



SOUTH FLORIDA WORKFORCE INVESTMENT BOARD

Executive Committee Meeting

Thursday, October 14, 2021

8:15 A.M.

CareerSource South Florida Headquarters
7300 Corporate Center Drive
Conference Room 2
Miami, Florida 33126

AGENDA

1. Call to Order and Introductions
2. Approval of Executive Committee Meeting Minutes
 - A. August 12, 2021
 - B. September 9, 2021
3. Informational – Summer Youth Employment Program Update
4. Informational – U.S. Department of Labor, Employment and Training Administration Report
5. Recommendation as to Approval to Allocate Workforce Service for the Miami Community Ventures Program
6. Recommendation as to Approval of a One-Stop Operator Temporary Contract
7. Recommendation as to Approval of a New Programs for an Existing Training Provider

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"Members of the public shall be given a reasonable opportunity to be heard on a specific agenda item, but must register with the agenda clerk prior to being heard."



He furthermore provided an overview of recommended changes to the proposed amended By-Laws, which includes revisions to the following areas:

- Requirements for composition of the Board
- Member Management (vacancies, nominations, attendance, reappointment and removal)
- Duties and Responsibilities of the Board
- Communications via media technology
- Committees, Councils, and Meetings

Mr. Beasley advised proposed changes are outlined by article for ease of viewing. Comments from legal and Ms. Kaverhersi are included for Board review.

Furthermore, Mr. Beasley elaborated about the proposed changes to the appointment, recommendation, and application process for new members of the Board.

There was continued discussion.

Chairman Perez asked for a status on Monroe County. Mr. Beasley provided an update on the outcome of previous decisions around its separation from Miami-Dade County. Mr. Smith provided an update on the College of the Florida Keys; contract is currently under review with their legal team.

There was continued discussion.

Ms. Ferradez asked for clarification around changes to the attendance requirements (page 6; section 4e).

Mr. Smith clarified that the Board meets six (6) times per year. Members are required to physically attend meetings four (4) times; the remaining two (2) can be virtual. If meetings are scheduled to occur solely via telecommunications and there is no “in-person” option, the session will not count against the allotted two (2) times members are permitted to attend remotely.

Revision needed to bring about further clarity around attendance requirements.

[Item tabled until next meeting.]

6. Recommendation as to Approval of Rapid Response and Layoff Aversion Initiatives

Chairman Perez introduced the item and Mr. Beasley further presented.



Legal names should be changed to reflect the South Florida Progress Foundation, Inc. and The Beacon Council Economic Development Foundation; as such, we recommend that the board rescind the allocation of funds approved by the SFWIB on June 17, 2021 and reallocate those funds to the aforementioned entities.

Ms. Ferradaz clarified that the award approved on June 17, 2021 will be rescinded and re-allocated to the entities under their correct legal names.

Mr. Beasley advised that the funds would be rescinded and re-issued accordingly.

Mr. Charles Gibson moved the approval of Rapid Response and Layoff Aversion Initiatives. Motion seconded by Ms. Gilda Ferradaz; **Motion Passed Unanimously**

7. Recommendation as to Approval of the BEAN Automotive Apprenticeship Program

Chairman Perez introduced the item and Mr. Beasley further presented.

Program was created in partnership with Miami-Dade College and Bean Automotive. The apprenticeship program will reimburse employers up to \$4,000.00 for fifteen (15) candidates. The program is 1-2 years and candidates will graduate with ASE Certification and be certification in both Toyota and Lexus.

There was further discussion.

Mr. Beasley further elaborated on pending apprenticeship programs with Warren Bean, ASIU, Miami-Dade County Public Schools and more.

Mr. Charles Gibson moved the approval of the BEAN Automotive Apprenticeship Program. Motion seconded by Mr. del Valle; **Motion Passed Unanimously**

8. Recommendation as to Approval of WIOA Opportunity Zone OJT Waiver Request

Chairman Perez introduced the item and Mr. Beasley further presented.

Mr. Beasley advised that the State of Florida have 415 Opportunity Zones, 68 are located in our region. The waiver afford us the opportunity to reimburse up to 100% of the training cost for an employer located in an opportunity zone. Because of the Opportunity Zone designation, and the challenge that COVID-19 has presented, this is a way for us to assist workers in getting back to work and providing employers with a reimbursement of costs associated with training staff.



If the waiver is approved by the U.S. Department of Labor, Workforce Boards across the nation can use it in their respective areas.

Mr. Perez asked if the waiver was for all opportunity Zones. Mr. Beasley affirmed.

Mr. del Valle asked if the business had to conduct the trainings within the opportunity zone or does the business have to be located in the Opportunity Zone.

Mr. Beasley provided clarification; the business must be located in the Opportunity Zone.

Mr. Beasley further shared that the overall goal would be to add language to the upcoming appropriation bill that will allow the Secretary of Labor to waive eligibility in designated opportunity zones nationwide. This change, will allow us to assist individuals faster and assist in kick starting our recovery.

There was further discussion.

Mr. Charles Gibson moved the approval of the WIOA Opportunity Zone OJT Waiver Request. Motion seconded by Mr. del Valle; Motion Passed Unanimously

3. Information – REACH Act - House Bill 1507 Update

[Mr. Gibson left the meeting]

Mr. Beasley shared the Ms. Kaverhersi created the REACH Act Checklist to ensure we are in alignment with the required changes the law presents.

Mr. Smith provided an update on an upcoming apprenticeship program for Early Learning Practitioners.

4. Information – WIOA Layoff Aversion Fund Initiative Update

There being no further business to come before the Board, meeting adjourned at 9:01am.



SFWIB Executive Committee: October 14, 2021

Agenda Item 2B:

SFWIB EXECUTIVE COMMITTEE MEETING MINUTES

DATE: SEPTEMBER 9, 2021

LOCATION: MIAMI-DADE COUNTY- HIALEAH CAMPUS
 1780 WEST 49TH STREET, BLD. 2, 1ST FLOOR
 HIALEAH, FL 33012

1. **CALL TO ORDER:** 10:18AM
2. **ROLL CALL:** 5 members; 4 required; 4 present: Quorum established.

