



**SOUTH FLORIDA WORKFORCE INVESTMENT BOARD  
GLOBAL TALENT AND COMPETITIVENESS (GTCC)  
COUNCIL MEETING  
Thursday, October 21, 2021  
8:30 AM**

The Landing at MIA  
5 Star Conference Center  
7415 Corporate Center Drive, Suite H  
**Florida Key Room**  
Miami, FL 33126

**The general public may also attend via Zoom (Registration Required):** <https://us02web.zoom.us/join/91115747343>

**AGENDA**

1. Call to Order and Introductions
2. Approval of GTCC Council Meeting Minutes
  - A. September 9, 2021
3. Information - Coronavirus 2019 (COVID-19) Economic Recovery Task Force
4. Recommendation as to Approval to Add an Occupation to the WDA 23 Targeted Occupation List
5. Recommendation as to Approval of New Programs for an Existing Training Provider
6. Recommendation as to Approval of Workforce Innovation and Opportunity Act Policies
7. Recommendation as to Approval of Florida State Minority Supplier Development Council

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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."



**SFWIB GLOBAL TALENT AND COMPETITIVENESS COUNCIL MEETING**

**DATE:** 10/21/2021

**AGENDA ITEM NUMBER:** 2A

**SFWIB GLOBAL TALENT AND COMPETITIVENESS COUNCIL (GTCC) MEETING MINUTES**

**DATE/TIME:** September 9, 2021

**LOCATION:** Miami Dade College- Hialeah Campus  
 1780 West 49th Street, Room 2302, Building 2, 3rd Floor  
 Hialeah, FL 33012

1. **CALL TO ORDER:** Chairwoman Ferradaz called the meeting to order at 9:07am and asked all those present introduce themselves.
2. **ROLL CALL:** 10 members; 6 required; 6 present: Quorum established.

<b>SFWIB GTCC MEMBERS PRESENT</b>	<b>SFWIB GTCC MEMBERS ABSENT</b>	<b>SFWIB STAFF</b>
Ms. Gilda Ferradaz, <b>Chair</b>  Mr. Juan Carlos “JC” del Valle, <b>Vice-Chair</b>  Mr. Bruce Brecheisen Mr. Clarence Brown Mr. Obdulio Piedra Dr. Oscar Loynaz, MD	Mr. Alvin West Ms. Michelle Coldiron Mr. Thomas Roth Mr. Luis Gazitua	Mr. Robert Smith Mr. Travis Scott
<b>OTHER ATTENDEES</b>		
Ms. Carlina Mitchell, Miami-Dade County Public Schools Mr. Charlie Torres, Miami-Dade County Public Schools		

**AGENDA ITEMS LISTED AS DISCUSSED.**

**2A. Approval of GTC Council Meeting Minutes - June 17, 2021**

Chairwoman Ferradaz introduced the item.

Dr. Oscar Loynaz noted that the attendee list should be updated to reflect him as present during the June 17, 2021 meeting. No further changes required.

Chairwoman Ferradaz moved the approval of June 17, 2021 meeting minutes with the amendment of the attendee list.



**(All in favor with no further discussion)** Motion moved, seconded, and passed by unanimous consent.

### 3. Information – Women in Tech Program Update

Chairwoman Ferradaz introduced the item and Mr. Robert Smith further presented.

Chairwoman Ferradaz asked for clarification that all classes were at the YMCA. Mr. Smith confirmed that to be the case.

Chairwoman Ferradaz asked how many women were employed out of the first cohort. Mr. Smith advised that seven (7) out of the fourteen (14) that graduated are employed in the IT field.

Chairwoman Ferradaz asked about the remaining seven (7) graduates. Mr. Smith further elaborated.

Chairwoman Ferradaz inquired if seven (7) graduates in the IT field was considered a bit low. Mr. Smith further explained that programmatically, the program is viewed as a success.

Chairwoman Ferradaz asked for confirmation that all fourteen participated. Mr. Smith confirmed the same.

There was further discussion.

Mr. Smith advised the Council that we have partnered with the YWCA and Miami Community Ventures to help participants better manage the situations that may serve as a deterrent or distraction to the program.

A question was presented to clarify if the program will also help participants with soft skills.

Mr. Smith advised that SFWIB is unable to fund; however, the YWCA, having received outside funding, will integrate soft skills into classroom learning.

Question presented around why there was a reduction in participants in 2020-2021.

Mr. Kelly clarified that there Carol City Sr. High did not recruit a cohort and there were several changes due to the pandemic. The program has since been moved from Carol City to Turner Tech because they have a greater demand and a more up-to-date equipment.

There was an inquiry about number of program graduates with certifications vs. those that did not and are no longer in the IT field - do we know the reason for the change?

Mr. Smith advised that all eight (8) women in the first cohort received their web development certification. The second cohort, there were three certifications available. All six (6) obtained at least two (2) of them.

#### 4. Recommendation as to Approval to Add an Occupation to the WDA 23 Targeted Occupation

##### List

Chairwoman Ferradaz introduced the item and Mr. Robert Smith further presented.

No further questions or discussion.

**(All in favor with no opposition)** Motion moved, seconded, and passed by unanimous consent.

#### 5. Recommendation as to Approval of New Training Providers and Programs and New Programs for an Existing Training Provider

Chairwoman Ferradaz introduced the item and Mr. Robert Smith further presented.

Mr. Smith advised the Council that background information on the proposed programs are available via soft copy at their request.

Chairwoman Ferradaz asked whether if there were any recusals for this item.

Additional clarification was requested to ensure that the schools were part of the university system in Florida; also what were the certifications offered.

Mr. Smith affirmed that the schools were all in the University System; he also advised that he would provide specifics on each of the certifications to the Council after the meeting. Additional clarification was requested regarding the automotive programs; are they in alignment with the apprenticeship programs under development with Bean Automotive and Warren Henry.

Mr. Smith confirmed accordingly.

**(All in favor with no opposition)** Motion moved, seconded, and passed by unanimous consent.

**6. Recommendation as to Approval to Allocate Funds for the Miami Dade County Public Schools Youth Pre-Apprenticeship Career and Technical Training Program** Chairwoman

Ferradaz introduced the item; Mr. Kelly further presented.

Chairwoman Ferradaz asked for clarification about the three schools involved.

Mr. Kelly advised William Turner Tech (Northern), Coral Gables Sr. High (Central), Homestead Sr. High (South)

Chairwoman Ferradaz asked if the same students would be progressing through the program year over year.

Mr. Kelly advised the program would begin with the 11<sup>th</sup> graders; they, as 12<sup>th</sup> graders, will progress to the following year. A new 11<sup>th</sup> grade cohort will begin as they complete the transition.

Chairwoman Ferradaz sought clarification as to why there was a reduction in participation from the first year one to year two.

Mr. Smith clarified that we have 28 seniors will be continuing in the program from last year. There was additional discussion around the projected success of the program moving forward.

Mr. Travis elaborated on the expected success of this year's program. He further elaborated on the continued growth of the program and the enthusiasm/excitement of the employers participating.

**(All in favor with no opposition)** Motion moved, seconded, and passed by unanimous consent.

**7. Recommendation as to Approval to Reallocate National Dislocated Worker Grant Funds for Circle of Brotherhood, Inc.**

Chairwoman Ferradaz introduced the item; Mr. Smith further presented.

Chairwoman Ferradaz verified that the item was previously approved, but recommended for extension.



Mr. Smith affirmed accordingly.

Chairwoman Ferradaz asked about the activities associated with the program. Mr. Smith advised that he would review and advise about not only the activities, but also the number of people the program will reach.

There was additional discussion.

There being no further business to come before the Council, meeting adjourned.

DRAFT



**SFWIB GLOBAL TALENT COMPETITIVENESS COUNCIL**

**DATE:** 10/21/2021

**AGENDA ITEM NUMBER:** 3

**AGENDA ITEM SUBJECT:** COVID-19 ECONOMIC RECOVERY TASK FORCE

**AGENDA ITEM TYPE:** **INFORMATIONAL**

**RECOMMENDATION:** N/A

**STRATEGIC GOAL:** **STRONG WORKFORCE SYSTEM LEADERSHIP**

**STRATEGIC PROJECT:** **National leader in an ROI-focused enterprise**

**BACKGROUND:**

On April 7, 2020, Commissioner Joe A. Martinez sponsored Resolution No. R-325-20 (as amended by Resolution No. R-450-20) to establish the Coronavirus 2019 (COVID-19) Economic Recovery Task Force. The resolution was put forth to recommend to the Board of County Commissioners (Board) appropriate actions to aid in the economic recovery of Miami-Dade County in the aftermath of COVID-19.

The resolution was adopted by the Board and a task force was established to conduct a survey with the purpose of understanding why employers in Miami-Dade County are having a difficult time filling in vacancies and why employees are choosing not to seek employment for those jobs.

The survey was conducted between June 8, 2021 and July 6, 2021. The survey revealed three key factors that are contributing to the vacancies going unfilled. The results are detailed in the attached COVID-19 Economic Recovery Task Force Monthly Report #8.

**FUNDING:** N/A

**PERFORMANCE:** N/A

*ATTACHMENT*

**Date:** August 24, 2021

**To:** Honorable Chairman Jose “Pepe” Diaz  
And Members, Board of County Commissioners

**From:** Jose M. Gonzalez *Jose M. Gonzalez*  
Chairman, COVID-19 Economic Recovery Task Force

**Subject:** COVID-19 Economic Recovery Task Force Monthly Report #8

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Pursuant to Resolution No. R-325-20, sponsored by Commissioner Joe A. Martinez and adopted by the Board of County Commissioners (Board) on April 7, 2020, as amended by Resolution No. R-450-20 on May 5, 2020, the Coronavirus 2019 (COVID-19) Economic Recovery Task Force (ERTF) was established to recommend to the Board appropriate actions to aid the economic recovery of Miami-Dade County in the aftermath of COVID-19. This is the **Eight** of the required monthly reports to the Board on our progress and recommendations.

The Economic Recovery Task Force (ERTF) officially sunset on July 28, 2021. Before sunset, the Taskforce continued to meet once a month while the working groups met on an as needed basis. The Taskforce has been under the leadership of Chairman Jose M. Gonzalez and Vice Chairman Gordan Eric Knowles.

On April 29, 2021, Commissioner Joe A. Martinez requested the Task Force to conduct a survey with the purpose of understanding why employers in Miami-Dade County are having a difficult time filling in vacancies and why employees are choosing not to seek employment for those jobs.

On April 29<sup>th</sup>, the members discussed how they will create the survey. The group tasked the New Normal/Needs Assessment Working Group under the leadership of *Chairman Alfred Sanchez* to oversee the creation and deployment of the survey. Although the survey was created within the working group all members were able to participate in the compilation of questions, working with the communications team, dispersing the survey, and evaluating the results of the survey.

The taskforce worked expeditiously to provide an executive summary of the survey results. (**Attachment 1**) This was one survey but was divided into two different sections, (Employee and Employer). (**Attachment 2 and Attachment 3**). The survey was sent out between (June 18, 2021- July 6, 2021) totaling, 1583 useable employer surveys and 5542 useable employee surveys were collected.



The ERTF is hereby transmitting the Job Surveys and its respective executive summary for the Board's consideration (**Attachment 1, 2, &3**). The ERTF members are available to expound on their proposals in order to facilitate any directives or legislation that may be required to proceed. Gary T. Hartfield, SBD Director, and/or his staff attended every working group meeting and can provide further detail on the recommendations, upon request. On behalf of the ERTF, I greatly appreciate the support and feedback afforded to our mission.

Pursuant to Ordinance No. 14-65, it is respectfully requested that this report be placed on the next available Board meeting agenda.

c: COVID-19 ERTF Members  
Gary T. Hartfield, SBD Director

## COVID -19 ERTF EMPLOYER/EMPLOYEE JOB SURVEY RESULTS

As employers in Miami-Dade as well as the rest of the state were experiencing great difficulties in hiring staff for job vacancies created by the pandemic. The Economic Recovery Task Force (ERTF) was asked by the Board of County Commissioners to conduct a survey of Miami-Dade employers to understand what were the reasons and barriers causing vacancies which could potentially be the cause of high unemployment rates.

