



BOARD OF DIRECTORS MEETING

Friday, October 28, 2016

10:00 AM – 12:00 PM

Oregon Coast Community College
3788 SE High School Drive
Lincoln City, OR 97367

This meeting will be properly noticed and posted in the following places:

Columbia County Commissioners office: 230 Strand Street 331, St. Helens, OR 97051
Clatsop County Commissioners office: 800 Exchange Street, Ste. 410, Astoria, OR 97103
Tillamook County Commissioners office: 201 Laurel Ave., Tillamook, OR 97141
Lincoln County Commissioners office: 225 West Olive Street Room 110, Newport, Oregon 97365
Benton County Commissioners office: 205 NW 5th Street, Corvallis, OR 97330
Columbia County: The Chronicle
Clatsop County: The Daily Astorian
Lincoln County: The News Guard
Tillamook County: Headlight Herald
Benton County: Gazette Times-Corvallis

AGENDA

- 1. CALL TO ORDER, CONFIRMATION OF POSTING, AND ROLL CALL.**
- 2. FIRST PUBLIC COMMENT SESSION:** Members of the public may now comment on any matter posted on the agenda, which is before the board for consideration and action today. Please clearly state and spell your name and state your address for the record. Each public comment will be limited to three (3) minutes.
- 3. DISCUSSION AND POSSIBLE ACTION:** Consent agenda – Approval of the following items:
 - October board meeting agenda with inclusion of any emergency items and deletion of any items
 - Approve board meeting minutes from the July 22, 2016 meeting
 - Approve program policy statements on the following topics:
 - Dislocated Worker Eligibility
 - Eligible Training Provider List
 - Equal Opportunity and Non-discrimination
 - Incentives and Stipends
 - Individual Training Accounts
 - Monitoring
 - Rapid Response
 - On-The-Job Training
 - Priority of Services
 - Self-Employment Training
 - Supportive Services
 - Youth Eligibility and Additional Assistance
 - Incident Reporting

4. **INFORMATION:** Staff and Meredith Howell will provide an update to the board on the Rethinking Job Search Grant.
5. **INFORMATION:** Jackie Mikalonis, Regional Solutions Coordinator for the South Valley / Mid Coast Region, will provide an overview of the initiative and activities the Regional Solutions teams.
6. **INFORMATION AND DISCUSSION:** Staff will provide an overview of the workforce system. present two informational videos:
 - “The Big Picture” video provides an overview of Oregon’s workforce systems to include information about its stakeholders, organizations, and partners.
 - Success in the New Economy
7. **DISCUSSION AND POSSIBLE ACTION:** Review and possibly approve the first modification to NOW’s Operating Budget for the 2016 program year.
8. **DISCUSSION AND POSSIBLE ACTION:** Accept staff’s recommendation to change bylaws to reflect change in name and change the officer position to Vice Chair/Secretary.
9. **INFORMATION:** Staff will provide an overview of program performance for the 2015 program year.
10. **BOARD CHAIR REPORT**
11. **EXECUTIVE DIRECTOR REPORT**
12. **BOARD MEMBER COMMENTS**
13. **SECOND PUBLIC COMMENT SESSION:** Members of the public may now comment on any matter or topic, which is relevant to or within the authority of jurisdiction of the Board. You may comment now even if you commented earlier, however, please do not simply repeat the same comment you previously made. Please clearly state and spell your name and address for the record. Each comment will be limited to three (3) minutes.
14. **ADJOURNMENT**

For more information about Northwest Oregon Works, visit www.onwib.org. NOW meetings are held in accordance with open meeting laws and with accessibility requirements. If there is a person with a disability who may need assistance in order to attend or participate in a meeting or if a person wishes to offer comments on any item on the agenda, please notify Katelyn Roberts at 541-921-7329. TTY is also available: 1-800-735-2900.

OREGON NORTHWEST WORKFORCE INVESTMENT BOARD

MEETING MINUTES

Friday, July 22, 2016

10:00 AM – 1:00 PM

Tongue Point Job Corps Center

Columbia Vista Cafe

37573 Old Highway 30

Astoria, OR 97103

Members Present

Amanda Morris
Amy Jauron
Connie Green
Debra Smith
Gail Muller

Jim Tierney
John Hawkins
Pat Malone
Rhonda Meidinger
Stephanie Hurliman

Tom Gill
Tony Erickson
Zach Poole

Members Absent

Al DeVita
Jeff Kemp

Henry Balensifer III
Randy Getman

Whitey Forsman

Commissioners

Commissioner Anne Schuster

Staff

Heather DeSart
Katelyn Roberts

CALL TO ORDER, CONFIRMATION OF POSTING, AND ROLL CALL.

The meeting was called to order by Chair Tony Erickson at 10:28 AM. Staff confirmed that the meeting has been properly noticed. Roll call was taken and a quorum was present.

FIRST PUBLIC COMMENT SESSION

No public comments were made.

WELCOME AND OVERVIEW OF TONGUE POINT JOB CORPS CENTER

Mr. Kim Shillinger, Center Director, and Ms. Katrina Gassner, Business and Community Liaison welcomed the board members and public. Mr. Shillinger provided a detailed overview of the center's facilities, students, programs, recent performance, and partnerships.

Two students spoke about their current experiences and remarkable achievements at Tongue Point. Originally from Beaverton, Oregon, Andres has been at the center for four months. In the first month, he earned his GED and he is currently in the dental vocational program. Kathrine recently completed a three-month internship with Senator Wyden's office in Washington DC. She has almost completed the glazing program at the center.

CONSENT AGENDA

Chair Erickson confirmed that there were no inclusion of the July agenda. Tom Gill request discussion of the Incident Reporting Policy.

A motion was made by Zach Poole and seconded by John Hawkins to approve the meeting minutes from May 10 and the Gift and Donation Acceptance policy. No discussion. Motion carried.

Regarding the Incident Reporting Policy, Mr. Gill asked for clarification of staff reporting incidents as it seems limited to staff that can report acts of fraud or abuse. Ms. DeSart clarified that anyone such as members of the board or public can report to the Executive Director. If the incident reported involves the Executive Director, it would be reported to the state. It could also be reported to the Chair of the ONWIB or the Northwest Oregon Workforce Consortium.

A motion was made by Tom Gill and seconded by John Hawkins to approve the policy as written with the suggestion to be review in order to clarify the points discussed. No further discussion. Motion carried.

BOARD CHAIR REPORT

Chairman Erickson reported on the successful launch of the advanced textile sector partnership on July 13. The industry is looking at many workers retiring in the next 5-10 years and don't have workers to backfill the openings. The group of businesses involved have identified over 1,000 position that would fill if there was a workforce available. The partnership will be working to address these needs of businesses.

MEETING SCHEUDLE

At Chair Erickson request, Ms. DeSart reviewed the proposed schedule for meetings for the upcoming program year. Dates can be adjusted if needed. In building the schedule, staff tried to avoid months where the holidays fall. There also was a need to schedule a meeting at the end of June in order to approve the budget for next program year.

A motion was made by Tom Gill and seconded by Pat Malone to approve the meeting schedule as proposed. No further discussion. Motion carried.

ORGANIZATION NAME CHANGE

As background, Chair Erickson informed the board that establishing a name was one of the first items that the planning committee had to address in order to become a legal entity. This is an opportunity to have a more succinct name for the organization. It will be an assumed business name.

A motion was made by Tom Gill and seconded by Pat Malone of the change to Northwest Oregon Works as the business name. No further discussion. Motion carried.

PRELIMINARY ONWIB OPERATING BUDGET FOR THE 2016 PROGRAM YEAR

As Chair Erickson's request, Ms. DeSart provided an overview of the preliminary budget for the 2016 program year. The Consortium approved the budget in June. They provided feedback on distinguishing the unexpended federal funds from PY 2015 and the federal allocation for 2016. Also as the commissioners' request, staff adjusted the formatting to clearly distinguish between the organization expenses and program expenses.