SFWIB EXECUTIVE COMMITTEE MEMBERS PRESENT	SFWIB MEMBERS ABSENT	SFWIB STAFF
Perez, Andy, Chair Gibson, Charles, Vice-Chair del Valle, Juan-Carlos Ferradaz, Gilda SFWIB MEMBERS Brecheisen Bruce Bridges, Jeff Brown. Clarence Chi, Joe Datorre, Roberto Gazitua, Luis Piedra, Obdulio Rod, Denis Scott, Kenneth	Garza, Maria	Beasley, Rick Gilbert, David Kelly, Travis Morgan, Ebony Robert Smith Yian Perrin ADMINISTRATION/IT Almonte, Ivan Butkowski, Dennis Francis, Anderson McFarland, Cassandra SFWIB LEGAL COUNCIL Graves, Shanika, A. Assistant County Attorney, Miami Dade Melissa Gallo, Assistant County Attorney, Miami Dade
OTHER ATTENDEES		
Carlena Mitchell, Miami-Dade County Public Schools Mr. Torres, Miami-Dade County Public Schools		



Agenda items are displayed in the order in which they were discussed.

SFWIB Executive Director, Mr. Beasley clarified that the Executive Committee will only approve financial items; not policy items. In the interest of time, he will read off all items; members will vote at the conclusion of the reading.

- 5C. Recommendation as to Approval of Rapid Response and Layoff Aversion Initiatives**
- 5D. Recommendation as to Approval of the BEAN Automotive Apprenticeship Program**
- 6B. Recommendation as to Approval to Accept Workforce System Funding**
- 6C. Recommendation as to Approval to Accept Workforce Innovation and Opportunity Administration (WIOA) State Level Supplemental Funds**
- 6D. Recommendation as to Approval to Accept Miami Dade County Public Housing and Community Development Funds**
- 7C. Recommendation as to Approval of New Training Providers and Programs and New Programs for an Existing Training Provider**
- 7D. Recommendation as to Approval to Allocate Funds for the Miami Dade County Public Schools Youth Pre-Apprenticeship Career and Technical Training Program**

Passed for Recommendation to the Full Board by Consensus of the Members Present

There being no further business to come before the Board, the meeting adjourned at 10:22am.



SFWIB EXECUTIVE COMMITTEE

DATE: 10/14/2021

AGENDA ITEM NUMBER: 3

AGENDA ITEM SUBJECT: SUMMER YOUTH INTERNSHIP PROGRAM UPDATE

AGENDA ITEM TYPE: **INFORMATIONAL**

RECOMMENDATION: N/A

STRATEGIC GOAL: **DEDICATED COMMITMENT TO YOUTH PARTICIPATION**

STRATEGIC PROJECT: **Emphasize work-based learning and training**

BACKGROUND:

Miami-Dade County, The Children's Trust, The School Board of Miami-Dade County, The Foundation for New Education Initiatives, Inc., and The South Florida Workforce Investment Board (SFWIB) d/b/a CareerSource South Florida have partnered to provide a countywide Summer Youth Internship Program (SYIP). In its sixth year, the Summer Youth Employment Program has provided employment activities and services to 2,321 of South Florida's future workforce. The SYIP program is designed to provide entry-level positions with local businesses, the private sector and community-based organizations.

As part of the initiative, the SFWIB invested \$1.5 million in Temporary Assistance for Needy Families funds to cover up to 900 of the youth that were served. The funds covered employment opportunities for youth with barriers to employment, particularly those whose families receive cash assistance and free or reduced lunch.

The youth participants, ages 15-18, were provided with 30 hours of work per week with a wage subsidy of \$1,300.00 over a period of five weeks. Each participant's wage subsidy consisted of two \$650.00 payments. In addition, participants earned high school course credits and were given an opportunity to earn college credits.

The SFWIB served approximately 865 participating youth. Of the 865 youth served, all of the participants received free or reduced lunch and 86 were classified as disabled.

FUNDING: N/A

PERFORMANCE: N/A

NO ATTACHMENT



SFWIB EXECUTIVE COMMITTEE

DATE: 10/14/2021

AGENDA ITEM NUMBER: 4

AGENDA ITEM SUBJECT: U.S.DEPARTMENT OF LABOR, EMPLOYMENT AND TRAINING REPORT

AGENDA ITEM TYPE: **INFORMATIONAL**

RECOMMENDATION: N/A

STRATEGIC GOAL: **HIGH ROI THROUGH CONTINUOUS IMPROVEMENT**

STRATEGIC PROJECT: **Strengthen workforce system accountability**

BACKGROUND:

During the period of November 16, 2020 – September 1, 2021, the U.S. Department of Labor (DOL), Employment and Training Administration (ETA) conducted an Enhanced Desk Monitoring Review (EDMR) of the WIOA Formula grants administered through the Florida Department of Economic Opportunity (DEO), by CareerSource South Florida (CSSF), Local Workforce Area (LWA) #23. The purpose of the review was to determine the level of compliance with programmatic, fiscal, and administrative requirements. The initial report outlined 50 compliance findings and no questioned cost.

This more in-depth review was conducted based on risk analysis that determined it was necessary to evaluate further CSSF's management of the programs/grants. The follow-up review focused on compliance with requirements in the grant agreements, program statutes, regulations, departmental directives, and grant management requirements specified in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. The review resulted in six (6) compliance findings and questioned costs of \$14,826,812.

- Finding #1: Improper Extension of Enrollment Dates for Adult, Dislocated Worker (DW), and Youth Participants and questioned costs of \$13,423,521.
- Finding #2 Lack of Required Policy, Procedures, and Written Agreements for the Local Workforce Development Board (LWDB) to serve as the One-Stop Operator (OSO) through Sole Source Procurement, and questioned costs of \$1,286,676.39.
- Finding #3: Lack of Documented Program and Service Eligibility for Employed Worker Participants and questioned costs of \$116, 615.
- Finding #4: Faulty Contract Administration Practices.

- Finding #5: Falsified Job Placements.
- Finding #6: Noncompliance with Customized Training Requirements.

The attached report provides further details on each of the finds along with recommended corrective action..

