



SOUTH FLORIDA WORKFORCE INVESTMENT BOARD

ECONOMIC DEVELOPMENT AND INDUSTRY SECTOR (EDIS) COMMITTEE MEETING

**Thursday, June 21, 2012
8:00 AM**

Doubletree Miami Mart/Airport Hotel and Exhibition Center
711 N.W. 72nd Ave.
Miami, Florida 33126

AGENDA

1. Call to Order and Introductions
2. Approval of EDIS Committee Meeting Minutes
 - A. April 19, 2012
3. Information – Consumer Report Card Update
4. Information – Business Roundtable Focus Group
5. Information – Employed Worker Training (EWT) Application
6. Recommendation as to Approval of Revisions to the On-the-Job Training (OJT) Policy
7. Recommendation as to Approval of the Workforce Investment Act (WIA) Adult and Dislocated Worker Program Individual Training Accounts (ITA) Enrollment Policy



2.A

SFWIB - Economic Development and Industry Sector Committee

June 21, 2012

Minutes of SFWIB Economic Development and Industry Sector Committee Meeting – April 19, 2012

South Florida Workforce Investment Board
 Economic Development and Industry Sector Committee
 April 19, 2012 at 8:00 A.M.
 Doubletree by Hilton Airport Hotel Convention Center
 711 NW 72nd Avenue, 2nd floor
 Miami, Florida 33126

COMMITTEE MEMBERS IN ATTENDANCE	SFWIB STAFF	OTHER ATTENDEES
1. Andre “Andy” Perez – <i>Chair</i> 2. Ludwig, Philipp 3. Regueiro, Maria Cristina 4. Roth, Thomas 5. Russo, Monica 6. Wiedman, Holly	Beasley, Rick Edwards, Phillip Gomez, Maria Kavehersi, Cheri	Girnun, Arnie – <i>New Horizons, Inc.</i> Marin, Jesus – <i>Florida Vocational Institute</i> Wright, Troy E. - <i>Florida National University</i>
COMMITTEE MEMBERS NOT IN ATTENDANCE		
7. Brecheisen, Bruce 8. Diggs, Bill		

Agenda items are displayed in the order they were discussed.

1. Call to Order and Introductions

Committee Chairman, Andy Perez called the meeting to order at 8:26am, welcomed all those present and asked the members to introduce themselves.

2. Approval of EDIS Committee Meeting Minutes for April 14, 2011 and June 23, 2011, August 18, 2011, October 20, 2011, December 15, 2011 and February 16, 2012

Mr. Thomas Roth moved the approval of meeting minutes for April 14, 2011, June 23, 2011, August 18, 2011, October 20, 2011, December 15, 2011 and February 16, 2012. Motion was seconded by Mr. Philipp Ludwig; **Motion Passed**

All in favor with no opposition

3. Information – Consumer Report Card Update

Mr. Perez presented the item, explained the monthly reconciliation process, and reviewed with the Committee the Consumer Report Card table dated April 19, 2012 which shows the following:

- South Florida economy increased by \$5,796,492;
- For every dollar spent on training, SFWIB obtained a return of \$3.52;
- A total of 88% WIA participants completed classroom training;
- Of those completing training, 69% have obtained employment with an average wage of \$15.97;
- Total participants placed in a training-related occupation was 91%; and
- The net economic benefit per placement is \$25,877

Mr. Roth asked whether the total value added has increased over the past year and staff responded that it steadily has, but at a very slow pace.

Ms. Regueiro raised a concern regarding reverse referrals and recommended staff look into the possibility of reallocating any available de-obligated funds to training. She especially requested that funds be given to training providers that have met or exceeded completion and placement rates of 70%.

Mr. Perez asked those seated in the audience for their feedback and comments were given.

Mr. Perez inquired about the invoicing process. SFWIB Support Services Supervisor, Maria Gomez further explained.

After lengthy discussion regarding reverse referrals, reallocation of de-obligated funds, unexpended training dollars, funding streams and invoicing, the Committee recommended the following:

- Advertise a mega fair to include a prequalified check list so that vouchers can be given on the spot.
- Advertise individual industry training fairs based on the following One Community One Goal Targeted Industries list of which Ms. Wiedman read into record:

1. Aviation
2. Creative Design
3. Information and Technology
4. International Banking & Finance
5. Life Sciences and Health Care
6. Tourism and Hospitality
7. Trade and Logistics

Ms. Regueiro also recommended partnering with the Greater Miami Chamber of Commerce.

Executive Director, Rick Beasley appeared before the Committee and addressed the members operational concerns. He additionally explained that all resources except for Temporary Assistance For Needy Family (TANF) can be carried forward to the next program year.