Members requested that staff spell out the acronyms in the budget or have a key at the bottom. Staff provided clarity that approve of the budget include authorization of expenditure. Next year, staff will take the budget before the board prior to taking to the consortium for approval. As far a variance allowed without board approval, staff can move funds within the categories (such as Board Expenses and Program Expenses) but cannot move funds out of categories.

A motion was made by Debra Smith and seconded by Amy Jauron to approve the budget as presented. No further discussion. Motion carried.

ONWIB BYLAWS

Chair Erickson referred the board to the proposed changes to the ONWIB's bylaws. There was a suggestion to change removal to replacement in Article 3 (E). Staff clarified that unexcused in reference

to attendance means the member is not attending meetings and has no communication with board staff as if and why they cannot attend meetings. Also, Investment should be removed in Article IX.

A motion was made by John Hawkins and seconded by Zack Poole to approve the bylaws with the corrections noted. No further discussion. Motion carried.

ELECTION OF ONWIB OFFICERS

At Chair Erickson's request, Ms. DeSart provided that the planning committee formed the organization has become the Executive Committee of the ONWIB. At its last meeting, the committee nominated board members to serve as officers for the upcoming year. She explained that there will be an opportunity for members to nominate themselves or other members to be officers.

Based on the bylaws, the officers will be serving a two-year term as of July 1, 2016. Tony Erickson was nominated to serve as Chair by the Executive Committee. No other members were nominated in the meeting.

A motion made by Debra Smith and seconded by John Hawkins for Tony Erickson to serve as Chair for the two-year term. Tom Gill commented that Chair Erickson has done an exceptional job. Motion carried.

Debra Smith was nominated by Tony Erickson for the Vice Chair position. No other members were nominated in the meeting.

A motion was made by Amy Jauron and seconded by Pat for Debra Smith to serve as Vice Chair for the two-year term. No discussion. Motion carried.

There was a confusion as to necessity of the position of Secretary on the board. Staff will be research this and follow up with the board at the next board meeting.

MEMBERSHIP TERM LENGTH

Chair Erickson explained that the term expiration dates for members need to be staggered in order to avoid all members needing to be reappointed at the same time. Ms. DeSart informed the board that there was a slip of paper in a bowl for each member of the board. There is a number on each paper which indicates the number of years for the initial term. For those members joining by phone or not present, staff would draw a number on their behalf. Based on the bylaws, there is no limited to the number of terms that a member can serve.

Members proceeded to draw a slip of paper from the bowl while staff recorded the number that each member drew. Ms. DeSart drew a slip of paper for those members joining by phone and who were not present while Mrs. Roberts recorded it.

OVERVIEW FROM RESCARE WORKFORCE SERVICES AND COMMUNITY SERVICES CONSORTIUM

Chair Erickson introduced Camille Padilla with ResCare Workforce Services. Ms. Padilla is the Project Director for ResCare in the five county area. She is based in Astoria. She informed the board that they were able to hire incumbent staff from the former services providers. There will be a talent development specialist in each WorkSource location and two business services staff for the area. They conducted two weeks of training to provide staff with of overview of workforce and ResCare At You Services. They will be working to building strong partnerships.

Martha Lyon, Executive Director for Community Services Consortium provided an overview of the organization. Their work has been focused to Linn, Benton, and Lincoln Counties but are now expanding Youth services in Columbia, Clatsop, and Tillamook Counties as well as Polk County. As a community action agency, CSC administers a variety of program and grants in order to help people get

out of poverty. They have had oversight of many youth related programs including natural resources crews and the CSC Garden, an entrepreneurial program. CSC is currently working to recruit staff in the northern counties. They will be working to connect with members and communities to see what the needs are.

ECONOMIC AND WORKFORCE PRESENTATION

Chair Erickson introduced Erik Knoder, Regional Economist and Shawna Sykes, Workforce Analyst. Both are employed with the Oregon Employment Department. Mr. Knoder provided an overview of the Northwest Area's economy, growth industries, and occupation projections. Ms. Sykes provided handouts of the workforce statistics. Members discussed and asked questions about the information provided by Mr. Knoder and Ms. Sykes.

EXECUTIVE DIRECTOR REPORT

Ms. DeSart recognize Tom Gill for his contributions to the board and local leadership team. He will be retiring from Clatsop Community College. His engagement is very much appreciated.

BOARD MEMBER COMMENTS

Mrs. Smith commented that Mr. Gill has a very impressive career.

Mr. Poole commented on how impressed he was with the Tongue Point facilities. He had friends go through the programs here and is glad to hear is it still successful for youth.

SECOND PUBLIC COMMENT SESSION

No comments were made.

ADJOURNMENT

Chair Erickson adjourned the meeting at 1:29 PM.

Members of the board and public were invited to tours the Tongue Point facilities.

DISLOCATED WORKER ELIGIBILITY

PURPOSE

To convey expectations for the enrollment of dislocated workers into services funded under Title I of the Workforce Innovation and Opportunity Act (WIOA).

POLICY

In order to support Oregon's approach to integrated service delivery, eligible dislocated workers who come to physical one-stop centers will be co-enrolled into the WIOA Wagner-Peyser and Title I Adult programs in order to provide these customers with an assessment of their skills and attractive services that will enhance their skills as part of their job search efforts.

Eligible Dislocated Worker must meet the criteria as defined below. In regard to the eligibility condition that requires individuals to be "unlikely to return to their previous industry or occupation", the state has determined that due to the economy and high state unemployment rate, all eligible registrants who are unemployed and who have been laid off from their jobs are deemed unlikely to return to their previous industry or occupation, as documented in Oregon Joint Policy 03-20 Revision 2.

Workforce professionals will utilize definition of Dislocated Worker and the WorkSource Oregon Management Information System (WOMIS) Customer Registration System to register, determine eligibility, and initiate participation of dislocated workers based on self-attestation as described in joint policy 03-20 revision 2.

Documentation of certain participant eligibility elements must occur prior to an Individual Career Service, a Support Service or a Training Service being delivered to eligible dislocated workers as defined in Oregon WIOA policy 134(c) Career and Training Services.

Eligibility Criteria

- **Dislocated Worker:** The term "dislocated worker" means an individual who—
 - Has been terminated or laid off, or who has received a notice of termination or layoff, from employment; is eligible for or has exhausted entitlement to unemployment compensation; or has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and is unlikely to return to a previous industry or occupation. ***Oregon has determined that due to the economy high state of the unemployment rate, all eligible registrants who are unemployed and who have been laid off from their jobs are deemed unlikely to return to their previous industry or occupation.***
 - Has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at a plant, facility, or enterprise; is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or is employed at a facility at which the employer has made a general announcement that such facility will close.

- Was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters.
- Is a displaced homemaker.
- Is the spouse of a member of the Armed Forces on active duty, and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or is the spouse of a member of the Armed Forces on active duty and who meets the criteria described in paragraph (16)(B).

ELIGIBLE TRAINING PROVIDER LIST

PURPOSE

This policy and accompanying procedures govern the operation of the Eligible Training Provider List (ETPL) in the Oregon Northwest Workforce Investment Board (ONWIB) region. They address the activities of the State of Oregon, the ONWIB, and those training providers who wish to offer services to individuals whose training is funded by the Workforce Innovation and Opportunity Act (WIOA) within the Oregon Northwest Workforce Investment region.

BACKGROUND

The Workforce Innovation and Opportunity Act, at Section 122, WIOA, requires the Governor, through the designated state agency, Community College and Workforce Development Division of the Higher Education Coordinating Commission to establish criteria, information requirements and procedures regarding the eligibility of providers of training services to receive funds provided under section 133(b), WIOA, for the provision of training services in local areas in the State.