The ERTF delegated the task to its New Normal and Needs Assessment working group that has conducted two previous surveys related to the pandemic. In discussing the survey, members of the Needs Assessment Working Group (NAWG) determined that it would be informative to also survey workers and those not working to compare the reasons given by both parties to gain greater insight.

Two different surveys were developed and were sent out between (June 18, 2021- July 6, 2021) total, 1583 useable employer surveys and 5542 useable employee surveys were collected.

### EMPLOYEE SURVEY RESULTS

**SURVEY RESPONDENTS: 5,542**

#### Findings

RACE	Percentage of Respondents
White	73%
Black	14%
Other	13%

- Out of the respondents above, 69% were Hispanic

Gender	Percentage of Respondents
Female	60%
Male	38%
Prefer Not to Say	1.7%
Other	0.3%

Currently Employed	Percentage of Respondents
Yes	73%
No	27%

#### Observations

##### **Of those currently employed (73%)**

- 18% Lost Job During Pandemic but are now re-employed
- 82% report never having lost their jobs.

## COVID -19 ERTF EMPLOYER/EMPLOYEE JOB SURVEY RESULTS

### Of those not currently employed (27%)

- 41% are receiving unemployment benefits
- 59% are not receiving unemployment benefits

### Analysis

- It was encouraging to see 77% of respondent not currently employed report to be actively looking for a job.
- Those who said they were not currently employed were further asked to identify reasons why they were not actively looking for a job. Table1, summarizes the answers of the 328 respondents.

**TABLE 1: Summary of responses *Why are you not looking for a job?***

Answer	%	Number
Lack of transportation to work	2.74	9
Lack of requisite skills	3.05	10
Difficult working conditions	3.66	12
Salary does not compete with UE benefits	7.32	24
Lack of childcare	12.50	41
Still anxious about COVID at work	16.77	55
Other	53.96	177
<b>TOTAL</b>	<b>100</b>	<b>328</b>

### Analysis

A summary analysis of the open form question 23 (*What would help you re-enter the job market?*) helps to gain an in-depth understanding, since the answers were in the respondents' own words. There were 1,000 total responses to this question. All responses were rated to categorize them into one of the categories used in Question 22 and shown in the table above. After a thorough review of the answers, the categories were modified to include assistance is needed in the following areas:

- Transportation
- Day care for child or parent
- Better Pay/more money
- Education or training in skills or language
- Job Opportunities being offered – applications have been made but no job offers
- Restrictions of COVID lifted whether those imposed by officials or indicated by health data
- Job Search help – job postings, resume help, etc.
- Other assistance
- Blanks or indecipherable responses

Of the 1,000 responses, 236 were indecipherable and could not be properly categorized. These responses were kept out of the final analysis so that the total useable responses equaled 764. The table below summarizes the breakdown of those 764 responses.

## COVID -19 ERTF EMPLOYER/EMPLOYEE JOB SURVEY RESULTS

**TABLE 2: Summary of responses Q23 - What would help you re-enter the job market?**

Answer	%	Number
Job Offers or Opportunities	34%	562
Better/higher Pay	30%	230
COVID-19 restrictions lifted	10%	79
Training/Education	6%	45
Day care	5%	40
Search assistance/services	3%	21
Transportation	2%	10
Other	10%	77
<b>TOTAL</b>	<b>100</b>	<b>764</b>

### Analysis

Table 2 shows that 64.4% of the respondents identified either not being offered jobs they have applied for or the lack of “better” pay or salary commensurate with their training/education as being the reasons they are not in the job market. Of those respondents who indicated they received no job offers, many believed that their age or disability played a role in not having been offered a position of the many applications they submitted. There were some who also indicated they were willing to do any job if the employer would train them. However, the employers rejected them, nonetheless. A concerning number of respondents indicated that they had applied to many job postings and never heard a word from most of the worksites, which was very discouraging to most.

Some interesting notes to highlight from those responses categorized as “Other”. Many indicated that they were looking for more flexible hours or positions that enabled teleworking. Others were waiting for their employers to reopen, presumably having been told they would be hired back. This included many companies in the hospitality and tourism industry. Still others reported that they were taking the opportunity to open their own businesses, a bold and somewhat encouraging sign for future expansion of jobs in Miami.

# COVID -19 ERTF EMPLOYER/EMPLOYEE JOB SURVEY RESULTS

## EMPLOYER COMPANY SURVEY RESULTS

**SURVEY RESPONDENTS: 1583**

### Findings

<b>RACE</b>	<b>Percentage of Respondents</b>
White	74%
Black	6%
Other	20%

- Out of the respondents above, 62% were Hispanic

<b>Gender</b>	<b>Percentage of Respondents</b>
Female	31%
Male	57%
Prefer Not to Say	9%
Other	3%

<b>LGTBQ Owned</b>	<b>Percentage of Respondents</b>
Yes	4%
No	85%
Preferred Not to Say	11%

Of those currently employed (73%)

- 18% Lost Job During Pandemic but are now re-employed

**TABLE 3: Employer Company Profile by Revenues**

<b>Answer</b>	<b>%</b>	<b>Number</b>
\$0- \$100,000	22%	257
\$100,001 - \$500,000	26%	299
\$500,001 - \$1,000,000	14%	165
\$1,000,001 - \$5,000,000	21%	247
\$5,000,001 +	17%	118
<b>TOTAL</b>	<b>100%</b>	<b>1156</b>

### Analysis

We asked employers to indicate whether they were currently and actively hiring. Two-thirds of the businesses reported they were looking to fill-in positions for about 1,050 companies. The number of openings varied from one or two to as much as 237 at one of the businesses. That spread is in keeping with the generally even distribution. of companies by revenue size. An overwhelming majority of those 1,050 companies hiring (93%) indicated that they still had unfilled positions.

## COVID -19 ERTF EMPLOYER/EMPLOYEE JOB SURVEY RESULTS

The survey asked companies to share the hourly salaries of their opened positions and only 48 companies (.05%) responded. Of those, 61% reported salaries in excess of \$15 hourly, while 30% said it was less than \$15 and 10% indicated employees were paid tips or commissions mostly.

The survey asked about projected future openings, but very few (31- 48) employers completed those sections and therefore meaningful conclusions cannot be drawn from the data.

**TABLE 4: Employer reported open positions that remain unfilled**

Percent of Open Positions Still Unfilled at the Company	% Respondents	Number
0 – 25%	19%	156
26% - 50%	18%	147
51% - 75%	14%	115
76% - 100%	46%	378
Unknown	3%	24
<b>TOTAL</b>	<b>100%</b>	<b>820</b>

Table 4 shows that 60% of respondents had at least half to all their positions still unfilled, numbers reflecting what has been reported in other surveys and the media.

**TABLE 5: Attributed Reasons for Difficulty in Filling Open Positions**

Answer	%	Number
Salary does not compete with unemployment benefits	47%	559
Lack of requisite skills	15%	177
People still anxious about exposure to Covid-19	8%	87
Lack of Childcare	6%	73
Lack of employee transportation to work	4%	49
Difficult working conditions	2%	26
Other	18%	216
<b>TOTAL</b>	<b>100%</b>	<b>1187</b>

### **Analysis**

The overwhelming majority of employers attribute their inability to fill positions to the fact that their salaries were less than the unemployment benefits being received. At that time Florida was giving \$275 weekly with an additional \$600 in Federal benefits. Annualized, that was a salary rate of about \$45,500, which was roughly 65% of area median income, considered low income for a family of one in Miami. Still, this amount is probably well above what most service positions pay.

## COVID -19 ERTF EMPLOYER/EMPLOYEE JOB SURVEY RESULTS

### Summary:

It is interesting to compare the answers that employers gave to those employees gave to why positions remained open and why people were not taking the open jobs. There is general agreement by both employees and employers that potential workers were choosing to stay home because they had more money that way. Employers saw that as the number one barrier to getting people back to work, and that is doubtless a leading factor. However, the free form answers from the employees hinted at some nuances and issues that would be a mistake to overlook.

It was very interesting to see how many individuals referred to the fact that they had been applying for jobs but never heard back from the potential employer at all. This is certainly discouraging for those looking for work and may have led to some prospective workers to lose the zeal from their efforts. Additionally, many individuals reported that they were willing to work any job, but employers seemed reluctant to hire them unless they had prior experience. This may be an area that workforce training efforts could target to help bridge some of the gap. There may be a happy compromise that could be reached by those employers who are looking to fill over half of their positions and out of work individuals wanting to work but needing some training.

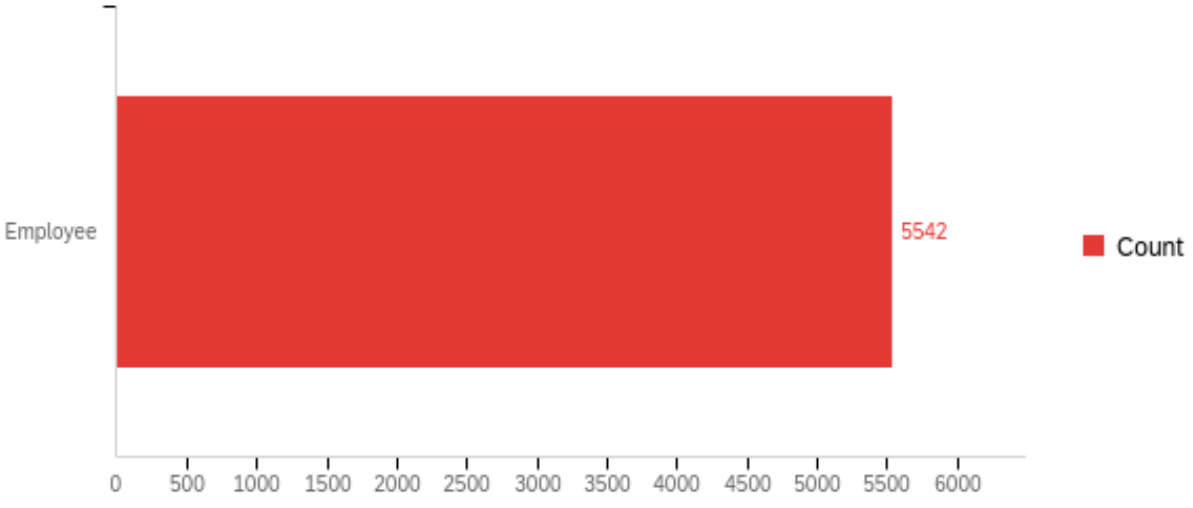
Lastly, it should not be overlooked that 10% of the individual respondents were worried about the virus not having yet abated. This was before the current resurgence caused by the Delta variant. With infection rates on the rise and hospitalizations growing as well, it can be expected that more people will be hesitant to go back to work.

Obviously, the survey was conducted before Governor DeSantis opted out of the federal unemployment subsidy. Today, the incentive to stay home because you make more is certainly not as great, but employers, especially in the tourism areas, are still struggling to fill their work rosters. Paying attention to some of issues raised in the employee survey may be of help.