A motion was duly made by Mr. Philipp Ludwig for staff to provide a report on where we stand, what has been done and what is expected operationally for the next few months to get us where we need to be. Ms. Russo seconded the motion; **Motion Passed**

All in favor with no opposition

5. Recommendation as to Approval of New Training Vendors, New Programs for the New Vendors and New Programs for an Existing Vendor

Mr. Perez introduced the item and Mr. Roth read it into record noting the below recommendations for approval of new training vendors to include new programs as well as new programs for existing training vendors:

New Training Vendor Request:

- Florida Vocational Institute, Corp
- Genesis Vocational Institute, Corp

Request to add new programs:

- Florida Vocational Institute, Corp
- Genesis Vocational Institute, Corp – Medical Assistant, Diploma; Electrocardiograph Technician, Diploma
- Bar Education, Inc. (Southeastern Collage/Keiser Career Collage) – Human Resources Administration, AS; Human Resources Administration, Diploma

Mr. Philipp Ludwig moved the approval of new training vendors, new programs for the new vendors and new programs for an existing training vendor. Ms. Holly Wiedman seconded the motion; **Motion Passed**

All in favor with no opposition

The Committee recommended that in the future, the following be provided by staff when determining whether to approve such related item for recommendation to the Board:

List of all deciding factors and additional supporting documents such as:

- Performance history information provided by the State
- Consumer Report Card report to ensure the 70% minimum performance standards have been met by existing training vendors
- Due diligence report

6. Recommendation as to Approval of the Waiver Request of the Limitation on the use of WIA Funds for Business Capitalization

Mr. Perez introduced the item and SFWIB Business Services Manager, Cheri Kavehersi provided further details.

Ms. Wiedman moved the approval of the waiver request of limitation on the use of WIA funds for Business Capitalization. Motion was seconded by Mr. Philipp Ludwig; **Motion Passed**

All in favor with no opposition

4. Information – 2012-13 Targeted Occupations Process

Item Deferred

There being no further business to come before the Committee, the Chairman adjourned the meeting at 9:32am.



3.

SFWIB – Economic Development & Industry Sector (EDIS) Committee

June 21, 2012

Consumer Report Card Update

Information Item

BACKGROUND

The SFWIB ITA Policy requires the monitoring of the performance of SFWIB approved Training Vendors. Accordingly, staff developed and implemented the Consumer Report Card Tool, which is an online report that updates ITA performances on a daily basis. The goal of the tool is to function as an “ITA Consumer Report Card,” enabling the consumer (participant) as well as the Career Advisor the ability to check on the success of individual programs and to evaluate the economic benefit per placement by program.

The attached Consumer Report Card table, dated June 12, 2012, indicates that the South Florida economy increased by \$ 7,752,610. For every dollar spent on training, SFWIB obtained a return of \$3.67. Eighty-eight percent of training services participants completed classroom training. Of those completing training, 70.82 percent have obtained employment with an average wage of \$15.76. Eighty-nine percent of the participants were placed in a training-related occupation. The net economic benefit per placement is \$25,756.

