

WIB Approved Policies - Self-Sufficiency Wage

In accordance with the Workforce Investment Act of 1998, the Merced County Workforce Investment Board has approved the following policies.

Date: 12/15/99

Policy: Self-Sufficiency Wage of \$8.88

The self-sufficiency wage for unemployed adults and dislocated workers in Merced County has been determined by the WIB to be \$8.88 per hour.

Methodology:

In determining the self-sufficiency wage for Merced County, the WIB Committee looked at and considered the following criteria. Temporary Aid for Needy Families (TANF) Standards of Assistance

- The Lower Living Standard Income Level (LLSIL)
- National Wage Statistics
- Current Population Survey (CPS)

TANF and LLISL standards are based on family size and do not address the issue of multiple-wage earners within the same family. e.g. Two wage earners from the same family making same hourly wage would look self-sufficient on paper, but the individual's wages could be far below acceptable standards. It was determined that local wage requirements should be based on national wage statistics, using the Current Population Survey from the Bureau of Labor Statistics (adjusted to reflect the cost of living in Merced County), the 25th percentile of the National wage was used using the multiplier of 1.071 to arrive at \$8.88 per hour..



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Designation of "Older Workers"

In accordance with the Workforce Investment Act of 1998, the Merced County Workforce Investment Board has approved the following policies.

Date: 12/28/99

Policy: Designation of "Older Workers" as Target Population Under the Workforce Investment Act.

Methodology:

Under the Workforce Investment Act, the local board (WIB) is given the opportunity to prioritize services to specific populations within the adult, low-income population. The Act authorizes intensive services for unemployed individuals who are not able to find jobs through core services alone. The law specifies that if adult funds are limited in a service area, recipients of public assistance and low-income clients will be given priority for intensive and training services. The local board designated "Older Worker" as the target group for priority intensive and training services under the low-income category.

The Board determined that Older Workers would be so designated during the initial start-up phase of the Workforce Investment Act. Once statistical data is generated, the targeted group will be re-evaluated, and if necessary, adjust priority (targeted) services at that time.



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Eligible Training Provider's List

In accordance with the Workforce Investment Act of 1998, the Merced County Workforce Investment Board has approved the following policies.

Date: 06/20/00

Policy: Eligible Training Provider's List (ETPL)

The Workforce Investment Act requires that training providers who wish to access WIA funds must submit applications to be placed on the state training list. Providers must meet all local and state criteria; agree to provide approved training to WIA enrolled participants; supply required client data for long-termed follow-up and they must agree to abide by all WIA required regulations and /or laws.

Methodology:

The Merced County Investment Board has approved the following ETPL policies and procedures for the local area. These policies and procedures adhere to all state and federal requirements and have been adapted and structured to meet local needs.



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As of July 1, 2000 all training providers wishing to access WIA funds must be on the State Eligible Training Providers List (ETPL). To be placed on the list, the training provider must submit an application to the Merced County Workforce Investment Board, hereinafter referred to as "Local Board" or "Board." The Board will accept all applications from organizations who intend to provide training services in the local area. Only those applications which meet all local and state criteria will be referred to the State for approval and listing on the ETPL.



● Procedures for Initial Application for ETPL Listing

- Application to Board
 - The Board will accept applications on a continuing basis from providers who intend to provide training services in the local area (Merced County).
 - Board staff will review each application received to ensure it is filled out completely and in accordance with the "Workforce Investment Act eligible training provider list forms handbook dated 5/2000.

- Providers Eligible to Apply and Criteria for Initial Listing on ETPL
 - Providers who are eligible to receive funds under the Higher Education Act of 1965 and whose programs lead to an associate or baccalaureate degree or a certificate must apply to a LWIB by completing an application and supply all of the required information, including any required by the Local Board.
 - Providers that carry out programs in California under the National Apprenticeship Act of August 16, 1937, and are approved by either the California Apprenticeship Council or the Bureau of Apprenticeship and Training must apply to a Local Board by completing an application and supply all of the required information, including any required by the Local Board.
 - All providers who do not meet the criteria in B(1) or (2) above must apply to a Local Board by completing an application and supply all of the required information, including any required by the Local Board. In addition, such providers must meet one of the following criteria in order to have their programs listed on the ETPL:
 - Accreditation by an institution recognized by the federal Department of Education;
 - Approval by the California Department of Education;
 - Approval by the chancellor's office of the California Community Colleges;
 - Approval of the program by BPPVE;
 - Special Registration of the program by BPPVE;
 - Demonstration of program effectiveness;
 - Demonstration of sufficient evidence of employer support for the program and willingness to hire its graduates;
 - Designation as an authorized training provider for industry-specific training.

