

**WORKFORCE INVESTMENT COUNCIL**

**FINAL**

**Quarterly Board Meeting Minutes**

**Tuesday July 9, 2013**

**9:00 A.M. – 11:00 A.M.**

**PNC Bank**

**800 17th Street NW, 12th Floor**

**Washington, DC 20006**

**I. Call to Order and Introductions**

The Chair called the meeting to order at 9:10 A.M. and welcomed all board members and guests.

**Board members present at the meeting included:**

Joe Andronaco	Lisa Mallory
David Berns	Kenyan McDuffie
Tynesia Boyea-Robinson	Kathleen McKirchy
Tony Cancelosi	Catherine Meloy
Lyles Carr	Sarah Looney Oldmixon
Bill Dean	Thomas Penny
Emily Durso	Andrew Reese (designee, Laura Nuss)
Michael Harreld	Chris Smith
Cedric Hendricks	Marullus Williams
Victor Hoskins	Calvin Woodland
Solomon Keene	

**Board members not in attendance:**

Robin Anderson  
Robert Brandon  
Charlene Drew Jarvis  
William Hanbury  
Lori Kaplan  
Barbara Lang  
Carl Rowan  
Neil Stanley  
Nicola Whiteman  
Joslyn Williams

The Chair called the board's attention to the set of meeting materials, which included a proposed Fiscal Year 2014 WIC quarterly board meeting schedule, an updated WIC board and staff contact list, draft minutes from the April 2013 minutes, copies of the proposed One-Stop and Adult Job Training policies, and handouts for the two presentations.

The Chair asked the board to review the draft April meeting minutes and asked if there were any comments or questions regarding the document. Hearing no comments or questions, the Chair asked for a motion to approve the minutes.

**BOARD VOTE:** Upon a MOTION made by Tony Cancelosi and seconded by Joe Andronaco, the board voted to approve the draft April 9, 2013 WIC Board Meeting Minutes. The board unanimously approved the April 9, 2013 WIC Quarterly Board Meeting Minutes.

## II. Review of One-Stop Certification & Related American Jobs Center Policies

The Chair asked Allison Gerber, Executive Director, to describe the status of the policy development process surrounding One-Stop Certification and Adult Job Training. Allison called the board's attention to the set of policies that were provided in the meeting materials, explaining that these policies are the same ones, which WIC staff emailed to all the board members in advance of today's meeting. She also mentioned that the proposed date for implementation (October 1, 2013) will remain unchanged. Allison explained that once the proposed policies are approved, WIC staff will submit the minutes for this meeting to the Department of Labor (DOL), which will serve as evidence that the District adopted a policy for One-Stop Certification. This will allow the District to clear one of its longstanding Corrective Action Plan (CAP) items raised by DOL.

Next, Allison introduced Kermit Kaleba, Program Manager, who presented on the WIC's policymaking responsibilities and policy-making process pertaining to the District's One-Stop Certification. He explained that under the Workforce Investment Act (WIA), the WIC has responsibility for developing a range of policies for One-Stop Certification. Specifically, the WIC is responsible for the following:

1. establishing minimum service levels for the District's American Jobs Centers (AJC)
2. establishing performance requirements for AJCs
3. establishing other criteria for the DC AJC system

Kermit continued his presentation by providing an overview of the WIC's policymaking process. He noted that the process began in late 2012, when WIC staff requested technical assistance (TA) from the US Department of Labor (DOL). DOL approved the technical assistance request and contracted with a nationally-recognized workforce consultant, Mary Ann Lawrence, to support the District's policy development and one-stop review process. . In early spring 2013, the WIC appointed two task forces as ad hoc committees of the WIC: (1) One-Stop Certification and (2) Adult Job Training. These task forces met on a monthly basis between March – June 2013 to provide feedback on the the two sets of draft policies. He then explained how the WIC Executive Committee also played a pivotal role in the process by reviewing and providing comments on the draft policies in June 2013. He then described next steps on implementing the policies after the July meeting, noting that the WIC will work with Department of Employment Services (DOES) and other stakeholders to prepare for the implementation of the new policies in October.

