b. Implementing work schedules for shared responsibilities (customer flow, workshops, assessments, etc.) that are fair and equitable to all AJC partner staff and meet the needs of customers;
 - c. Providing leadership and guidance to encourage AJC partner staff to function as a team;
 - d. Addressing deviations from functional supervision with ACJ partner staff, seeking to resolve with their respective supervisor; and

- e. Evaluate services being provided at the AJCs to ensure that all required services (as mandated by State and Federal laws) are being provided at or through the Centers.
- f. Evaluate various customer experiences (including but not limited to employers, jobseekers, and partner staff).
- v. Coordinating the continuing good standing of AJC Certification status as directed by the UCLWDB Executive Director.
- vi. Provide OSO services at all area AJCs, including affiliate and access points, and assure partner coordination of AJC and community services for referral of customers.
- vii. Ensure that all services are being provided in a manner consistent with any local, regional, or state plans created or certified by the UCLWDB.
- viii. Ensure meaningful access to all customers by incorporating the principles of a customer-centered design. This includes, but is not limited to, flexible space usage, the use of pictorial, written, verbal, and tactile modes to present information for customers with disabilities and English language learners; and providing recommendations to the UCLWDB for necessary accommodations and adequate space for the use of assistive devices and adaptive technologies.
- ix. Overseeing full implementation and use of State systems by all Local Workforce Development partners as appropriate in accordance with the UCLWDB's Electronic Case Files Policy and the TDLWD's Electronic Case Files Guidance and the Tennessee Workforce Services Memorandum-Timeliness and Accuracy of Reporting- WIOA dated April 16,2018.
- x. Managing fiscal responsibility for the system or site, ensuring that sufficient documentation to collaborate and support expenditures for participants is uploaded into Jobs4TN/VOS/Concur Management System, as determined and directed by the UCLWDB.
- xi. Evaluating performance (as indicated in the TDLWD Incentives and Sanctions Policy).
- xii. Planning and reporting responsibilities:
 - a. Prepare and submit to the UCLWDB Executive Director a monthly report of new enrollments regarding target performance and service levels.
 - b. Coordinate with UCLWDB Fiscal Agent to prepare and submit to the UCLWDB Executive Director a quarterly report of participant expenditure by program (Adult, Dislocated Worker, Youth, RESEA or Title V (SCSEP)).
 - c. Coordinate with the UCLWDB Fiscal Agent to review and submit a monthly report detailing reconciliation of expenses and activities between the Jobs4TN and Grants4TN systems to the UCLWDB Executive Director.
 - d. Prepare and submit to the UCLWDB Executive Director a quarterly report of customer satisfaction (including at a minimum, individuals, employers, and partner staff) as a result of survey(s) being conducted.

(B) Evaluate Performance (as identified in the Performance Measures Section) and implement required actions to meet performance measures. Note: This does NOT include performance negotiations, as this is specifically a local board function. Mid Cumberland Human Resource Agency will be expected to meet or exceed negotiated performance levels. Rigorous quality

assurance mechanism will be developed by the UCLWDB to ensure attainment of performance measures.

The One-Stop Operator will evaluate performance of comprehensive and affiliate sites by:

- i. Developing a working knowledge of WIOA Performance Measures for all AJC partners, including how they correlate for overall performance of local and regional goals;
- ii. Developing a working knowledge of the State data information system, Virtual One Stop (VOS), used to record data and extract reports as needed;
- iii. Prepare and analyze reports related to One-Stop services for the UCLWDB, including but not limited to:
 - a. Overall Traffic counts via VOS Greeter
 - b. Customer sign-in to specific partners via VOS Greeter
 - c. Participant registrations via VOS Greeter
 - d. Case Notes for participants via VOS
 - e. Activities for participants via VOS
 - f. Co-enrollments for participants via VOS
 - g. Prepare and submit to the UCLWDB Executive Director a monthly report of new enrollments regarding target performance and service levels
 - h. Coordinate with UCLWDB Fiscal Agent to prepare and submit to the UCLWDB Executive Director a quarterly report of participant expenditures by program (Adult, Dislocated Worker, Youth, RESEA and Title V (SCSEP))
 - i. Prepare and submit to the UCLWDB Executive Director a quarterly report of customer satisfaction (to include at a minimum, individuals, employers, and partner staff) as a result of survey(s) being conducted.
- iv. Coordinating with the UCLWDB Executive Director to develop formats and issue reports to reflect current status towards expected performance standards, monitoring, new enrollees, monthly service levels, compliance with data validation, and any other reports deemed necessary by the UCLWDB Executive Director.

(C) Evaluate various customer experiences (including but not limited to employer, job seekers, and partner staff) The One-Stop Operator will develop and initiate UCLWDB approved evaluation processes to determine customer experiences in the AJC sites. Evaluation methods may be either on-site or on-line, be timely in the customer experience and maintain confidentiality, and must show meaningful follow-up. The UCLWDB Executive Director will utilize results of on-going evaluations to assess services of the One-Stop Operator and report results to the Board. The UCLWDB Executive Director shall determine the manner in which the results of on-going evaluations will be reported to the Local Board. The OSO will share results with the AJC partners to celebrate successes and address opportunities for improvement.

(D) Ensure coordination of partner programs. The One-Stop Operator will be responsible for the coordination of core and required partners, both on-site and off-site, for all AJC sites and access points, including, but not limited to the following activities:

- i. Maintaining and updating a digital and hard copy listing of all partner programs, including a brief description of service and contract information to assure that all staff in the AJC have up-to-date information for referral of customers;
- ii. Reporting changes in Memorandums of Understanding and Resource Sharing Agreements to the UCLWDB Executive Director, or designee, to assure agreements remain up-to-date; and
- iii. Scheduling staff meetings with on-site partners in the comprehensive centers and regular coordination meetings with local off-site partners for all centers. The One-Stop Operator will also participate in annual MOU meetings of all required partners.

(E) Act as liaison between the One-Stop Center and the Upper Cumberland Local Workforce Development Board. The One-Stop Operator will serve as liaison between the UCLWDB Executive Director, or designee, and AJC partners of all AJC sites and access points, including resolving customer complaints or partner issues, proposing promising practices, and disseminating general communication of UCLWDB policies and procedures. The OSO will be required to provide any performance reports deemed necessary by the UCLWDB including but not limited to, performance data for all on-site partners, pace of spending reports, cost per outcome, attainment of service levels, and other reports deemed necessary by the UCLWDB.

(F) Define and provide means to meet common operational needs (such as training, technical assistance, additional resources, etc.) The OSO will meet common operational needs of the comprehensive and affiliate centers by:

- i. Developing and implementing training manuals and instructional activities to promote excellence in customer service and other AJC related topics;
- ii. Providing technical assistance to staff and partner agencies to understand the vision, mission, goals and objectives of the UCLWDB and the AJC;
- iii. Under the guidance of the UCLWDB Executive Director, or designee, develop partnerships with community organizations, education, industry, etc. to provide access to additional resources such as loan of equipment, access to scholarships or services, donations, etc.; and
- iv. Cross training of AJC staff, as appropriate, to increase staff capacity, expertise, and efficiency.
- v. Assemble and manage functional teams within the AJC, including but limited to the Welcome Function Team.

(G) Oversee full implementation and usage of all State systems by the local area. The OSO will provide oversight of full implementation and usage of State systems in the AJC sites by:

- i. Working with all AJC partner staff to determine system access and skill levels;
- ii. Expediting requests for access and/or training with the State to assure a seamless system of reporting for the AJC;
- iii. Coordinating with the UCLWDB Executive Director, or designee, to determine performance and data validation concerns for staff using State systems;
- iv. Ensuring all appropriate staff, whether in the American Job Center or Contractor central office, understand their duties and responsibilities in regards to entering all appropriate

information and data into the state reporting systems in a timely and accurate manner;
and

- v. Providing technical assistance to AJC partner staff in usage of State systems.

(H) Design the integration of systems and coordination of services for the site and partners. The OSO will provide leadership of partners at all AJC sites and access points to design an integrated system that provides seamless coordination of services by:

- i. Reviewing local, regional, and State Plans to understand the vision of leadership;
- ii. Reviewing AJC Certification Application and Partners MOU to have a general knowledge of partner program services;
- iii. Meeting with all partner programs to assess similarities and differences;
- iv. Establishing a local workgroup or "Welcome Function Team" to gather front-line experience and partner "buy-in" to enhance an integrated customer flow and coordination of services;
- v. Develop a plan to be submitted to the UCLWDB Executive Director, or designee, to assure all AJC partners are contributing to the centers, both financially as well as through resources and staff time; and
- vi. Service integration shall focus on serving all customers seamlessly, including any targeted populations as deemed by the UCLWDB, by providing a full range of services staffed by relevant functional teams, consistent with the purpose, scope and requirements of each partner program.

(I) Manage fiscal responsibility for the system or site. The OSO will maintain fiscal responsibility and accountability for applicable UCLWDB approved contracts/budgets for management of the AJCs. In coordination with the fiscal agent, the OSO will be responsible to oversee the Infrastructure Funding Agreement (IFA) between partners for the AJCs. Responsibilities will include gathering and updating data (square footage, full-time equivalents, traffic counts, etc.) to allocate expenses on a fair and equitable basis to all partners and preparing/submitting invoices to partners to remit payment to the fiscal agent. The OSO may also recommend purchases to the UCLWDB Executive Director, or designee, and AJC Partners for necessary increases in the IFA. These could include items such as replacement equipment, furniture for additional staff, and other shared expenses such as advertising or supplies that will impact the IFA.

(J) Plan and report responsibilities. The OSO will develop adequate staffing plans for the AJCs and report responsibilities to the UCLWDB Executive Director and AJC partner staff leadership for approval. Staffing plans will assure that customer service needs are met and include the flexibility to shift staff when necessary to meet demand. Staffing plans may include shared responsibilities including workshops, welcome function, assessments, etc. and should be equitable based upon program benefit. Staffing plans should include contingency plans for when staff must be out due to sickness, vacation, scheduled training, etc.

(K) Write and maintain business plan. The OSO will write and maintain a Business Plan for management of the AJCs that supports the UCLWDB's Local and Regional Plans. The submitted bid to this RFP shall serve as a Business Plan and will include an Executive Summary, Relevant

Experience, Approach to Work, Staffing/Project Management, and Fiscal Accountability and Budget and will become a component of the contractual agreement.

- (L) Market One-Stop Career Center Service.** The OSO will market the AJC center services by:
- i. Coordinating with the UCLWDB Executive Director to distribute marketing materials to AJCs and appropriate venues;
 - ii. Coordinating with the UCLWDB Executive Director and all partners to promote any special events such as open houses, job fairs, etc., and provide support for facility needs;
 - iii. Reaching out to community organizations in coordination with UCLWDB Executive Director to present services of the AJC for target populations and job seekers; and
 - iv. Evaluating branding compliance throughout the AJCs to ensure consistency and adherence to all federal, state and local mandates.