POLICY

The ETPL is a means for ensuring informed customer choice for individuals eligible for training. In administering the eligible training provider process, the State and Local Boards must work to ensure that qualified providers, offering a wide variety of job-driven training programs, are available.

WIOA-funded training through ONWIB may only be provided by a training provider approved to train and that is on the Eligible Training Provider List (ETPL) for the State of Oregon and the Oregon Northwest Workforce Investment Board.

A “program of training services” is defined as:

- A certificate (industry recognized credentials), an associate degree, baccalaureate degree, or
- The skills or competencies needed for a specific job or jobs, an occupation, occupational group, or generally, for many types of jobs or occupations, as and determined prior to training.

Eligible providers of training services programs are entities that are eligible to receive WIOA title I-B funds for adult and dislocated worker participants who enroll in training services programs through “Individual Training Accounts” (“ITA”). ITAs may also be used for WIOA Title I Youth funds to provide training to older, out-of-school youth, ages 18 to 24. These training services could be delivered in person, on-line, or in a blended approach. To be eligible to receive training funds under Section 133(b), WIOA, the Eligible Training Provider (ETP) shall be:

- Post-secondary education institutions - An institution of higher education that provides a program that leads to a recognized postsecondary credential, or;
- Apprenticeship programs - An entity that carries out programs registered under the Act of August 16, 1937 (commonly known as National Apprenticeship Act (NAA) (50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), or;
- Other public/private providers - Other public or private providers of training services programs, which may include joint labor management organizations, pre-apprenticeship programs and occupational/technical training, or;

- Adult education and literacy activities - Providers of adult education and literacy activities under WIOA Title II if such activities are provided in combination with occupational skills training.

Exceptions

Under WIOA section 134(c)(3)(G), limited exceptions allow local areas to provide training through a contract for services rather than Individual Training Accounts (ITAs) in order to maintain consumer choice. These exceptions include:

- On-the-Job Training (OJT).
- Customized training.
- Incumbent worker training.
- Transitional employment.
- Instances where the Board determines there are insufficient numbers of eligible providers of training services in the local area.
- Where the Board determines an exception is necessary to meet the needs of individuals with barriers to employment (including assisting individuals with disabilities or adults in need of adult education and literacy services).
- Where the Board determines that it would be most appropriate to award a contract to an institution of higher education or other eligible provider to facilitate the training of multiple individuals in in-demand industry sectors or occupations (where the contract does not limit customer choice).

The Oregon Northwest Workforce Investment Board uses the following criteria to determine initial eligibility of an applicant:

- Training provider must provide training in high demand/high wage occupations that moves participants to or helps retain self-sufficiency jobs.
- Training costs must be comparable to the average cost of training per participants in the occupational area.
- Credentials or certifications awarded at the completion of training must be recognized by business, industry, business/worker associations, and public and private training entities.

Denial of Listing and Delisting of Programs/Providers

- Reasons for Initial Denial
 - If the application from a provider is not complete or not submitted within required timeframes.
 - If the applicant fails to meet the minimum criteria for initial listing specified in this procedure.
 - If the applicant intentionally supplied inaccurate information.
 - If the provider has substantially violated any WIOA requirement(s).
- Reasons for Delisting
 - The private postsecondary provider has not complied with the CCWD/ONWIB Annual Performance Reporting requirement.

- The school has lost its license issued by the Private Career Schools Licensing Unit in the Higher Education Coordinating Commission's Office of Private Postsecondary Education.
- The provider has not achieved the minimum performance criteria for subsequent eligibility for the program(s) listed on the ETPL.

EQUAL OPPORTUNITY AND NON DISCRIMINATION

PURPOSE

To ensure compliance with equal opportunity and non-discrimination regulations by staff and service providers.

BACKGROUND

Workforce Innovation and Opportunity Act (WIOA) services are subject to Equal Opportunity (EO) rules and regulations. Services must be available to eligible participants without regard to status in a protected class – gender, race/ethnicity, nationality, or religious belief.

POLICY

All applicants must be informed that WIOA service providers are not allowed to discriminate on the basis of any of the protected classes.

Providers are required to post EO posters in a prominent location where applicants and participants gather. Posters will be available in Spanish and English at each service location.

An EO statement must be present on printed materials given publicly and/or to participants. The EO tagline to be used:

Oregon Northwest Workforce Investment Board is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities upon request.

The Oregon Northwest Workforce Investment Board (ONWIB) will designate an EO Officer and will keep providers updated on current contact information for the Officer. Providers are responsible for requesting additional posters if needed.

Programs are required to inform each participant of EO rights and grievance procedures, in accordance with ONWIB policy, at the time of program enrollment.

Program service providers will be required to provide any and all requested information from program and fiscal records, as well as participant files.

Providers are expected to ensure, and be able to demonstrate, that all practices are compliant with EO regulations including the enrollment of participants, provision of incentives, stipends or supportive services, access to service elements, and any other program components. With this in mind, **programs are expected to document fair and equitable provision of services and activities to participants.**

Equal Opportunity data must be collected during the application process.

Completed applications will be used as the storage and tracking mechanism for Equal Opportunity data on those who apply and are not enrolled in services. These files will be kept and provided to ONWIB with all participant files when called for archiving.

INCENTIVES AND STIPENDS

PURPOSE

This policy implements and interprets State of Oregon and Federal WIOA requirements governing the use of incentives and stipends for WIOA enrolled youth, adults, and dislocated workers while conducting the business of the Oregon Northwest Workforce Investment Board (ONWIB) area. It is intended to establish the use of incentives and stipends as a service strategy available to all WIOA providers in the ONWIB area.

BACKGROUND

Incentives and stipends are a key form of positive reinforcement to sustain motivation and provide encouragement, especially when tied to benchmarks such as earning academic credentials or acquiring specific competencies. They also can be an important source of support to meet the economic challenges these participants face. Incentives can motivate individuals toward completing various grant related activities.

DEFINITIONS

Incentive: An incentive is a payment to a WIOA participant for the successful participation and achievement of expected outcomes as defined in a participant's personal employment plan (PEP) and individual service strategy (ISS). The incentive must be linked to an achievement and must be tied to training and education, work readiness skills and/or an occupational skills attainment goal as identified in the ISS or PEP. Such achievements must be documented as the basis for an incentive payment. While incentives are exempt from social security withholding, the participant may have to pay income taxes on incentive payments.

Stipend: A Stipend is a fixed small payment made to a WIOA participant during his/her enrollment to encourage the participant to engage in certain activities. The stipend can be used to support the participant during activities such as classroom instruction, internships or apprenticeships. A stipend is a payment made to a participant for living or other expenses, and shall not be based on wages for hours worked. Although the terms "stipend" and "salary" are often used interchangeably when providing a stipend, the U.S. Department of Labor has specific criteria that must be met to pay a stipend for a work-based learning activity. The work-based activity for which a participant receives a stipend must focus on training rather than employment. The placement must be predominantly for the benefit of the participant, not the employer. The participant cannot be entitled to a job at the end of training or displace regular employees. The trainee and the employer must both acknowledge that the participant isn't entitled to wages for time spent in the activity for which the stipend is issued. Because the stipend is not a wage, it is exempt from minimum wage requirements and social security withholding. However, a stipend is still considered taxable income and the participant should be prepared for the possibility that s/he may have to pay income taxes on the stipend. Participation in the activity must be documented as the basis of stipend payments.

POLICY

It is the policy of the ONWIB to utilize the provision of incentives and/or stipends as provided in the WIOA. No more than \$2500 may be expended on incentives and/or stipends for a WIOA participant.

Stipends and incentives must be necessary, reasonable, and allowable. Any use of stipends or incentives to participants must, at the very least, meet these criteria.