FUNDING: N/A

PERFORMANCE: N/A

ATTACHMENT

U.S. Department of Labor

Employment and Training Administration
Sam Nunn Atlanta Federal Center
Room 6M12 – 61 Forsyth Street S.W.
Atlanta, Georgia 30303



September 30, 2021

Mr. Dane Eagle
Executive Director
Florida Department of Economic Opportunity
The Caldwell Building, Suite 212
107 East Madison Street, MSC 100
Tallahassee, FL 32399-4120

Grants: Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker, Youth, and Wagner-Peyser (WP)

Grant Numbers: AA-32210-18-55-A-12, AA-33223-19-55-A-12, ES-31841-18-55-A-12, ES-33387-19-55-A-12

Dear Director Eagle:

During the period of November 16, 2020 – September 1, 2021, the U.S. Department of Labor (DOL), Employment and Training Administration (ETA) conducted an Enhanced Desk Monitoring Review (EDMR) of the WIOA Formula grants administered through the Florida Department of Economic Opportunity (DEO), by CareerSource South Florida (CSSF), Local Workforce Area (LWA) #23. The purpose of the review was to determine the level of compliance with programmatic, fiscal, and administrative requirements. The exit conference was held September 30, 2021.

The enclosed report outlines the results of the review and identifies six (6) compliance findings and questioned costs of \$14,826,812. Please submit your response to the findings outlined in this report to the Regional Office at R03-RA-ATL@dol.gov, with a copy to your Federal Project Officer, Susan Tesone, at Tesone.Susan.R@dol.gov, within 30 days of receipt of this report.

We hope that our review and this report are helpful to you and your team. Please express our gratitude to your staff for their assistance during this review. If you have any questions, please contact Susan Tesone at 404-302-5375 or Winston Tompoe, Regional Director, Office of State Systems at tompoe.winston@dol.gov or 404-302-5301.

Sincerely,

Renata Adjibodou
Acting Regional Administrator

EXECUTIVE SUMMARY

During the period of November 16, 2020 – September 1, 2021, the U.S. Department of Labor (DOL), Employment and Training Administration (ETA) conducted an EDMR of the WIOA Formula grants, administered through the Florida DEO, by CareerSource South Florida, the Local Workforce Area (LWA) #23. The exit conference was held on September 30, 2021. The review resulted in six (6) compliance findings and questioned costs of **\$14,826,812**. The following grants were monitored during the review: Workforce Innovation and Opportunity Act (WIOA) Adult, DW, and Wagner Peyser AA-32210-18-55-A-12, AA-33223-19-55-A-12, ES-31841-18-55-A-12, ES-33387-19-55-A-12.

FINDINGS

Finding #1: Improper Extension of Enrollment Dates for Adult, Dislocated Worker (DW), and Youth Participants and questioned costs of \$13,423,521.

Finding #2 Lack of Required Policy, Procedures, and Written Agreements for the Local Workforce Development Board (LWDB) to serve as the One-Stop Operator (OSO) through Sole Source Procurement, and questioned costs of \$1,286,676.39.

Finding #3: Lack of Documented Program and Service Eligibility for Employed Worker Participants and questioned costs of \$116, 615.

Finding #4: Faulty Contract Administration Practices.

Finding #5: Falsified Job Placements.

Finding #6: Noncompliance with Customized Training Requirements.

Please note that the review did not cover any areas outside of the defined scope. There is no assurance that other issues may not exist.

SCOPE OF REVIEW

Date of Review:

November 16, 2020 – September 01, 2021

Date of Exit Conference:

September 30, 2021

Sites Visited:

N/A

ETA Reviewer(s):

Julian Hardy, Federal Project Officer
Susan Tesone, Federal Project Officer

Attendees at Exit Conference:

Dane Eagle, FL DEO, Executive Director
Casey Penn, FL DEO, Bureau Chief of One Stop and Program Support
Keantha Moore, FL DEO, Workforce Program Administrator
Charles Williams, FL DEO, Workforce Administrator, Compliance and Reporting
Steven Gustafson, FL DEO, Workforce Services Administrator
Renata Adjibodou, Acting Regional Administrator
Winston Tompoe, Regional Director, Office of State Systems, Division of Workforce Investment
Felicia Alderman, Director, Division of Financial Management and Administrative Services and Office of Special Initiatives and Discretionary Grant
Julian Hardy, Federal Project Officer (FPO), Division of Workforce Investment
Susan Tesone, Federal Project Officer (FPO), Division of Workforce Investment

Grants/Program Reviewed:

Workforce Innovation and Opportunity Act (WIOA) Adult, DW, and Wagner Peyser
AA-32210-18-55-A-12, AA-33223-19-55-A-12, ES-31841-18-55-A-12, ES-33387-19-55-A-12

Time Period for the Review:

July 1, 2018 to September 30, 2020

The purposes of the review:

During the period of November 16, 2020 – September 1, 2021, the Department conducted a more in-depth review of CSSF as a follow-up to the monitoring review conducted February 10, 2020, through August 2020. The US DOL/ETA issued a monitoring report on January 15, 2021, for the review conducted of Workforce Development Grants with the Florida Department of Economic Opportunity (DEO) and CareerSource South Florida (CSSF), Local Workforce Area (LWA) #23. The report outlined 50 compliance findings and no questioned costs. This more in-depth review was conducted based on risk analysis that determined it was necessary to evaluate further CSSF's management of the programs/grants.

The follow-up review focused on compliance with requirements in the grant agreements, program statutes, regulations, departmental directives, and grant management requirements specified in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) at 2 CFR part 200 and US DOL's adoption and exceptions at 2 CFR part 2900. Additionally, the review was conducted to measure progress, evaluate the management of the grants, the quality of program services, and assess performance achievement.