Attachment

Consumer Report Card

07/01/2011 - 06/30/2012

Training Agent	Total Outcome	Number of Completions	Number of Placements	% of Placements	# of Training Related Placements	% of Total Training Related Placements	Training Expenditures			Economic Benefit		Net Economic Benefit Per Placement	Value Added per Placement
							Avg. Cost Per Participant	Total Completion Expenditures	Total Expenditure Per Placement	Average Wage	Average Economic Benefit		
Advanced Technical Centers	13	13	13	100.00 %	13	100.00 %	\$ 3,236.54	\$ 42,075.00	\$ 3,236.54	\$ 10.61	\$ 22,068.80	\$ 18,832.26	\$ 5.82
American Advanced Technicians Institute	33	31	28	90.32 %	27	96.43 %	\$ 5,470.56	\$ 169,587.32	\$ 6,056.69	\$ 11.13	\$ 23,149.66	\$ 17,092.97	\$ 2.82
ATI Career College of Health - Medical Campus	8	6	1	16.67 %	1	100.00 %	\$ 5,522.81	\$ 33,136.88	\$ 33,136.88	\$ 12.00	\$ 24,960.00	(\$ 8,176.88)	(\$ 0.25)
ATI Career Training Center - Miami Campus	2	1	-	0.00 %	-	0.00 %	\$ 2,949.00	\$ 2,949.00	-	-	-	-	-
Broward College	2	1	1	100.00 %	1	100.00 %	\$ 2,787.50	\$ 2,787.50	\$ 2,787.50	\$ 22.50	\$ 46,800.00	\$ 44,012.50	\$ 15.79
College of Business & Technology- West Kendall	15	15	8	53.33 %	7	87.50 %	\$ 5,570.66	\$ 83,559.95	\$ 10,444.99	\$ 12.94	\$ 26,917.80	\$ 16,472.81	\$ 1.58
Compu-Med Vocational Career Corp.	3	3	-	0.00 %	-	0.00 %	\$ 1,398.33	\$ 4,195.00	-	-	-	-	-
Dade Medical College	1	1	-	0.00 %	-	0.00 %	\$ 4,922.00	\$ 4,922.00	-	-	-	-	-
Everest Institute (Hialeah)	1	-	-	0.00 %	-	0.00 %	\$ 1,690.38	-	-	-	-	-	-
Everest Institute (North Miami)	2	1	-	0.00 %	-	0.00 %	\$ 2,394.50	\$ 2,394.50	-	-	-	-	-
FastTrain -Miami Campus	2	2	2	100.00 %	2	100.00 %	\$ 6,647.50	\$ 13,295.00	\$ 6,647.50	\$ 15.50	\$ 32,240.00	\$ 25,592.50	\$ 3.85
Florida Education Institute, Inc.	1	1	-	0.00 %	-	0.00 %	\$ 5,679.81	\$ 5,679.81	-	-	-	-	-
Florida International University (CBC 200W)	1	1	1	100.00 %	1	100.00 %	\$ 9,500.00	\$ 9,500.00	\$ 9,500.00	\$ 9.00	\$ 18,720.00	\$ 9,220.00	\$ 0.97
Florida International University (MARC130)	4	4	4	100.00 %	3	75.00 %	\$ 5,012.08	\$ 20,048.30	\$ 5,012.08	\$ 14.81	\$ 30,794.40	\$ 25,782.33	\$ 5.14
Florida International University PC 120	1	1	1	100.00 %	1	100.00 %	\$ 1,666.00	\$ 1,666.00	\$ 1,666.00	\$ 16.23	\$ 33,758.40	\$ 32,092.40	\$ 19.26
Florida Keys Community College	1	-	-	0.00 %	-	0.00 %	\$ 1,973.86	-	-	-	-	-	-
Florida National College /Main Campus	5	3	2	66.67 %	1	50.00 %	\$ 4,160.51	\$ 12,481.54	\$ 6,240.77	\$ 11.10	\$ 23,088.00	\$ 16,847.23	\$ 2.70
Keiser Career College	3	2	1	50.00 %	1	100.00 %	\$ 4,985.58	\$ 9,971.15	\$ 9,971.15	\$ 20.00	\$ 41,600.00	\$ 31,628.85	\$ 3.17
Management Resources, Inc. - Main Campus	4	4	3	75.00 %	1	33.33 %	\$ 3,904.00	\$ 15,616.00	\$ 5,205.33	\$ 16.25	\$ 33,806.93	\$ 28,601.60	\$ 5.49
MDCP SCHOOLS (ALL)	41	35	19	54.29 %	16	84.21 %	\$ 2,422.82	\$ 84,798.80	\$ 4,463.09	\$ 13.10	\$ 27,245.81	\$ 22,782.72	\$ 5.10
Metropolitan Trucking and Technical Institute	6	6	2	33.33 %	2	100.00 %	\$ 3,150.52	\$ 18,903.14	\$ 9,451.57	\$ 9.37	\$ 19,489.60	\$ 10,038.03	\$ 1.06
Miami-Dade College	91	66	45	68.18 %	39	86.67 %	\$ 3,151.26	\$ 207,983.36	\$ 4,621.85	\$ 18.15	\$ 37,757.55	\$ 33,135.69	\$ 7.17
New Horizons	62	62	55	88.71 %	51	92.73 %	\$ 7,910.50	\$ 490,451.00	\$ 8,917.29	\$ 19.19	\$ 39,913.69	\$ 30,996.40	\$ 3.48
New Professions Technical Institute	26	19	7	36.84 %	5	71.43 %	\$ 3,768.89	\$ 71,608.90	\$ 10,229.84	\$ 9.57	\$ 19,908.57	\$ 9,678.73	\$ 0.95
SABER	12	12	5	41.67 %	5	100.00 %	\$ 5,851.91	\$ 70,222.90	\$ 14,044.58	\$ 12.00	\$ 24,960.00	\$ 10,915.42	\$ 0.78
South Florida Career Institute	1	1	1	100.00 %	1	100.00 %	\$ 4,686.50	\$ 4,686.50	\$ 4,686.50	\$ 14.50	\$ 30,160.00	\$ 25,473.50	\$ 5.44
South Florida Institute of Technology, Inc.	6	6	4	66.67 %	4	100.00 %	\$ 2,486.73	\$ 14,920.40	\$ 3,730.10	\$ 9.75	\$ 20,280.00	\$ 16,549.90	\$ 4.44
Sullivan & Cogliano Training Centers,Inc. Kendall	58	56	45	80.36 %	36	80.00 %	\$ 5,244.86	\$ 293,712.08	\$ 6,526.94	\$ 13.04	\$ 27,128.75	\$ 20,601.81	\$ 3.16
Technical Career Institute	18	16	6	37.50 %	5	83.33 %	\$ 6,612.09	\$ 105,793.50	\$ 17,632.25	\$ 11.33	\$ 23,562.93	\$ 5,930.68	\$ 0.34
The Academy	34	33	32	96.97 %	31	96.88 %	\$ 8,843.16	\$ 291,824.34	\$ 9,119.51	\$ 24.40	\$ 50,746.80	\$ 41,627.29	\$ 4.56
The CDL School, Inc.	24	23	15	65.22 %	13	86.67 %	\$ 4,315.88	\$ 99,265.13	\$ 6,617.68	\$ 12.88	\$ 26,789.01	\$ 20,171.34	\$ 3.05
	481	425	301	70.82 %	267	88.70 %	\$ 4,972.34	\$ 2,113,246.04	\$ 7,020.75	\$ 15.76	\$ 32,776.93	\$ 25,756.18	\$ 3.67