Every incentive or stipend awarded must have a clear connection to a specific participant goal as documented in their ISS or PEP. There must be clear goals and expectations set forth as to what the participant must do to earn an incentive award or stipend.

Incentives may be provided to those participants who successfully benchmark from one (1) significant activity to another. Programmatic progress as such shall be measured and evaluated by service provider staff during the tenure of the activity.

Stipends may be awarded to those participants who are engaged in class room based and/or work based learning.

Under 2 CFR part 200, Federal funds may not be spent on entertainment costs. Therefore, incentives may not include entertainment, such as movie or sporting event tickets or gift cards to movie theaters or other venues whose sole purpose is entertainment.

ELIGIBILITY

An eligible participant must be WIOA enrolled, having initiated an ISS or PEP, and met all WIOA required eligibility. The participant must be in good standing, fully participating in necessary activities, and demonstrating adequate follow-through.

INDIVIDUAL TRAINING ACCOUNTS

PURPOSE

This policy outlines Oregon Northwest Workforce Investment Board's (ONWIB) directives for providing Individual Training Accounts (ITAs) for WIOA eligible adult, dislocated worker and youth participants.

BACKGROUND

WIOA Title I-B training services for WIOA eligible adults, dislocated workers and youth are provided through ITAs. Using ITA funds, WIOA eligible adults, dislocated workers and youth purchase training services from eligible training providers they select in consultation with a workforce professional. Participants are expected to utilize information such as skills assessments, labor market conditions/trends, and training providers' performance, and to take an active role in managing their employment future through the use of ITAs.

POLICY

ITAs are one training option available to eligible and appropriate participants when it is determined by a workforce professional that they will be unlikely or unable to obtain or retain employment that leads to self-sufficiency or higher wages from previous employment through career services alone. An ITA is limited in cost and duration and must result in employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment.

ITAs are allowed for out-of-school youth ages 18-24 (out-of-school youth ages 16-17 are not eligible for ITAs) per WIOA Section 129(c)(2)(D) and Proposed 20 CFR 681.550.

ITAs are not entitlements and shall be provided to eligible participants on the basis of an individualized assessment of the person's job readiness, employment and training needs, financial, social and supportive needs, labor market demand and potential for successful completion, as documented on the participant's Individual Employment Plan (IEP). Participants choose career training with Eligible Training Providers in consultation with workforce professionals.

ITA funding for training is limited to participants who:

- Complete an assessment and an IEP that identifies the selected training course;
- Are unable to obtain grant assistance from other sources to pay the costs of training or require assistance beyond available grant resources from other sources, such as Pell Grants in order to complete their training goals;
- Select training programs that are directly linked to an in-demand industry sector or occupation or sectors that have a high potential of sustained demand or growth in the local area or in the planning region or in another area in which the participant is willing to travel or relocate [WIOA Section 134(c)(3)(G)(iii)]; and,
- Maintain satisfactory progress/grades throughout the training program.

Coordination of WIOA Training Funds and Other Federal Assistance (Proposed 20 CFR 680.230)

WIOA funds are intended to provide training services in instances when there is no grant assistance, or insufficient assistance from other sources such as, but not limited to: Temporary Assistance for Needy Families (TANF); Basic Food Employment & Training (BFET); Title IV Programs such as Federal Pell

Grants, Academic Competitiveness Grants, National SMART Grants, Federal Supplemental Educational Opportunity Grants, or Federal Work-Study; GI Bill or other Federal financial aid available to military veterans; and state-funded grants such as the Oregon Opportunity Grant and Oregon Promise to pay for those costs.

An individual may select training that costs more than the \$5,000 WIOA maximum amount, when other sources of funds are available to supplement the ITA.

MONITORING

PURPOSE

The purpose of this policy is to outline procedures the Oregon Northwest Workforce Investment Board (ONWIB) will use to conduct monitoring of sub-recipients and contractors to ensure compliance of programs receiving Workforce Innovation and Opportunity Act (WIOA) funding.

POLICY

The ONWIB will conduct annual monitoring of each workforce services contractors to ensure compliance with WIOA rules and regulations. This monitoring will consist of an on-site review and desk audit. The board will be informed of the monitoring results.

ON-THE-JOB TRAINING

PURPOSE

Section 134(c)(3)(H) of the Workforce Innovation and Opportunity Act (WIOA) allows the Governor and local boards to reimburse employers for On-The-Job Training (OJT) participants. This policy conveys the local requirements for the development of OJT opportunities and contracts.

POLICY

NOW encourages the use of OJT by its contracted service providers to better meet the needs of job seekers to find and keep good jobs and local employers to offset the extraordinary cost of training employees.

OJT is a hire-first program. In consideration of the extra costs to the employer of hiring and training a new employee or promote an employee onsite, a portion of the employee's wages may be reimbursed for a limited duration. OJTs put unemployed individuals to work and keep incumbent workers earning a wage while they receive training to address gaps in their skill set that hinders them from fully performing a job.

OJT is not a subsidized employment program. The OJT contract assists businesses in training and retaining skilled, productive workers by off-setting the extraordinary costs of providing the training and additional supervision related to the training. A rigorous training plan, put in place by the employer, leads to employee retention and growth in the job. OJTs are intended to encourage the development of in-company training programs that lead to transferrable skills for eligible individuals who would not otherwise be hired or promoted to a given position. OJT is not an entitlement program for employers. The decision to enter into contract with an employer is at the discretion of the Workforce Board and its contracted service providers.

With written approval from NOW, OJTs may be provided to support eligible trainees in apprenticeship programs and may be combined with Individual Training Accounts based on the needs of the trainee.

Eligible trainees. Contracted service providers will only enter into OJTs on behalf of trainees who are:

- a. Job seekers enrolled in the WIOA Title I Adult, Dislocated Worker and/or Youth funding streams that the employer agrees to hire or incumbent workers the employer intends to retain who are not earning self-sufficient wages or wages comparable to or higher than wages from previous employment who need training to deal with the introduction of new technologies, new production or service procedures, new jobs that require additional skills, workplace literacy, or other appropriate purposes; and
- b. Who are assessed, through the NCRC or other means, as having the skills and qualifications to participate successfully in an OJT training contract, in order to obtain or retain employment that leads to self-sufficiency.

Eligible employers. Contracted service providers will enter into OJT contracts and provide OJT reimbursements only to eligible employers that meet the following criteria:

- a. Have the capacity and resources to adequately train the OJT candidate with the intent of retaining the employee in long-term, full-time employment;

- b. Enter into a signed training contract that spells out the training and retention expectations of the employee, the employer, and the contracted service provider;
 - c. Have adequate payroll and record keeping systems in place;
 - d. Have the explicit agreement of the bargaining agent if OJT positions are covered by collective bargaining agreements;
 - e. Provide the same rate of pay, fringe benefits and working conditions offered to the OJT trainee as similarly situated employees in similar positions in the local labor market;
 - f. Have adequate Workers' Compensation or accident insurance coverage in effect.
 - g. Are private sector employers. Preference should be provided to private sector employers operating in in-demand sectors, or providing in-demand occupations or providing higher wages.
- NOTE: some fund sources ban the use of OJTs with public sector employers, casinos, gaming establishments, swimming pools, aquariums, zoos, golf courses and faith-based organizations. Service providers are expected to comply with the restrictions of the applicable funding sources.

Service providers **must not** enter into an OJT contract when

- a) OJT positions result in the displacement of current workers who are on layoff status with recall rights from the same or any substantially equivalent job or are terminated with the intention of filling the vacancy with an OJT participant;
- b) The OJT position infringes on the promotional opportunities of currently employed workers.
- c) The OJT would result in the reduction in the hours of non-overtime work, wages, or employment benefits of any currently employed employee.
- d) The employer has relocated all or part of their business within the previous 120 days where the relocation action has resulted in the loss of employment of any employee at the original location;
- e) Employer has been convicted of violating federal laws and regulations;
- f) Employer received OJT payments under contracts under WIOA or the Workforce Investment Act of 1998 and exhibited a pattern of failing to provide participants with continued long-term employment as regular employees with wages and employment benefits (including health benefits) and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work.