BACKGROUND

Service Delivery Area: Local Workforce Area #23 (Miami-Dade and Monroe Counties)

Grant Period of Performance (in months): July 1, 2018, to September 30, 2022 (51 months)

Award Amounts:

<i>AA-32210-18-55-A-12</i>	<i>- \$156,580,877</i>
<i>AA-33223-19-55-A-12</i>	<i>- \$144,785,518</i>
<i>ES-31841-18-55-A-12</i>	<i>- \$39,692,869</i>
<i>ES-33387-19-55-A-12</i>	<i>- \$39,466,503</i>

Program Abstract:

DEO serves as the grant recipient and pass-through entity for the WIOA Title I and Title III programs and workforce system grants. The workforce development system in Florida consists of 24 Local Workforce Development Boards (LWDBs), CareerSource Florida, Inc. (CSF), the State Workforce Development Board (SWDB), and WIOA partners across the State. CSF provides oversight and policy direction for workforce development programs administered by DEO.

The local workforce area under review in this report is CareerSource South Florida (LWA #23). Career Source South Florida (CSSF) is the operating administrative entity serving Miami-Dade and Monroe Counties and implements several workforce programs funded by the Federal government and administered at the state level. CSSF also serves as the fiscal agent for the local area. CSSF is governed by the Local WDB and is considered the staff to the board. CSSF staff is employed by Miami-Dade County.

PERFORMANCE DATA

ETA requires that States negotiate local goals for the WIOA performance indicators with each LWDB and their chief elected official. The following chart provides the CSSF WIOA performance goals for program year (PY) 2019 Title I and III programs. CSSF met or exceeded most performance indicators for the Title I DW and Youth programs, and the Title III WP program, however as the report later indicates, these performance outcomes may be impacted by findings included in this report. CSSF's outcome for the Title I Youth program *Credential Attainment Rate* performance indicator was significantly below the negotiated goal. CSSF did not meet any Title I Adult performance indicators in PY 2019 with outcomes significantly below negotiated goals.

PY 2019 CSSF Local WIOA Negotiated Performance Levels and Outcomes

WIOA Performance Indicators	Negotiated Levels PY19	CSSF Outcomes PY19	Percentage of Goal Attained*
WIOA Adult			
Employment Rate 2 nd quarter after exit	85.2%	61.4%	72.1%
Employment Rate 4 th quarter after exit	83%	64.0%	77.1%
Median Earnings in the 2 nd quarter after Exit	\$6,850	\$4,489	65.5%
Credential Attainment Rate	73.0%	40.8%	55.9%
Measurable Skills Gain	Baseline**	12.6%	N/A
WIOA Dislocated Worker			
Employment Rate 2 nd quarter after exit	85.2%	70.7%	83.0%
Employment Rate 4 th quarter after exit	79.2%	76.5%	98.3%
Median Earnings in the 2 nd quarter after exit	\$7,500	\$7,372	96.6%
Credential Attainment Rate	73.2%	83.3%	113.8%
Measurable Skills Gain	baseline	13.6%	N/A
WIOA Youth			
Education or Training Activities or Employment in the 2 nd quarter after Exit	76.5%	83.3%	108.9%
Education or Training Activities or Employment in the 4 th quarter after exit	71.7%	64.7%	90.2%
Median Earnings in the 2 nd quarter after exit	Baseline	\$5,238	N/A
Credential Attainment Rate	75.5%	23.1%	30.6%
Measurable Skills Gain	Baseline	30.1%	N/A
Wagner-Peyser			
Employment Rate 2 nd quarter after exit	64.2%	65.1%	101.4%
Employment Rate 4 th quarter after exit	66.2%	65.9%	96.8%
Median Earnings in the 2 nd quarter after exit	\$5,200	\$5,031	99.6%

FINDINGS

Finding #1: Improper Extension of Enrollment Dates for Adult, DW, and Youth Participants

CMG Indicators 1.a.2 Service Design and 1.e.1: Service Delivery

Questioned Costs: \$13,423,521

Condition: Federal staff identified 15,910 active WIOA participants who enrolled before 2019. WIOA participants enrolled before 2019 represent 63.8% of active participants at the time of the review. A review of participant case files revealed that service provider staff manually extended Title I customers' enrollment after 90 days without providing a staff-assisted career or training service. Case notes in participant files document how staff spent time calling customers enrolled in WIOA for multiple years to inquire about their employment status and rate of pay, without providing additional career services. When a customer remains unemployed or is employed at a low wage, the service provider staff has been manually extending enrollments for another 90 days. Career center staff dedicated significant time to calling these participants and manually extending their Title I enrollment.

The practice of improperly extending enrollment dates for Title I program participants resulted in an inflated number of participants. Moreover, CSSF based service provider contracts on the inflated participant numbers, affecting corresponding staffing levels for service provider contracts and increasing the overall costs for these contracts. Therefore, all costs paid for service provider contracts during the period July 1, 2017, through June 30, 2020 (PY17-19) are considered questioned costs.

Cause: CSSF board staff failed to follow WIOA Title I participant exit requirements. The staff of the local board issued a management decision instructing AJC staff to keep participant files open until instructed by the program lead. This decision led directly to the backlog of improperly non-exited participant files.

Criteria:

- 20 CFR § 677.150(c) (1) defines the date of exit as *“the last date of service”* for Title I Adult, DW, and Youth programs. *“The last day of service cannot be determined until at least 90 days have elapsed since the participant last received services; services do not include self-service, information-only services or activities, or follow-up services.”*

Corrective Action: To resolve this finding, the State must implement policies and procedures that include WIOA Title I participant exit requirements. The State must train front-line staff on these procedures. CSSF must exit participants who have not received staff-assisted career or training services for more than 90 days. CSSF must provide a copy of these policies and procedures, documentation of staff training on WIOA exit requirements, and proof that CSSF exited WIOA participants whose enrollments were improperly extended.

Payments made on the service provider contracts during the period PY2017-2019, in the amount of \$13,423,521 are questioned costs. The State must determine which costs associated with each service provider contract were allowable, allocable, and reasonable. Specifically, the State must

determine that the staffing levels were reasonable in fulfilling the needs of eligible participants. Documentation to support costs determined to be allowable must be provided as part of the response to this report. The methodology used to make this determination must be reviewed and approved in advance by USDOL.