- Approval of Registration by Bureau for Private Post-Secondary and Vocational Education (BPPVE)
 - A provider wishing to meet the criteria for initial listing by being either approved or specially registered by BPPVE, must apply to BPPVE and satisfy BPPVE's approval or registration requirements before applying to the Local Board.
 - When the Local Board receives an application for a provider's initial listing on the ETPL and that provider is required to be registered with BPPVE in order to be eligible for ETPL listing, the Local Board must visit the site of the applicant's program and verify the registration information supplied to BPPVE before nominating the program to EDD. The site visit and data verification must be fully documented. To facilitate this process, the Local Board can obtain the provider's registration data from BPPVE, prior to the site visit.

- Local Board Criteria

If an applicant's program depends on its proven effectiveness, employer support, or being authorized to provide industry-specific training to be listed on the ETPL, as outlined on Page 7 Paragraph IV B. 3 (f) (g) (h) of the State's ETPL Policy and Procedures, the Local Board must apply its published procedures and criteria in determining the program's eligibility. In addition, the Local Board must document the eligibility determination and maintain records of the determination.
- If the situation does arise in the application process, the Local Board will use the following criteria to determine eligibility.
 - Demonstration of Program Effectiveness
 - For those providers who have historically worked with the Local Board past performance will be used in the evaluation. Past performance will include, but not be limited to:
 - Completion rates for all individuals participating in the listed program.
 - Percentage of all individuals participating in the listed program who obtain unsubsidized employment;
 - Wages at placement in employment of all individuals participating in the listed program;
 - Percentage of WIA/JTPA participants who completed the listed program and were placed in unsubsidized employment;
 - Retention rates in unsubsidized employment of WIA/JTPA participants who completed the listed program 6 months after the first day of their employment;
 - For those providers who have not worked with the Local Board, the applying provider may submit documentation from other agencies, involved in job training/workforce development, that validates past performance of the applicant as shown in paragraph 1) (a) above.
 - Demonstration of Sufficient Evidence of Employer Support for the Program and Willingness to Hire its Graduates
 - Letters of recommendation from business organizations, i.e. Chambers of Commerce and employers who hire a substantial

number of employees (30 or more) who stipulate support for the program and willingness to hire its graduates.

- Designation As An Authorized Training Provider for Industry-Specific Training
- Certification, testimonials, letters of recommendation from trade associations, business organizations, trade unions, etc., who stipulate that the applicant is an authorized training provider for industry-specific training and data supporting the fact that a significant number of jobs are or will be available in that industry, in the local area, during the next year after application.

- **Subsequent Eligibility Policy and Procedures**

- All programs that are initially listed on the ETPL must be determined, within 18 months of initial listing and annually thereafter, to be eligible to remain on the ETPL. This determination is called “subsequent eligibility.”

- **Criteria for Subsequent Eligibility**

- In order to be subsequently eligible, programs must meet specific performance targets or levels on performance measures required under WIA:
 - Completion rates for all individuals in the listed program;
 - Percentage of all individuals participating in the listed program who obtain unsubsidized employment;
 - Wages at placement in employment of all individuals participating in the listed program;
 - Percentage of WIA participants who completed the listed program and were placed in Unsubsidized employment;
 - Retention rates in unsubsidized employment of WIA participants who completed the listed program six-months after the first day of their employment;
 - Wages received by WIA participants who completed the listed program six-months after the first day of employment; and
 - Where appropriate, the rates of licensure or certification, attainment of academic degrees or equivalents, or attainment of other measures of skills, of the WIA participants who graduated from the listed program.

- **Additional Requirements**

- The Local Board may establish any additional measures that it deems appropriate.
- Before subsequent eligibility determination commences, the minimum performance targets, or levels, will be established by the Governor for each of the performance measures required by WIA. At their discretion, Local Board can set higher levels than the Governor. In addition, the Local Board can set levels for any additional measures that it determines to be appropriate.
- In setting levels, Local Board must take into consideration the following:
 - The specific economic, geographic, and demographic factors in the local areas in which providers seeking