(M) Facilitate the sharing and maintenance of site data, with emphasis on the state system. The OSO will facilitate the sharing and maintenance of data in the comprehensive centers, including but not limited to State systems by:

- i. Coordinating with the UCLWDB Executive Director, or designee, to determine compliance with applicable policies/procedures for data sharing and maintenance of Personally Identifiable Information (PII);
- ii. Coordinating UCLWDB approved data sharing agreements between AJC internal and external partners to streamline customer service;
- iii. Training staff on sharing and maintenance of data protocols, including PII and confidentiality; and
- iv. Monitoring compliance with UCLWDB data sharing policies and procedures to determine compliance and reporting any discrepancies to the UCLWDB Executive Director.

(N) Integration of available services and coordination of programs for the site with all partners. The OSO will be the lead for integration of available services and coordination of programs for all partners, internal and external, of all AJC sites, including but not limited to the following:

- i. Designing and implementing a multi-partner orientation for customers;
- ii. Coordinating multi-partner materials to provide a comprehensive overview of all available services;
- iii. Developing, coordinating and scheduling workshops and other informational offerings to be delivered by all AJC partner staff or other entities;
- iv. Developing seamless customer flow to functional units; and
- v. Providing cross training for AJC partner staff to assure customers receive a seamless, positive experience when accessing service.

VIII. SCOPE OF WORK FOR TITLE I CAREER SERVICES

Mid Cumberland Human Resource Agency, as the Provider of Title I Career Services will hire and supervise staff to engage the AJC customer through recruitment, assessment, interviews, certifications, career counseling, job placement, education and training, case management, follow-up and customer support resulting in the necessary assessments, activities and resources to obtain skill sets for employment, career

development and self-sufficiency. The Title I Career Services Provider (CSP) will participate in the functional alignment of staff within the American Job Center, as well as determine eligibility and provide Career Services as identified below. All services, when appropriate, shall be adequately documented by means of proper, accurate, and timely reporting in the State's customer relations management system, the Virtual One-Stop (VOS) online reporting platform. Note: The UCLWDB will retain Consolidated Business Grant Services.

- (A) Career Services.** Basic career services must be made available and, at a minimum, must include the following services, as consistent with allowable program activities and Federal cost principles:
- i. Determinations of whether the individual is eligible to receive assistance from the adult, dislocated worker, youth programs, RESEA or Title V (SCSEP);
 - ii. Outreach, intake (including re-employment services and eligibility assessments), and orientation to information and other services available through the one-stop delivery system;
 - iii. Initial assessment of skills including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive service needs;
 - iv. Labor exchange services, including job search and placement assistance and, when needed, career counseling including provision of information on in-demand industry sectors and occupations (WIOA sec. 3(23)) and provision of information on nontraditional employment;
 - v. Provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system and, when appropriate, other workforce development programs or community-based organizations;
 - vi. 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:
 - a. Job vacancy listings in labor market areas;
 - b. Information on job skills necessary to obtain the vacant jobs listed;
 - c. Information relating to local opportunities in demand and the earnings, skill requirements, and opportunities for advancement for those jobs.
 - vii. Provision of performance information and program cost information on eligible providers of training services by program and type of providers;
 - viii. Provision of information, in usable and understandable formats and languages, about how the local area is performing on local performance accountability measures, as well as any additional performance information relating to the area's one-stop delivery system;
 - ix. Provision of information, in usable and understandable formats and languages, relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance, including child care, medical or health care assistance available, SNAP benefits, Temporary Assistance for Needy Families, and other supportive services;
 - x. Provision of information and assistance regarding filing claims for unemployment compensation, by which the one-stop must provide meaningful assistance to individuals seeking assistance in filing a claim for unemployment compensation. "Meaningful assistance" means providing assistance on-site using staff who are well-trained in

unemployment compensation claims filing and the rights and responsibilities of claimants, or providing assistance by phone or via other technology, as long as the assistance is provided by trained and available staff and within a reasonable time. The costs associated in providing this assistance may be paid for by the State's unemployment insurance program, or the WIOA adult or dislocated workers programs, or a combination of the preceding; and

- xi. Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA.
- xii. Development and delivery of short-term pre-vocational services including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct services to prepare individuals for unsubsidized employment or training.

(B) Individualized Career Services. Individualized Career Services must be made available if determined to be appropriate in order for an individual to obtain or retain employment. These services include the following services, as consistent with program requirements and Federal cost principles:

- i. Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers and youth participants, which may include diagnostic testing and use of other assessments tools, and in-depth interviewing and evaluation to identify employment barriers and appropriate goals;
- ii. Development of an electronic individual employment plan (IEP-Adult/Dislocated Worker) or an electronic individual service strategy (ISS-Youth), 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 eligible training providers;
- iii. Group counseling;
- iv. Individual counseling;
- v. Career planning;
- vi. Short-term pre-vocational services including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct services to prepare individuals for unsubsidized employment or training;
- vii. Internships and work experiences that are linked to in-demand occupations;
- viii. Workforce preparation activities;
- ix. Financial literacy services;
- x. Out-of-area job search assistance and relocation assistance; and
- xi. English language acquisition and integrated education and training programs.

(C) Follow-Up Services. Follow-up services must be provided and reported by means of case management notes and the follow-up module within the VOS reporting format, as appropriate, including counseling regarding the workplace, for participants in adult or dislocated worker workforce investment activities who are placed in unsubsidized employment, for up to 12 months after the first day of employment.

(D) Funding Requests for Participants. The provider of Title I Career Services will prepare all documents to request funding for participants, including utilizing the VOS system to record participant eligibility, service strategy, supportive service payments, ITA payments, and related case management services to document requests for funding, including all necessary supporting documentation. In all cases where available and appropriate, the Career Services Provider will pay expenses incurred in the delivery of client supportive services directly to the vendor or provider. When possible, reimbursement to a participant for expenses incurred by the participant should be an exception, not a standard.

(E) Case Management. The Career Services Provider shall complete all appropriate documentations and or services (including the 2nd and 4th quarter post training reports required of any WIOA Title I participant) and provide engaged and active case management through sustained timely case notes and input into the VOS case management system. A minimum acceptable level of one case note per month for each participant shall be a minimum standard. Case note should detail meaningful communication with the participant in order to meet the minimum standard.

IX. CONTRACT TERMS

(A) Proposal Inclusion. The Contractor's submitted proposal will become part of the official contract. Any commitments made in the proposal will be part of the contract and will be binding on the contractor.

(B) American Job Center Facilities.

- i. Office space/locations are selected by the UCLWDB.
- ii. The UCLWDB and/or the State of Tennessee will hold the lease on all Upper Cumberland LWDA AJC sites.
- iii. Office space will be provided for front-line contractor staff. Additional staff will be provided space but are not guaranteed location.
- iv. The One-Stop Operator shall have dedicated office space available at both comprehensive sites.
- v. The Title I Career Services Provider shall have dedicated office space available at both comprehensive sites for the Supervisor/Team Lead, in addition to front-line staff.
- vi. American Job Center Comprehensive Sites are required to be open for business Monday-Friday, 8:00am-4:30pm. Additional or non-traditional hours may be required as needed.
- vii. All UCLWDB AJC sites will follow the State of Tennessee holiday schedule.

- viii. All branding and signage used, either in electronic or print form, within or representing the AJC must display approved American Job Center branding as the prominent indicator of representation. "Branding" is deemed to include business cards, company letter head, employee badges, and any other form of identifying representation. All branding and signage of the AJC, or contractor employees who represent the AJC, must be previously approved by the UCLWDB Executive Director as well as meet the TDLWD branding requirements. Failure to comply with branding requirements will result in issued sanctions according to the Upper Cumberland Local Workforce Development Board Remedies and Sanctions Policy.
- ix. If the contractor is awarded funds for equipment (outside this RFP, as equipment purchase is not included), UCLWDB and TDLWD procurement policies must be followed.
- x. UCLWDB retains ownership of all equipment purchased through this contract. The UCLWDB, as fiscal agent for the Board, has singular authority to approve equipment purchases. All equipment will be tagged and included in the UCLWDB inventory.
- xi. The UCLWDB will supply landline telephone service, internet, computers for contractor staff and computers for resource rooms/computer labs.
- xii. Essential office furniture will be supplied by the UCLWDB for AJC staff and customers.
- xiii. The Contractor will be responsible for purchasing all "shared" office and operational supplies (paper, pens, file folders, restroom supplies, etc.) for the American Job Center sites and should provide for such within the proposed budget. Each partner is responsible for their own desk supplies specific to their program. An additional amount for the OSO staff may be included in the budget.
- xiv. The Contractor will be responsible for purchasing all supplies related to their program and may include an appropriate amount in the budget request.
- xv. The Contractor will use the State of Tennessee Virtual One-Stop (VOS) system as the system of record for case management. The Contractor will be responsible for meeting certain VOS Performance Metrics by ensuring appropriate documentation is recorded within VOS as requested by the UCLWDB and Tennessee Department of Labor and Workforce Development. Data required to be uploaded into the VOS system will be determined by the UCLWDB in order to satisfy UCLWDB and TDLWD current monitoring requirements, policies, tools and metrics.

(C) Local Policies and Procedures. The Contractor will remain informed of and abide by all Upper Cumberland Local Workforce Development Board and Tennessee Department of Labor and Workforce Development policies and procedures.

(D) Advancement of Local Agenda. The Contractor will continuously work to advance the local agenda of the UCLWDB through management and coordination of the Local Partner's Memorandum of Understanding (MOU). MCHRA will aid the UCLWDB through the pursuit of best practices in alignment with the Local and Regional workforce plans and align themselves with the vision and mission of the UCLWDB.

In order to promote the advancement of this agenda, MCHRA will meet regularly with the UCLWDB and Board Staff. MCHRA staff will attend and present at UCLWDB meetings at least quarterly but more frequently as scheduled and requested. MCHRA will make available staff and data reports for Board Committee and Staff to the Board meetings as requested by the Executive Director.

X. COORDINATING AND DELIVERY OF SERVICES.

(A) Disincentives. In coordinating services and serving as the One-Stop Operator, the Contractor must refrain from establishing practices that create disincentives to provide services to individuals with barriers to employment. The Contractor and any sub-contractors may not develop practices that fail to provide access and opportunity for eligible participants to receive and gain benefit from WIOA services.

(B) Targeted Populations. WIOA provides a focus on serving "individuals with barriers to employment" defined in WIOA section 3(24) and seeks to ensure access to these populations on a priority basis. The Contractor will follow all TDLWD and UCLWDB policies on providing Priority of Service to targeted individuals when providing services.

The Contractor will utilize a participant-focused model that is both strengths-based and data-centered in order to provide services to underserved populations and employers. Progress and successes will be tracked on an individual basis as well as for the program as a whole. This information will be shared quarterly with the UCLWDB to ensure targeted populations are being served.

(C) On-Boarding and Training of Staff. The Contractor will functionally oversee on-boarding of staff and will provide on-going training to all staff to ensure continuous improvement. The Contractor agrees to create training manuals, conduct functional team training meetings, quarterly cross-training meetings and conduct other training and education to promote an efficient and effective team. Training curricula should be developed and provided in collaboration with the UCLWDB and with the special needs of the local area in mind.