### WIC Policy No. 2013.002: One-Stop Delivery System

Kermit introduced the first policy for board voting: WIC Policy 002: One-Stop Delivery System. He explained that the proposed policy defines roles and responsibilities for the Mayor, WIC, DOES, and mandatory partner programs. Specifically, it outlines the following:

- Reaffirms that the WIC fulfills state and local workforce board functions, including: designating DC AJC operators; developing DC AJC Memorandum of Agreement (MOA) and One-Stop Operator agreements; negotiating federal performance levels; developing the state plan and annual reports

- Reaffirms DOES role as lead state agency, local grant recipient for WIA programs, also responsible for maintaining the District's Labor Market Information (LMI) system, and a shared responsibility for performance negotiations and reporting
- Defines responsibilities of mandatory partner programs seeking to offer services (or access to services) through the DCAJCs
- Describes the basic structure of the DCAJC system, including the development of the DCAJC Memorandum of Agreement (MOA) between system partners and the development of One-Stop Operator agreements
- Defines the three types of AJCs (Comprehensive, Affiliate, and Satellite) which will provide different levels of services according to its type

#### Board Discussion and Q/A

One of the board members asked for clarification regarding the WIC's decision to utilize the consortia method for designating a One-Stop Operator, rather than a competitive process.

Allison responded that the competitive bid option was discussed at length during the WIC Executive Committee meetings, but that Executive Committee determined that pursuing this route would be costly and would exacerbate the existing system coordination challenges. However, Allison pointed out that if adopted, the proposed One-Stop Certification Process policy would provide an opportunity to improve the quality of service delivery by establishing a comprehensive business plan and establishment of performance metrics to promote accountability.

Another board member noted that outsourcing one-stop operations to a third-party vendor would add additional overhead costs, and that given decreasing federal funding levels this would likely lead to reduced levels of service.

Kermit proceeded to ask the rest of the board members if they had any further questions regarding this policy. Hearing no questions or comments raised, Kermit proceeded to discuss the next One-Stop policy: WIC Policy 2013.003: One-Stop Certification Process.

#### Policy 2013.003: One-Stop Certification Process

Kermit began with an overview of the certification process requirements outlined under WIA. He stated that the WIC might select One-Stop Operators through a competitive process or through applications by "consortia" of three or more mandatory partner programs. The District opted for consortia method. In order for a "comprehensive" site to be certified, a One-Stop Operator must submit a business plan and otherwise demonstrate to the WIC, that the proposed site meets basic criteria, including:

- Minimum levels of jobseeker services (WIA core, intensive, and training services)
- Functional teams (Welcome, Skill/Career Development, Business Services)
- Access to mandatory partner programs
- Site-specific performance outcomes (negotiated with WIC prior to approval)
- Accessibility of services consistent with section 188 of WIA, section 504 of the Rehabilitation Act

Kermit noted that that business plans submitted must include discussion of the site's target populations, service delivery strategies, staffing structure, performance management plans, and other key factors. All applications for certification must be approved by the WIC and the Mayor, and certification of individual sites must be renewed every two years.

### Board Discussion and Q/A

After Kermit finished his discussion on WIC Policy 2013.003: One-Stop Certification Process, he opened the floor up to questions from the board members.

One board member asked whether the proposed policy included a requirement that DCAJCs comply with Section 508 of the Rehabilitation Act, which relates to access to electronic and information technology for employees and members of the public with disabilities.

Another board member noted there is currently a District-wide effort in place to ensure the accessibility of services to the public through agency websites and electronic communications. DOES is working with the District's Office of Human Rights (OHR) and the Office of the Chief Technology Officer (OCTO) to develop more accessible means of service delivery and electronic communications.

Recognizing the importance of accessibility to the District's jobseeker community, Allison recommended that the board could address the 508-compliance issue through an amendment to the proposed policy, but suggested that the proposed amendment not create an undue barrier to One-Stop certification. Hearing no objections from the board regarding moving forward with this policy subject to the amendment, Kermit invited other questions from the board.

Another board member asked if there would be a policy for outsourcing business services in the District's One-Stop Centers. Allison responded and stated that the policy for this would be raised at the next board meeting in October.

The Chair asked the board if there were any further questions regarding the two One-Stop policies. Hearing no questions or comments raised, the Chair called a motion to vote for each of the two policies.