# Employee

ISD - Job Survey  
July 7th 2021, 1:49 pm EDT

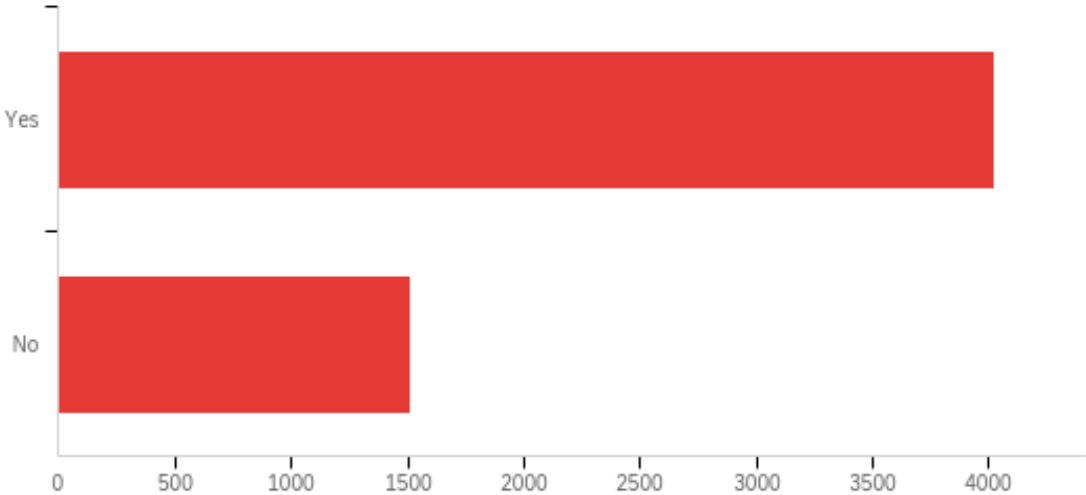
## Employee Report



Answer	%	Count
Employee	100.00%	5542
Total	100%	5542

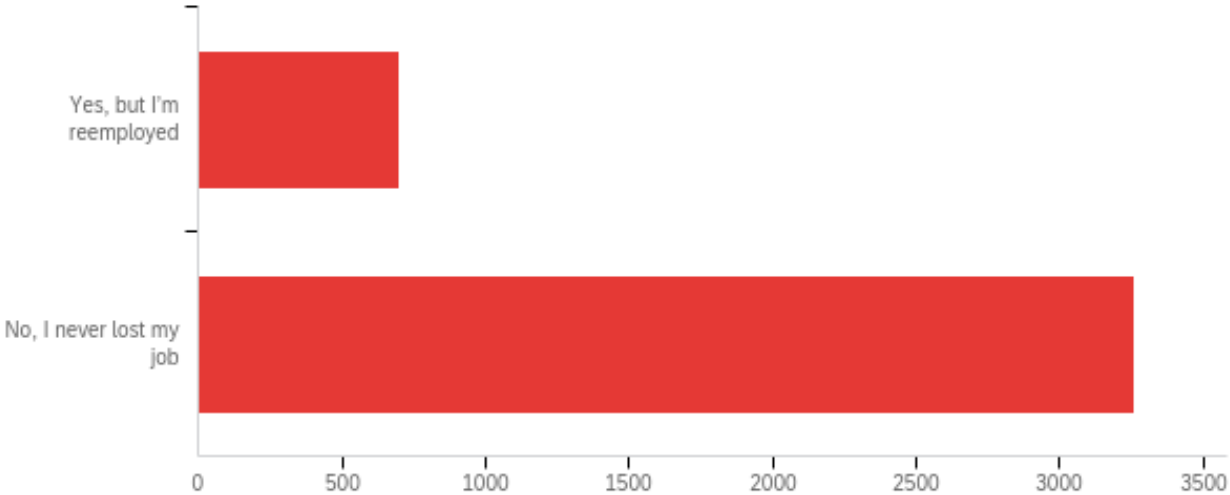


**Q8 - Are you currently employed?**



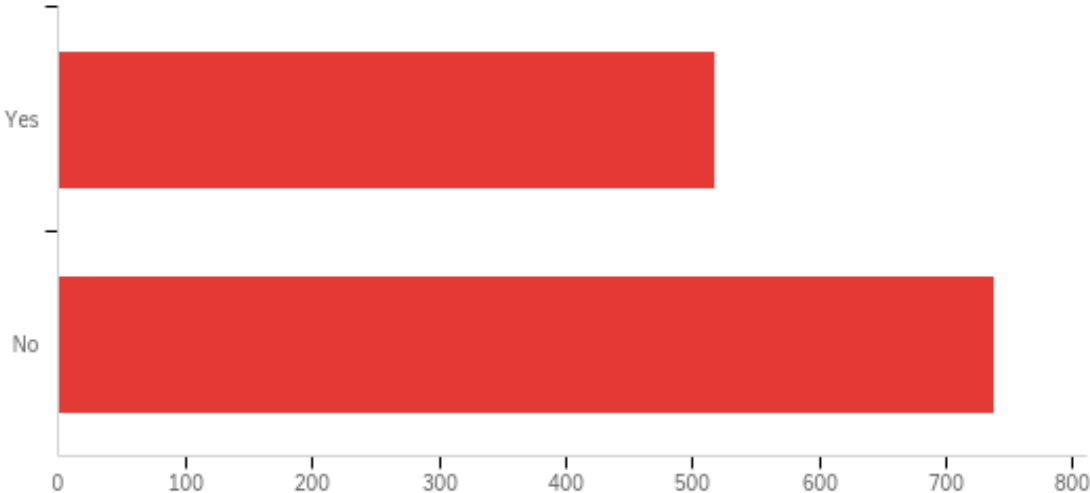
Answer	%	Count
Yes	72.63%	4025
No	27.37%	1517
Total	100%	5542

**Q19 - Did you lose your job during the pandemic?**



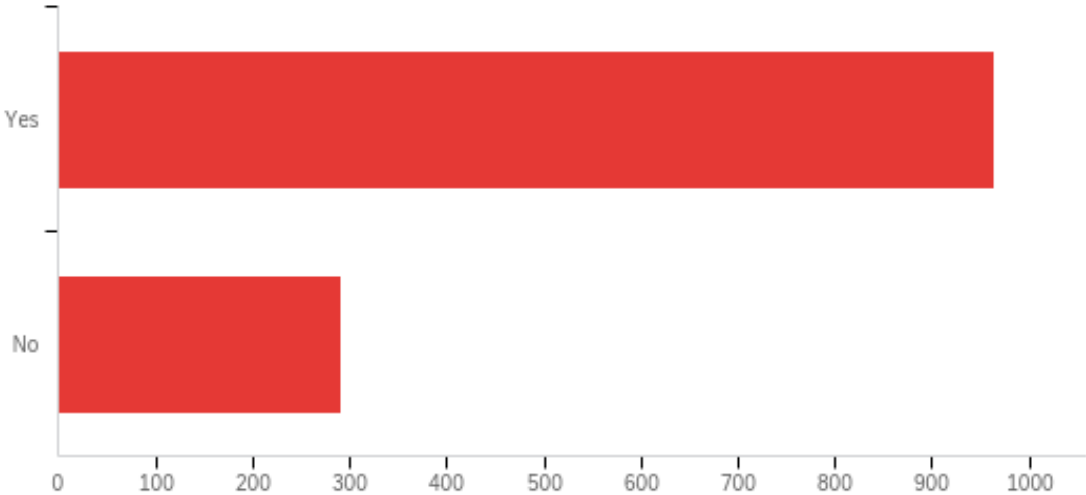
Answer	%	Count
Yes, but I'm reemployed	17.61%	697
No, I never lost my job	82.39%	3261
Total	100%	3958

Q20 - Are you receiving unemployment benefits?



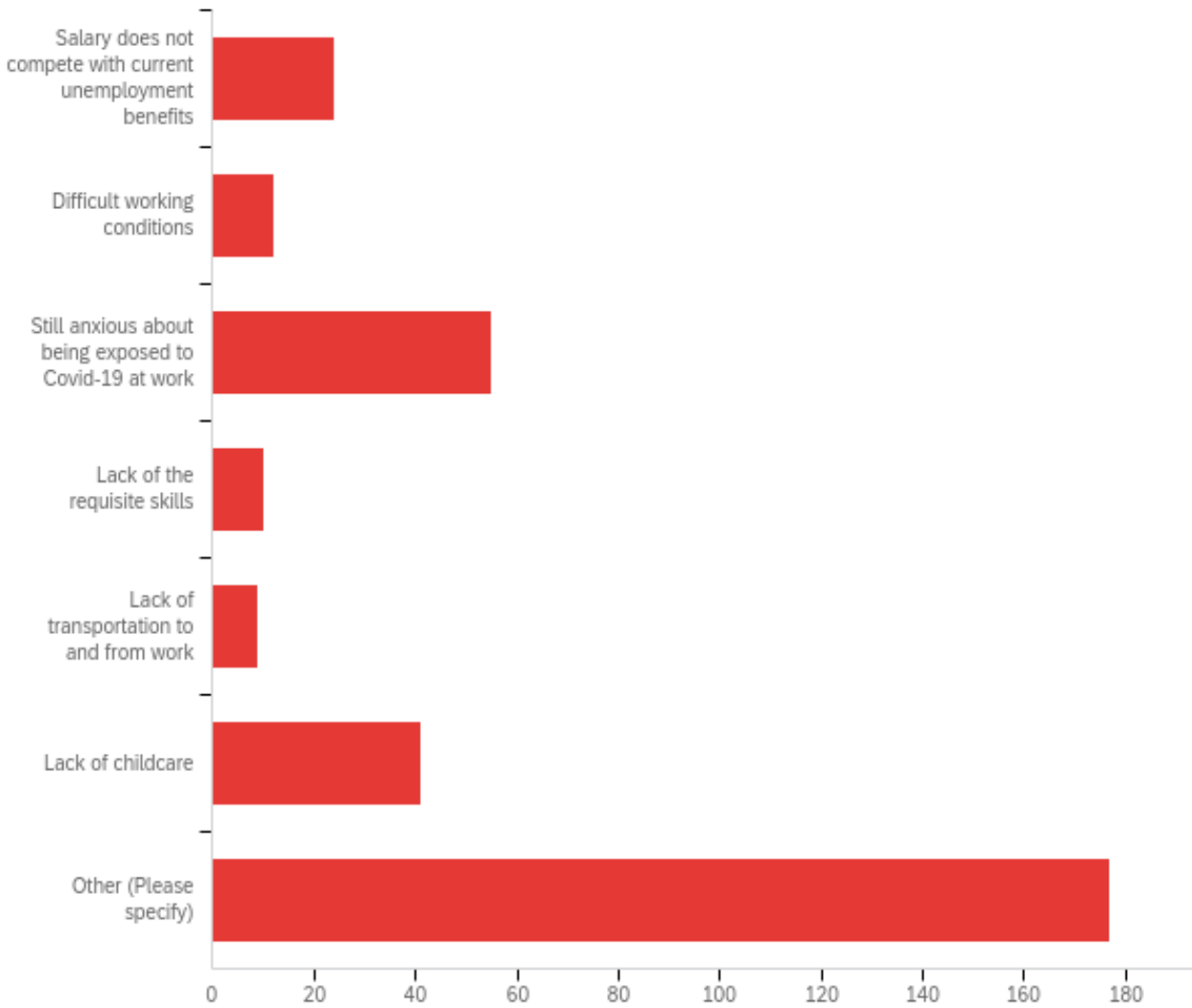
Answer	%	Count
Yes	41.20%	517
No	58.80%	738
Total	100%	1255

Q21 - Are you looking for employment?



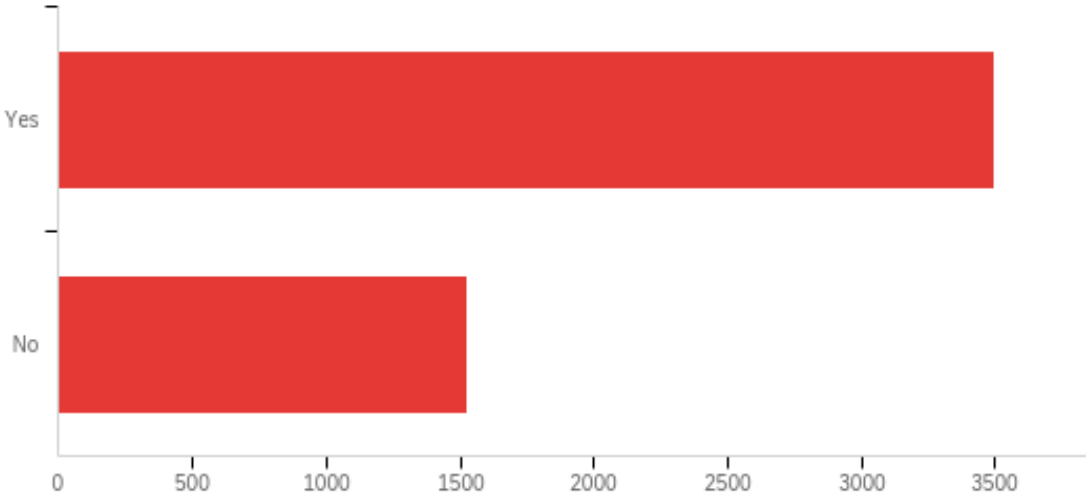
Answer	%	Count
Yes	76.81%	964
No	23.19%	291
Total	100%	1255