(D) Monitoring Requirements. The Contractor will comply and actively participate with all TDLWD and UCLWDB Monitoring and Program Accountability Review requirements, policies, plans and procedures. Contractor will remain apprised of and abide by current TDLWD and UCLWDB Monitoring policies, tools and metrics.

(E) Community Outreach. The Contractor will produce a strategy for community outreach that aligns with the UCLWDB Local, Regional, and Combined State Plans and agrees to work closely with the UCLWDB and Staff to create effective outreach goals and activities.

(F) Partner Strategies and Activities. The Contractor will implement strategies and policies that seek to increase the level of partnership, communication and customer service between all partners within the local area AJC system.

XI. REPORTING

The Contractor will be required to submit both financial and program reports by county for Adult, Dislocated Worker, Youth, RESEA and Title V (SCSEP) programs on a monthly basis. Financial invoicing with supporting documentation must be submitted to the UCLWDB Fiscal Director monthly. Reports shall be submitted by the 10th day of the beginning month for the previous month end. Additional monthly program performance and financial data will be made available to the UCLWDB upon request.

In addition, the Contractor is required to provide quarterly reports to the UCLWDB and UCLWDB Staff to inform them of trends concerning the operation of the One-Stop System. These reports will inform the UCLWDB of the strengths and weaknesses of service delivery with the local workforce area, specifically as they pertain to the primary indicators of performance issued by the US Department of Labor. These measures are in place to ensure that the UCLWDB is able to meet the negotiated targets established by the TDLWD; criteria used to demonstrate performance includes – but is not limited – post secondary credential attainment achieved by participants, rate of employment after participant exits from a training program, and earnings after a participant exits from a training program.

The Contractor will comply with Tennessee Workforce Service Memorandum- Timeliness and Accuracy of Reporting- WIOA, dated April 16, 2018 for all reporting requirements. The UCLWDB reserves the right to consider failure to adhere to reporting requirements a breach of this agreement.

XII. ASSURANCES AND CERTIFICATIONS

This Agreement shall be in accordance with the requirements and program standards of Public Law 113-128, as amended and titled "Workforce Innovation and Opportunity Act" (WIOA) and the U.S. Department of Labor, Employment and Training Administration Workforce Innovation and Opportunity Act Regulations.

(A) Hold Harmless. The Contractor, unless an agency of the State of Tennessee, or a Division of Tennessee State Government, agrees to indemnify and hold harmless the UCLWDB as well as their officers, agents and employees from all claims, losses or suits accruing or resulting to any person, firm, corporation or other entity which may be injured or damaged as a result of acts or omissions of the Contractor relating to this Contract. The UCLWDB shall give the Contractor written notice of each such claim or suit and full right and opportunity to conduct the Contractor's own defense.

- (B) **Disbarment.** The Contractor assures that their principal is not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (C) **Eligibility.** All persons enrolled in Career or Training Services under this Agreement must be certified Workforce Innovation and Opportunity Act (WIOA) participants and must meet applicable WIOA eligibility requirements.
- (D) **Subcontracting.** The Contractor shall not assign this Agreement or enter into sub-agreements for any of the services or obligations described herein without obtaining the prior written approval of the UCLWDB. If such sub-agreements are approved by the UCLWDB, they shall contain, at a minimum, sections of this Agreement pertaining to Conflicts of Interest, Lobbying, Non-discrimination, and
- i. **Public Accountability.** If this Agreement involves the provisions of services to citizens by the contractor on behalf of the State, the Contractor agrees to establish a system through which recipients of services may present grievances about the operation of the service program, and the Contractor agrees to display a sign stating: "NOTICE": This Grantee is a recipient of taxpayer funding. If you observe an employee in any activity which you consider to be illegal or improper, please call the State Comptroller's toll-free hotline: 1-800-232-5454." Said sign shall be displayed in a prominent place, located near the passageway(s) through which the public enters in order to receive Grant supported services. The Contractor shall administer the WIOA program in full compliance with safeguards against fraud and abuse as set forth in the Act. All information and complaints involving fraud, abuse or other criminal activity shall be reported directly and immediately to the State and the Secretary of Labor.
 - ii. **Public Notice.** All notices, informational pamphlets, press releases, research report, signs, and similar public notices prepared and released by the Contractor shall include the statement, "This project is funded under an agreement with the Department of Labor and Workforce Development." Any notices by the Contractor shall be approved by the UCLWDB Executive Director. Notwithstanding the use of approved subcontractors, the Contractor shall be the prime contractor and shall be responsible for all work performed.
- (E) **Conflicts of Interest.** The Contractor warrants that no part of the contract amount provided for in the Agreement shall be paid directly or indirectly to any officer, or employee of the UCLWDB as wages, compensation, gifts, or otherwise in exchange for acting as officer, agent, employee, sub-contractor, or consultant to the Contractor in connection with any work completed or preformed relative to this Agreement.

The Contractor shall follow the UCLWDB Conflict of Interest Policy and shall establish safeguards to prohibit employees, officer, agents, or sub-contractors from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others with whom they have family, business, personal or other ties. The Contractor shall assure prohibition of conflict of interest or the appearance of such relative to this Agreement.

(F) Lobbying. The contractor certifies, to the best of their knowledge and belief, that:

- i. No federally appropriated funds have been paid or will be paid, by or on behalf of the Contractor, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, and entering into any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- ii. If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this grant, loan, or cooperative agreement, the Contractor shall complete and submit Standard Form-LLL, "Disclosure form to Report Lobbying," in accordance with its instructions.
- iii. The Contractor shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including, sub-grants, subcontracts, and contracts under grants, loans and cooperative agreements) and that all sub-recipients of federal appropriated funds shall certify and disclose accordingly.

(G) Nondiscrimination. The Contractor hereby agrees, warrants, and assures that no individual shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination in the performance of this Agreement or in the employment practices of the contractor on grounds of handicap or disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law, and for beneficiaries only, citizenship or participation in WIOA.

All recipients shall provide initial and continuing notice that it does not discriminate on any prohibited grounds, to: applicants, participants, applicants for employment, employees, and members of the public, including those with impaired vision or hearing and unions or professional organizations holding collective bargaining or professional agreement with the recipient. This notice is required to be posted prominently, in reasonable numbers and places; disseminated in internal memoranda; other written communication; and included in handbooks or manuals

(H) Americans with Disabilities Act. The Contractor will comply with WIOA Section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding the physical and programmatic accessibility of facilities, programs and services, technology, and materials for individuals with disabilities, including providing staff training and support for addressing the needs of individuals with disabilities. (WIOA Section 108 (b)(6)(C)).

- (I) **Health and Safety of Participants.** WIOA participants shall be provided training conditions in accordance with health and safety standards established under State and Federal law, Workforce Innovation and Opportunity Act participants shall not be required or permitted to work, be trained, or receive services in buildings or surroundings or under working conditions, which are unsanitary, hazardous or dangerous to the WIOA participants' health or safety.
- (J) **Insurance.** The Contractor, being an independent contractor, agrees to carry adequate public liability and other appropriate forms of insurance and to pay all taxed incident thereto. This provision shall not apply if the Contractor is a state agency or local unity of government.
- (K) **Prohibited Activities.** The employment or training of WIOA participants in sectarian activities is prohibited.
- (L) **Retention of Records.** The Contractor shall develop procedures for retention of all records and support documentation pertinent to this Agreement, including financial, statistical, computer data, property and participant records, in conformity with general acceptable accounting principles. These records shall be retained and accessible to UCLWDB and State of Tennessee PAR monitoring staff and auditors for a period of five (5) years or until all applicable litigations, claims, or audit exceptions have been resolved and such records shall be available to the appropriate Federal agencies and the State, or their representatives, at any reasonable time and upon reasonable notice.

The Contractor agrees to cooperate with any monitoring, inspection, audit, or investigation of activities related to this Agreement as may be conducted by the UCLWDB, the U. S. Department of Labor, the Tennessee Department of Labor & Workforce Development, the Comptroller of the Treasury of the State of Tennessee, or their duly authorized representatives.

The Contractor agrees to make available for examination any and all records with respect to matters covered by this Agreement and shall permit such entities to interview WIOA participants, audit, examine, and make excerpts and transcripts, in whole or in part, from such records and other data relating to matters covered by the Agreement at any reasonable time and upon reasonable notice.

- (M) **Disallowed Costs.** The Contractor shall accept responsibility for repayment to the UCLWDB of any disallowed costs, and/or audit exceptions from the Contractors failure to operate the WIOA program in compliance with the terms and conditions of this contractual agreement including all applicable laws and regulations. The Contractor shall ensure that any repayment of disallowed cost or audit exceptions will be made from non-WIOA sources.
- (N) **Remedies and Sanction.** The Contractor is responsible for ensuring that all applicable requirements, including but not limited to those set forth herein, of Workforce Services Policy- Sanctions for Failure to Meet Federal and State Standards and the UCWLWDB Remedies and Sanctions Policy, are met. Contractor acknowledges failure to meet these standard will result in certain remedies and sanctions being issued by the UCLWDB and that similar sanctions may be imposed on the Contractor according to the State's policy.

(O) Applicable Requirements. The Contractor is responsible for ensuring that all applicable requirements, including but not limited to those set forth herein, of 29 CFR 97.36(i)(1-13) are met and that the Grantee provides information to the State as required. The Contractor and any subcontractors shall comply with the following:

- i. Compliance with all applicable standards, orders, or requirements issued under section 306 of the Clear Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (Contracts, subcontracts, and sub grants of amount in excess of \$100,000).
- ii. Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163).

XIII. AGREEMENT MODIFICATIONS AND TERMINATIONS

If the Contractor fails to fulfill in a timely and proper manner their obligations under this Agreement, or if the Contractor violates any of the terms of the Agreement, the Workforce Innovation and Opportunity Act, or its regulations, the UCLWDB shall have the right to terminate this Agreement with thirty (30) days written notice.

The Contractor acknowledges that any violation of said requirements may result in recovery of any disallowed payments.

The Contractor further acknowledges that all funding for the Agreement is contingent upon availability of funds to the UCLWDB from the Tennessee Department of Labor under present authorization of the Workforce Innovation and Opportunity Act and approval by the Upper Cumberland Local Workforce Development Board.

This Agreement may be modified (in writing) at any time due to lack of funds or changes in authorization, Reimbursement shall be made for any authorized accrued cost that are properly invoiced for within forty-five (45) business days after notice of termination or modification of the Agreement due to lack of funds or changes in authorization. Reimbursement within forty-five (45) business days pending that termination does not conflict with ending contract State due dates and invoices written within this contract.

This Agreement may be modified only by a written amendment which has been executed and approved by the appropriate parties as indicated on the signature page of this Agreement.