eligibility are located; and

- The characteristics of the populations served by providers seeking eligibility, including the demonstrated difficulties in serving such populations, where applicable.
- In addition, providers must supply information on the costs for WIA participants to participate in the program.
- Subsequent Eligibility Determination
 - Application to the Local Board
 - Providers whose programs are subject to subsequent eligibility determination must reapply in order to be considered. For each unique program, a provider must apply to the Local Board.
 - For any program offered at a physical site, the provider must apply to the Local Board where the site is located. Subsequently, each program will have a single sponsoring Local Board that will be responsible for subsequent eligibility determination, data flow, appeals, etc.
 - The Local Board will accept applications for subsequent eligibility from providers who have been placed on the state wide list and who provide services within the local area. Board staff will determine that applications are complete and have the appropriate seed data required for subsequent eligibility.
 - Applications for subsequent eligibility that meet all required criteria will be transmitted to EDD via the State JTA system.
- **Local Board Data Verification**
 - The Local Board will be responsible for the following:
 - The Board will obtain up-dated information from the providers of programs listed through them.
 - The Board will inform EDD of any changes to the administrative, provider, or program data elements in order to keep the ETPL information current.
 - The Board will certify that the data supplied by providers for either initial or subsequent eligibility is complete.
 - The Board will ensure that all One-Stop centers in their area have access to the most recent version of the ETPL and that itâ€™s readily available to all One-Stop customers.
- **Agreement With Providers**
- **The Board will develop agreements with training providers nominated by the Board for listing on the ETPL that include provisions requiring providers to maintain records that are sufficient to support all provider data submissions for ETPL purposes and to make these records available for monitoring or audit by either the Board or the State.**
- **Denial, De-Listing Penalties, and Appeals**
 - Denial of Application for Initial Listing
 - Reasons for Denial

- The Board may deny eligibility if the application from a provider is not complete or not submitted within required time frames.
- The Board must deny eligibility if an applicant fails to meet the minimum criteria for initial listing specified in (Section IV. B. 3) of the State ETPL P&P.
- The Board may deny eligibility to a provider who has been found to have substantially violated any WIA requirements.
- If the Board denies a provider's application for listing on the ETPL, the Board must, within 30 days of receipt of the application, inform the provider in writing and include the reason(s) for the denial and complete information the appeal process.
- De-listing of a Program on the ETPL
 - Reasons for De-listing
 - The Board may de-list a program if the provider fails to provide all the data required for subsequent eligibility determination within the required time frames.
 - The Board must de-list a program at any point at which it is determined that the program does not meet the minimum criteria for initial listing specified in (Section IV. B. 3) of the State's ETPL P&P. For example, a program can be de-listed if its eligibility depended on accreditation, and the accreditation was lost.
 - The Board must de-list 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 or by the Board.
 - The Board may de-list a program if the provider is found to have substantially violated any WIA requirements.
 - If the Board de-lists a program from the ETPL, the Board must, within ten days of its decision, inform the provider in writing and include the reason(s) for the denial and complete information on the appeals process.
- Penalties
 - If EDD, in consultation with the Board, determines that a provider intentionally supplied inaccurate information for ETPL purposes, EDD shall terminate the eligibility of the provider to receive any funds under WIA Section 133 (b) for at least two years.
 - If the Board working with EDD, determines that an eligible provider substantially violates any WIA requirements, EDD or the Board working with EDD may terminate the eligibility of the provider to receive any funds for a period of time under WIA Section 133 (b) or take other such action as EDD or the Board deems appropriate.
- Appeals to the Board
 - This procedure applies only to appeals by training providers to the Local Board based on the denial of a provider's application for initial listing on the ETPL or the de-listing of a program already listed on the ETPL.
 - A provider wishing to appeal a decision by the Local Board must submit an appeal to the Local Board 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 in question, the reason(s) for the appeal (i.e. grounds), and the signature of the appropriate provider official.

- The first step in the Local Board appeals process must be an informal meeting between the Local Board staff and the appealing provider. The purpose of this meeting is to forestall the appeals process if there is an easy solution to the dispute.
- The Local Board will offer the opportunity for appealing providers to have a hearing. The hearing officer shall be an impartial person. The hearing officer shall 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 shall 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.
- The Local Board will notify a provider of its final decision on an appeal within sixty (60) days of receipt of the appeal. This period includes a hearing, if requested by the provider.