4.

SFWIB – Economic Development & Industry Sector (EDIS) Committee

June 21, 2012

Business Roundtable Focus Group

Information Item

BACKGROUND

To assist businesses in Region 23 and to enhance training and employment opportunities for jobseekers, SFWIB partnered with economic development organizations, chambers of commerce and community-based organizations to host a series of Business Incentives Roundtables.

At the March 27, 2012 Executive Committee meeting, a proposal was made to include a focus group to the roundtable series. The focus group will provide feedback on SFWIB's business services. Businesses in the region were invited to attend the roundtable. The roundtable took place on May 2, 2012 at the SFWIB Headquarters. The meeting was comprised of a panel of 13 companies that have participated in Employed Worker Training (EWT), On-the-Job Training (OJT), tax incentives, recruitment, and/or other programs and services. All businesses representatives completed a questionnaire and a "Consent to Participate" form sent prior to the meeting.

The goal of the workshop is to afford businesses an opportunity to discuss their experiences, voice concerns and offer suggestions for improving SFWIB's services to a business.

The businesses' consensus was that although they have experienced many challenges with Career Center service delivery, they are pleased with the incentives offered by SFWIB. As a result, the focus group proposed various recommendations to address existing inefficiencies (i.e., ethics, bureaucracy, reimbursement, etc.) and to capitalize on current strengths.

In presenting methods for improvement, a few businesses suggested, to which all agreed to resume conducting meetings of the previously established Business Advisory Council; institute more checks and balances; and implement service delivery standardization.



5.

SFWIB – Economic Development & Industry Sector (EDIS) Committee

June 21, 2012

Employed Worker Training (EWT) Application

Information Item

BACKGROUND

SALT Service, Inc. (SALT) submitted an application to train and upgrade the skills of its employees in Monroe County. SALT specializes in the design, installation and servicing of renewable energy sources (solar and wind power systems) for marine, residential and commercial customers in South Florida and the Caribbean. The company has been in business for 25 years and expanded into the renewable energy (solar) market by becoming the first Florida Certified Solar Contractor in Monroe County.

The project will focus on SALT’s new point-of-sale Electronic Service Control (ESC) software system and solar training. The training will be company-wide and will allow the business to retain at least two employees. Training is projected to be completed by June 30, 2012.

The ESC system will optimize SALT’s use of flow maps which will facilitate a more efficient workflow and transition into a digital operation; thereby improving service delivery and projected growth. Employees will complete all ESC system modules related to its complex all-in-one dispatching, communication and accounting software. Additionally, as part of the company’s “authorized dealer” agreement requirement, Advanced Residential Design, Sales and Installation solar training will be administered. Employees who successfully complete the training will receive a certificate of completion.

The table below sets forth the cost of the project.

Project Amount	Number of Employees to be Trained	Average Hourly Wage
\$8,093.00	11	\$17.19



6.

SFWIB – Economic Development & Industry Sector (EDIS) Committee

June 21, 2012

Approval of Revisions to the On-the-Job Training (OJT) Policy

RECOMMENDATION

SFWIB staff recommends to the EDIS Committee to recommend to the Board the approval of revisions to the SFWIB On-the-Job Training (OJT) Policy as set forth below.

BACKGROUND

At the February 24, 2011 Board meeting, the On-the-Job Training (OJT) Policy was approved. The purpose of the OJT Policy revisions is to provide all SFWIB stakeholders with clear, uniform guidelines and parameters regarding the use of training funds through OJT agreements. The Policy has three principal benefits: provide minimum standards and suggestions for implementing federally funded OJT, promote an increase in the utilization of OJT, and to encourage Service Providers to develop consistent protocol and streamline processes throughout the region for developing effective OJTs that best meet the needs of the local business community.