WIOA Title I Service Provider Payments	
PY 17-18	\$4,367,363.28
PY 18-19	\$5,166,829.05
PY 19-20	\$3,889,328.84
Total	\$13,423,521.17

Source: CSSF general ledgers

Finding #2: Lack of Required Policy, Procedures, and Written Agreements for the LWDB to Serve as the One-Stop Operator (OSO) through Sole Source Procurement

CMG Indicator 2.d.1: Procurement Standards and 2.d.2 – Competition

Questioned Costs: \$1,286,676.39

Condition: CSSF failed to comply with the WIOA requirement that all contracts and agreements with one-stop operators must be executed as the result of a competitive process. CSSF is serving as the OSO for five career centers without evidence that a competitive procurement was conducted. CSSF serves as the administrative entity and fiscal agent for the local workforce development area (LWDA). A local area’s administrative entity may serve as OSOs; however, the entity must still compete to be the OSO in the local area and meet the mandatory competition requirements in WIOA. Furthermore, in situations where the outcome of a competitive OSO procurement results in the selection of the LWDB as the OSO, the Chief Elected Official (CEO) and Governor must approve the selection of the LWDB to serve as OSO. CSSF did not provide written documentation that the CEO approved the CSSF LWDB staff to serve as the OSO. Lastly, CSSF is performing multiple functions such as, fiscal agent, board staff, and OSO, in the local area, but lacks adequate conflict of interest policies and appropriate firewalls

As stated above, CSSF is serving as the OSO in the LWDA. In 2017, CSSF began serving as the OSO for five American Job Centers (AJC) located in Key Largo, Key West, Carol City, Edison Courts, and Opa-Locka when contract negotiations were terminated with a selected operator. CSSF did not provide to the reviewers the contract or agreement for providing OSO services. In addition, the reviewers learned through interviews with board members that CSSF is utilizing temporary staff provided by staffing agencies to perform OSO work. CSSF’s general ledger shows temporary staffing costs charged to WIOA Adult and other programs, with a description that aligns to the five AJC locations operated by CSSF, i.e., *ABC CC Payroll Cost*. The costs for CSSF serving as the OSO are unallowable because it failed to conduct a competitive procurement as required by WIOA. Therefore, costs of \$1,286,676 are questioned.

Cause: DEO and CSF allowed CSSF to serve as the OSO in the LWDA since 2017 although CSSF was not selected through a competitive procurement process and without an approved

written agreement, appropriate firewalls, and approved internal control policies and procedures. The State also failed to monitor the LWDA’s compliance with this provision.

Criteria:

- 20 CFR 679.430 requires a written agreement with the LWDB and CEO to clarify how the organization will carry out its responsibilities while demonstrating compliance with WIOA and corresponding regulations, relevant Office of Management and Budget circulars, and the State's conflict of interest policy.
- TEGL 15-16 outlines the conditions under which an LWDB may serve as an OSO and the steps that must be taken to avoid a conflict of interest.
- 20 CFR 678.615(b) requires the LWDB to have appropriate firewalls and conflict of interest policies and procedures in place which must conform to 20 CFR 679.430.
- 20 CFR 678.620(b)(2) provides that *“an entity serving as a one-stop operator, that also serves a different role within the one-stop delivery system, may perform some or all of these functions when it is acting in its other role, if it has established sufficient firewalls and conflict of interest policies and procedures.”*
- 20 CFR 678.605(a) states *“the Local WDB must select the one-stop operator through a competitive process, as required by sec. 121(d)(2)(A) of WIOA, at least once every 4 years.”* 20 CFR 678.605(c) outlines the process for competitive selection of one-stop operators, specifically referencing a local area.

Corrective Action: To resolve this finding, the State must ensure that CSSF expeditiously conducts a competitive process for the selection of a one-stop operator according to the requirements described in TEGL 15-16 for all career centers where CSSF staff serve as the OSO. Evidence must be provided to demonstrate that sufficient firewalls are in place and that CSSF is not involved in every part or stage of the competitive procurement process if it intends to compete or are part of a consortium that will compete and submit a bid. The State must provide a timeline for the OSO procurement, and evidence of a competitive process.

Finding #3: Lack of Documented Program and Service Eligibility for Employed Worker Participants

CMG Indicators 1.e.3: Participant Services; 2.e: Performance Management; 2.f: Sub-recipient Management and Oversight; and 3.a: Internal Controls

Questioned Costs: \$116,615

Condition: Federal staff reviewed WIOA participant files, primarily for two (2) employers that received reimbursement for Employed Worker Training Programs during the period from 2017-2020, totaling \$116,615. The review showed a lack of documentation to justify a need for these training services. The only assessment in the participants’ files was a “Prove It” typing test. The final “Prove It” assessment score sheet lacked identifying information such as name, date, and type of assessment completed. Review of the case notes, and service codes, describing development of Individual Employment Plans (IEP) revealed that they were completed without the participant being present, as noted in the case notes, and without a signature from the participant.

See Attachment A for participants' costs charged to the grant.

Participants files reviewed showed that CSSF as the OSO, enrolled individuals in Customized Employed Worker and Incumbent Worker Training Programs without documentation that supported eligibility for training services. In addition to the lack of eligibility documentation, several other program issues were identified:

- case file records do not demonstrate that participants requested enrollment based on evidence that applications for WIOA services were not signed or dated by participants, and do not include documentation for priority of service.
- service provider’s staff back-dated WIOA enrollment months after the first day of employment; and

Cause: CSSF did not comply with WIOA eligibility requirements for participants to receive customized training or individualized employment services; the agency also falsified records for the purpose of increasing performance outcomes. Additionally, CSSF failed to establish a need for Customized Employed Worker training services.