Local Board Contact:

- Workforce Investment Board of Merced County
1880 West Wardrobe Avenue
Merced, CA 95340

Attention: John Kasnick
Phone: (209) 385-7324 ext. 2147
Fax: (209) 725-3592

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WIB Approved - ITA Policy

Date: 4/20/00

- Policy
- Individual Training Accounts (ITA's) - General Provisions
- Training Activities
- Training Duration
- Eligibility for Training
- Training Priority System
- Limitations of Financial Support
- Minimum Requirements for Training

I. Policy

a. In order to provide customer choice in the selection of training providers, the Individual Training Account (ITA) System was established. Through this system, eligible Workforce Investment Act participants are able to select their choice of training. The Merced County Workforce Investment Board, through its agent the Merced County Private Industry Training Department, shall make available classroom training in occupations that are directly connected to occupations in demand, as established by the Board, based upon local labor market information (targeted demand occupations in the central San Joaquin Valley, Fresno through Stanislaus Counties). Occupational classroom training will be provided through training vendors evaluated, approved and placed on the approved Eligible Training Provider List.

b. The Merced County Workforce Investment Board, through the Private Industry Training Department, shall provide training services that leads to a certificate/license/credential/degree, a competency or skill recognized by employers, or a training regimen that provides individuals with additional skills or competencies generally recognized by employers.

c. The Merced County Workforce Investment Board, through the Private Industry Training Department, reserves the right to make exceptions to this policy, on a case by case basis, should individual circumstances warrant exception.

II. Individual Training Accounts (ITA's) - General Conditions

a. In most cases, training will be provided through the use of an ITA, which is the vehicle that allows payment to the school/provider by the Private Industry Training Department. Individuals who have met the eligibility requirements for intensive services, but are unable to obtain or retain employment through such services, may be appropriate to utilize the ITA system.

b. Through the one-stop network, these individuals will be evaluated to determine whether or not they are in need of training and if they possess the skills and qualifications needed to participate successfully in the training program in which they express an interest. The vocational assessment results should support the desired training for approval to be granted.

c. ITA's shall be established for eligible customers as defined in Section 134 (d)(4)(A) of the Act. These ITA's shall be designed in such a way that each Workforce Investment Act vocational classroom training student will have available, or be provided data, regarding their ITA. Funds expended on a training program for any individual shall be determined as fulfilling the training agreement for the training customer. In no case will the individual's ITA carry a time or dollar balance after a training program is either completed or terminated. Training time limits are set for a maximum of two years under one ITA, with no more than three ITAs being issued to a client within a two year period.



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d. Both the student and a representative of the Private Industry Training Department will sign a completed ITA. Signatory authority for the Private Industry Training Department on the ITA is the Program Manager responsible for Training Services at each of the Department's geographic locations (Merced County Board of Supervisor action on 7/25/00; Private Industry Training Department Director action on 7/25/00). Once a completed ITA is signed by the student and the Private Industry Training Department representative, copies will be provided to the Accounting/MIS unit of the Private Industry Training Department, the school/provider, the case manager and the student. Each geographic location will use the same ITA form, but will utilize Certificate Numbers unique to their location to designate point of origin. Initially, the Livingston office will issue sequentially ITA certificate numbers 1 - 999, Los Banos will issue sequentially ITA certificate numbers 1000-1999, Merced will issue sequentially ITA certificate numbers 2000-2999, and Merced CalWorks will issue sequentially ITA certificate numbers 3000-3999.

e. The Private Industry Training Department shall ensure that all training activities are provided in sites that are accessible to individuals with disabilities, and that all reasonable accommodations are made to provide services to this population.

III. Training Activities

a. The types of training services made available through the Private Industry Training Department under the Workforce Investment Act shall include:

1. Occupational skills training in local (central San Joaquin Valley) targeted demand occupations, as well as training for non-traditional employment, offered in a classroom environment;
2. Skill upgrading and retraining, including training courses that build upon the individual's existing skills.

b. Additional training services, not covered by this policy, include:

1. Programs that combine workplace training with related instruction, such as customized training programs;
2. On-the-job training;
3. Work experience;
4. Entrepreneurial training;
5. Adult education and literacy activities.

IV. Training Duration

a. The duration of training varies according to the skills of the job seeker, the particular training component, and the employment position sought. The maximum length of training under one ITA is two years. The number of ITAs an individual may access is limited to the classroom training that is required to achieve the occupational goals documented in the client's Individual Employment Plan, with no more than three ITAs being issued to a client within a two year period.