OJT Training Duration. An OJT contract must be limited to the period of time required for a participant to become proficient in the occupation for which the training is being provided, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

Reimbursement. Employers may be reimbursed only for the portion of the trainee's wages agreed upon in the OJT contract. Employers may be reimbursed only for time the trainee was actually on the job and receiving training. Reimbursement to the employer **may not** exceed 50 percent, and may only exceed 50 percent of trainee wages under the following conditions:

- a) The participant faces barriers to employment as defined in WIOA Section 3(24);
- b) The employer has fewer than 100 employees;
- c) The employer-provided training results in an industry-recognized credential and advancement opportunities;
- d) More than one employee is participating in the training;

- e) The pre and post wage and benefit levels of the participating employees exceed local median incomes,
- f) The training results in increased competitiveness.
- g) The OJT position is an in-demand occupation or industry as identified by the local board in alignment with WIOA Section 3(23);

Performance. Employers providing OJT are not subject to the requirements of the eligible training provider list and are not included on the State list of eligible training providers and programs. The one-stop operator(s) must collect any performance information the Governor may require and determine whether the providers meet performance, and must disseminate information identifying providers of OJT that have met performance criteria established by the Governor.

DEFINITIONS

On-the-job training: Training provided by employers to paid participants in the form of productive work in jobs that (1) provide the knowledge or skills essential to the full and adequate performance of the jobs, (2) are available through programs that provide reimbursement to employers of up to 50 percent of the participants' wages, with the exception provided by this policy, for the extraordinary costs of training and additional supervision related to the training, and (3) are limited in duration as appropriate to the occupations for which participants are being trained, taking into account training content, participants' prior work experiences, and participants' service strategies.

Reimbursement Rate. A reimbursement rate, or reimbursement level, refers to the percentage of the OJT participant's hourly wage or wage cap that can be reimbursed to an employer.

In-Demand Industry Sector or Occupation: In general, (i) an industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the state, regional, or local economy, as appropriate, and that Page 3 of 3 contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or (ii) 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. The determination of whether an industry sector or occupation is in-demand shall be made by the state board or local board, as appropriate, using state and regional business and labor market projections, including the use of labor market information.

PRIORITY OF SERVICE

PURPOSE

To direct Workforce Innovation and Opportunity Act (WIOA) funds to those most in need, while complying with U.S. Department of Labor Priority of Service requirements for Veterans.

BACKGROUND

Covered individuals (veterans and their eligible spouses) are entitled to precedence over non-covered persons for services – the covered individual either receives access to a service earlier in time than a non-covered person or, if resources are limited, receives access to the service instead of or before the non-covered person.

TEGL 10-09 states recipients (and sub-recipients) of U.S. Department of Labor (DOL) funds are subject to the priority of service regulations, and are thus required by law to provide priority of service to veterans and eligible spouses. This is a requirement of receiving DOL funds. It is important to note that a veteran or eligible spouse must first meet any and all of the eligibility criteria in order to be considered eligible for enrollment in the program, receipt of priority for enrollment and priority for receipt of services.

In addition, WIOA requires when funds allocated for Adult Employment and Training activities are limited, priority shall be given to recipients of public assistance and other low-income individuals for intensive services and training services. The public assistance and low-income priority does not apply to Dislocated Worker funds.

POLICY

To address the requirement of the WIOA, Oregon Northwest Workforce Investment Board (ONWIB) is establishing the following prioritization for services:

Low Income: In times that funds are limited, career and training services, priority must be given to eligible individuals that are low income and for which you have documentation stating low income status. Implementation of Priority of Service will be given to eligible low income individual first.

Veterans: For workforce programs that operate or deliver services to the public without targeting specific groups, veterans and eligible spouses must receive priority of service over all other program participants. For Programs with Eligibility Criteria, veterans and eligible spouses who meet the eligibility criteria will receive priority for enrollment in the program, as well as priority for receipt of services. (i.e. Adult and Dislocated Worker intensive services, National Emergency Grants and any other programs that has eligibility requirements). For programs with statutory or mandatory priorities (such as programs/grants that have specific populations that are allowable to be served in the grant), priority of service is applied as described below:

1. Veterans and eligible spouses who meet the program-specific mandatory priorities will receive the highest level of priority of service.
2. Non-covered individuals who meet the program's mandatory priority receive the second level of priority of service.

3. Veterans and eligible Spouses outside the program-specific mandatory priority receive the third level of priority of service.
4. Non-covered individuals outside the program's mandatory priority receive the lowest level of priority of service.

DEFINITIONS

Covered Persons means veterans or their eligible spouses.

Veteran means a person who was in active military service, and who was discharged or released under conditions other than dishonorable, as specified in 38 U.S.C. 101(2). Active service also includes full-time duty in the National Guard or a Reserve component, other than full time duty for training purposes.

Eligible Spouse as defined in section 2(a) of JVA (38 U.S. C. 4215(a)) means the spouse of any of the following:

1. Any veteran who died of a service-connected disability;
2. 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:
 - (i) Missing in action;
 - (ii) captured in line of duty by a hostile force; or
 - (iii) forcibly detained or interned in line of duty by a foreign government or power;
3. Any veteran who has a total disability resulting from a service connected disability, as evaluated by the Department of Veterans Affairs;
4. Any veteran who died while a disability, as indicated in paragraph (3) of this section, was in existence.

RAPID RESPONSE AND LAYOFF ASSISTANCE

Purpose:

Rapid Response and Layoff Assistance (LOA) are early intervention services that assist both employers and employees affected by layoffs or plant closures. These services provide access to user-friendly resources and information to help transition affected workers into reemployment. This policy defines the roles and responsibilities of those delivering rapid response services within the Northwest Workforce Area

Background:

Rapid Response services, including access to user-friendly resources and information to help transition affected workers into reemployment, are provided in collaboration with the State Rapid Response Unit following the announcement of a permanent closure, mass layoff, or natural or other disaster resulting in a mass job dislocation. Rapid Response services are typically triggered by a Worker Adjustment and Retraining Notification Act (WARN) notice or Trade Adjustment Assistance (TAA) petition notification.

This policy ensures the provision of Rapid Response services to workers and employers in a coordinated and timely fashion that is tailored to the unique circumstances of each dislocation event. The policy also ensures that required information is provided to dislocated workers statewide during rapid response layoff orientations.

Policy:

Rapid Response services will be delivered to workers and employers prior to dislocation events, if possible, or immediately following notification of the dislocation event provided that such actions would not adversely impact any ongoing collective bargaining negotiations related to the dislocation event.

NOW will coordinate the provision of Rapid Response services in the local area. NOW will:

- Establish and maintain a local rapid response team including representatives from UI Claims Centers, local WorkSource centers, labor organizations and/or Oregon State Labor Council (when the workforce is union represented), community colleges, and other stakeholders and interested parties.
- Identify a NOW staff or designated local rapid response team member to serve as the contact to coordinate with the State Rapid Response Unit. The local contact will
 - Assure that all necessary rapid response activities are coordinated with state and implemented locally.
 - Coordinate events with the local team and the State Rapid Response Unit to provide on-site (if possible) assistance to those laid off.
 - Consult with the State Rapid Response Unit, state and local economic development organizations, and other entities to avert potential layoffs.
 - Consult with appropriate labor representatives when WIOA programs will serve union members.
 - Notify the State Rapid Response coordinator when it is discovered that WARN-level layoff or closure event is imminent to begin formulating strategies for carrying out rapid response activities.