XIV. REIMBURSEMENT FOR SERVICES, PAYMENT AND REFUND POLICIES

The Contractor shall invoice UCLWDB for monthly expenditures incurred under this contract. Invoices, with acceptable documentation, shall be filed electronically with the UCLWDB Fiscal Agent by the 10th of each month for the previous month's expenses. UCLWDB will pay in full all appropriately documented invoices within twenty-five (25) business days of its receipt of appropriately documented invoices. Delayed, incomplete, or undocumented invoices will delay reimbursement.

The policy for refund of tuition and associated fees or costs shall be governed by written policy of the Contractor. If the Contractor does not have an established written procedure for the refund of unearned or unused tuition and associated fees or costs, the Contractor shall establish and prepare such written procedures and submit same to UCLWDB for approval.

A "final" invoice for reimbursement shall be submitted for any costs incurred during the contract period that have not been reimbursed for prior to the contract ending date. The final invoice for reimbursement shall be submitted within thirty (30) days of the contract ending date. Reimbursement for amounts properly invoiced for shall be made to the Contractor no later than forty-five (45) business days after receipt of and approval of the invoice for reimbursement.

The invoice for reimbursement with all pertinent documentation shall be submitted to:

Upper Cumberland Local Workforce Development Board
Attention: Fiscal Agent, Bobby Scott
1000 England Drive, Suite 201
Cookeville, Tennessee 38501
Email: bscott@ucworkforce.org

**Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transaction**

Sub-Grant/Contractor Organization: Mid Cumberland Human Resource Agency

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510 Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (Pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ ATTACHED INSTRUCTIONS WHICH
ARE AN INTEGRAL PART OF THE CERTIFICATION)

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

Jane Hamrick, Executive Director
Name and Title of Authorized Representative

Jane Hamrick
Signature

5/21/2020
Date

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this contract, the prospective recipient of Federal assistance funds is providing the certification below:
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the recipient of Federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Department of Labor (DOL) may pursue available remedies, including suspension and/or debarment.
3. The recipient of federal assistance funds shall provide immediate written notice to the person to whom this contract is submitted if at any time the recipient of Federal assistance funds learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms, "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to whom this contract is submitted for assistance in obtaining a copy of those regulations.
5. The recipient of Federal assistance funds agrees by signing this contract that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible or voluntarily excluded from participation in this covered transaction, unless authorized by the DOL.
6. The recipient of Federal assistance funds further agrees by signing this contract that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may but is not required to check the List of Parties Excluded from Procurement or Non-procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

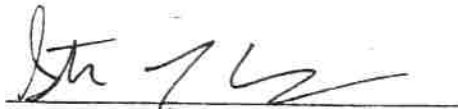
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntary excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the DOL may pursue available remedies, including suspension and/or debarment.

The undersigned hereby accepts all terms and conditions of this written Agreement and agrees to deliver the services described herein in accordance with public law 113-128 of the Workforce Innovation and Opportunity Act (WIOA).


The Undersigned affirm that they have read and understand this Agreement, the General Provisions, Special Provisions, Addendum to the Special Provisions, all attachments hereto, and requirements set forth herein.

The Contractor assures that they possess the legal authority to enter into this Agreement. Further, that the governing body has authorized the signatory official to enter into this Agreement and any subsequent amendments hereof.

UPPER CUMBERLAND LOCAL WORKFORCE DEVELOPMENT BOARD, INC


Stephen Crook, UCLWDB, Inc. Chairman

5/21/20
Date


Bobby Scott, Fiscal Agent

05/21/20
Date

MID CUMBERLAND HUMAN RESOURCE AGENCY:

Jane Hamrick
Jane Hamrick, Executive Director

5/21/2020
Date

Contractor Representatives authorized by the above signatory officials to sign all documentation of the Agreement:

Becky Hull, UCLWDB Executive Director
Name and Title

Becky Hull 5/21/20
Signature

This Agreement was approved by the Executive Committee of the Upper Cumberland Local Workforce Development Board on

Date

ATTACHMENT 21

**Upper Cumberland
Local Workforce Development Board
POLICIES AND PROCEDURES**

Title: REMEDIES AND SANCTIONS POLICY
Date of Adoption: November 19, 2019

PURPOSE: The purpose of this policy is to inform all contractors of the Upper Cumberland Local Workforce Development Board, Incorporated (UCLWDB), a subrecipient of the Tennessee Department of Labor and Workforce Development, utilizing WIOA Title I funds or other Workforce Services pass through funds, about the potential remedies and sanctions that the UCLWDB will impose for failing to meet the Federal and State fiscal standards and performance measures.

POLICY:

I. Background:

The Upper Cumberland Local Workforce Development Board, Incorporated (UCLWDB) shall have a zero-tolerance approach to addressing observed deficiencies by a contractor to meet the regulatory compliance standards for financial and program management. The effect of contractor noncompliance places the UCLWDB at risk for loss in credibility/confidence of data used to support management decisions, increased risk for compliance findings, and potential for a reduction/recapture of funding at the State level. In an effort to reduce deficiencies and increase program integrity, any contractor not meeting the regulatory standards shall be subject to the specific conditions or remedies and sanctions set forth in this policy. Regulatory standards are set by the United States Government (including Uniform Codes, WIOA law and US Department of Labor), the Tennessee Department of Labor and Workforce Development, and the Upper Cumberland Local Workforce Development Board, Incorporated. A non-exhaustive listing of such regulatory standards includes the following:

- Uniform Administrative Requirements;
- Cost Principles, and Audit Requirements for Federal Awards, WIOA law;
- One-Stop Comprehensive Financial Management Technical Assistance Guide;
- TN WIOA 17-1 Allowable and Unallowable Costs;
- TN WIOA 17-11 Minimum Participant Cost Rate; UCLWDB Minimum Participant Cost Rate Policy;
- TN-WIOA 18-3 One Stop Certification;
- 2 CFR Part 200, Appendix XI Compliance Supplement;

- UCLWDB grantee contract terms and conditions;
- UCLWDB Monitoring Policy and procedures;
- UCLWDB Supportive Services Policy;
- And all other applicable policy and guidance.

Should the UCLWDB determine that regulatory standards have not been met, infractions will be categorized by severity. Categories 1, 2, 3, or 4 will be determined by the level of risk associated with observed deficiencies relative to the 2 CFR Part 200, Appendix XI Compliance Supplement. The UCLWDB will maintain an internal tracker detailing the status of compliance with requirements outlined in the grantee contract as well as policies and/or guidance. The risk categories will be designed as follows:

- **Category 1 (Low Risk)**
- **Category 2 (Moderate Risk)**
- **Category 3 (High Risk)**
- **Category 4 (Severe Risk)**

Categories are progressive and failure to satisfy one category will lead to a higher category infraction. *While not exhaustive, example infractions of each category are listed below:*

Category 1-

- Failure to submit timely and accurate reports as requested by the Board.
- Failure to comply with UCLWDB branding standards.

Category 2-

- Infractions leading to potential disallowed costs (i.e., eligibility issues, unallowable supportive service payments).
- Actions contrary to UCLWDB policy.

Category 3-

- Inadequate use of state systems per UCLWDB contract agreement.
- Failure to provide specific identifiers of fiscal related documentation within Jobs4TN case notes for monitoring and review purposes.
- Delay in uploading financial documents resulting in a greater than one (1) month variance between Jobs4TN and Grants4TN state systems.
- Inefficient control of administrative costs resulting in failure to meet the state standard Minimum Participant Cost Rate (MPCR).

Category 4-

- Recurrent activity of Category 1, 2 or 3 infractions leading to lack of sustained integrity.
- Intentional acts that result in improper use of funds leading to waste, fraud, or abuse.

When contractor non-compliance is identified, the UCLWDB shall exercise remedies to cure the infraction(s). Category 1 and 2 infractions shall be addressed through the remedies of additional Specific Conditions. Category 3 and 4 infractions shall be addressed through the remedies of Sanctions.

II. Remedies through Specific Conditions:

The UCLWDB, as a subrecipient of Federal funds, may impose additional specific conditions as needed, especially in instances of noncompliance with Federal, State and sub-recipient grantee regulations. Any specific conditions imposed will be issued in writing by the UCLWDB Executive Director.

A. Category 1 Infractions will result in the following:

1. Requiring the contractor to attend a personal conference with Board Staff to review requirements and obtain training assistance.
2. Requiring additional contractor monitoring to ensure infraction has been resolved.

B. Category 2 Infractions will result in the following:

1. Requiring additional, more detailed financial reports. This may include providing invoices and additional support documentation for expenditures and will result in increased desktop monitoring.
2. Establishing additional prior approvals. This may be achieved through various means at the discretion of the UCLWDB Executive Committee, but may include requiring prior written approval from the Executive Director, Board Chairman, or CLEO.

Once in place, specific conditions shall remain in effect until either expiration of the time period set forth by the UCLWDB Executive Director when issued, or until the specific condition(s) have been met and evidence of acceptable performance has been demonstrated, as determined by the UCLWDB Executive Director. Once the specific conditions have been removed from the contractor, the UCLWDB reserves the right to monitor the contractor as necessary.

III. Remedies through Sanctions:

If the severity of the contractor noncompliance cannot be remedied by imposing specific conditions, as determined by the UCLWDB, or where imposed specific conditions have failed to remedy the noncompliance, then remedies through sanctions shall apply. Any remedies through sanctions shall be issued in writing by the UCLWDB Executive Director and UCLWDB Chairman. Sanctions may include, but are not limited to, the following:

A. Category 3 Infractions will result in the following:

1. Recommendation that the contractor reassess contractor staff and their capacity to ensure compliance with required regulations and/or manage UCLWDB functions effectively and efficiently.
2. Additional and extensive monitoring requirements, including a full fiscal review of contractor's WIOA related expenditures.
3. Deny reimbursement of disallowed costs, as determined by the UCLWDB.
4. Temporarily withhold reimbursements until contractor complies with contractual regulations.
5. Deny any performance-based extension of original contract award.

B. Category 4 Infractions will result in the following:

1. Revocation of contract based upon material breach.
2. Initiate debarment proceedings.
3. Any and all other legally available remedies.

IV. Written Notice of Corrective Remedies:

The contractor shall be notified of any remedies imposed through formal written notification. Remedies for Category 1 and 2 infractions shall require written notice from the UCLWDB Executive Director, while Remedies for Category 3 and 4 infractions shall require written notice from the UCLWDB Executive Director and UCLWDB Chairman. This notice shall contain the following:

- A. The reason why the specific conditions or sanctions are being imposed;

- B. The nature of the specific conditions or sanctions;
- C. The nature of the action needed to remove the specific conditions or sanctions;
- D. The time allowed for completing the actions if applicable; and
- E. The method for requesting reconsideration of the specific conditions or sanctions.

V. Process for Appealing Remedies Imposed:

A contractor seeking to appeal the decision to impose remedies may file a written appeal to the UCLWDB Board Chairman within fifteen (15) calendar days after receipt of notification. The appeal must contain a specific statement of the grounds on which the appeal is sought. The UCLWDB Executive Committee will have thirty (30) calendar days to review the appeal and make a recommendation to the UCLWDB Chief Local Elected Official (CLEO). The final decision rests with the CLEO. If the contractor chooses to appeal the decision of the CLEO, a detailed statement of the grounds on which the appeal is sought must be submitted in writing to the Commissioner of the Tennessee Department of Labor and Workforce Development within fifteen (15) calendar days of the CLEO's decision. The appeal will be filed with the State Workforce Board who will make a final determination.