The revisions to the OJT Policy will further clarify business eligibility, compensation and items recommended by the State.

Note that the policy revisions will be implemented following approval by the SFWIB.

Attachment

SFWIB ON-THE-JOB TRAINING (OJT) POLICY

I. **OF INTEREST TO**

The On-the-Job Training (OJT) Policy should be of interest to members of the South Florida Workforce Investment Board (SFWIB), SFWIB staff, Contractors (Service Providers), Training Vendors, Businesses, Job Seekers, and Employees in Region 23 (Miami-Dade and Monroe counties).

II. **SUBJECT**

On-the-Job Training (OJT)

III. **PURPOSE**

The purpose of the OJT Policy is to provide all SFWIB stakeholders with parameters regarding the use of training funds through OJT agreements. As seen in the Agency for Workforce Innovation (AWI) Final Guidance 00-009, OJT is a required component of the SFWIB Training Master Plan.

IV. **STATUTORY AUTHORITIES**

Public Law 105-220, Workforce Investment Act of 1998 (WIA)

Florida Statutes, Title XXXI, Chapter 445, Workforce Innovation Act of 2000

V. **BACKGROUND**

The WIA includes OJT as one of its approved training services. SFWIB provides OJT services via an agreement with a business (public, private non-profit or private for-profit), Service Provider, and an eligible participant. Through OJT, businesses may receive funding to assist in offsetting the extraordinary costs of hiring and training a new employee.

VI. **DEFINITIONS**

A. On-the-Job Training (OJT)

Section 101 (31) of WIA defines On-the-Job Training as:

1. Provides knowledge or skills essential to the full and adequate performance of the job;
2. Provides reimbursement to the business a percentage of the wage rate for a participant(s), for the extraordinary cost of providing training and additional supervision related to the training; and
3. Is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior education and work experience of the participant, and the service strategy.

B. Conflict of Interest

1. SFWIB will not favor a referral from and/or to a member of the SFWIB over another business in the community. OJT placements shall be made based upon what will be most beneficial to the participant.
2. The SFWIB shall be notified whenever the OJT Agreement is connected to a SFWIB member, Service Provider or employee.
3. Service Providers are prohibited from recommending an agreement or making OJT referrals to businesses who are members of their immediate family or members of families of other Service Provider staff or SFWIB staff.
4. The contracted OJT business shall not hire a participant who is a relative (member of the family) of the business. Relative is defined as: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister. (Section 112.3135, Florida Statutes)

C. Credentials

Credentials include, but are not limited to, a high school diploma, including special diplomas; GED or other recognized equivalents; post-secondary degrees/certificates; recognized skill standards such as occupational completion points (OCP); licensure or industry-recognized certificates; and, successful completion of OJT and Customized Training.

D. Reverse Referrals

A reverse referral is when the business has identified someone they would like to hire but the individual has demonstrated skills deficiency related to the position's requirements. A business may refer a job applicant to the Service Provider for potential OJT enrollment. In the case of reverse referrals, the candidate must schedule an eligibility determination and assessment appointment with a Service Provider and must be eligible for WIA as a dislocated worker or adult. The Service Provider must utilize normal eligibility assessment and enrollment procedures.

Participant's eligibility must be determined prior to employment; no pre-hires or period of employment prior to the execution of an OJT agreement and participant training plan are acceptable.

VII. ELIGIBILITY

A. Business

Prior to entering into an agreement for OJT services with a business, the Service Provider shall ensure that the business is eligible.

Businesses that meet the following criteria are considered eligible and may, subject to available funding, enter into an OJT agreement:

1. Located in the State of Florida;

2. Hold valid business tax receipt (formally an occupational license) and/or zoning permit;
3. Maintains Workers Compensation Insurance (if applicable);
4. Active business as verified by Florida Department of State Division of Corporations (www.sunbiz.org);
5. Business has operated at current location for at least 120 days.

B. Participant (Unemployed)

Participants (unemployed adults and dislocated workers) that meet the following criteria may, subject to available funding, receive OJT through an executed OJT agreement:

1. Eligible under one of the SFWIB funded programs: WIA Youth, WIA Adult, WIA Dislocated, TANF, Refugee, etc. **Note:** for OJT NEGs, eligibility is limited to dislocated workers only.
2. Not fully skilled in the chosen occupation, is in need of Training Services, and has the skills and qualifications to successfully complete the OJT.
3. Under the WIA, has received at least one intensive service, such as development of an Individual Employment Plan (IEP) with a career advisor or individual counseling and career planning, before receiving OJT services.

C. Training Vendors

Service Providers may only refer OJT participants to SFWIB-approved Training Vendors.