- Initiate a rapid response per its local operational plan when a layoff or closure event that does not meet the WARN threshold or is not TAA related and inform the State Rapid Response coordinator of the rapid response event and number of attendees.
- Notify the appropriate one-stop operator(s) when rapid response activities are near completion, and coordinate to enable local sites to assume responsibility for service delivery to those dislocated by layoffs or closures who are interested in accessing career services, training services, supportive services, and other relevant services.
- Inform the team of any ongoing collective bargaining negotiations related to a plant closure or layoff event to avoid any actions that might impact those negotiations. Team members must be informed of impact that the offer of services and resources may have on the negotiation process, especially with respect to financial arrangements related to the provision of severance benefits.

Rapid Response activities will include: immediate and onsite contact with the employer, representative of the affected workers, and the local community (community-based organizations); information on unemployment insurance, WorkSource Oregon (WSO) Centers, employment and training services, and Trade Act; guidance and/or financial assistance in establishing a Transition Team; assistance to develop a coordinated response to the dislocation event; and, as needed, funds adapted to meet the particular layoff or closure. The results of all Rapid Response activities are to be clearly documented to allow for and aid in request for layoff assistance funding from the state.

NOW will apply for state funded layoff assistance resources to provide targeted, localized support of significant dislocations, as appropriate, at the discretion of the NOW Executive Director. NOW Executive Director will determine type of funding (if any) to apply for, as part of Rapid Response activities:

- **Additional Assistance Funds** awarded to temporarily expand service capacity to address the needs of a specific group of workers impacted by layoff or closure that does not meet the threshold of a National Emergency Grant (NEG) application, and for which regular Dislocated Worker formula funding is not available or sufficient.
- **Gap Fill Funds** to be used for the same purpose of a proposed NEG to provide services between the NEG application and the date that grant approval notice is issued.
- **Rapid Response Funds** to support pre-layoff services. Pre-layoff services may include the provision of worker information sessions, the establishment of a layoff transition team, hiring peer support advocates, providing on-site workshops, establishing and staffing an on-site resource room and staff time to explore layoff aversion strategies. ***Pre-layoff services do not require participant enrollment in WIOA.***
- **National Emergency Grants** from the Department of Labor for projects meeting the DOL threshold for significant dislocations. Funds support staff engagement with dislocated workers to provide assistance in developing a course of action for re-employment.

Participant Eligibility and Enrollment: All participants except those receiving Rapid Response-funded pre-layoff services must be determined eligible for, enrolled in and receive a staff-assisted service funded by the WIOA Title IB Dislocated Worker Program. A participant must also meet any specific eligibility conditions of the grant and/or the approved target population.

Veteran's Priority: Veteran's Priority of Service applies to all Rapid Response activities.

Monitoring: All Rapid Response projects will be monitored in accordance with state, federal and NOW policy and procedures on monitoring.

SELF-EMPLOYMENT TRAINING

PURPOSE

The purpose of this policy is to ensure that self-employment/entrepreneurial training is available to all WIOA Title I funded participants.

BACKGROUND

Section 134(c)(3)(D)(vii) of the Workforce Innovation and Opportunity Act (WIOA) cites “entrepreneurial training” (also known as self-employment training) as an allowable training service for adults and dislocated workers and requires local workforce development boards to make this training available to interested job seekers.

POLICY

Consistent with WIOA customer choice principles, WIOA funded Adult and Dislocated Worker Service Providers will provide information on local training options for entrepreneurial training throughout the local WorkSource system to both staff and customers. Service provider staff will continue to include self-employment as an option for individuals eligible for WIOA Title I funded training and provide additional specific information regarding community organizations that work with those who are interested in starting businesses and self-employment.

Available opportunities to share program options include, but are not limited to:

- Coursework options at local community colleges
- Training options available at other approved providers
- Information available at local WorkSource offices
- Hotlinks and referral to self-employment organizations offering specific business start-up information and assistance

Courses already on the Eligible Training Providers List (ETPL) will be available to individuals eligible to receive training funded by WIOA Title I, where appropriate. Training Providers not on the ETPL will be encouraged to submit an application as outlined in the ETPL Policy. Entrepreneurial coursework should provide adequate information for the WIOA funded participant to begin business startup. The coursework may include other components, but at a minimum, the WIOA funded participant must develop a business plan upon completion of training.

SUPPORTIVE SERVICES & NEEDS-RELATED PAYMENTS

PURPOSE

This policy addresses the use of WIOA Title I funds for supportive services and needs-related payments (NRPs) to support adults, dislocated workers, and youth participating in WIOA Title I activities.

BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) provides program guidelines for supportive services for adults and dislocated workers defined in WIOA Sections 3(59) and 134(d)(2) and (3). These include services such as transportation, child care, dependent care, housing, and assistance with uniforms and other appropriate work attire and work-related tools, including such items as eye glasses and protective eye wear, and Needs Related Payments needed to enable individuals to participate in WIOA Title I activities. Supportive services for youth as defined in WIOA Section 129(c)(2)(G) can additionally include assistance with educational testing, reasonable accommodations for youth with disabilities, and referrals to health care.

POLICY

General Provisions: Supportive services may only be provided to participants who are participating in individualized career or training services and are unable to obtain the services through other programs who provide such services.

Supportive services may only be provided after it has been determined such services are necessary to enable the participant to participate in Workforce Innovation and Opportunity Act (WIOA) activities.

The cost of supportive services must be both reasonable and competitive in price.

Needs-Related Payments will not be utilized within the Northwest Workforce Area.

YOUTH ELIGIBILITY AND ADDITIONAL ASSISTANCE

PURPOSE

To convey expectations for the enrollment of eligible youth into services funded by WIOA under Title I of the Workforce Innovation and Opportunity Act (WIOA) Section 129.

POLICY

As outlined in WIOA, Oregon Northwest Workforce Investment Board (ONWIB) expects contractors funded with WIOA resources to make every effort to integrate and align services to eligible youth as part of a broader youth vision to leverage other Federal, state, local, and philanthropic resources to support in-school youth (ISY) and out-of-school youth (OSY).

ONWIB investments into youth services are intended to assure that disadvantaged youth are able to become employed and continue along career paths that lead to greater self-sufficiency.

Out-of-School Youth (OSY)

- Contractors shall use at least 75 percent of WIOA Title I Youth program resources available after administrative costs have been deducted to serve OSY as defined by WIOA.
- ONWIB expects that at least 75% of participants enrolled as youth will be enrolled as OSY.
- ONWIB defines OSY who require “additional assistance” as youth who meet the OSY enrollment criteria, are low income and can benefit from the provision of any of the required 14 youth program elements described at 20 CFR 681.310 in order to enter or complete an educational program or to secure or hold employment. The required program elements include:
 - A. 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;
 - B. Alternative secondary school services, or dropout recovery services, as appropriate;
 - C. Paid and unpaid work experiences that have as a component academic and occupational education, which may include—
 - i. Summer employment opportunities and other employment opportunities available throughout school year;
 - ii. Pre-apprenticeship programs;
 - iii. Internships and job shadowing; and
 - iv. On-the-job training opportunities;
 - D. Occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials aligned with in demand industry sectors or occupations in the local area involved, if the local board determines that the programs meet the quality criteria described in section 123;
 - E. Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
 - F. Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate;
 - G. Supportive services;

- H. Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;
 - I. Follow-up services for not less than 12 months after the completion of participation, as appropriate;
 - J. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate;
 - K. Financial literacy education;
 - L. Entrepreneurial skills training;
 - M. 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; and
 - N. Activities that help youth prepare for and transition to postsecondary education and training. (WIOA Sec. 129 (c) (2).
- Contractors are expected to prioritize OYS identified via WorkSource Centers.