ATTACHMENTS: None

EFFECTIVE DATE: Immediately

DURATION: Indefinite

CONTACT: For questions regarding this policy, contact Becky Hull, Executive Director, Upper Cumberland Local Workforce Development Board at bhull@ucworkforce.org



Board Chairperson, UCLWDB

ATTACHMENT 22



580 S. Jefferson
Cookeville, TN 38501
913.520.6020 (ph)

**Upper Cumberland
Local Workforce Development Board
POLICIES AND PROCEDURES**

Title: MINIMUM PARTICIPANT COST RATE (MPCR) POLICY
Date of Adoption: 9-25-18

PURPOSE: To implement, in accordance with State Workforce Development Board (SWDB) guidance, the Workforce Innovation and Opportunity Act (WIOA) Title I local area formula funds of the Upper Cumberland Local Workforce Development Board (UCLWDB) minimum participant cost rate for allowable WIOA funded services. The UCLWDB establishes a minimum participant cost rate (MPCR) as an additional State identified performance accountability measure **WIOA, Section 116(b)(2)(B)**. This policy is designed to set a benchmark for participant expenditures to more effectively focus Federal resources on serving more individuals which impacts performance and outcomes. This emphasizes financial integrity of taxpayer dollars in partnership with our workforce system stakeholders.

POLICY: The Upper Cumberland Local Workforce Development Board shall ensure the state required minimum of their WIOA Title I formula allocations **WIOA Section 128(b)(4) and 133(b)** is expended on allowable participant costs under WIOA funded services per **WIOA Section 129(c)(2), WIOA Section 134, TEGL 19-16 and TEGL 21-16**.

INTSRUCTIONS:

Qualifying Expenditures

Under this Policy certain WIOA funded services (**20 CFR 681, TEGL 19-16 and 21-16**) are considered as "qualifying" expenditures toward the minimum expenditure calculation. In all cases, qualifying expenditures are those that represent the cost of services as described below and do not include administrative, personnel staff or operating expenditures of the UCLWDB, UCLWDB staff, one-stop operators, and/or contracted service providers.

A. Youth Services

1. Tutoring, study skills training, instruction, and dropout prevention services (**20 CFR 681.460**)

2. Alternative secondary school services or dropout recovery services **(20 CFR 681.460)**
3. Paid and unpaid work experience **(20 CFR 5 681.600)**
4. Occupational skills training **(20 CFR 681.540)**
5. Education offered concurrently with workforce preparation and training for a specific occupation **(20 CFR 681.630)**
6. Leadership development opportunities **(20 CFR 5 681.520)**
7. Supportive services **(20 CFR 681.570)**
8. Adult mentoring **(20 CFR 681.490)**
9. Follow-up services **(20 CFR 5 681.580)**
10. Comprehensive guidance and counseling **(20 CFR 681.510)**
11. Financial literacy education **(20 CFR 681.500)**
12. Entrepreneurial skills training **(20 CFR 681.560)**
13. Services that provide labor market information **(20 CFR 681.460 (a)(13))**
14. Postsecondary preparation and transition activities **(20 CFR 681.460)(a)(14)**

The UCLWDB will not use 100% of their youth contract expenditures in the calculation of the minimum participant cost rate. In order for an expenditure to be considered in the calculation of the MPCR, the service must be considered a direct participant benefit associated with a fundable service in JOBS4TN **(See Attachment 2)**.

Test to Determine a Direct Youth Participant Expense

To determine if the cost of an activity should be considered a direct Youth participant expense (i.e., fundable activity) that will count towards the UCLWDB's MPCR, the UCLWDB will consider the factors below:

1. If the activity is listed on Attachment 2 of this policy, the activity qualifies as a direct participant cost to be included in the MPCR calculation.
2. If the activity is not listed, the UCLWDB will conduct the analysis below:

“But for” the WIOA Youth Program, in order to receive this service/activity, would the participant have to incur an out of pocket personal expense? If the answer is yes, count the activity as a direct participant expense. (Ex. There are no free or available financial literacy classes offered in the community, “but for” the youth program offering the class, the individual would have to incur expenses to participate in a class)

B. Adult and Dislocated Worker Services

1. Career Services defined **(20 CFR' 678.430)** as costs directly benefiting participants (i.e. assessments) and does not include salaries of staff providing the assessments.
2. Training Services **(20 CFR S 680.200 through .230 and 20 CFR S 680.300 through 350)**.
Types of training services that may be provided include:
 - a. Occupational skills training, including training for nontraditional employment;

- b. On-the-job training;
- c. Incumbent worker training;
- d. Programs that combine workplace training with related instruction, which may include cooperative education programs;
- e. Training programs operated by the private sector;
- f. Skill upgrading and retraining;
- g. Entrepreneurial training;
- h. Job readiness training provided in combination with the training services described in any of clauses (a) through (g) or transitional jobs;
- i. Adult education and literacy activities, including activities of English Language acquisition and integrated education and training programs, provided concurrently or in combination with services provided in any of clauses (a) through (g); and
- j. Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

3. Supportive Services (**20 CFR s 680.900**)

Calculations: MPCR is calculated by dividing the Total Qualifying Expenditures Incurred by the Total Cumulative Expenditures Program Only (as reported on the Monthly Expenditure Report). Each quarter the UCLWDB will calculate and report the MPCR to TDLWD utilizing the attached MPCR Calculation Template. This report is to be attached to the Status Report submitted for the respective quarter end month.

Required Action:

1. UCLWDB will calculate and report the MPCR for each Program Year to TDLWD utilizing the MPCR Calculation Template. This calculation represents the initial starting point.
2. If the UCLWDB falls below the State determined MPCR, the UCLWDB will address the issue and report a plan that identifies the measures to be taken to reach the MPCR by the end of the Program Year.
3. The UCLWDB will review quarterly the MPCR to ensure it is remaining at or above the goal. A corrective action plan will be submitted to the State Workforce Board if the UCLWDB falls below its quarterly goal.
4. The State required expenditure rate will be reviewed quarterly by the State Workforce Board. To provide for continuous improvement, if the UCLWDB falls below the required rate the UCLWDB will submit a narrative with the quarterly report explaining why the expenditure rate was not attained. If the UCLWDB falls below the required rate for three consecutive quarters it must submit a local board approved Corrective Action Plan providing a detailed analysis of the inability to attain a minimum the required training expenditure rate. This Corrective Action must include at a minimum:

- a. UCLWDB approved action steps to meet the minimum required rate;
- b. Timeline for meeting the minimum required rate;
- c. Any measurable benchmarks or indicators the plan will use to ensure the UCLWDB is remaining on track to meet the expected outcome; and
- d. Acknowledgement by the UCLWDB that the area is subject to remedies for non-compliance as outline in **2CFR 200.207** and **200.338** until the MPCR is attained.
- e. Other information the UCLWDB feels will be beneficial for state review.

Monitoring: The UCLWDB must track training-related expenditures. The requirement to expend the required percentage rate of WIOA funding that is in direct Board control on training is part of the UCLWDB routine monitoring schedule. The service provider should keep detailed monthly reports tracking such expenditures and will make available to the Board /Board staff upon request. These reports will be regularly monitored by Board staff to ensure the UCLWDB is on track to meet or exceed the MPCR goals for the program year.

Continuous Improvement: As the UCLWDB meets or exceeds the MPCR benchmark, it will constantly strive to maintain and improve their current rate of expenditures to meet a State proposed regional MPCR.

Attachment(s): MPCR Calculation Template

List of Qualifying Expenditures (based on fundable activities in VOS)

Effective Date: October 1, 2018

Duration: June 30, 2019

For questions regarding this policy, contact Becky Hull, Executive Director, Upper Cumberland Local Workforce Development Board at bhull@ucworkforce.org



Board Chairperson, UCLWDB

ATTACHMENT 1: Minimum Participant Cost Rate Calculations by Program Year

MPCR Calculation Methodology:

- A. Total Qualifying Expenditures = sum of all allowable WIOA funded services by program as identified Section A and B of MPCR policy
- B. Total Cumulative Expenditure = Total Cumulative Program Expenditures (as reported on the relevant Monthly Expenditure Report)
- C. MPCR by Program = Total Qualifying Expenditures divided by Total Cumulative Expenditure

Notes:

- 1. Per State policy the MPCR calculation excludes obligations and the reserve for Local admin costs
- 2. MPCR is based on the combined formula fund totals not the individual program totals
- 3. the relevant data is the be keyed into the input cells (orange colored cells only)

MPCR Threshold		40.0%		Program Year 2015			Program Year 2016		
Program	Funding Type	Quarter End Monthly Expenditure Report			Quarter End Monthly Expenditure Report				
		Total Qualifying Expenditures (A)	Total Cumulative Expenditures-Program (B)	MPCR by Program (C)	Total Qualifying Expenditures (A)	Total Cumulative Expenditures-Program (B)	MPCR by Program (C)		
WIOA Youth	PY	397,429.50	794,859.00	50.0%	346,580.40	866,451.00	40.0%		
WIOA Adult	PY	33,503.50	67,007.00	50.0%	58,350.00	145,875.00	40.0%		
	FY	367,378.50	734,757.00	50.0%	402,421.20	1,006,053.00	40.0%		
WIOA Dislocated Worker	PY	32,447.00	64,894.00	50.0%	32,510.00	81,275.00	40.0%		
	FY	205,245.50	410,491.00	50.0%	146,581.20	366,453.00	40.0%		
Grand Total		1,036,004.00	2,072,008.00	50.0%	986,442.80	2,466,107.00	40.0%		

Was the MPCR Threshold Met?

YES

YES

Two Year Summary		
Total Qualifying Expenditures	Total Cumulative Expenditures (Program Only)	Combined MPCR
2,022,446.80	4,538,115.00	44.6%

ATTACHMENT 2: List of Qualifying Expenditures (based on fundable activities in VOS)

Note: as indicated in policy (Section 1: Guidance), the local WDB or staff should request clarification from the TDLWD staff prior to incurring the cost to ensure the service is allowable and to determine if the costs can be included in the minimum expenditure calculation.