VIII. OJT AGREEMENT

A. Conditions

1. Participants may not commence training and businesses may not hire prior to the execution of the OJT agreement. The agreement is executed when signed by all required parties, i.e., Service Provider, business, and participant.
2. The following three sections must be pre-negotiated and included in the OJT agreement:
 - a. Percent of Reimbursement;
 - b. Timeframe for achievement of competencies; and
 - c. Intervals at which the business will be reimbursed.
3. The appropriate signatory for the business shall be either the owner where the business is incorporated; a partner where the business is a partnership; or an officer if the business is a corporation. Corporations sometimes designate signatories other than their officers. In such instances, written authority transferring signatory responsibilities must be obtained by the individual responsible for developing the agreement.
4. Service Providers are responsible for reviewing the agreement with both the business and the participant prior to execution to assure that the business and participant wholly understand and are familiar with the requirements of the agreement.

5. The participant's attainment of competencies must be routinely documented by the business and Service Provider and placed in the participant's file.
6. OJT may be sequenced with, or accompanied by, other types of training, such as remedial education, basic skills training or occupational skills training.
7. Businesses shall establish and maintain records with respect to all matters covered by the OJT agreement. Businesses shall retain such records for at least five (5) years from the date of final payment, or until all related federal and state audits or litigation is completed, whichever is later. Businesses shall allow public inspection of all documents, papers, letters or other materials made or received by the business in conjunction with the OJT agreement, unless the records are exempt under federal or state law.
8. The OJT business shall comply with the nondiscrimination and equal opportunity provisions of federal or state law.
9. The Business agrees to comply with the provisions of the Certification Regarding Lobbying, Certification Regarding Debarment, Suspension and Other Matters, Public Entity Crime, Florida Clean Indoor Air Act and the Certification regarding a Drug-Free Workplace.

B. Duration

1. An OJT agreement shall be limited to the period of time required for a participant to become proficient in the occupation for which the training is being provided. In determining the appropriate length of the agreement, consideration should be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, prior work experience, and the participant's IEP.
2. OJT agreements shall not exceed six months of training unless there is documented justification and written approval from the SFWIB Executive Director.
3. For OJT NEGs, the OJT duration caps at six months.
4. An OJT agreement may be written or extended beyond the initial periods under the following conditions:
 - a. A barrier to skills attainment is identified during training, which was not evident during the assessment.
 - b. The participant has been unable to master the skills within the agreement's time frame.
 - c. The training plan measures used during the assessment to identify participant's skills proficiencies prove to be inadequate based upon business evaluation after participant is placed on the job.
 - d. There is an upgrade in the participant's job description from that developed upon entry into training in which case the ending wage for the participant should be increased from the wage identified upon entry into training.

C. Compensation

1. Eligible Service Providers and Training Vendors may not execute OJT agreements exceeding a total possible business compensation of \$10,000 per participant without prior written SFWIB approval.
2. Participants employed under an OJT agreement shall be compensated by the business at the same rates, (including periodic increases) as similarly situated employees. In no event, however, shall OJT participants be paid less than the higher of the minimum wage specified under the Fair Labor Standards Act of 1938, as amended or the applicable state or local minimum wage.
3. Participants employed under a SFWIB OJT agreement shall receive the same fringe benefits and be subject to the same working conditions granted to regular employees under the same or similar occupational title. The business will bear the full cost of fringe benefits for OJT participants, including holiday pay, insurance, taxes, etc.
4. Payments to a business under an OJT agreement shall not exceed program specific guidelines, for the costs of providing the training and additional supervision related to the training; and reimbursement of the participant's wage rate.
5. OJT payments may not be based on overtime, shift differential, premium pay and other non regular wages paid by the business to participants.
6. Businesses may not pay OJT participants in cash.
7. Businesses shall submit certified payroll records, as part of the invoice process, in order to receive the applicable reimbursement.
8. Businesses will be reimbursed by Service Providers **as competencies/skills are met** with the final reimbursement upon the completion of the last competency and proper documentation has been provided. Reimbursement should coincide with the business pay period. The reimbursement amounts will be based upon the relevant funding stream requirements and any waivers at the time of the agreement. As seen in Section X of this policy, Service Providers may submit a written request to the SFWIB Executive Director to approve an exception to the reimbursement process.

IX. GRIEVANCES AND APPEALS

Service Providers shall advise participants of their right of appeal using either the business' grievance procedures, or those of the SFWIB, if previously agreed with the business. If a business elects to use its own grievance procedures, the business must agree to provide information to SFWIB as to actions taken under those procedures. If the participant is not satisfied with the outcome after using the business' grievance procedures, then he/she may elect to file a grievance with SFWIB under the SFWIB grievance procedures.

X. EXCEPTIONS

Exceptions to this policy, or any part thereof, must be approved in writing by the SFWIB Executive Director.