In-School Youth (ISY)

- Contractors must not expend more than 25 percent of WIOA Title I Youth program resources available after administrative have been deducted to serve ISY as defined by WIOA.
- ONWIB expects no more than 25% of participants enrolled as youth will be enrolled as ISY.
- ONWIB defines ISY who require “additional assistance” as youth who meet the ISY enrollment criteria, are low income and can benefit from the provision of any of the required 14 youth program elements described at 20 CFR 681.310 in order to enter or complete an educational program or to secure or hold employment (a complete list of the 14 elements is provided in the OSY section of this policy).

INCIDENT REPORTING

PURPOSE

The purpose of this policy is to provide guidance and procedures for reporting allegations of fraud, program abuse or criminal conduct.

POLICY

All incidents of suspected fraud and/or abuse must be reported to ONWIB Executive Director and Higher Education Coordinating Commission's Office of Community Colleges and Workforce Development (CCWD). Such incidents may be reported anonymously. All staff and any contractor/subcontractor or other entity responsible for providing WIOA services or board and members of the public have the right to report an incident. The ONWIB and its subcontractor will provide a way to anonymously report such incidents.

PROCESS

Any incident of suspected fraud, abuse, or other program-related criminal activity will immediately be reported directly to the ONWIB and CCWD.

ONWIB will complete necessary reporting documentation and will submit the report to CCWD. CCWD will immediately forward documents to the Department of Labor (DOL) Regional Office of Inspector General (OIG) and the Regional Administrator of the Employment and Training Administration.

Investigations are initiated and conducted by CCWD and will be handed over to the DOL/OIG at their request.

After conducting the investigation, CCWD will issue an initial determination report to the ONWIB Board Chair requesting response to report findings including plans for debt collection and other corrective actions as appropriate. This initial determination offers the opportunity for informal resolution. If no informal resolution meeting is requested, CCWD will issue the final determination.

GUIDE TO REPORT AN INCIDENT OF FRAUD AND/ OR ABUSE

General Report Procedures

Staff is responsible for reporting any suspected fraud/abuse, misapplication of funds, gross mismanagement or employee/participant misconduct.

Staff is encouraged to report such incidents to their supervisor who must immediately notify ONWIB Executive Director, who will in turn notify the Chief Financial Officer of the ONWIB. If the incident involves the ONWIB Executive Director the notification is reported to the ONWIB board chair and CCWD.

Staff can report directly to CCWD staff at 503-947-2401, or to the DOL OIG Hotline at 1-800-347-3756. Incidents may be reported anonymously.

General Investigation Procedures

When ONWIB Executive Director is notified by staff of an incident of fraud or abuse, ONWIB Executive Director confers with parties involved in the reporting, gathers details, and submits the Incident Report Form, Office of Inspector General (OIG) 1-156.

When CCWD investigates the incident and makes a determination, the Director can request an informal hearing within twenty (20) working days from the initial determination.

RESOLUTION

ONWIB and/or CCWD and/or ONWIB Executive Director will determine the final resolution to the incident and inform the appropriate parties.

REFERENCES

Community Colleges and Workforce Development (CCWD) Policy 589-40.2

Workforce Innovation and Opportunity Act

20 Code of Federal Regulations Part 667.630

Training and Employment Guidance Letter No. 2-12

CCWD Policy 589-40.5

Northwest Oregon Works
Operating Budget - Proposed Modification #1
Program Year 2016 (July 1, 2016 - June 30, 2017)

1	RESOURCES		
2	WIOA - Unexpended in 2015		343,671 (202,107)
3	Adult	97,057	
4	Dislocated Worker	134,835	
5	Youth	111,778	
6	WIOA - 2016 Program Year		1,657,688
7	Adult	483,985	
8	Dislocated Worker	566,173	
9	Youth	607,530	
10	National Emergency Grants		73,060 (4,970)
11	State Grants		696,867
12	Back To Work Oregon**	133,668	
13	Sector Partnership**	129,158	
14	Board Funding**	294,041	
15	Chief Financial Officer	75,000	75,000
16	WorkSource Co-Location	50,000	50,000
17	Staff Training	15,000	15,000
18	Other Grants		86,118
19	Rethinking Job Search	86,118	
20	Donations		0
21			2,857,403 (109,179)
22			
23	EXPENDITURES		
24	<u>NOW Operational Expenses</u>		
25	Staffing		
26	Salaries	343,333	44,633
27	Employer Taxes	34,333	4,463
28	Employee Benefits	<u>103,000</u>	15,707
29	Total Staffing	480,667	64,804
30	Organizational Operations		
31	Professional Services	40,000	(36,250)
32	Legal Services	2,500	(2,500)
33	Audit Services	20,775	10,775
34	Fees/Taxes	5,000	
35	Phone & Internet	4,000	(1,000)
36	Insurance	6,500	(1,000)
37	Office Lease	15,000	
38	Office Supplies	5,000	(3,000)
39	Computer Equipment	18,500	(1,500)
40	Memberships	13,500	(6,500)
41	Community Outreach	0	(5,000)
42	Board Travel	2,500	(12,500)
43	Staff Travel	20,000	(5,000)
44	Meetings	2,500	

45	Staff Development	10,000	
46	Board Support	0	(10,000)
47	Total NOW Organizational	<u>165,775</u>	(73,475)
48	TOTAL NOW OPERATING EXPENSES	646,442	(8,671)
49			
50	<u>Community Program Investments</u>		
51	Expenses NOW pays on Behalf of Service Providers		
52	ITrac Database	23,677	
53	WorkSource Leases	79,500	(7,497)
54	WorkSource Phone & Internet	13,500	331
55	WorkSource Office Expenses	0	(10,200)
56	Program Outreach	0	
57	Program General Expenses	39,067	(7,629)
58	Professional Services	99,500	
59	Program Services-Incumbent	0	(40,000)
60	Total Expenses Paid on Behalf of Providers	<u>255,244</u>	(64,995)
61			
62	Service Provider Contracts		
63	WIOA Adult	400,000	
64	WIOA Dislocated Worker	500,000	
65	WIOA Youth	550,000	
66	National Emergency Grants	60,000	(1,729)
67	Back to Work Oregon	109,498	1,127
68	Rethinking Job Search	<u>3,900</u>	
69	Total Service Provider Contracts	1,623,398	(602)
70			
71	TOTAL COMMUNITY PROGRAM INVESTMENTS	1,878,642	(65,597)
72			
73	TOTAL EXPENDITURES	2,525,084	(74,268)
74			
75	Remaining Resources	332,320	(34,910)

KEY

WIOA = Workforce Innovation and Opportunity Act

**Dependent on legislative approval

Oregon Northwest Workforce Investment Board Bylaws

Approved July 22, 2016

ARTICLE I: Definitions

The following terms are used in these bylaws:

“Bylaws” means this set of Oregon Northwest Workforce Investment Board (ONWIB) bylaws.

“Chair” means the Workforce Board’s chairperson.

“Chief Local Elected Official” or “CLEO” means the chair of the Northwest Oregon Workforce Consortium board.

“Executive Director” means the Oregon Northwest Workforce Investment Board’s Executive Director.

“Intergovernmental Agreement” means the agreement between Benton, Clatsop, Columbia, Lincoln and Tillamook Counties establishing the Northwest Oregon Workforce Consortium, referred to as “NOWC.”

“Members” means individuals appointed to the Oregon Northwest Workforce Investment Board by NOWC.

“NOWC” means the Northwest Oregon Workforce Consortium, an intergovernmental organization created to carry out the provisions of the Workforce Innovation and Opportunity Act (WIOA).

“ONWIB” means the Oregon Northwest Workforce Investment Board, an Oregon 501 (C) (3), created to carry out its responsibilities under the Workforce Innovation and Opportunity Act (WIOA).

“Partnership Agreement” means the agreement between the Workforce Board and NOWC.

“WIOA” means the Workforce Innovation and Opportunity Act of 2014, as amended from time to time.

“Workforce Board” means the Oregon Northwest Workforce Investment Board.