## Q22 - Why not? (Select up to three choices.)



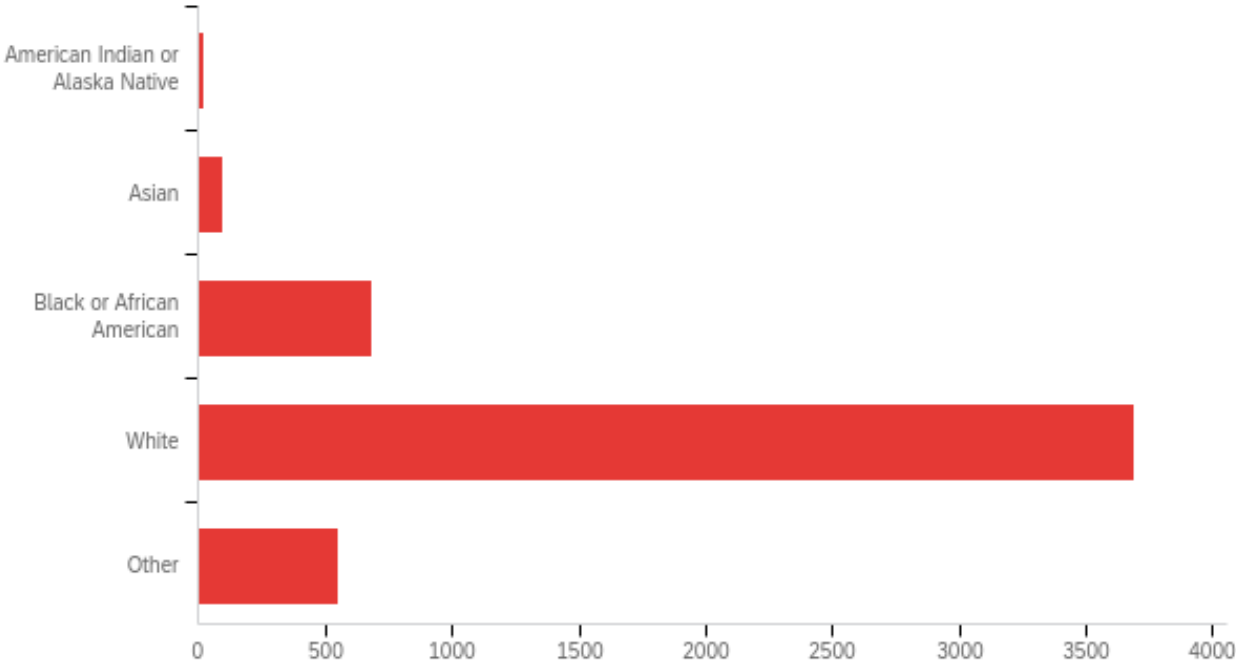
Answer	%	Count
Salary does not compete with current unemployment benefits	7.32%	24
Difficult working conditions	3.66%	12
Still anxious about being exposed to Covid-19 at work	16.77%	55
Lack of the requisite skills	3.05%	10
Lack of transportation to and from work	2.74%	9
Lack of childcare	12.50%	41
Other (Please specify)	53.96%	177
Total	100%	328

Q42 - Are you Hispanic, Latino, or Spanish origin?



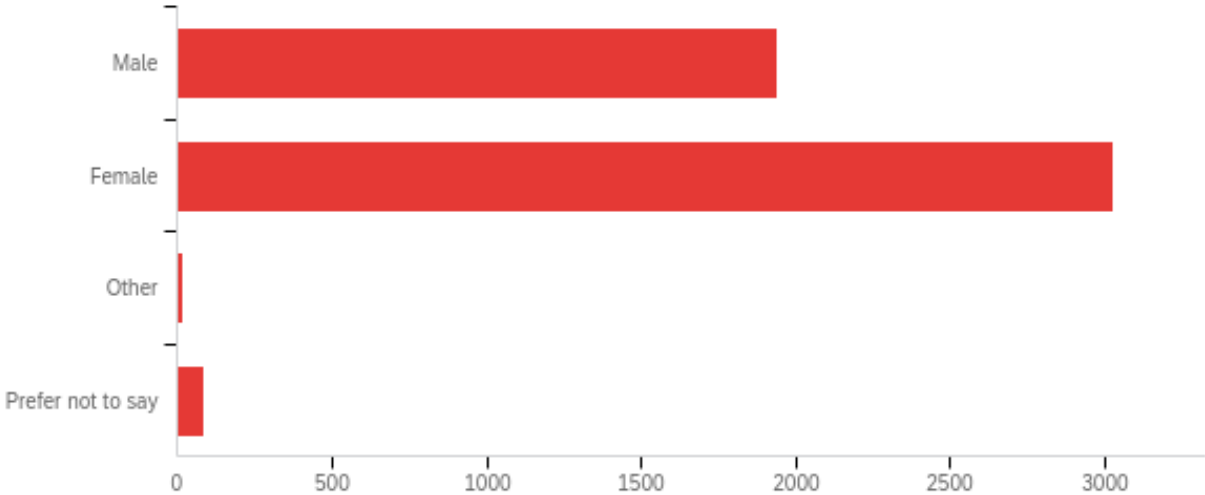
Answer	%	Count
Yes	69.58%	3498
No	30.42%	1529
Total	100%	5027

### Q43 - What is your race?



Answer	%	Count
American Indian or Alaska Native	0.40%	20
Asian	1.83%	92
Black or African American	13.56%	682
White	73.35%	3690
Other	10.87%	547
Total	100%	5031

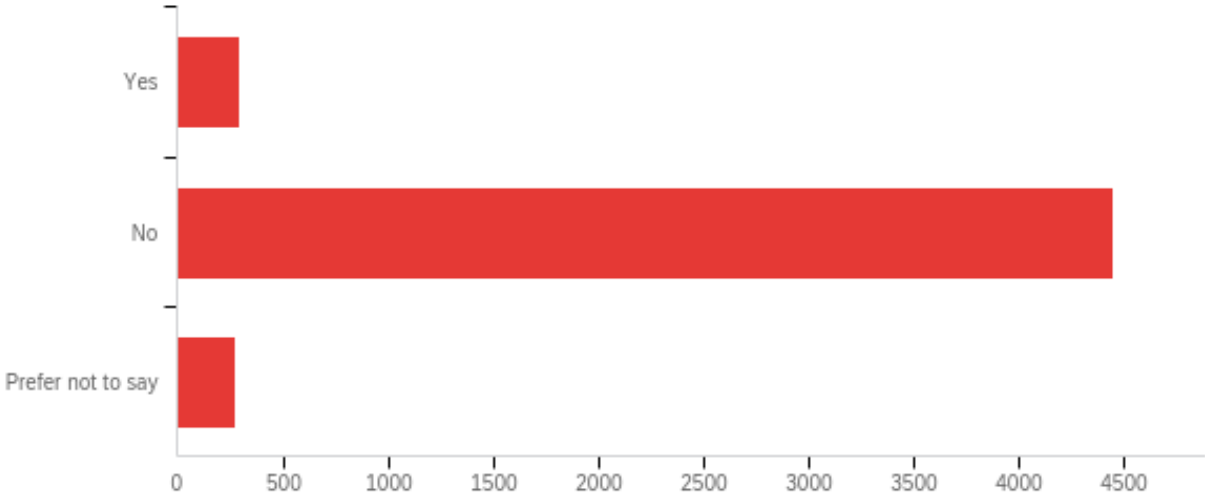
Q44 - What is your gender identity?



Answer	%	Count
Prefer not to say	1.66%	84
Other	0.32%	16
Male	38.27%	1939
Female	59.76%	3028
Total	100%	5067



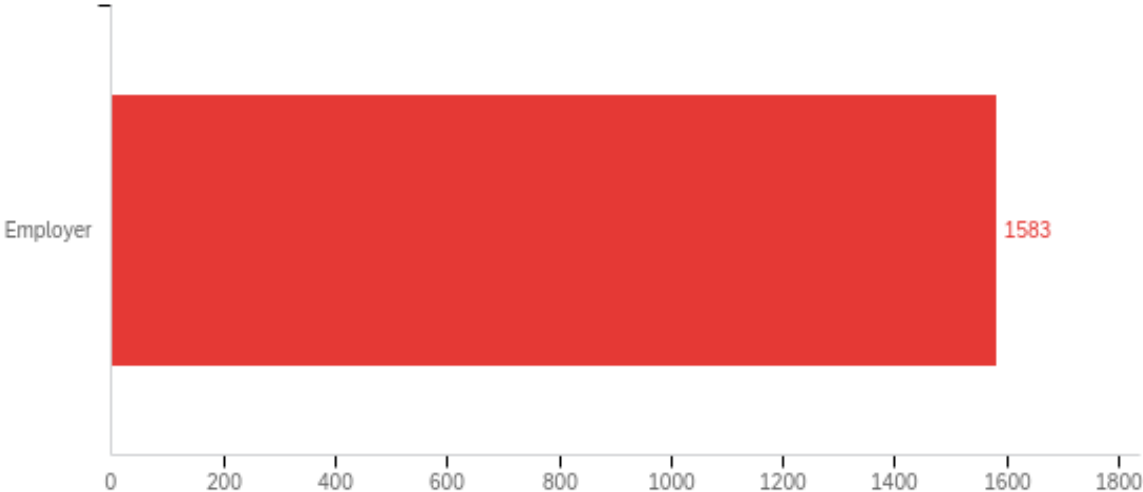
### Q45 - Are you LGBTQ+?



Answer	%	Count
Yes	5.87%	295
No	88.69%	4454
Prefer not to say	5.44%	273
Total	100%	5022

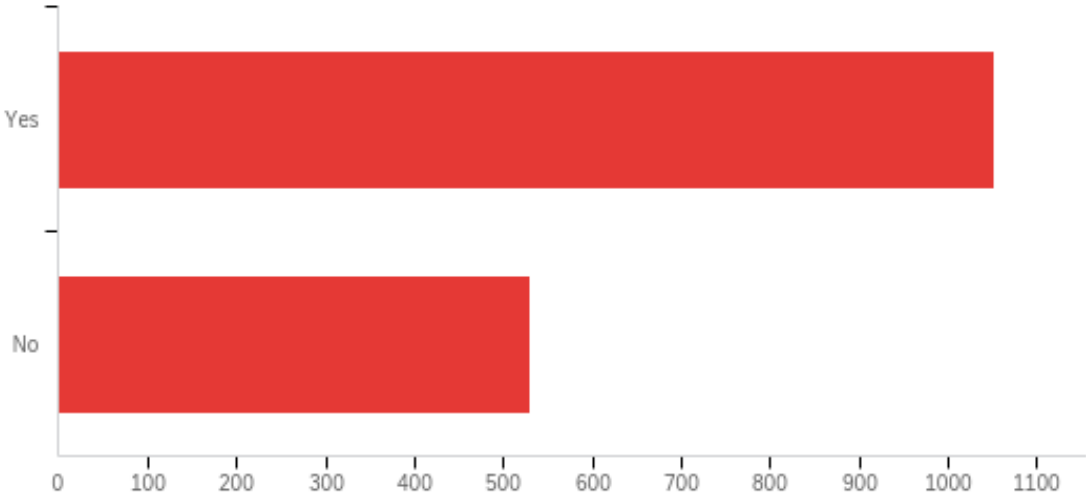
Q1 - Are you a:

# Employer Report



Answer	%	Count
Employer	100.00%	1583
Total	100%	1583

**Q5 - Are you currently hiring?**

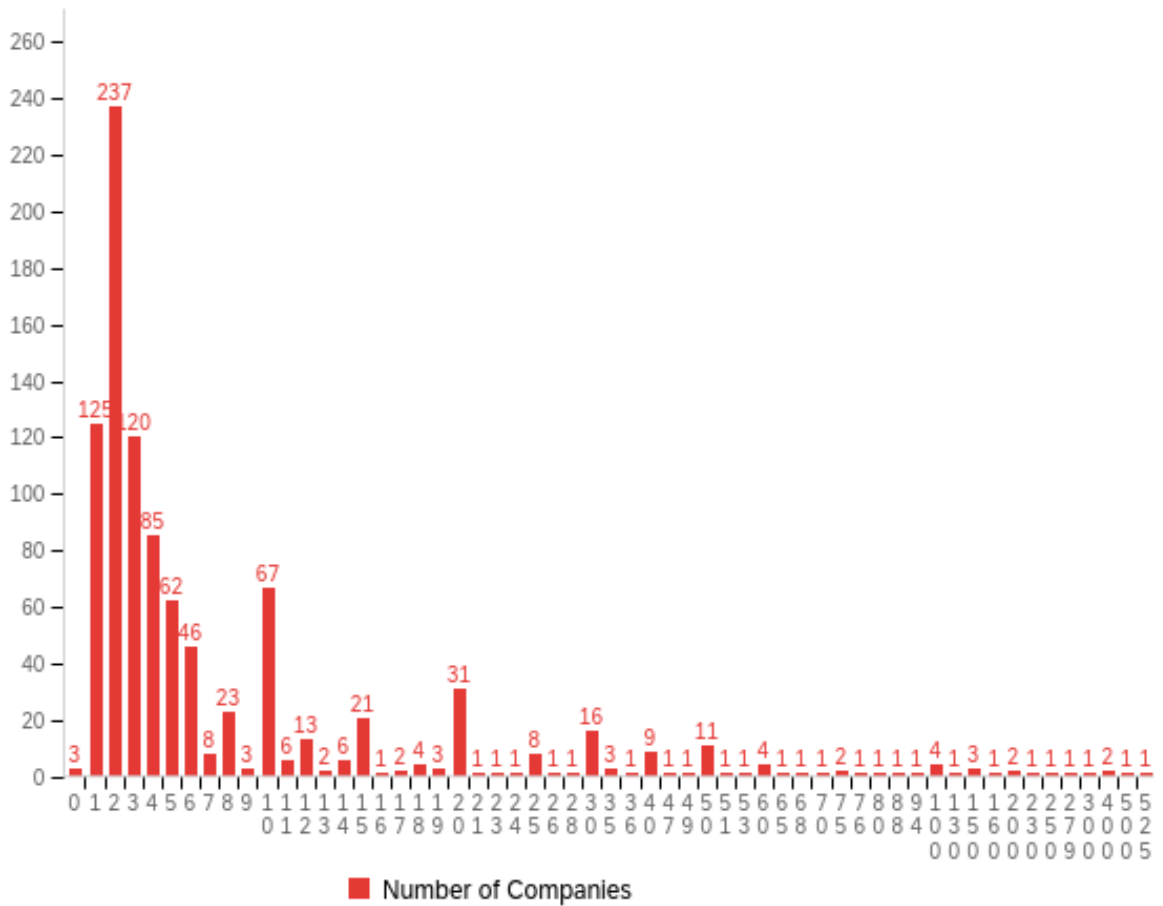


#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	Are you currently hiring?	1.00	2.00	1.34	0.47	0.22	1583

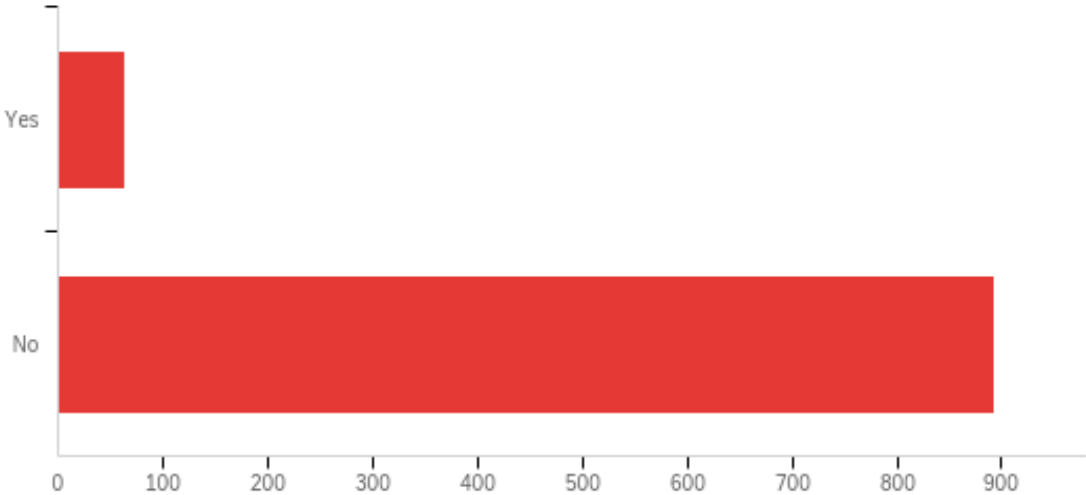
#	Answer	%	Count
1	Yes	66.46%	1052
2	No	33.54%	531
	Total	100%	1583

## Q6 - How many open positions do you have?

Field	Minimum	Maximum	Mean	Count
How many open positions do you have?	0.00	525.00	12.20	957

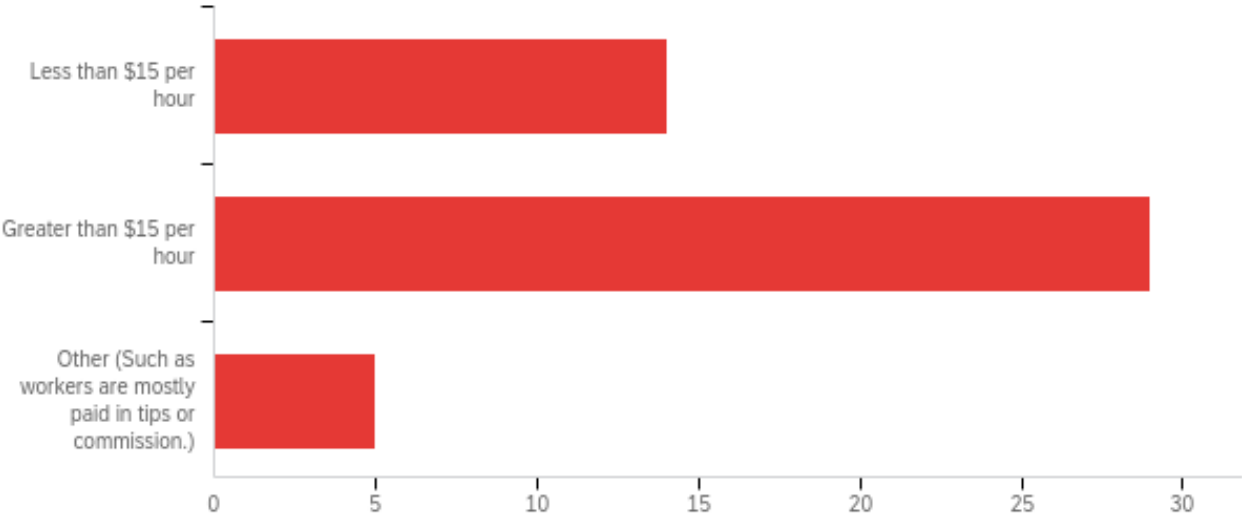


**Q7 - Have you been able to fill all of those positions?**



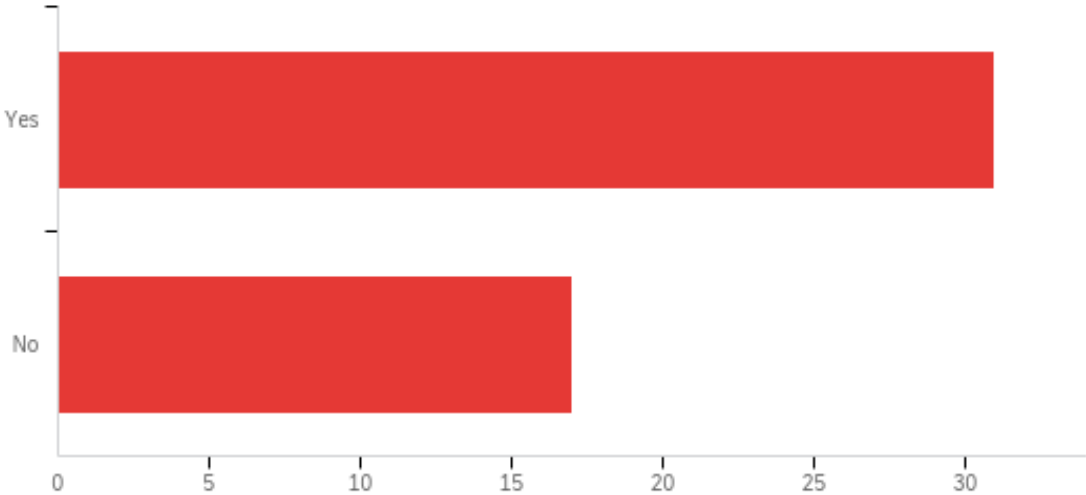
Answer	%	Count
Yes	6.69%	64
No	93.31%	893
Total	100%	957

**Q30 - What hourly wage are you paying your most recent hire?**



Answer	%	Count
Other (Such as workers are mostly paid in tips or commission.)	10.42%	5
Less than \$15 per hour	29.17%	14
Greater than \$15 per hour	60.42%	29
Total	100%	48

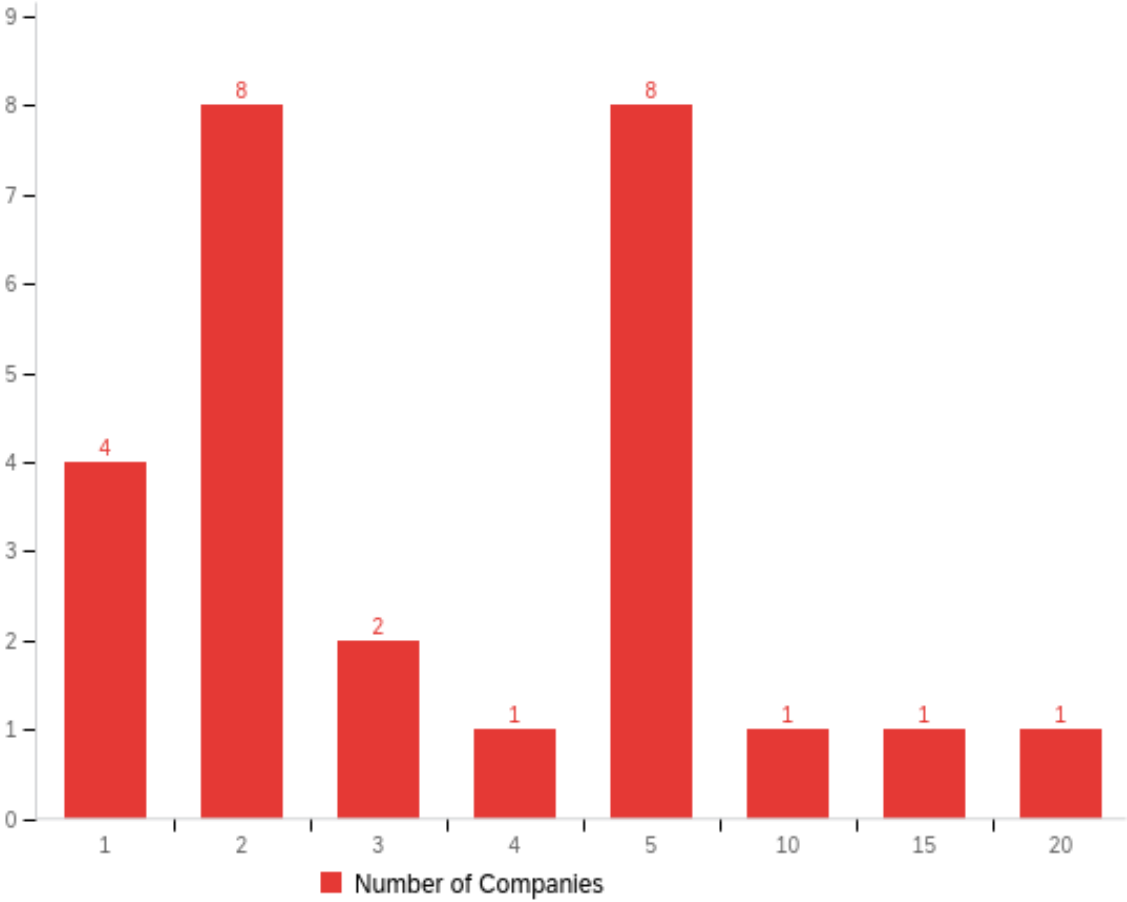
**Q13 - Do you expect to have more openings later?**