**BOARD VOTE: Upon a MOTION made by Catherine Meloy and seconded by Solomon Keene, the board voted to approve WIC Policy No. 2013.002 One-Stop Delivery System. The board unanimously approved WIC Policy 2013.002: One-Stop Delivery System.**

**BOARD VOTE: Upon a MOTION made by Catherine Meloy and seconded by Victor Hoskins, the board voted to approve WIC Policy No. 2013.003: One-Stop Certification, subject to an amendment, which would address compliance with Section 508 of the Rehabilitation Act. The board unanimously approved this policy, subject to an amendment.**

### Policy 2013.004: Workforce Investment Act Adult and Dislocated Worker Services

Kermit presented an overview of the WIA Adult and Dislocated Worker Services policy and the specific requirements outlined in WIA. Specifically, he noted the following requirements:

- WIA requires three distinct levels of services that must be made available through the DCAJC system: core, intensive, and training services.
- The policy provides guidance to DCAJCs on what activities are allowable under each level of service (including core services without significant staff involvement), and when activities are included in WIA participation and performance calculations
- One-Stop Operators must develop procedures that reflect this service mix and ensure that appropriate data is captured

Board Discussion and Q/A

Kermit asked if the board had any questions regarding the proposed Adult and Dislocated Worker services policy.

A board member asked how integrated the One-Stop Centers would be in delivering the different types of services required under the policy and how effective they would be in informing customers about the different types of services they offered. Allison responded noting that the WIC and DOES are currently working with the DOL TA consultant, Maryann Lawrence, to conduct extensive staff training for all One-Stop Center staff.

The Chair asked the rest of the board if there were any further questions regarding this proposed policy. Hearing no further questions or comments raised, a motion to vote on the policy was called.

**BOARD VOTE: Upon a MOTION made by Tony Cancelosi and seconded by Catherine Meloy, the board voted to approve WIC Policy 2013.004: Workforce Investment Act Adult and Dislocated Worker Services. The board unanimously approved WIC Policy 2013.004.**

Policy 2013.005: Workforce Investment Act Adult and Veterans Priority of Service

Kermit proceeded to discuss the next policy, which provides instruction and guidance on the Workforce Investment Act (WIA) priority of service for adults and the veterans and eligible spouses' priority mandate. Specifically, he noted that WIA requires the WIC to establish a priority of service for recipients of public assistance and other low-income individuals when WIA Adult funds are limited. Specifically, he noted the following components:

- The policy authorizes DOES to invoke this priority of service when 80 percent of Adult training funds are expended or obligated for the current program year
- The policy also establishes a priority of service for veterans and eligible spouses, consistent with the 2002 Jobs for Veterans Act. Veterans and eligible spouses must have priority access for WIA-funded services ahead of non-veterans
- The policy further establishes order of priority when both Adult priority of service, veteran priority of service are in operation.

After he presented the policy, the Chair asked the board if they had any questions before calling a motion to vote on the policy.

A board member asked what percentage of District residents are Veterans. There was some discussion regarding the need for prioritizing services for veterans.

Kermit then proceeded to ask if the board had any further questions or comments regarding the policy. Hearing no further comments or questions, the Chair asked if a motion could be called.

**BOARD VOTE: Upon a MOTION made by Victor Hoskins and seconded by Solomon Keene, the board voted to approve WIC Policy 2013.005: Workforce Investment Act Adult and Veterans Priority of Service. The board unanimously approved WIC Policy 2013.005.**

Policy 2013.006: Co-Enrollment

Kermit proceeded with explaining the next policy for voting consideration: WIC Policy 2013.006 Co-Enrollment. The District receives workforce development funding under a range of different federal programs, including WIA, Trade Adjustment Assistance, veteran's programs, and others. WIA

encourages co-enrollment across programs to ensure that resources are leveraged more effectively. This policy describes how jobseekers may be co-enrolled across programs, including which program staff have primary responsibility for case management. The policy also provides guidance on how staff should track participation and performance for each program, including entry and exit dates for all programs.

After Kermit presented and explained the policy, the Chair asked the board if they had any questions regarding the policy. Hearing no questions or comments raised, the Chair called for a motion to vote on the policy.

**BOARD VOTE: Upon a MOTION made by Catherine Meloy and seconded by Tony Cancelosi, the board voted to approve WIC Policy 2013.006: Co-Enrollment. The board unanimously approved WIC Policy 2013.006.**

Policy 2013.007: Workforce Investment Act Supportive Services

Kermit proceeded with introducing the next policy on supportive services. He explained WIA authorizes the use of Adult and Dislocated Worker funds for the provision of supportive services for individuals who are participating in core, intensive, or training services and who are unable to obtain such services through other programs. This proposed policy would authorize a lifetime maximum of \$1,000.00 of supportive services per participant. The proposed policy defines allowable supportive services as:

1. Transportation assistance
2. Childcare assistance
3. Training and work-related clothing, tools
4. Required attire
5. Housing assistance
6. Employment-related medical testing
7. Background checks
8. Needs-related payments

Under the new policy, One-Stop Operators must include a written supportive services procedure, as part of the DCAJC business plan, including how needs will be assessed and how payments will be made.