ARTICLE II: Purpose

The Workforce Board’s purpose is to develop, oversee and implement the Oregon Northwest workforce area’s strategic plan and to perform the duties listed in the Partnership Agreement

and in grant agreements. The Workforce Board's duties and functions shall be limited to those permitted by Section 501 (c) (3) of the Internal Revenue Code and by Oregon statutes applicable to nonprofit corporations.

ARTICLE III: Members and Meetings

A. Number of Members

The size of the Workforce Board shall be variable with the number of members determined by NOWC. The composition of the Workforce Board must comply with WIOA, as amended from time to time, and by State of Oregon policy issuances.

B. Appointment of Members

NOWC shall make Workforce Board appointments.

C. Terms of Office

The terms of Workforce Board members are three years from the date of appointment, except that initial appointments shall be staggered. There shall be no limit on the number of terms that a member may be appointed.

D. Resignation and Removal

Any Workforce Board member may be removed or suspended with or without cause by NOWC. A Workforce Board member may resign at any time by delivering written notice to the Chair or to the Executive Director. Unless the notice of resignation specifies a later effective date, the resignation will be effective when received.

E. Attendance

A member who has three or more consecutive unexcused absences from board meetings may be subject to replacement from the ONWIB by the NOWC.

F. Meetings

1. Regular Meetings

The Workforce Board shall determine the time and place of its regular meetings in advance and authorizes the Chair to call meetings.

2. Annual Meeting

Unless a different date is set by resolution of the Workforce Board, the annual meeting shall be the first regular meeting on or after July 1 of each year. During the annual meeting, Workforce Board officers shall be elected.

3. Special Meetings

Special meetings may be held as called by the Chair or by the Vice-Chair.

4. Minutes

Minutes of each meeting shall be reviewed and approved at subsequent meetings and copies of all approved minutes shall be maintained at the Workforce Board's principal office.

5. Open Meeting Provision

All Workforce Board meetings shall be conducted in accordance with public meeting laws, these bylaws and the Workforce Board's Code of Conduct.

6. Participation

Participation at Workforce Board meetings shall be limited to its members, with the following exceptions:

- a. Comments from the general public as specified in meeting agendas or as permitted by the chair;
- b. Local elected officials who sit on the NOWC board;
- c. At the discretion of the Chair, comment or other participation by non-members which is material to the matter under consideration;
- d. Individuals who are not Board members and who serve on Board committees; and,
- e. Regularly scheduled agenda items that call for reports or participation by non-members

7. Rules

All meetings shall be held in compliance with Oregon law, grant terms, these bylaws and Roberts' Rules of Order, provided that the use of Roberts' Rules of Order shall be solely for the convenience of the Workforce Board and its committees. Failure to comply with Roberts' Rules of Order shall not affect the validity of any action taken which is otherwise in compliance with these bylaws. In the event of a conflict, the order of precedence shall be Oregon law, grant terms, these bylaws, and Roberts' Rules of Order.

G. Meeting Notices and Agendas

1. Meeting Notices

Meeting notices and board meeting packets shall be given at least three (3) days prior to the date of the meeting unless special conditions make advance notice impracticable, in which case notice and a description of the purpose of the meeting shall be given not less than 24 hours prior to the meeting. Notwithstanding the forgoing, a special meeting can be conducted at any time and without notice if all members are present in person or by electronic means and do not object to the meeting. Notices and board meeting packets may be given electronically.

2. Agendas

Meeting notices shall contain an agenda of the topics scheduled for consideration. The Workforce Board may consider and act upon matters at a regular meeting (including the annual meeting) which are not included in the notice agenda, but may not act upon any matter during a special meeting unless that matter was described in the special meeting notice or all of the members are present in person or electronically and do not object to the matter being considered.

H. Quorum

A quorum shall be defined as:

- A simple majority (51%) of members, excluding vacancies AND
- Of those members in attendance, no fewer than 25% are business representatives.

No suspended member shall be included as a member. A member is deemed to be present at a meeting for the purpose of determining a quorum even if the member abstains from voting on one or more items on the agenda.

I. Manner of Acting

Each Workforce Board member shall have one vote. The act of a majority of the members present at a meeting at which a quorum is present shall be the act of the Workforce Board, subject to quorum and participation requirement in ORS 660.324 (4)(a). To the extent permitted by Oregon law, members may attend meetings by telephone or through other electronic means.

ARTICLE IV: Workforce Board Officers

A. Required Officers

The officers of the Workforce Board shall include a Chair, who shall be a private sector business representative, and a Vice-Chair/Secretary who shall also be a private sector business representative. The Workforce Board may elect other officers as deemed necessary. A single member may perform the duties of more than one office, with the exception of the duties of Chair and the Vice Chair/Secretary, which must be performed by separate members.

B. Duties of the Chair

The Chair shall preside at meetings; shall serve as the Workforce Board's chief spokesperson and signatory; shall appoint committee chairs and committee members subject to these bylaws and the Partnership Agreement; and, shall perform other duties assigned by the Workforce Board.

C. Duties of the Vice-Chair/Secretary

The Vice Chair/Secretary shall perform the duties of the Chair in the Chair's absence and shall perform other duties designated by the Workforce Board.

D. Election and Term

The Workforce Board’s officers shall be elected at the annual meeting and shall serve for two years. A member may serve two consecutive terms in the same officer position.

ARTICLE V: Committees

A. Creation of Committees

The Workforce Board and its Chair shall have the power to create both standing and ad-hoc committees and task groups. The Chair shall appoint committee members and committee chairs subject to Workforce Board’s direction.

B. Executive Committee

The Workforce Board’s Executive Committee may serve as the Board of Directors of a nonprofit corporation. The Executive Committee shall have the power and authority granted it by the Workforce Board.

ARTICLE VI: Code of Conduct

The Workforce Board shall adopt a Code of Conduct and Conflict of Interest, which shall meet all Federal, Oregon and NOWC requirements.

ARTICLE VII: Executive Director

The Workforce Board’s Executive Director shall staff the Workforce Board and the Northwest Oregon Workforce Consortium. The Executive Director shall assign other staff to perform Workforce Board and NOWC functions within the confines of budget constraints and direction from the Workforce Board and NOWC. The Executive Director shall work at the direction of the Chair, Oregon Northwest Workforce Investment Board and shall be annually evaluated.

ARTICLE VIII: Amendment

A. Amendment Process

These bylaws may be amended or repealed by an affirmative vote of a majority of the Workforce Board members at a regular or special meeting. Notice, which shall specify the changes to be made, shall be delivered to all members no less than three (3) days prior to the meeting at which bylaw amendment or repeal is to be acted upon. An affirmative vote in favor of bylaws amendment may be delivered in writing.

ARTICLE IX: Bylaws Enactment

These Workforce Board bylaws take effect on the date set forth below.

APPROVED BY THE WORKFORCE BOARD

Chair: _____ Date: _____

Program Year 2015	
Youth Services	
Measures	Total
Percentage of enrollments of Out of School Youth	89%
Number of new participants enrolled in the 2016 program year	56
Maintain enrollment of participants	100
Number of participants placed in work experience	55
Number of participants completing skills training leading to industry recognized certificate	7
Number of participants completing high school diploma or equivalency diploma	16
Number of participants earning the National Career Readiness Certificate	26
Number of participants confirmed employment	32
Adult Services	
Measures	Total
Number of participant attended WIOA-funded workshop attendance	1055
Number of participants enrolled in Individualized Services	156
Number of participants beginning training with an individualized training activity	32
Number of participants completed training with an individualized training activity	29
Number of participants beginning training with an on the job training activity	44
Number of participants completed training with an on the job training activity	35
Number of participants that earned a National Career Readiness Certificate	196
Number of participants placed into unsubsidized employment after receiving individualized career services	99