Answer	%	Count
Yes	64.58%	31
No	35.42%	17
Total	100%	48

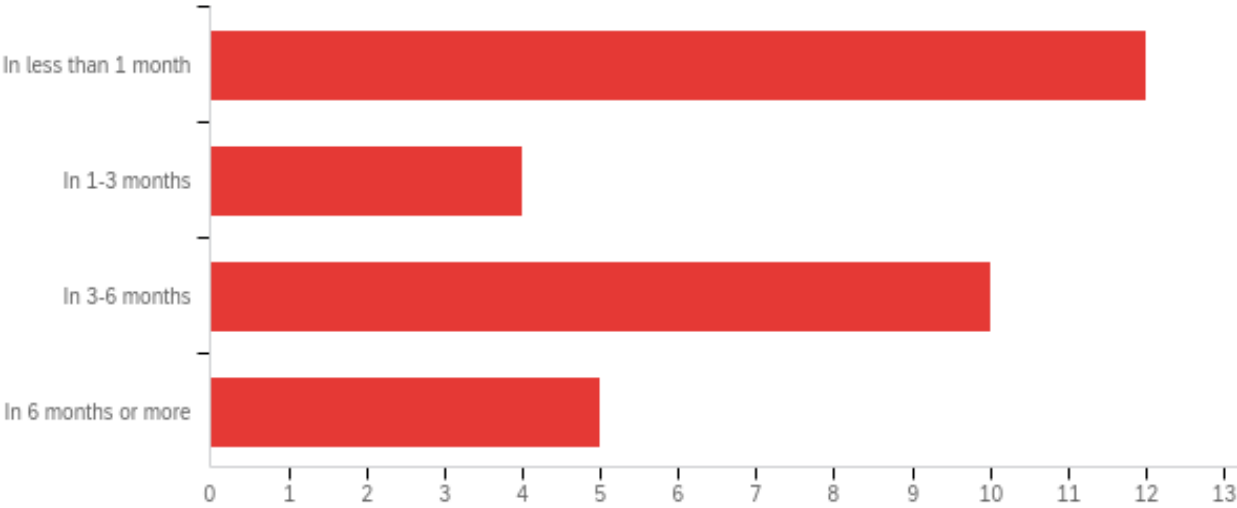
Q14 - How many openings do you expect to have then?

Field	Minimum	Maximum	Mean	Count
How many openings do you expect to have then?	1.00	20.00	4.42	26



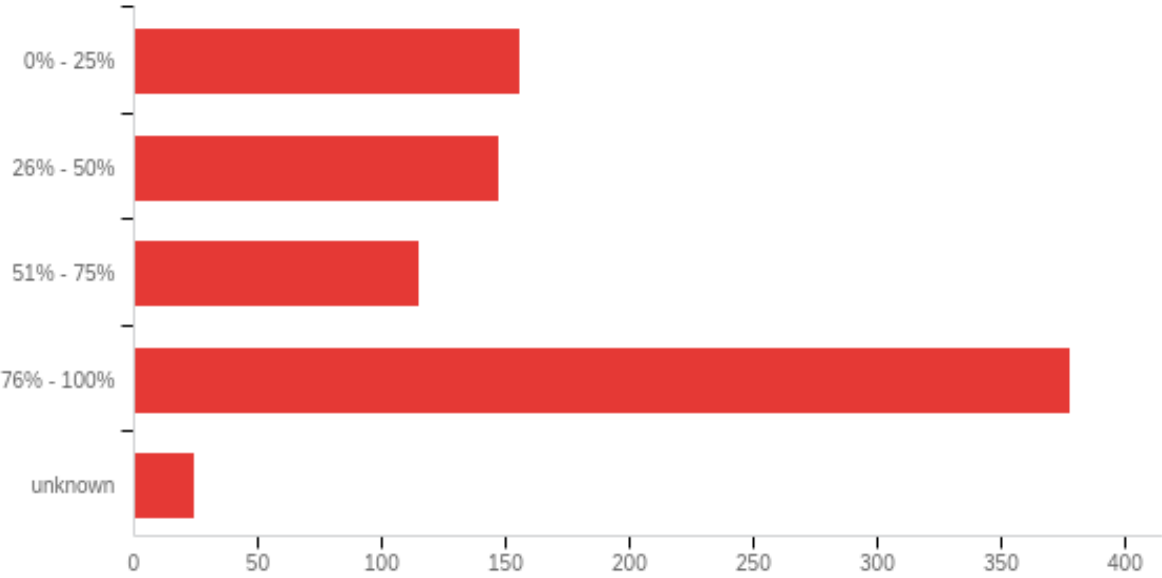


**Q32 - When do you expect to begin the hiring process?**



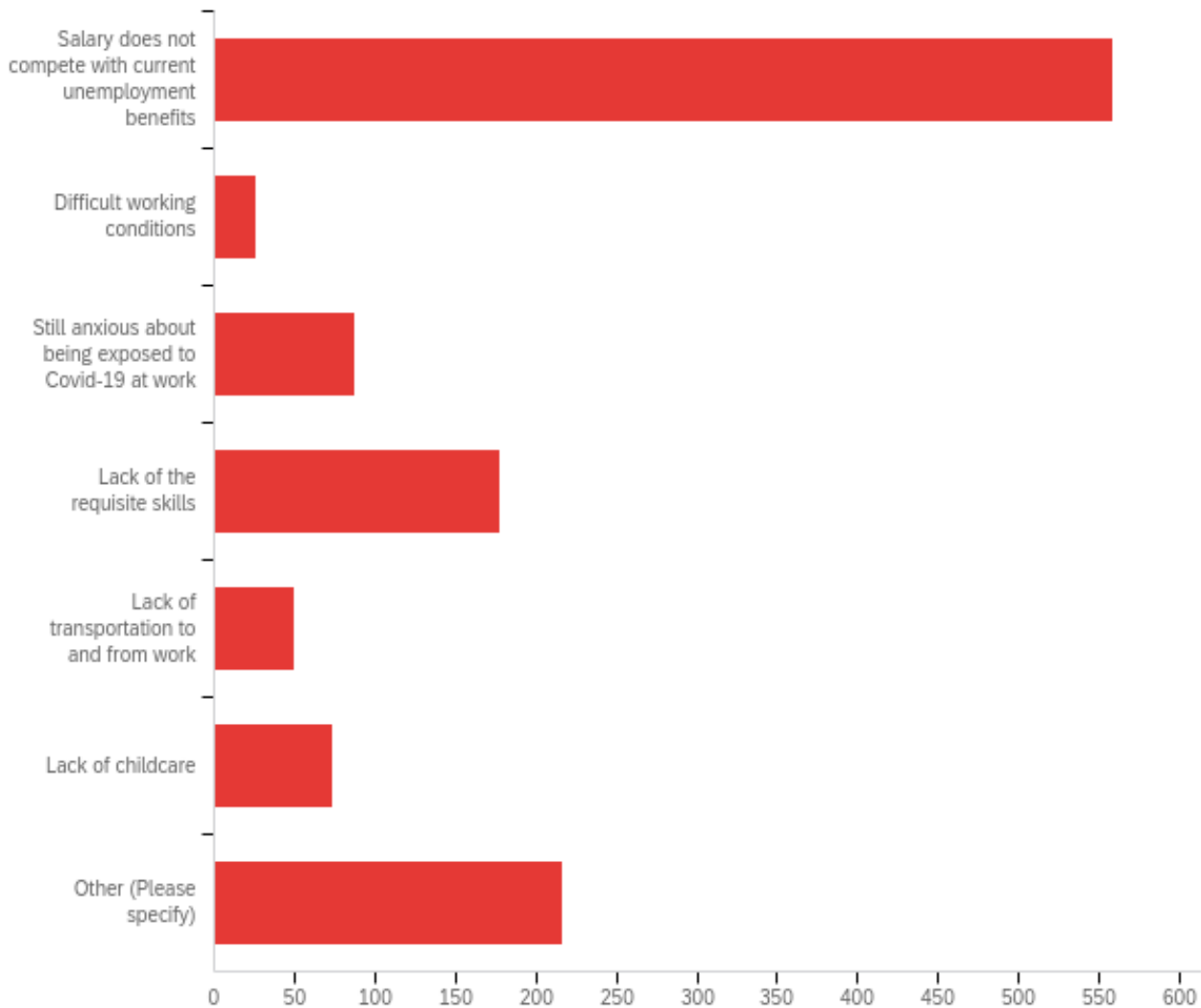
Answer	%	Count
In 6 months or more	16.13%	5
In 3-6 months	32.26%	10
In 1-3 months	12.90%	4
In less than 1 month	38.71%	12
Total	100%	31

**Q16 - What percentage of your open positions remain unfilled?**



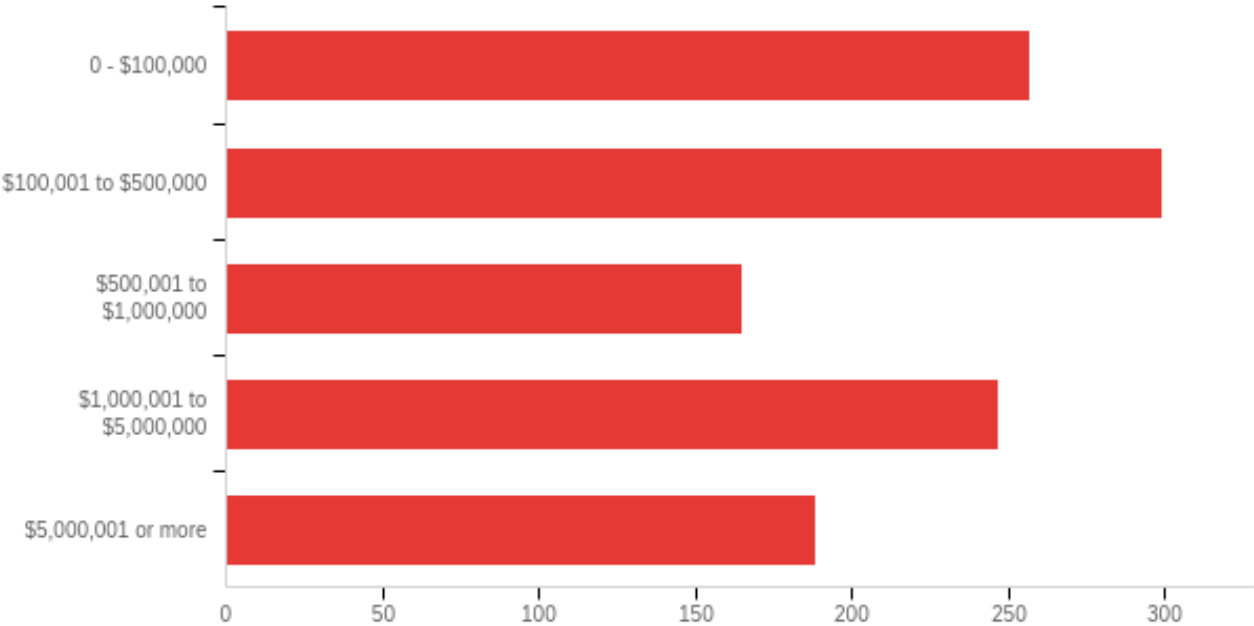
Answer	%	Count
unknown	2.93%	24
76% - 100%	46.10%	378
51% - 75%	14.02%	115
26% - 50%	17.93%	147
0% - 25%	19.02%	156
Total	100%	820