XI. PROHIBITIONS

1. Workforce participants who have previously received an Individual Training Account (ITA) for occupational training are ineligible to participate in OJT.
2. Participants shall not be employed to carry out the construction, operation, or maintenance of any part of any facility that is used or to be used for sectarian instruction or as a place for religious worship (except with respect to the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship, in a case in which the organization operating the facility is part of a program or activity providing services to participants).
3. OJT agreements shall not be written for part-time employment. Proof of full-time employment shall be established and documented by the business. Whether the participant is categorized as full-time shall be verified by the Service Provider.
4. OJT agreements shall not be written for jobs with a Specific Vocational Preparation (SVP) of two or under, except for participants who have a documented disability for whom such a placement would be appropriate or where written justification is provided to and approved by the SFWIB Business Services Manager. Documentation shall indicate the appropriateness of training and why the training is necessary to obtain the skills for the job. Lack of prior work history or non-English speaking are not to be considered disabilities for the purpose of complying with this provision, but may justify placement into a job with a low SVP.
5. The Service Provider shall not enter into agreement with a business who has previously exhibited a pattern of failing to provide OJT participants with continued long-term employment with wages, benefits, and working conditions that are equal to those provided to regular employees who have worked a similar length of time and are doing the same type of work.
6. OJT training funds shall not be spent on construction or purchase of facilities or buildings except:
 - a. To meet a recipient's obligation to provide physical and programmatic accessibility and reasonable accommodation as required by the Americans with Disabilities Act (ADA);
 - b. To fund repairs, renovations, alterations and capital improvements of property, including: (i.) State Employment Service Agency (SESA) real property, identified at WIA section 193, using a formula that assesses costs proportionate to space utilized; (ii.) Job Training Partnership Act (JTPA) owned property which is

- transferred to WIA Title I programs; and (iii.) Job Corps facilities, as authorized by WIA section 160(3)(B); and
- c. To fund disaster relief employment on projects for demolition, cleaning, repair, renovation, and reconstruction of damaged and destroyed structures, facilities, and lands located within a disaster area. (WIA Sec. 173(d))
7. No officer, employee, agent, or representative of the Business or Service Provider may charge a participant a fee for the placement or referral of such individual in or to a training funded under an OJT agreement or amendments thereof.
 8. An OJT participant must not displace (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits) any currently employed employee (as of the date of the participation).
 9. An OJT funded agreement must not impair existing contracts for services or collective bargaining agreements. When a program or activity authorized under title I of WIA would be inconsistent with a collective bargaining agreement, the appropriate labor organization and employer must provide written concurrence before the an agreement begins.
 10. An OJT participant may not be employed in or assigned to a job if:
 - a. Any other individual is on layoff from the same or any substantially equivalent job;
 - b. The employer has terminated the employment of any regular, unsubsidized employee or otherwise caused an involuntary reduction in its workforce with the intention of filling the vacancy so created with the OJT participant; or
 - c. The job is created in a promotional line that infringes in any way on the promotional opportunities of currently employed workers.
 11. OJT funds shall not be used for any political activity, lobbying of federal, state or local legislators, or to promote or oppose unionization.
 12. OJT funds may not be used to directly or indirectly assist, promote or deter union organizing.
 13. OJT participants shall not be placed in a home-based business.
 14. OJT funds shall not be used to encourage or induce a business, or part of a business, to relocate from any location in the United States, if the relocation results in any employee losing his or her job at the original location.



7.

SFWIB – Economic Development & Industry Sector (EDIS) Committee

June 21, 2012

Approval of the Workforce Investment Act (WIA) Adult and Dislocated Worker Program Individual Training Accounts (ITA) Enrollment Policy

RECOMMENDATION

SFWIB staff recommends that the EDIS Committee recommend to the Board the approval of the WIA ITA Enrollment Policy as explained below.

BACKGROUND

The Board of Directors of Workforce Florida, Inc., (WFI) at its May 24, 2012 meeting, adopted measures to implement changes mandated in Chapter 2012-29, L.O.F. A draft guidance paper was issued for review and comment prior to final adoption regarding ITA Guidelines.

To comply with the new board membership requirements by July 1, 2012, SFWIB is proposing the WIA ITA Enrollment Policy. This policy will provide the necessary guidelines to meet the requirement that 50% of the WIA Adult and Dislocated Worker funds passed through to RWBs are allocated and expended for Individual Training Accounts (ITAs).

This item was discussed at the Executive Committee meeting held on May 22, 2012 and on June 2, 2012 SFWIB Strategic Planning Workshop.