VOS SERVICE CODE	DESCRIPTION	State Policy
180	Support Service - Child/Dependent Care	Section II.B.3
181	Supportive Service - Transportation Assistance	Section II.B.3
182	Supportive Service - Medical	Section II.B.3
184	Supportive Service - Temporary Shelter	Section II.B.3
185	Support Service -Other	Section II.B.3
186	Support Service - Seminar/Workshop Allowance	Section II.B.3
187	Support Service - Job Search Allowance	Section II.B.3
216	Out-of-area job search asst.	Section II.B.1
217	Supportive Service - Relocation assistance	Section II.B.3
219	Work Experience	Section II.B.1
223	Financial Literacy Services	Section II.B.1
300	Occupational Skills Training - Approved Provider List (ITA)	Section II.B.2.a
301	On-The-Job Training	Section II.B.2.b
302	Entrepreneurial Training	Section II.B.2.g
303	Distance Learning	Section II.B.2.a and II.B.2.e
304	Customized Training	Section II.B.2.j
320	Private Sector Training	Section II.B.2.e
323	Workplace Training & Cooperative Education	Section II.B.2.d
324	Adult Educ w/ Occ. Skills Training -Approved Provider List (ITA)	Section II.B.2.i
325	Employed Worker Skills Upgrading/Retraining	Section II.B.2.f
326	Support Service - Needs Related Payments	Section II.B.3
327	Support Service - Training Allowance	Section II.B.3
400	Youth-Summer Employment	Section II.A.3
406	Youth-Tutoring, study skills training & instruction	Section II.A.1
410	Youth-Leadership Development Services	Section II.A.6
415	Youth-Enrolled in Alternative Secondary Education	Section II.A.14
416	Youth-Occupational Skills Training - Approved Provider List	Section II.A.4
419	Youth-Support Services - Stipends	Section II.A.7
425	Youth-Work Experience - Paid	Section II.A.3
426	Work Experience - Un-Paid	Section II.A.3
427	Youth-Internship - Paid	Section II.A.3
428	Youth-On-the-Job Training	Section II.A.3
430	Youth-Occupational Skills Training - Non-Approved Providers	Section II.A.4
431	Youth-Financial Literacy	Section II.A.11
432	Youth-Education Offered Concurrently w/Workforce Prep	Section II.A.5
433	Youth-Entrepreneurial Training	Section II.A.12
434	Youth-Pre Apprenticeship Activities	Section II.A.3
480	Youth-Support Service - Child/Dependent Care	Section II.A.7
481	Youth-Support Service - Transportation Assistance	Section II.A.7
482	Youth-Support Service - Medical	Section II.A.7
483	Youth-Support Service - Temporary Shelter	Section II.A.7
484	Youth-Support Service - Incentives / Bonuses	Section II.A.7
485	Youth-Support Service -Other	Section II.A.7
F09	Tutoring	Section II.A.9
F10	Leadership Development	Section II.A.9
F12	SS-Transportation	Section II.A.9
F13	SS- Purchase work related uniforms/attire	Section II.A.9
F14	SS-Purchase work related tools	Section II.A.9
F15	SS-Housing Assistance	Section II.A.9
F16	SS-Utilities	Section II.A.9
F17	SS-Dependent Care	Section II.A.9
F18	SS-Medical	Section II.A.9
F19	SS-Incentives/Bonus	Section II.A.9
F21	Youth Post Exit Education/Trng Pgm Leading to Postsec Cred	Section II.A.9
F22	Youth Financial Literacy Services- Follow up	Section II.A.9

ATTACHMENT 23

Upper Cumberland **WORKFORCE**

Developing Talent to Support Long-term, Regional Workforce Needs

April 30, 2019

Ivan L. Greenfield, Assistant Administrator
Division of Workforce Services
220 French Landing Drive, 4B
Nashville, TN 37243

Dear Ivan:

This letter is in response to the request for a corrective action plan due to the failure of the Upper Cumberland Local Workforce Development Area to meet the state mandated Minimum Participant Cost Rate (MPCR) for the past eight months.

The Upper Cumberland Local Workforce Development Board (UCLWDB), Inc. assumed the role as Fiscal Agent for the Workforce Innovation and Opportunity Act, a federally funded program through the U.S. Department of Labor and the State of Tennessee Department of Labor and Workforce Development, on July 1, 2019. The Board contracted with Mid-Cumberland Human Resource Agency (MCHRA) for both One-Stop-Operator and Career Services Provider. The data for the 2019 program year MPCR is shown below.

July 2019	7.12%
August 2019	19.7%
September 2019	22.92%
October 2019	31.04%
November 2019	30.33%
December 2019	30.48%
January 2020	29.38%
February 2020	30.47%

The service provider's failure to meet the contract mandated MPCR has been an ongoing issue for the Upper Cumberland. Please see the attached emails and monitoring reports sent to Upper Cumberland County Mayors and Dr. Kenyatta Lovett, Tennessee Department of Labor & Workforce Development Assistant Commissioner.

Upper Cumberland **WORKFORCE**

Developing Talent to Support Long-term, Regional Workforce Needs

After several discussions with the MCWFS Director – Joseph Johnson, Program Manager- Logan LaFevers, and Program Administrator – Megan Kelly, with no tangible results, the UCLWB issued a Category 3 sanction letter to Mid-Cumberland Human Resource Agency on December 2, 2019. Copies of the policy and letter are attached. The letter stated that one of the primary factors in issuing the sanction was: Inefficient control of administrative costs resulting in failure to meet the state standard Minimum Participant Cost Rate (MPCR). The sanction required that MCHRA provide a written plan for rectifying the problems by December 30, 2019.

Jane Hamrick, MCHRA Executive Director, contacted the UCLWDB Executive Director to schedule a meeting for December 11. At that meeting, Ms. Hamrick and Kevin Rye, MCHRA CFO, informed staff to the board that they had not been made aware of any previous discussions or concerns with MCHRA's lack of performance. Thus, a significant amount of time was spent reviewing conversations with Mr. Johnson, Mr. LaFevers, and Ms. Kelly around the need for improvement. That discussion also included a review of emails, meeting minutes, etc. and the lack of any effort by MCHRA for improvement. Mr. Rye took extensive notes. He shared them with staff to the board so that clarity of expected outcomes was agreed upon by both MCHRA and UCLWDB staff. See attached emails.

The Local Elected Officials discussed MCHRA's failure to meet compliance and the withholding of payments as a result at their December 18, 2019 meeting. The Fiscal Agent was encouraged by the group to continue the practice until such time contract obligations were met. See attached minutes.

At the January 6, 2020 Executive Committee meeting, Mid-Cumberland's response to the sanction letter was reviewed. The Program Administrator, Megan Kelly, could not answer the committee's questions with regard to specific portions of the letter. Thus, it was determined that a special called meeting was needed to allow the Committee to discuss their questions directly with MCHRA Executive Staff. See attached meeting minutes.

The special called meeting was held on January 16, at the Upper Cumberland Local Workforce Development offices at 1000 England Drive. Dr. Lovett attended the meeting at the request of Chairman Stephen Crook. Jane Hamrick, Kevin Rye, and Joseph Johnson represented MCHRA. The Committee asked Mr. Rye to address the failure to meet the state mandated 40% MPCR. There was a lengthy discussion about whether or not the MPCR requirement was 40 or 50%. It was clarified that the state mandate is 40%. MCHRA's contract mandates 50%. No detailed explanation was provided as to why the MPCR had not been met; however, Mr. Rye did give a detailed explanation of how the MPCR would be not only met, but exceeded, through June 30, 2020. See attached meeting minutes.

While it is the responsibility of the service provider to meet their contract terms, including the MPCR, the UCLWDB staff have made several efforts to increase the number of participants served by the Title I staff only to be frustrated by the lack of service. For example, the Executive Director met with the administration for Genesis House, a local shelter for victims of domestic violence. The participant needs were obvious and serving them clearly aligned with the mission of WIOA. The Executive Director scheduled a January 29 meeting with AJC partner staff to outline the expectations of service for these individuals. The next day five women from the shelter came to the American Job Center to meet with a career specialist. All five were turned away without service.

Upper Cumberland **WORKFORCE**

Developing Talent to Support Long-term, Regional Workforce Needs

Mid-Cumberland has received extensive guidance on the expectations for service and the MPCR during their entire contract term. Staff to the Board have worked closely with Susan Cowden since her appointment in January 2020 to correct the problems. In spite of these efforts, the fact still remains that the contract obligations have not been met.

An Executive Committee meeting was held via Google Meets on April 27, 2020. The Executive Committee asked for and received an update on the progress Mid-Cumberland has made in correcting the problems addressed in the December 2, 2019 sanction letter specifically the MPCR. The data provided earlier in this letter was provided to Committee members.

The Committee voted against renewing MCHRA's contract for both OSO and CSP

Sincerely,

X 


Stephen Crook
UCLWDB Chairman

X 

Randy Porter
Upper Cumberland CLEO

X 

Becky Hull
UCLWDB Executive Director

X 

Bobby Scott
UCLWDB Fiscal Agent

CC: Workforce Board
Grants & Budget Unit
Dr. Kenyatta Lovett

ATTACHMENT 24

BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0006
Expiration Date: 02/28/2022

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Youth PY20		\$	\$	\$	\$ 605,841.53	\$ 605,841.53
2. Adult PY20 & FY21				517,872.18	103,781.10	621,653.28
3. Dislocated Worker PY20				111,611.55	499,590.98	611,202.53
4.						
5. Totals		\$	\$	\$ 629,483.73	\$ 1,209,213.61	\$ 1,838,697.34

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) Youth PY20	(2) Adult PY20 & FY21	(3) Dislocated Worker PY20	(4)	
a. Personnel	\$ 19,080.01	\$ 29,373.13	\$ 28,879.32	\$	\$ 77,332.46
b. Fringe Benefits	8,178.86	12,588.47	12,376.85		33,144.18
c. Travel	2,726.29	4,196.16	4,125.62		11,048.07
d. Equipment	1,090.51	1,678.46	1,650.25		4,419.22
e. Supplies	1,635.77	2,517.70	2,475.37		6,628.84
f. Contractual	490,731.64	475,564.76	467,569.94		1,433,866.34
g. Construction	0.00	0.00	0.00		0.00
h. Other	21,814.30	33,569.27	33,004.93		88,388.50
i. Total Direct Charges (sum of 6a-6h)	545,257.38	559,487.95	550,082.28		\$ 1,654,827.61
j. Indirect Charges	60,584.15	62,165.33	61,120.25		\$ 183,869.73
k. TOTALS (sum of 6i and 6j)	\$ 605,841.53	\$ 621,653.28	\$ 611,202.53	\$	\$ 1,838,697.34
7. Program Income	\$ 0.00	\$ 0.00	\$ 0.00	\$	\$ 0.00

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SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8.	Youth PY20	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
9.	Adult PY20 & FY21	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
10.	Dislocated Worker PY20	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
11.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
12. TOTAL (sum of lines 8-11)		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>

SECTION D - FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ <input type="text" value="1,017,463.16"/>	\$ <input type="text" value="203,492.63"/>	\$ <input type="text" value="356,112.11"/>	\$ <input type="text" value="305,238.95"/>	\$ <input type="text" value="152,619.47"/>
14. Non-Federal	\$ <input type="text" value="821,234.18"/>	<input type="text" value="164,246.84"/>	<input type="text" value="287,431.96"/>	<input type="text" value="246,370.25"/>	<input type="text" value="123,185.13"/>
15. TOTAL (sum of lines 13 and 14)	\$ <input type="text" value="1,838,697.34"/>	\$ <input type="text" value="367,739.47"/>	\$ <input type="text" value="643,544.07"/>	\$ <input type="text" value="551,609.20"/>	\$ <input type="text" value="275,804.60"/>