Criteria:

- CSSF, Employed and Incumbent Worker Training Policy #FG-OSPS-89
- 20 CFR 680.170 What is the individual employment plan (IEP)? : Provides the definition of an accurate IEP, developed jointly between the participant and career planner.
- 20 CFR 680.210 and under WIOA sec. 134(c)(3)(A): In addition to program eligibility, WIOA requires that one-stop center/partner determines an individual, after an “interview, evaluation, or assessment, and career planning” to be “in need of training services to obtain or retain employment...” and to have the “skills and qualifications to participate successfully in training services...”, such as Customized or Employed Worker Training services.
- WIOA sec. 134(c)(3)(E) and 20 CFR 680.600: If training services are provided through the adult funding stream, the individual must be determined eligible in accordance with the State and local priority system in effect for adults.
- 20 CFR 680.220(b): participant case files must contain a determination of the need for training services under 680.210 as determined through the interview, evaluation, or assessment, and career planning information, or through any other career service received.
- WIOA sec. 134(c)(2)(A)(xii)(I and II): Individualized career services may be provided to an individual if determined to be appropriate for an individual to retain employment, which may include “comprehensive and specialized assessments of the skill level and service needs,” and “*development of an individual employment plan, to identify the employment goals, appropriate objectives, and appropriate combination of services for the participant to achieve the employment goals.*”
- 20 CFR 680.760: “*Customized Training is training:*
 - (a) *That is designed to meet the special requirements of an employer (including a group of employers);*
 - (b) *That is conducted with a commitment by the employer to employ an individual upon successful completion of the training; and*

(c) *For which the employer pays for a significant cost of the training, as determined by the Local Workforce Development Board in accordance with the factors identified in WIOA sec. 3(14).”*

- 20 CFR 680.770: *“Customized Training of an eligible employed individual may be provided for an employer of a group of employers when:
(a) The employee is not earning a self-sufficient wage or wages comparable to or higher than wages from previous employment, as determined by Local Workforce Development Board policy;
(b) The requirements in 20 CFR 680.770 are met; and
(c) The Customized Training relates to the purposes described in 20 CFR § 680.710(c) or other appropriate purposes identified by the Local Workforce Development Board.”*

Corrective Action: To resolve this finding, the State must ensure that CSSF, as the OSO, documents participant eligibility for training services for Employed Workers as required by WIOA. CSSF must create or revise policies and procedures that include internal controls that ensure effective oversight and monitoring of service provider staff’s documentation of WIOA program eligibility for Employed Workers, the priority of service for individualized career and training services, and appropriate assessments that demonstrate a need for Customized Training. A copy of the revised policies, procedures, and staff training must be provided. The State must also perform required sub-recipient monitoring to ensure CSSF adheres to newly revised policies and procedures.

Reimbursement payments of \$116,615.00 made to two employers for Customized Employed Worker Training services during the period of July 1, 2017, through June 30, 2020, are questioned and subject to disallowance. The State must review these files, and provide documentation that demonstrates participants requested these services and were determined eligible WIOA Adult program and Customized Training services to resolve questioned costs.

Finding #4: Faulty Contract Administration Practices

CMG Indicator 2.d.5: Contract Administration

Condition: Reviewers identified several conditions of faulty contract administration practices. One of the essential elements of a legally executed and binding written agreement is the authorized signatures of the offeror/bidder and offeree (Local WDB) must be contained as part of the written contract. Service provider contracts were signed by the authorized official after the performance start date. In these cases, service provider staff started performance and began providing services before the contracts were fully executed and therefore, legally binding. Allowing performance to begin before securing all authorized signatures could affect the enforceability of the contract. In addition, CSSF is potentially paying more for service providers based on the issue of inflated participant numbers as discussed in finding #1 of this report. These practices demonstrate another layer to the LWDB’s inadequate contract administration processes. Poor contract administration and inadequate internal controls were noted in the comprehensive monitoring report issued January 15, 2021, by USDOL. Specifically, the monitoring report discussed CSSF’s contract structure and incentives contributing to participants’ delayed exit from the program, providers assisting ineligible participants or for

services not provided, and a problematic boilerplate contract. (Finding #4; Inadequate Contract Administration Processes).

Cause: CSSF failed to implement an effective internal control system for procurement and contract administration. The State did not provide appropriate oversight and monitoring of LWDA to ensure adequate procurement practices.

Criteria:

- 2 CFR 200.303 Internal controls require the non-Federal entity to
 - (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. . . .
 - (b) Comply with the U.S. Constitution, Federal statutes, regulations, and the terms and conditions of the Federal awards.
 - (c) Evaluate and monitor the non-Federal entity's compliance with statutes, regulations, and the terms and conditions of Federal awards.
- 2 CFR 200.400 states the non-Federal entity is responsible for the efficient and effective administration of the Federal award through the application of sound management practices, and assumes responsibility for administering Federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the Federal award.
- 2 CFR 200.327, to include Appendix II, outlines the components of an acceptable contract for service by a non-Federal entity.

Corrective Action: To resolve this finding, CSSF LWDA must submit a corrective action plan that ensures its procurement and contract administration practices comply with Federal statutes, regulations, and the terms and conditions of the Federal award. The corrective action plan must include a review of its procurement practices, contract structure, boilerplate contract, and updated written procurement policies and procedures that outline a formal competitive process, and documentation that appropriate staff has received training on Federal statutes and regulations for procurement. In addition, the State must review the corrective action plan and relevant documents before the plan is implemented in the local area.

Finding #5: Falsified Job Placements

CMG Indicators 1.e.3: Participant Services; 2.e: Performance Management; 2.f: Subrecipient Management and Oversight; and 3.a: Internal Controls

Condition: From 2017 to 2020, employers provided CSSF staff with mass hire lists. These lists contained the name, position, hourly wage, offer date, and start date for recently hired individuals. CSSF serving in the capacity as the OSO used the information on these lists to enroll individuals in the WIOA program and record staff-assisted services that they did not provide, including job referrals and placements.

Federal reviewers compared dates from case notes and service history in WP participant case files with the mass hire list. The dates when individuals started working occurred before the service providers created records for job referrals and placements. CSSF, as the OSO, recorded and backdated services that they did not provide, falsely creating job referrals and placements for individuals, and therefore artificially inflated the number of job placements for WP participants. Prior to 2020 regulation updates, Wagner-Peyser services delivered to participants must have been provided by state merit staff employees.

Cause: CSSF, serving in the capacity as the OSO, did not have a contract or agreement for the delivery of services. DEO failed to identify falsified WP enrollments and job placements during monitoring. The incidents occurred at the Career Centers in which CSSF was operating as OSO. As a result, performance metrics were also inflated and achieved because of this faulty practice.