Board Discussion and Q/A

Kermit asked if the board had any questions regarding this policy.

One board member asked how the WIC arrived at the proposed lifetime maximum limit of \$1,000.00. Kermit and Allison explained that they researched other jurisdictions' policies on supportive services for WIA programs. Allison explained that supportive services under WIA are not intended to be sole source of assistance, and that the policy makes clear that WIA supportive services are to be provided only where other sources of assistance are unavailable.

Another board member asked if there was any way to identify and address the specific priorities and needs of the population served through the One-Stop Centers. Allison responded that DOES can identify these areas in the business plan as part of the One-Stop Certification process.

Before calling a motion to vote on the policy, the Chair asked if the board had any further questions. Hearing no comments or questions raised, the Chair called a motion to vote on WIC Policy 2013.007: Supportive Services.

**BOARD VOTE:** Upon a MOTION made by Lyles Carr and seconded by Joe Andronaco, the board voted to approve WIC Policy 2013.007: Supportive Services. The board unanimously approved WIC Policy 2013.007.

Policy 2013.010: Workforce Investment Act Adult and Dislocated Worker Eligibility

Kermit introduced the next policy for board consideration: WIA Adult and Dislocated Worker eligibility. This policy provides updated and comprehensive guidelines for service providers regarding eligibility determination for WIA programs, and information on the use of appropriate documentation to support eligibility determination.

The policy:

- Establishes eligibility criteria for participation in WIA Adult and Dislocated Worker programs, including eligibility of individuals who are currently employed but not earning “self-sufficiency” wages.
- Establishes self-sufficiency wage for the District as the equivalent of the annual negotiated earnings rate for Dislocated Workers (\$17.00 per hour, or \$35,500 per year)
- Outlines acceptable documentation for eligibility purposes

Allison added that the WIC reviewed several methodologies for determining an appropriate self sufficiency wage amount for this policy such as Economic Self-Sufficiency Calculator

Board Discussion and Q/A

Allison asked the board if they had any questions regarding the proposed policy. No questions were raised. Hearing no comments or questions from the board, the Chair asked for a motion to be called.

**BOARD VOTE:** Upon a MOTION made by Tynesia Boyea-Robinson and seconded by Bill Dean, the board voted to approve WIC Policy 2013.010: WIA Adult and Dislocated Worker Eligibility. The board unanimously approved WIC Policy 2013.010.

Next Steps: Allison explained that next steps regarding the implementation of these policies are as follows:

- WIC and DOES will work together toward initial certification of one comprehensive DCAJC by October 1, 2013, with subsequent DCAJC certifications to be conducted on rolling basis.
- Mary Ann Lawrence will provide ongoing technical assistance and training to WIC and DOES staff to ensure successful implementation.
- WIC will develop additional policies for the DCAJC system (including monitoring and oversight of WIA programs, business services, and on-the-job training) for approval by the full board at the October quarterly meeting.

Allison then proceeded to discuss the next set of policies for board consideration.

**III. Review of the WIA Adult Job Training Policies & Demand Occupation List**

Policy 2013.009: Workforce Investment Act Eligible Training Providers

Allison provided an overview of the proposed policy for WIA-funded ETPs, explaining that the policy:

- Establishes eligibility requirements and performance levels for training providers receiving WIA ITA funds.
- Sets initial eligibility for ETPs at one year, with annual renewals.
- Creates streamlined application process for postsecondary institutions, registered apprenticeship programs, CTE programs.
- Requires all training programs to align with demand occupations, as defined by the WIC
- Requires training providers to meet minimum performance levels for the following measures:
  - Program Completion
  - Entered Employment
  - Employment Retention
  - Employment in Training-Related Occupation
  - Average Wages

Allison explained that ETPs failing to meet at least two performance levels, or achieve at least 80 percent performance for all levels, will be removed from ETP list for one year. ETPs may be placed on probationary status if they fail to meet one or more performance indicators but otherwise meet requirements. The WIC will develop new “report cards” that provide program performance information for all ETPs.

Four board members recused themselves from the discussion and voting, in order to adhere to the board’s conflict of interest policy.