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program		FUTURE FUNDING PERIODS (YEARS)			
		(b) First	(c) Second	(d) Third	(e) Fourth
16.	Youth PY20	\$ <input type="text" value="121,168.31"/>	\$ <input type="text" value="212,044.53"/>	\$ <input type="text" value="181,752.46"/>	\$ <input type="text" value="90,876.23"/>
17.	Adult PY20 & FY21	<input type="text" value="124,330.66"/>	<input type="text" value="217,578.65"/>	<input type="text" value="186,495.98"/>	<input type="text" value="93,247.99"/>
18.	Dislocated Worker PY20	<input type="text" value="122,240.51"/>	<input type="text" value="213,920.89"/>	<input type="text" value="183,360.76"/>	<input type="text" value="91,680.37"/>
19.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
20. TOTAL (sum of lines 16 - 19)		\$ <input type="text" value="367,739.48"/>	\$ <input type="text" value="643,544.07"/>	\$ <input type="text" value="551,609.20"/>	\$ <input type="text" value="275,804.59"/>

SECTION F - OTHER BUDGET INFORMATION

21. Direct Charges: <input type="text"/>	22. Indirect Charges: <input type="text"/>
23. Remarks: <input type="text"/>	

ATTACHMENT 25

C2 – Budget Narrative

The Upper Cumberland Local Workforce Development Board (UCLWDB), Inc. assumed the role as Fiscal Agent for the Workforce Innovation and Opportunity Act, a federally funded program through the U.S. Department of Labor and the State of Tennessee Department of Labor and Workforce Development, on July 1, 2019. The CLEO has appointed the fiscal agent as a member of staff to the board. In order to Ensure sustained fiscal integrity and accountability for expenditures of funds in accordance with Office of Management and Budget circulars, WIOA and the corresponding Federal Regulations and State policies the fiscal agent has developed, with input from the Budget Committee the following budget.

Personnel \$318, 500 – The Upper Cumberland Local Workforce Development Board appoints the Executive Director. The WIOA Executive Director is responsible for the successful management of the administration, skilled operation performance, and financial integrity of all procedures, programs and activities of the Upper Cumberland Local Workforce Board including employee hires. Budget information for personnel for the UCLWDB is as follows:

Job Title	Funding Source
Executive Director	Indirect/Administration Funds
Fiscal Agent	Indirect/Administration Funds
Compliance/Monitoring/EEO	Program/Administration Funds
Performance and Information	Program/Administration Funds
Business Outreach & Special Projects	Administration Funds

Salaries, Wages, and Benefits budget line item is equivalent to \$318,500. Benefits are calculated at 30% of salaries and wages.

Travel \$16,048.07 – The Upper Cumberland consists of 14 counties that cover 5093 miles and serves 348,273 residents. Travel is an important part of maintaining daily operations as well as the need for recurrent site visits as a part of monitoring. Travel, including hotel stays, is also required for State Workforce Board meetings and trainings. The total travel budget is made up of program and indirect costs totaling \$16,048.07

Equipment \$4,450 – The budget allows for \$4,450 in program funds for replacement of outdated equipment.

Supplies \$7000 — The budget allows \$7000 in program funds for the day-to-day cost of office supplies incurred at all of the AJCs across the Upper Cumberland.

Contractual \$1,654,831.60 – The budget allows for approximately \$1,654,831.60 for One-Stop-Operator and Career Service Provider contracts.

Other \$88,388.50 – The budget allows for \$88,388.50 in Other. Items included in this category include: Rent, Utilities, and incidentals.

Indirect Charges \$183,870.00 – The budget allows for Indirect Charges of \$183,870.00 in Indirect charges. Items included in this category include: Executive Director & Fiscal Agent salaries, rental contracts, and travel. Costs in this category do not exceed the grants 10% Administrative allotment.

It is important to note that the UCLWDB has operated as fiscal agent for only six months. It is anticipated that the data listed in the above information may need significant adjustment once a full one-year budget cycle has been completed.

ATTACHMENT 26

UCLWDB planned Cooperative Agreements for Service Provision for Program Years 2020-2022

Cross Training- The One-Stop Operator (OSO) ensures AJC staff are cross-trained through Quarterly Cross Training events. Participation in Quarterly Cross Training is mandatory for all partners. Training topics are selected through requests submitted from partners, data and processes analysis showing system strengths and weakness, TDLWD training requests, and current relevant issues. Additionally, cross-training occurs at monthly partners meetings hosted by the OSO. These monthly meetings are a time for partners to share process and referral reviews, customer survey feedback, and update each other on their individual programs. This information sharing greatly contributes to the "team" atmosphere and ensures all partners continue to work towards the same goal.

Technical Assistance- Information sharing and technical assistance is also conducted with Career Services staff. Board Staff work with the Career Services Manager to regularly review career services processes based upon monitoring reviews. When areas of concern are noted through monitoring reports, this information is formally shared with provider management and any deficiencies are addressed through corrective action. Once corrective action is submitted, Board Staff work informally with Career Services Management to address causes of these deficiencies through staff training.

Cooperative Efforts- Cooperative efforts with Upper Cumberland employers take place through job fairs and hiring events. Coordinated through our Business Services Team, these events are hosted within our AJC facilities. We are able to offer ample event space, marketing, event assistance, and access to potential workers. In turn, employers provide hiring opportunities for our participants. Additionally, these events not only increase engagement between employers and future employees, but also increase WIOA awareness and bring added foot traffic into the AJC building. Our cooperative efforts here create mutually beneficial opportunities and strengthen local business relationships.

Collaborations- We believe our workforce system successes in service provision includes coordination with our regional workforce partners through administrative measures. Realizing that we are stronger together infiltrates all aspects of program facilitation. Pooling of administrative resources has been encouraged by the State as a way to strengthen individual and collective workforce efforts. The Upper Cumberland is already exploring these administrative cost sharing options with the Southern Middle LWDA. Our local areas are very similar in size, budget and population. Executive Directors and Regional Coordinators from both areas are currently working on administrative cost sharing ideas such as MOUs for staff training and shared administrative positions. Memorandums of Understandings are being developed to provide staff training beyond what their individual budgets would allow. The UCLWDB has demonstrated best practices in its Monitoring program and has agreed to allocate time towards training Southern Middle staff in this area. To reciprocate, Southern Middle will train the Upper Cumberland staff in their state-recognized youth program practices. As both LWDAs operate on tight budgets, discussions have also turned to sharing an administrative employee position. This individual would provide much-needed administrative support to each area with the salary burden being shared. Finally, co-writing of grant opportunities seems to be a natural progression of regional and state support. Rather than work as silos of applicants, our desire is to combine resources and partner connections to submit more competitive grant applications. Organic spaces exist between shared training institution service areas and regional LWDA collaboration. For instance, a representative from Motlow recently approached the Upper Cumberland about partnering together to apply for an Appalachian Regional Commission (ARC) grant. As Motlow State Community College serves areas within both the Southern Middle and Upper Cumberland local areas, the Upper Cumberland has requested to include the Southern Middle area in this grant opportunity. Together we are stronger and can shape a more ambitious and wide-reaching grant proposal. The UCLWDB will actively search for shared co-writing grant opportunities such as these in the future.

ATTACHMENT 27



Title VI Training

**Presented by
Amy Maberry**



What is Title VI?

Title VI of the Civil
Rights Act of 1964 (42
U.S.C. 2000d)

No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

What Programs are Covered by Title VI?

- Elementary, secondary, and higher education
- Health care, social services, and public welfare
- Public transportation
- Parks and recreation
- Natural resources and the environment
- Employment and job training
- Housing and community development
- Law enforcement and the administration of justice
- Agriculture and nutrition



What discrimination is prohibited by Title VI?

- Denying program services, aid, or benefits
- Providing a different service, aid, or benefit, or provide them in a manner different than they are provided to others
- Segregating or separately treating individuals in any manner relating to receipt of any service aid or benefit
- Discrimination is prohibited either directly or through contractual means to limit equal access

Purpose of Training

To ensure all management staff, contractees, and service beneficiaries are aware of the provisions of Title VI of the Civil Rights Act of 1964 and the minimum requirements to be in compliance with its rules, laws, and regulations.

Other Nondiscrimination Authorities

Expanded the range and scope of Title VI coverage and applicability:

- The 1970 Uniform Act (42 U.S.C 4601)
- Section 504 of the 1973 Rehabilitation Act (29 U.S.C 790)
- Federal Highway Act of 1973 - Gender Added (23 U.S.C. 324)
- The 1975 Age Discrimination Act (42 U.S.C 6101)
- Executive Order 12898 in Environmental Justice (EJ)
- Executive Order 13166 on Limited English Proficiency (LEP)



Title VI compared to Title VII

Title VI of the **Civil Rights Act** of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving Federal financial assistance

Title VII of the **Civil Rights Act** of 1964 prohibits discrimination in employment on the basis of race, sex, national origin and religion.

**Ensure your
Contractors and
Sub-Contractors
follow the same
guidelines**

Sub-recipients must ensure that all contractors and sub-contractors awarded funded contracts adhere to Title VI and all other applicable civil rights laws and regulations

Who is a Sub-Recipient?

Upper Cumberland

WORKFORCE 

Developing Talent to Support Long-term, Regional Workforce Needs



Any of our
service providers

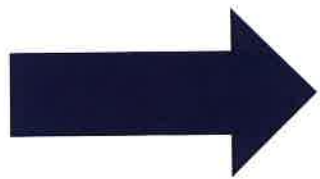


Have a Written Title VI Complaint Process and Complaint Log

How to file a complaint;

- The complaint must be filed within 180 days of the alleged occurrence or when the alleged discrimination became known to the complainant;
- The complaint should be in writing and signed;
- Determining the jurisdiction, acceptability, and the need for additional information upon receipt to investigate the merit;
- Complaints filed against the sub-recipient should be forwarded to TDOT for investigation;
- Take final action within 60 days, and
- Provide appeal instructions.

Where to send complaints?



**The UCLWDB EO Officer
Amy Maberry**



**TN Dept of Labor and
Workforce Development**

“Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination”

President John F. Kennedy, in his message calling for the enactment of Title VI, 1963.



**How do we assist customers
that do not speak English?**

**Through a Limited English
Proficiency (LEP) Plan**





Executive Order 13166

Limited English Proficiency (LEP) – EO 13166 requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

Limited English Proficiency (LEP)

Who is a LEP Person?

➔ **Does not speak** English as their primary language, and has **a limited ability** to read, speak, write or understand English.



Evaluate Current Practices

- Identify actions already being taken and existing tools that can be used to provide meaningful access
- Inventory existing materials that have been translated into other languages
- Staff awareness
- Response Plan

Non-Compliance

Failure or refusal to comply with Title VI of the Civil Rights Act of 1964, other applicable Civil Rights Laws, and implementing departmental regulations.