Attachment

**WORKFORCE INVESTMENT ACT (WIA)
ADULT AND DISLOCATED WORKER PROGRAM
INDIVIDUAL TRAINING ACCOUNT (ITA) ENROLLMENT POLICY
SFWIB PY' 2012-2013**

OF INTEREST TO

South Florida Workforce Investment Board (SFWIB), SFWIB Region 23 (Miami-Dade and Monroe Counties) Workforce Services Contractors (Service Providers), Training Vendors, and SFWIB staff involved in implementing Workforce Investment Act (WIA) Program and related workforce services, and the general public.

SUBJECT

Guidelines for requirements regarding WIA Individual Training Accounts (ITAs) enrollments so that at least 50% of the WIA Adult and Dislocated Worker funds allocated to SFWIB are expended for ITAs.

PURPOSE

Outlined below are the policies for WIA ITA Enrollment standards for the purpose of expending, by the end of each Fiscal Year (FY) **at least 50** percent of the WIA Adult and Dislocated Worker funding awarded to the SFWIB Service Providers for training in Service Account Management Systems (SAMS) on qualified ITA costs (authorized ITA expenditures may only include tuition, books and fees of training vendors and "other training services" prescribed and authorized by the Workforce Investment Act and SFWIB).

BACKGROUND

Ch. 2012-29, Laws of Florida (L.O.F.), amended s. 445.003(3)(a)1., F.S., to reduce the types of expenditures authorized as Individual Training Accounts (ITAs). It did not change the ITA reserve requirement and WFI's authority to grant a waiver from the requirement.

s. 445.003(3)(a)1. Florida Statutes was amended as follows:

(3) FUNDING.—

(a) Title I, Workforce Investment Act of 1998 funds; Wagner-Peyser funds; and NAFTA/Trade Act funds will be expended based on the 5-year plan of Workforce Florida, Inc. The plan shall outline and direct the method used to administer and coordinate various funds and programs that are operated by various agencies. The following provisions shall also apply to these funds:

1. At least 50 percent of the Title I funds for Adults and Dislocated Workers that are passed through to regional workforce boards shall be allocated to and expended on Individual Training Accounts unless a regional workforce board obtains a waiver from Workforce Florida, Inc. Tuition, books, and fees of training providers and other training services prescribed and authorized by the Workforce Investment Act of 1998 qualify as an Individual Training Account expenditure.

Effective July 1, 2012, authorized ITA expenditures may only include tuition, books and fees of training vendors and “other training services” prescribed and authorized by the Workforce Investment Act and SFWIB.

GUIDANCE

To meet the requirements that at least 50% of the WIA Adult and Dislocated Worker funds allocated to SFWIB are expended for ITAs, SFWIB will implement quarterly ITA Enrollment standards for each Fiscal Year (FY) effective July 1, 2012.

Methodology for Standards:

- Each Workforce Services Contractor’s WIA Adult and Dislocated Worker standard will derive from the following methodology using the funding allocated and historical data:
 - The number of ITA enrollments based on the funding amount allocated for training in SAMS
 - Divide by the Region’s average ITA cost per participant
 - Divide by four to get the quarter
 - Add the quarterly ITA Enrollment average for the last three FY’s
 - Divide the sum by two in order to get an average (standard)

$$\text{Quarterly:} \\ \underline{\underline{[\text{Enrollment \#} = (\text{funding} / \text{avg. ITA cost})] + [\text{ITA enrollment average} = (\text{historical})]}} \\ 2$$

Process for Measuring Compliance:

- These ITA Enrollment Standards will be applied to the Workforce Services Contract Statement of Work and Performance. The standards will be measured on a quarterly basis reviewing WIA Enrollment data from Employ Florida Marketplace (EFM) System and SAMS.

Non-Compliance:

- Service Providers that do not meet the minimum WIA ITA Enrollment Standard on a quarterly basis will not be awarded incentives as set forth in the contract and will be placed on a mandatory corrective action to increase the number of enrollments to ultimately meet the total (four quarters) enrollment standards by the end of the FY. Service Providers that fail to meet the total WIA ITA Enrollments standard by the end of the FY will be in non-compliance with this policy and in breach of contract. SFWIB may pursue any or all of the remedies set forth in the contract, for breach of contract.

(Minimum)
WIA ITA ENROLLMENT STANDARD

(Based on Funding and Historical Data)				
Career Center	Quarterly			Annual
	# from PY 11- 12 funding	3 Years Quarterly Average	Standard	Totals
Carol City	30	35	33	131
Hialeah Downtown	52	25	39	154
Hialeah Gardens	27	34	31	122
Homestead	26	21	23	94
Little Havana	57	34	45	181
Miami Beach	48	33	41	162
Monroe	32	6	19	77
North Miami Beach	47	28	37	149
Northside	55	45	50	200
Perrine	43	29	36	142
West Dade	59	50	54	216
City of Miami	32	n/a	32	127
Transition Inc.	27	n/a	27	108
Region	535	370	453	1,810