V. Eligibility For Training

a. The Private Industry Training Department shall make available Workforce Investment Act funds for the provision of occupational classroom training to eligible populations in accordance with Section 134(d)(4)(A) of the Act. Eligible populations shall include the economically disadvantaged individuals, dislocated workers, and incumbent workers who:

1. Are unable to obtain employment that leads to economic self-sufficiency through core and intensive services;
2. After an interview, evaluation or assessment, and case management, have been determined by a one-stop operator to:
 - a) be in need of training services;
 - b) have the skills and qualifications to successfully participate in the selected program;
3. Have selected programs of training services that are directly linked to the employment opportunities in the Merced County area, central San Joaquin Valley, or in another area in which the customer is willing to relocate;
4. Been determined eligible according to the "priority system" established by the Merced County Workforce Investment Board (next section of this policy).
5. Are unable to obtain sufficient grant assistance, including PELL grants;
6. Require support beyond the assistance made available under other grant assistance programs.

VI. Training Priority System

a. The Private Industry Training Department shall provide services to specific target groups through a priority system in accordance with the Workforce Investment Act as determined by the Workforce Investment Board. The primary target groups for occupational training shall include:

1. Low income individuals, defined as:
 - receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program;
 - received an income, or is a member of a family that received a total family income, for the six-month period prior to application for the program involved (exclusive of un-employment compensation, child support payments, payments described in subparagraph (A), an old-age and survivors insurance benefits received under Section 202 of the Social Security Act (42 U.S.C. 402) that, in relation to family size, does not exceed the higher of -

(i) the poverty line, for an equivalent period; or

(ii) 70% of the lower living standard income level, for an equivalent period;

is a member of a household that receives (or has been determined within the six-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et. Seq.);

qualifies as a homeless individual, as defined in subsections (a) and (c) of Section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302);

is a foster child on behalf whom State or local government payments are made; or

in cases permitted by regulations promulgated by the Secretary of Labor, is an

individual with a disability whose own incomes meets the requirements of a program described in subparagraph (A) or of subparagraph (B), but who is a member of family whose income does not meet such requirements.

2. Dislocated workers;
 3. Employed individuals in jobs that do not afford "economic self-sufficiency" (incumbent workers).
- b. Based upon the determination that sufficient Workforce Investment Act funds are available, a maximum of 10% of program funds will be available to provide training to:
1. Non- low income individuals who lack significant work history or job skills; or
 2. Individuals possessing a credential or certification that is more than five years old in a current, targeted demand occupation, who need skills upgrading.

VII. Limitations Of Financial Support

- a. For those clients who elect to attend occupational classroom training within the local labor market area (defined as from Fresno County to the south to Stanislaus County to the north), the maximum amount of funds available under an Individual Training Account will be limited to the needs identified in the Individual Employment Plan. This will include the cost of tuition and associated fees, as well as, but not limited to, equipment, tools, books, clothing, etc. provided by the training vendor to the client, as a requirement for participating in training.
- b. Additional support services, to raise the probability of successful completion of training, may be made available directly to the client in accordance with the Supportive Services Policy.
- c. For those clients who elect to attend occupational classroom training outside of the defined labor market area, no support services will be made available to the client by the Private Industry Training Department.
- d. For those clients who must attend occupational classroom training outside of the defined local labor market area because there are no providers of the training within the area, the provisions for electing to attend within the local labor market area will apply.

VIII. Minimum Requirements For Training

- a. In general, the minimum entry-level requirements for occupational classroom training shall be possession of a GED or high school diploma. Additionally, the training customer must have an 10.9 grade reading comprehension and math level. However, approval may be given by the Private Industry Training Department to waive the minimum training requirements for specific occupational classroom training.

Exceptions to ITAs

In accordance with the Workforce Investment Act of 1998, the Merced County Workforce Investment Board has approved the following policies.

Date: 03/28/00

Policy: Exceptions to Individual Training Accounts

The Workforce Investment Act provides for exceptions to the use of ITAs under certain, limited circumstances:

1. When the services provided are on-job training (OJT) or customized training
2. When the Local Board determines that there are an insufficient number of eligible providers in the local area to accomplish the purpose of a system of ITAs. The Local Plan must describe the process to be used in selecting the providers under a contract for services. This process must include a public comment period for interested providers of at least 30 days.
3. When the Local Board determines that there is a training service program of demonstrated effectiveness, offered in the area, by a community-based organization to service special participant populations that face multiple barriers to employment, the Local Board must develop criteria to be used in determining demonstrated effectiveness, particularly as it applies to the special participant population to be served.

Methodology:

The Merced County Workforce Investment Board determined that Exception # 2 (above) applied for the following training programs in the local area:

- The Construction/Building Trades Pre-Apprenticeship Program with the Carpenters Union, Local 25
- The RN and LVN Program with Merced College



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