Sanctions for Non-Compliance

Withholding of payments to the recipient under the contract until the recipient complies

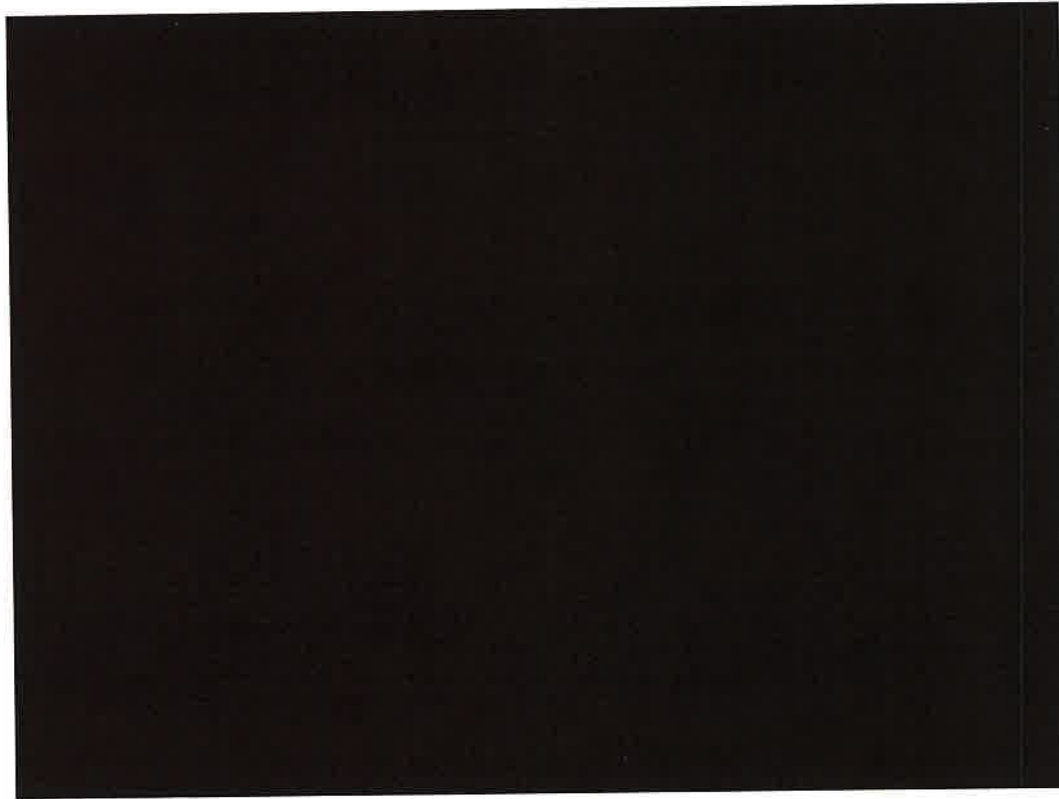
**AND/
OR**

Cancellation, termination or suspension of the contract, in whole or in part

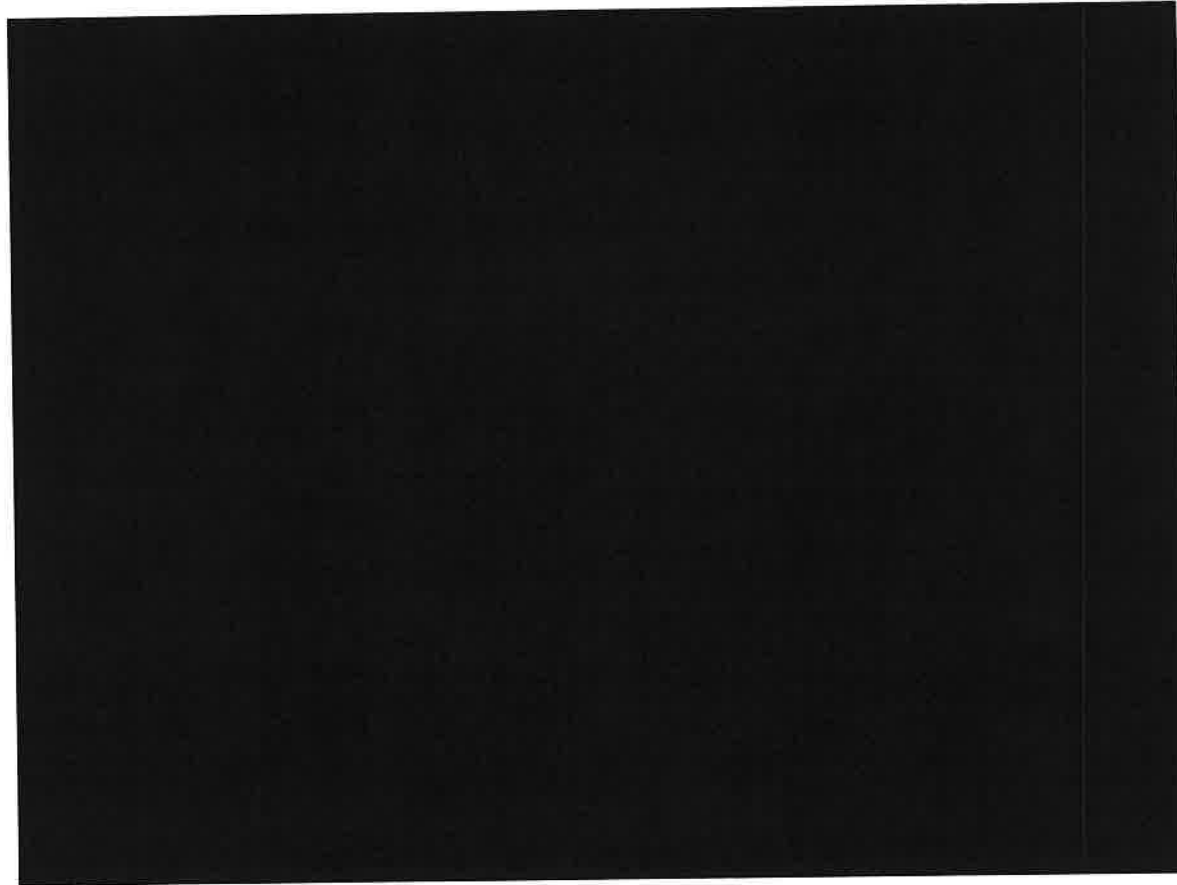
Title VI Related Videos

Included are the U.S. Department of Justice videos for optional learning as follows:

Understanding and Abiding by Title VI



Limited English Proficiency



Re: EEO Training

1 message

Susan Cowden <Susan.Cowden@mchra.com>

Wed, Jun 10, 2020 at 10:41 AM

To: Marla Rye <Mrye@workforceessentials.com>, "Dr. Gary Damon, Jr." <gdamonjr@swhra.org>, Becky Hull <bhull@ucworkforce.org>, Michele Holt <Michele@sedev.org>

Cc: Jane Hamrick <Jane.Hamrick@mchra.com>, Kevin Rye <Kevin.Rye@mchra.com>

For additional information requested by Becky Hull:

This training was conducted for all MCHRA Workforce Services staff beginning with Managers on December 18, 2019 and continuing throughout the month and sign in sheets have been collected and maintained in our Human Resources Department.

Thanks

Sent from my iPhone

> On Jun 10, 2020, at 10:22 AM, Susan Cowden <Susan.Cowden@mchra.com> wrote:

>
> Bill Walker requested a copy of this for the East TN Plan and I thought each of you may need the same information. Good luck with the submission and please let me know if there is anything that I can do to assist.>
> Thanks>
> [cid:747c87cf-8ce2-4999-ab45-807eeadc2123]

> Susan Cowden | Division Director

> Mid-Cumberland WorkForce Services

> 1101 Kermit Drive

> Nashville, TN 37217

> Phone: (615) 719-0869

> Cell: (615) 913-7157

> E-mail: susan.cowden@mchra.com <mailto:susan.cowden@mchra.com>> <https://www.mc-workforceservices.com> <https://www.mc-workforceservices.com/>

> [cid:4af8ca9a-def4-4bd5-b908-1d7ed1a8eafc]

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Mid-Cumberland Annual Title VI Training



DECEMBER 18, 2019



What is Title VI?

- Title VI is a Federal Law which prohibits discrimination on the basis of race, color, or national origin.
- *“No person in the United States shall on the basis of race, color or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”*

Civil Rights Act of 1964






What are Civil Rights?

○ *Civil Rights are enforceable rights or privileges guaranteed by the 13th and 14th Amendments to the U.S. Constitution, which if interfered with by another gives rise to an action for injury.*

Examples:

- Freedom of Speech
 - Freedom of Assembly
 - Right to Vote
 - Freedom from Involuntary Servitude
 - Equality in Public Places
- 

Discrimination

Discrimination occurs when an individual's civil rights are denied or interfered with because of their membership in a particular group or class.




For Title VI to Apply

1. The program or agency must be located within the United States.
2. The program or agency must be providing a service.
3. The program or agency must be receiving direct (recipient) or indirect (sub-recipient) federal funding or assistance.


What constitutes a program or activity?

- A department, agency or other instrumentality of a state or local government.
- The entity of such a state or local government that distributes assistance and each department or agency to which assistance is extended.

Prohibited Practices

- Denying any individual services, opportunities, or other benefits for which that individual is otherwise qualified;
 - Providing any service or benefit in a different manner from that which is provided to others in a program because of race, color, or national origin;
 - Segregating service recipients solely of race, color, or national origin;
- 

Prohibited Practices

- Restricting access to program services or benefits because of race, color, or national origin;
 - Adopting methods of administration which would limit participation by any group of recipients or subject them to discrimination;
 - Addressing an individual in a manner that denotes inferiority because of race, color, or national origin.
- 

Limited English Proficiency


Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

- These individuals may be entitled to language assistance with respect to a particular type or service, benefit, or encounter

LEP Requirements

Recipients and sub-recipients of federal assistance are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

Four factors that should be considered:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;
 2. The frequency with which LEP individuals come into contact with the program;
 3. The nature and importance of the program, activity, or service provided by the program to people's lives; and
 4. The resources available to the grantee/recipient or agency, and costs.
- 

Service Provider Requirements

- Service providers must have a process for advising service recipients of their rights under Title VI of the Civil Rights Act of 1964 and how to file a discrimination complaint.
- Title VI posters must be displayed in a conspicuous place and accessible to all service recipients.
- Service providers must provide conduct annual Title VI training.

Key to Title VI Compliance



Ensure that service recipients receive

- Equal treatment
- Equal access
- Equal rights
- Equal opportunities

Without regard to their race, color, or national origin including Limited English Proficiency (LEP).

Allegations of Discrimination Title VI

Any person who believes a person has been subjected to discrimination on the basis of race, color or national origin, may file a written complaint of discrimination. The complaint must be filed within 180 days after the date of the alleged discrimination.

How to report a Title VI violation or complaint:

Please contact the agency's Title VI Coordinator:

Karyssa Helton

khelton@mchra.com

615-560-0211



Thank you!!!

ВОПРОСЫ

Questions

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ερώτηση

Frage



Domanda?

Pitanje

질문

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问题

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