**Q17 - To what do you attribute the difficulty in filling these positions? (Select up to three.)**



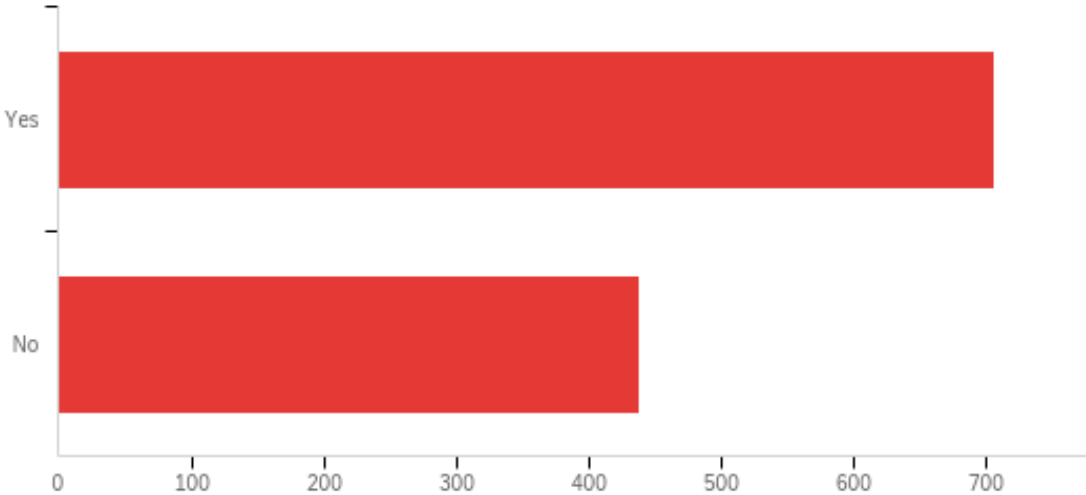
Answer	%	Count
Still anxious about being exposed to Covid-19 at work	7.33%	87
Salary does not compete with current unemployment benefits	47.09%	559
Other (Please specify)	18.20%	216
Lack of transportation to and from work	4.13%	49
Lack of the requisite skills	14.91%	177
Lack of childcare	6.15%	73
Difficult working conditions	2.19%	26
<b>Total</b>	<b>100%</b>	<b>1187</b>

**Q33 - Annual Revenue:**



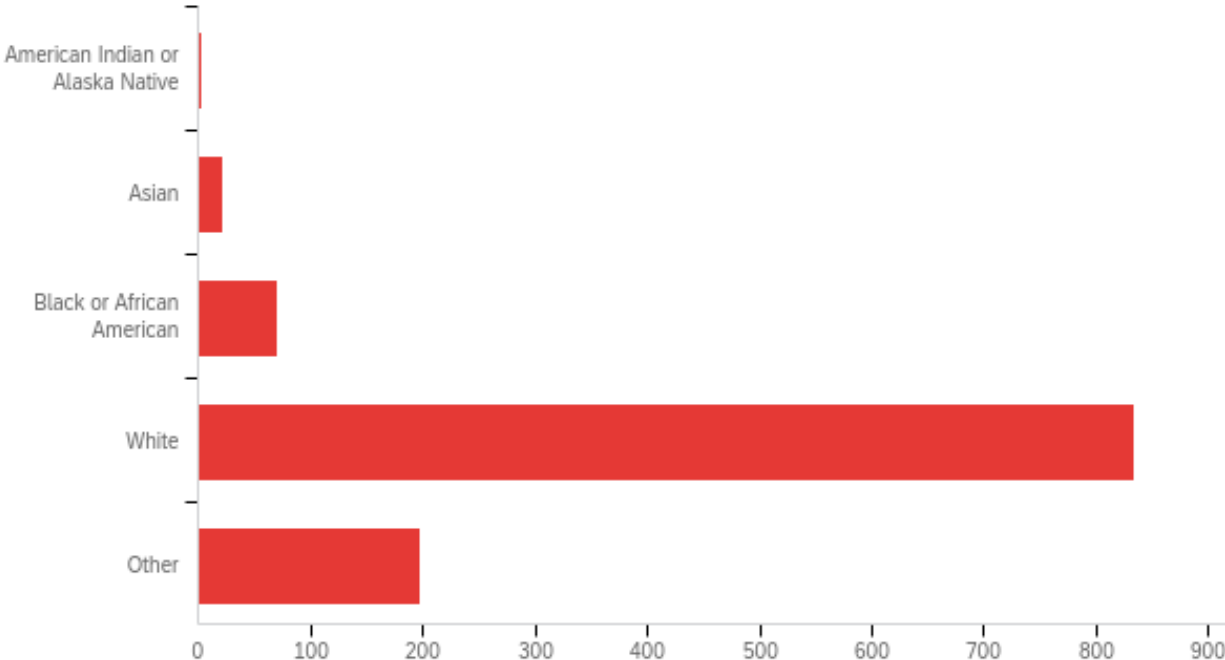
Answer	%	Count
0 - \$100,000	22.23%	257
\$100,001 to \$500,000	25.87%	299
\$500,001 to \$1,000,000	14.27%	165
\$1,000,001 to \$5,000,000	21.37%	247
\$5,000,001 or more	16.26%	188
Total	100%	1156

Q35 - Is the business owner of Hispanic, Latino, or Spanish origin?



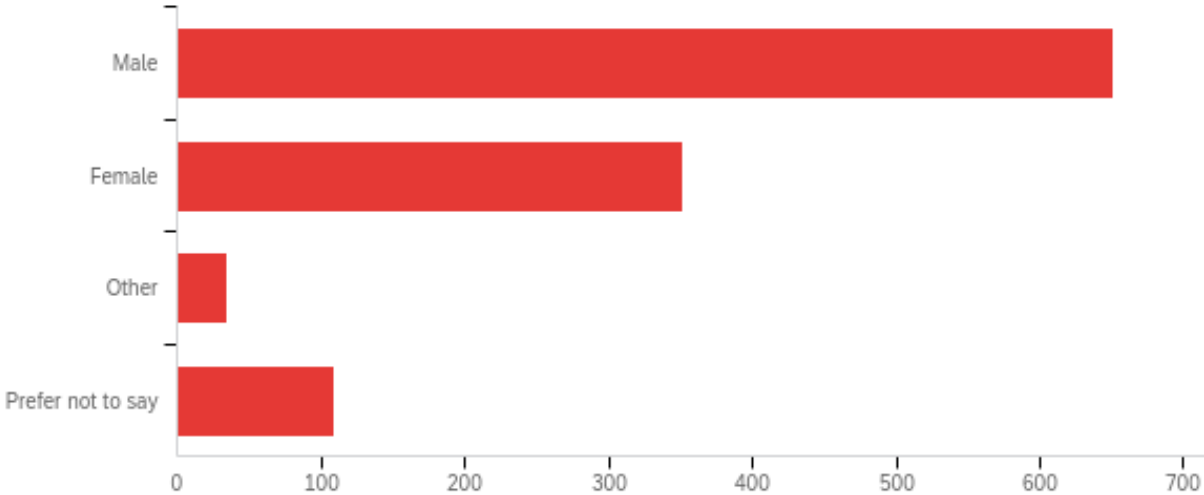
Answer	%	Count
Yes	61.71%	706
No	38.29%	438
Total	100%	1144

**Q36 - What is the business owner's race?**



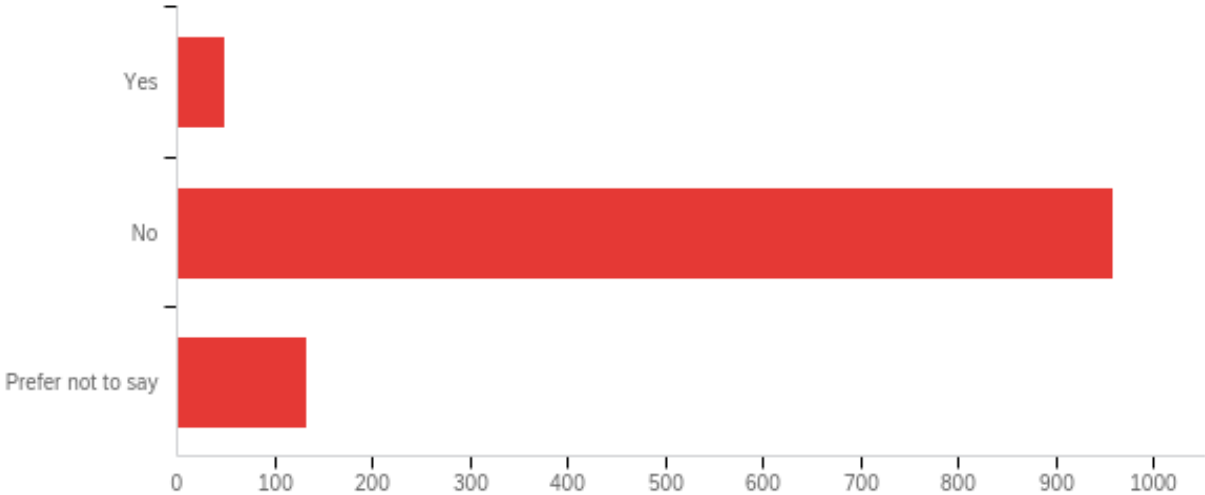
Answer	%	Count
American Indian or Alaska Native	0.18%	2
Asian	1.95%	22
Black or African American	6.22%	70
White	74.07%	834
Other	17.58%	198
Total	100%	1126

**Q37 - What is the business owner's gender identity?**



Answer	%	Count
Male	56.81%	651
Female	30.63%	351
Other	3.05%	35
Prefer not to say	9.51%	109
Total	100%	1146

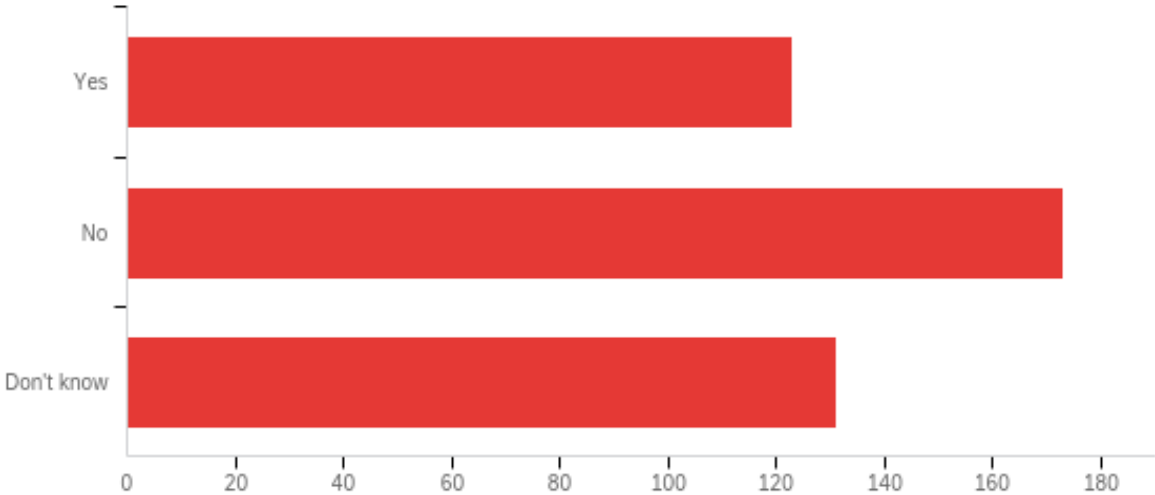
**Q38 - Is this an LGBTQ+ owned business?**



Answer	%	Count
Yes	4.22%	48
No	84.18%	958
Prefer not to say	11.60%	132
Total	100%	1138

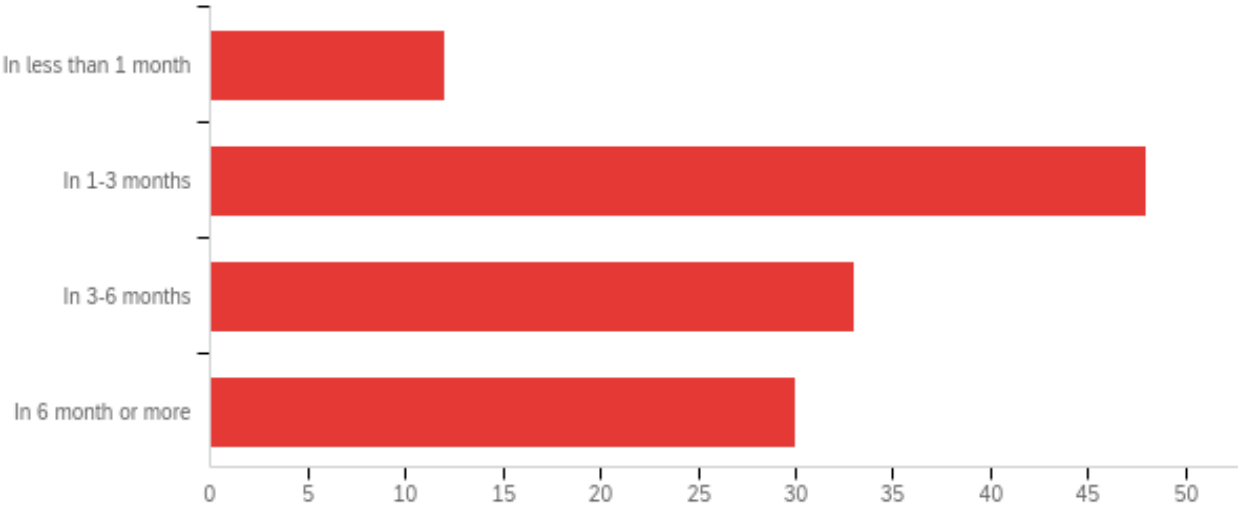


Q2 - Are you planning to hire in the near future?