Criteria:

- 2 CFR 200.329(a) states the non-Federal entity is responsible for oversight of the operations of the Federal award supported activities. The non-Federal entity must monitor its activities under Federal awards to assure compliance with applicable Federal requirements and performance expectations are being achieved. Monitoring by the non-Federal entity must cover each program, function, or activity.
- 2 CFR 200.332(d) require all pass-through entities to monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Pass-through entity monitoring of the subrecipient must include:
 - (1) Reviewing financial and performance reports required by the pass-through entity; and
 - (2) Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and written confirmation from the subrecipient, highlighting the status of actions planned or taken to address Single Audit findings related to the particular subaward.
- 20 CFR 651.10: *“Placement means the hiring by a public or private employer of an individual referred by the Employment Services (ES) office for a job or an interview, provided that the employment office completed all of the following steps:*
 1. *Prepared a job order form prior to referral, except in the case of a job development contact on behalf of a specific participant;*
 2. *Made prior arrangements with the employer for the referral of an individual or individuals;*

3. *Referred an individual who had not been specifically designated by the employer, except for referrals on agricultural job orders for a specific crew leader or worker;*
 4. *Verified from a reliable source, preferably the employer, that the individual had entered on a job; and*
 5. *Appropriately recorded the placement.*
- 20 CFR 651.10: *“Participant means a reportable individual who has received services other than the services described in 20 CFR § 677.150(a)(3), after satisfying all applicable programmatic requirements for the provision of services; such as eligibility determination.*
 1. *The following individuals are not “Participants”, subject to § 677.150(a)(3)(ii) and (iii)*
 - a. *Individuals who only use the self-service system; and*
 - b. *Individuals who receive information-only services or activities.*
 2. *Wagner-Peyser Act participants must be included in the program’s performance calculations.*
 - 20 CFR 652.215: (81 Fed.reg. 56341(2016)) No provisions in the Workforce Innovations and Opportunity Act change the requirement that State merit staff employees must deliver services provided under the Wagner-Peyser Act.

Corrective Action: To resolve this finding, CSSF must discontinue the above-described practices that allowed the falsification of participant records and data, and impose a hold on all incentive payments until it is determined that payments are for valid services. The State and CSSF must also review internal policies, processes, and training to ensure that activities permitted under the law are carried out per the statute, regulations, and ETA guidance. The State must ensure that CSSF trains its service providers to correctly record staff-assisted career services, including job referrals and placements. This training must emphasize that a service provider cannot record staff-assisted job referrals and placements for an individual that independently obtained employment. A copy of the training materials and participant attendance sheet(s) must be provided.

The State must also conduct its assessment of at least 50% of all placements claimed and counted for from 2017 to 2020 and if minimal to no services were provided before the placement, such placement cannot be counted. The results of the State’s review of placements during these years must be part of your response to this finding.

Finding #6: Noncompliance with Customized Training Requirements

CMG Indicator 1.e: Participant Services; 1.e.7: Training Services

Condition: CSSF developed Customized Employed Worker Training Agreements for 190 participants that do not follow the procedures established in WIOA law, regulations, or State policy #FG-OSPS-89, of determining the need for training and employee eligibility.

All LWDBs were provided the option to follow State policy #FG-OSPS-89 or develop local policy and procedures. CSSF does not follow the State policy and it does not have an approved local policy that conforms to WIOA law and regulations.

Cause: CSSF failed to comply with the State Customized Employed and Incumbent Worker Training Policy #FG-OSPS-89 in providing Customized Training services.

Criteria:

- 20 CFR 680.710(c) describes the purpose of Customized Training which relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the Local Workforce Development Board.
- 20 CFR 680.760 guidelines for Customized Training, requirements for an employer or group of employers, commitment level, and payment determined by the Local Workforce Development Board in accordance with the factors identified in WIOA sec. 3(14).
- 20 CFR 680.770 Customized Training provided to an employee that is not earning a self-sufficient wage or wages comparable to or higher than wages from previous employment, as determined by Local Workforce Development Board policy.
- CSF Customized Employed and Incumbent Worker Training Policy #FG-OSPS-89

Corrective Action: To resolve this finding, the State must ensure that CSSF develops a WIOA compliant Customized Employed and Incumbent Worker Training policy, or adopt the current state policy, and train key staff on the requirements. A copy of the policy and documentation of training must be provided.

-END OF REPORT-



SFWIB EXECUTIVE COMMITTEE

DATE: 10/14/2021

AGENDA ITEM NUMBER: 5

AGENDA ITEM SUBJECT: MIAMI COMMUNITY VENTURES

AGENDA ITEM TYPE: **APPROVAL**

RECOMMENDATION: SFWIB staff recommends to the Executive Committee to recommend to the Board the approval to authorize staff to allocate an amount not exceed \$300,000.00 in Workforce Innovation and Opportunity Act funds for the renewal of The Beacon Council Economic Development Foundation, Inc. for the Miami Community Ventures program, as set for below.

STRATEGIC GOAL: **IMPROVE SERVICES FOR INDIVIDUALS W/ BARRIERS**

STRATEGIC PROJECT: **Improve employment outcomes**

BACKGROUND:

At its August 16, 2018, meeting, the South Florida Workforce Investment Board (SFWIB) approved funding for the Beacon Council Economic Development Foundation, Inc. for the Miami Community Ventures (MCV) pilot program. The MCV pilot is an innovative approach that connects social welfare recipients “structurally unemployed” and underemployed individuals to sustainable living wage jobs.

The targeted population to be served will be 150 participants who are public assistance recipients, returning citizens, and the disabled with an emphasis on sub-groups consisting of female head-of-household, veterans and at-risk youth (ages 19-29). The targeted locations to be served will be areas throughout Miami-Dade County with a 20% or higher poverty rate.

The program is designed to empower participants to succeed long-term by providing wrap-around support services in the areas of job training, childcare, success coaching, education (emphasizing financial literacy), and social services for up to three years. The MCV program is based on an existing award winning model in Michigan, which generated successful state audited results that exceeded all objectives.

The MCV program brings together partners that have an interest in giving back to community, job creation, sustainable economic development, and alleviating poverty in under-served communities. The partners will extend their services and support as members of the MCV community stakeholder team.