**BOARD VOTE: Upon a MOTION made by Bill Dean and seconded by Victor Hoskins, the board voted to approve WIC Policy 2013.009: Eligible Training Providers. The board unanimously approved WIC Policy 2013.009.**

Allison proceeded to discuss the new ITA Demand Occupation List, which will be incorporated by reference into the District ETP policy. She described the methodology used to determine demand occupations. Board members received a copy of the Demand Occupation List and a memorandum describing the methodology in detail.

Allison proceeded to discuss the next policy for board voting consideration: WIC Policy 008: Individual Training Accounts. She noted the policy:

- Provides that ITAs may be provided for up to one (1) year of training, with base funding of \$3,000. Providers can earn up to \$2,000 in additional performance payments for placement and/or attainment of a secondary credential.
- Provides that individuals may receive only one ITA per five-year period, but allows one-stop operators to waive this requirement and provide a second ITA if appropriate.
- Requires DOES to process completed ITA applications within 30 days of receipt.
- Maintains requirement that participants be bona fide DC residents in order to qualify for an ITA.
- Establishes 5-day window during which participants may withdraw from a program without impacting eligibility; requires good cause for withdrawals following 5-day period.

For providers that are not postsecondary institutions, registered apprenticeship programs, or CTE programs, allows 50 percent payment at enrollment, 50 percent payment upon program completion. Excepted organizations may receive full payment at enrollment.

Allison continued her presentation by discussing next steps relating to the Eligible Training Provider and ITA policies. She stated that the Eligible Training Provider policy must be submitted to DC Council for a ten-day passive review process, and that the WIC and DOES will work to develop new ETP application packets and monitoring materials to support transition to new policies as of October 1, 2013.

The WIC and DOES will conduct outreach and information sessions to current providers to educate them on new policies and performance requirements. Allison clarified that providers with contracts expiring after October 1 will continue under current policies until contracts expire; renewals will be subject to new eligibility and performance requirements.

The WIC will also work to develop and release initial ETP report cards in October 2013.

**BOARD VOTE: Upon a MOTION made by Victor Hoskins and seconded by Catherine Meloy, the board voted to approve WIC Policy 2013.008: Individual Training Accounts. The board unanimously approved WIC Policy 2013.008.**

#### **IV. WIA Out-of-School Youth Program Update**

Next, Allison introduced Laura Burgher, who has been working primarily on the youth grants and led the presentation on the OSY update. Laura provided a review of current OSY programs, including an analysis of current grantee outcomes and performance challenges, and a review of findings from recent provider interviews, PEPNet self-assessments, and comparative analysis of WIA Youth programs in other jurisdictions. She concluded her presentation by with a set of recommendations:

- WIC staff believe that additional technical assistance, improved monitoring will support improved performance for OSY programs. Staff recommends that the WIC approve two (2) month no-cost extensions – through January 12, 2014 - for all OSY grantees to carry out activities under current grants.
- WIC and DOES staff will work with OSY grantees to develop “performance improvement plans” that identify program changes to be implemented during remaining grant period. WIC staff will provide recommendations to Board on grant renewals at October 2013 quarterly meeting
- WIC staff will work with DOES and Mary Ann Lawrence to develop new youth policies and monitoring procedures to support performance improvement activities; new policies to be presented to WIC board in October 2013
- WIC staff will continue to work with youth grantees, other stakeholders to identify and invest in key technical assistance needs

#### Board Discussion and Q/A

A board member noted her concerns with the grantee performance achieved thus far, and pointed out the lack of capacity among grantee organizations. These organizations’ strengths vary across the services delivered and often do not excel in all required elements set forth under WIA. The board member suggested that the programs undergo a third-party evaluation in order to identify solutions for improving grantees’ outcomes.

Allison asked if the rest of the board had any further questions or comments regarding the OSY program updates. Hearing no comments or questions raised, the Chair asked for a motion to be called.

**BOARD VOTE:** Upon a MOTION made by Chris Smith and seconded by Catherine Meloy, the board voted to approve a two month no-cost extension to the WIA OSY Youth grants. The board unanimously approved the no-cost extension.

**V. Announcements**

Allison updated the board on the WIC staffing changes, noting that she and Geoffrey King will be the leads for the Workforce Intermediary initiative.

**VI. Public Comment Period**

No public comments were made. The Chair noted that guest speakers from the Council for Court Excellence had not been able to make a planned presentation on record expungement due to time constraints, but expressed a willingness to set up a meeting or call prior to the next quarterly board meeting where the speakers would be permitted to give their presentation.

**VII. Adjournment**

The Chair adjourned the meeting at 11:25 A.M. The next WIC quarterly board meeting is scheduled for October 8, 2013.