Current Performance for:

- October 1, 2020 through September 29, 2021 - 145 Placements at an average wage of \$16.68

Projected Performance for:

- October 1, 2021 through September 30, 2022 - 150 Placements at an Average Wage of \$13.61

In the following procurement process of Miami-Dade County Administrative Order No. 3-38, it is recommended that the SFWIB waive the competitive procurement as it is recommended by the Executive Director that this is in the best interest of the SFWIB. A two-thirds (2/3) vote of a quorum present is required to waive the competitive procurement process and award The Beacon Council Economic Development Foundation, Inc. an allocation not to exceed \$300,000.00 in Workforce Innovation and Opportunity Act (WIOA) funds for the Miami Community Ventures program.

FUNDING: Workforce Innovation and Opportunity Act

PERFORMANCE: N/A

NO ATTACHMENT



SFWIB EXECUTIVE COMMITTEE

DATE: 10/14/2021

AGENDA ITEM NUMBER: 6

AGENDA ITEM SUBJECT: TEMPORARY CONTRACT FOR A ONE-STOP CAREER CENTER OPERATOR

AGENDA ITEM TYPE: **APPROVAL**

RECOMMENDATION: SFWIB staff recommends to the Executive Committee to recommend to the Board the approval to extend the Opa-Locka Community Development Corporation, Inc. temporary contracts to operate the Opa-Locka and Carol City CareerSource centers, as set forth below.

STRATEGIC GOAL: **STRONG WORKFORCE SYSTEM LEADERSHIP**

STRATEGIC PROJECT: **Strengthen workforce system accountability**

BACKGROUND:

On April 15, 2021, the South Florida Workforce Investment Board (SFWIB) approved a temporary contract for the Opa-Locka Community Development Corporation (CDC), Inc. to operate the Opa-Locka and Carol City CareerSource center locations until September 30, 2021. As of May 3, 2021, SFWIB staff transitioned the daily operations of the Opa-Locka and Carol City CareerSource centers to the Opa-Locka CDC, Inc. SFWIB staff continues to work with the Opa-Locka CDC, Inc. to ensure the delivery of workforce services continue at both locations.

SFWIB staff is requesting approval to extend the contract with the Opa-Locka CDC, Inc. until the end of the current program year, June 30, 2022; or until a Request for Proposal (RFP) process has been successfully completed.

FUNDING: N/A

PERFORMANCE: N/A

NO ATTACHMENT



SFWIB EXECUTIVE COMMITTEE

DATE: 10/14/2021

AGENDA ITEM NUMBER: 7

AGENDA ITEM SUBJECT: NEW AND EXISTING TRAINING PROVIDERS AND PROGRAMS

AGENDA ITEM TYPE: **APPROVAL**

RECOMMENDATION: SFWIB staff recommends to the Executive Committee to recommend to the Board the approval of a New Program for Existing Training Provider, as set forth below.

STRATEGIC GOAL: **HIGH ROI THROUGH CONTINUOUS IMPROVEMENT**

STRATEGIC PROJECT: **Improve credential outcomes for job seekers**

BACKGROUND:

In accordance with Section 122 of the Workforce Innovation and Opportunity Act, regional workforce boards are permitted to independently develop criteria for the selection and subsequent eligibility of Training Providers and programs. The South Florida Workforce Investment Board (SFWIB) developed processes to evaluate an applicant's programmatic capabilities.

SFWIB staff completed the review process and documentation is being presented to the Executive Committee for a recommendation to the Board for approval.

Below are requests to add a new program for an existing training provider for the review and approval of the Committee.

Request(s) to be added as a New Training Provider and Programs:

1. District Board of Trustees of Miami Dade College dba Miami Dade College
New Non-Credit Programs that lead to Industry Certifications:
 - Community Association Manager – Certificate of Completion

FUNDING: N/A

PERFORMANCE: N/A

ATTACHMENT

Training Vendor Program Information for: Miami Dade College

Note: An Individual Training Account (ITA) is issued in accordance with the South Florida Workforce Investment Board (SFWIB) ITA Policy. The initial ITA voucher may cover up to and including 50 percent of the program's maximum ITA amount. The subsequent ITA is issued upon the participant's arrival at the midpoint of the specified training program's length and may cover up to and including the remaining 50 percent of the program's maximum ITA amount. The maximum cap for an ITA is **\$10,000**. The amount of an ITA is based upon the program's applicable quadrant category. **Pell Grants:** All participants are required to apply for the Pell Grant if the participant and program are Pell eligible. Once PELL eligibility has been established, the Pell Grant must be deducted from the total ITA amount. An ITA will only cover up to one year of training. Associate of Arts and Bachelor degree programs are not covered by an ITA. Participants are responsible for all training costs beyond the one year covered by the ITA. **Refunds:** Refunds are issued in accordance with the SFWIB Standardized Refund Policy. **Notice:** If the ITA amount and/or Pell Grant does not cover the full cost of the training program, participants may be required to obtain grant assistance from other financial sources to cover the cost of the program in which they wish to enroll. **The SFWIB will not be responsible for any debts incurred by a participant.**

																			2020-2021 TOL Wage Rate			
Training Program Title <small>(program name must be written as approved by the Department of Education, CIE and/or SACS/AdvantED)</small>	Credential Type <small>(e.g., Diploma, College Credit Certificate, Associate of Science, etc.)</small>	Location/ Campus/ Online <small>(street address, city, state & zip)</small>	Credit Hours	Clock Hours	Course Length <small>(in months)</small>	Tuition Cost	Application Registration Fees Cost	Books Cost	Materials Cost	Uniforms Cost	Tools Cost	Testing Fees Cost	Certification Fees Cost	Licensing Fees Cost	Other Fees/ Costs	Total Program Costs	Pell Eligible (Yes/No)	CIP Code	2021-2022 TOL Related Occupations (SOC & Name)	Mean	Entry	Quadrant Category
Non-Credit Courses																						
Property Management	Certificate of Completion	Various (All)	N/A	142	3	\$3,100.00	\$0.00	\$0.00	\$274.31	\$39.44	\$0.00	\$31.50	\$0.00	\$0.00	\$54.75	\$3,500.00	N	0552020103	11-1021 General and Operations Managers	\$52.49	\$22.95	High Growth/High Wage