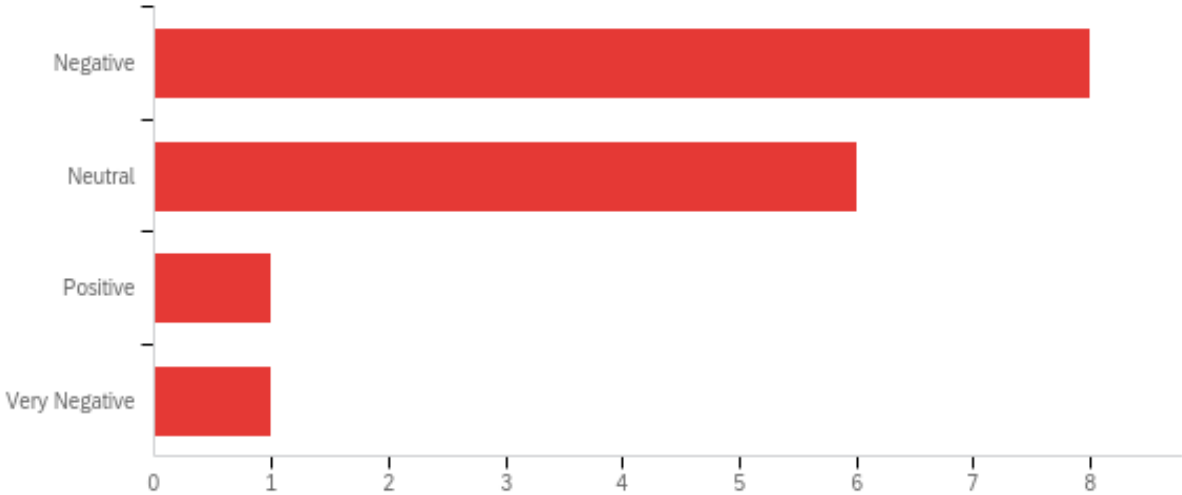
Answer	%	Count
Yes	28.81%	123
No	40.52%	173
Don't know	30.68%	131
Total	100%	427

**Q29 - When do you expect to begin the hiring process?**



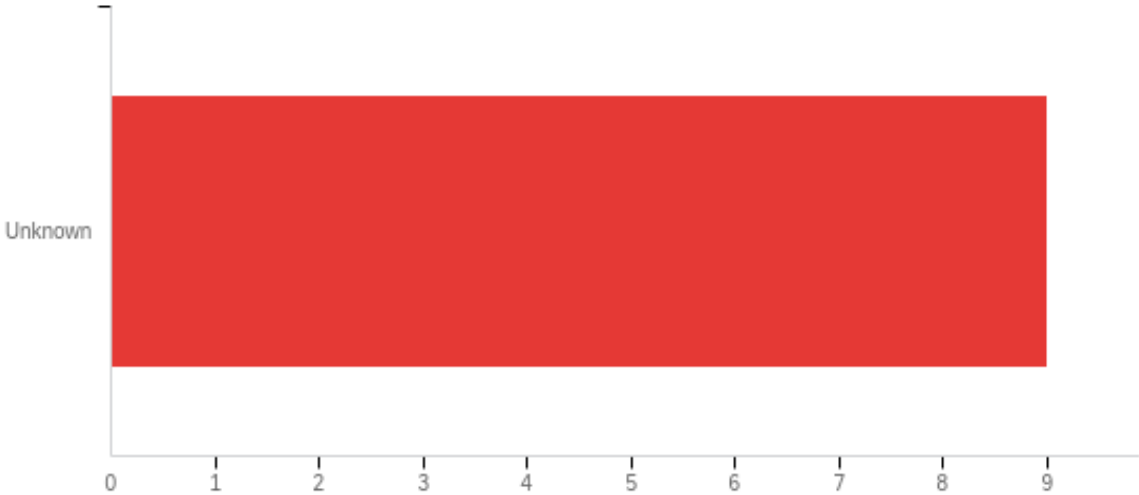
Answer	%	Count
In 3-6 months	26.83%	33
In 1-3 months	39.02%	48
In 6 month or more	24.39%	30
In less than 1 month	9.76%	12
Total	100%	123

# Q15 - Sentiment



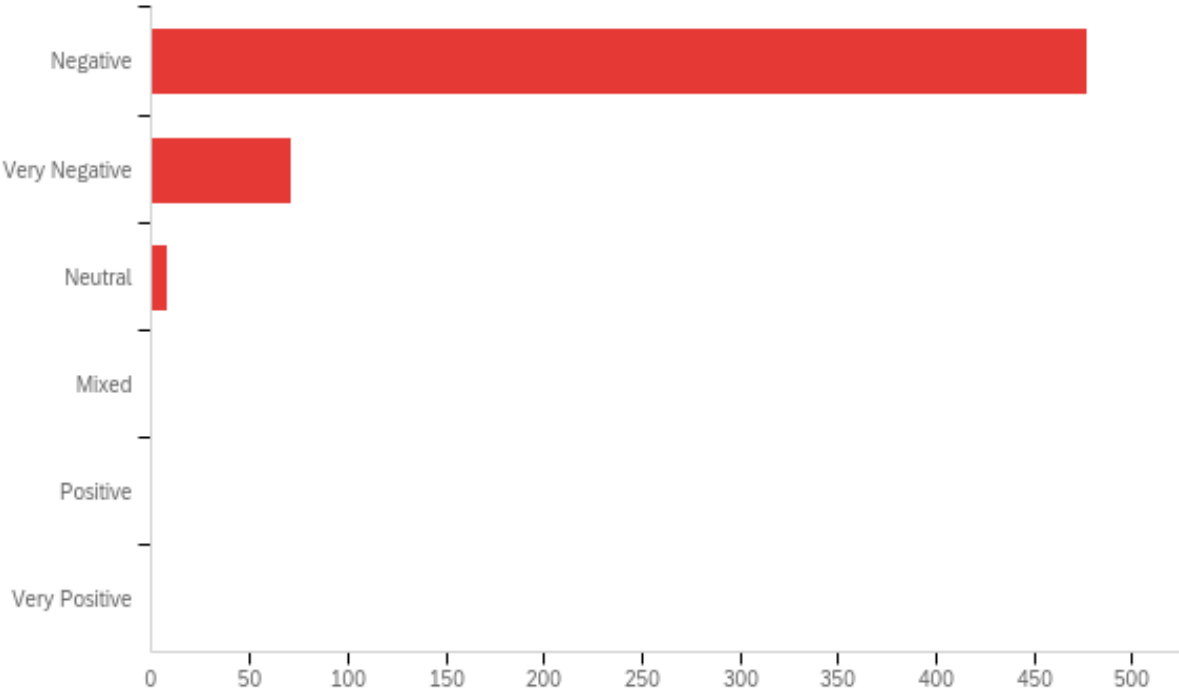
#	Answer	%	Count
1	Negative	50.00%	8
2	Neutral	37.50%	6
3	Positive	6.25%	1
4	Very Negative	6.25%	1
	Total	100%	16

Q15 - Topics



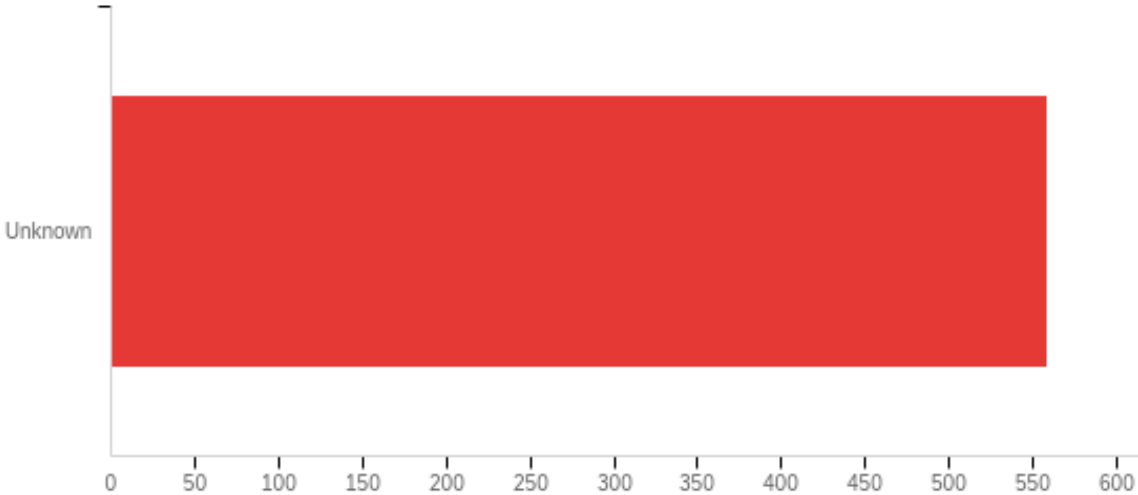
#	Answer	%	Count
1	Unknown	100.00%	9
	Total	100%	9

# Q18 - Sentiment



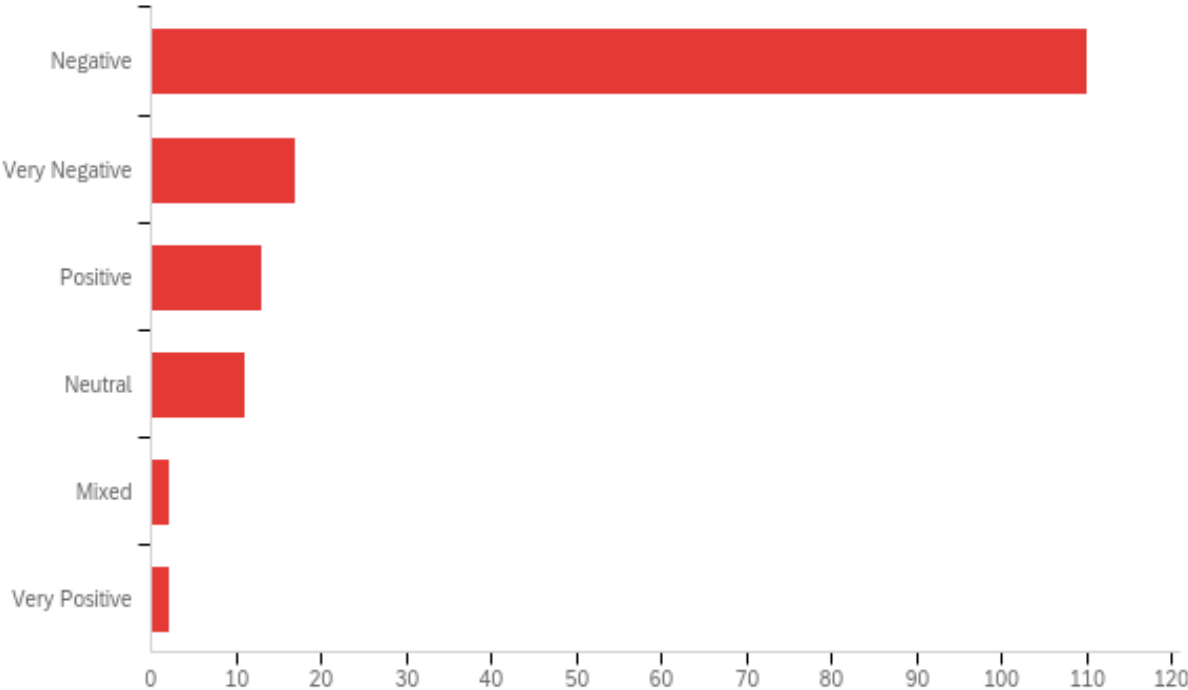
#	Answer	%	Count
1	Negative	85.33%	477
2	Very Negative	12.70%	71
3	Neutral	1.43%	8
4	Mixed	0.18%	1
5	Positive	0.18%	1
6	Very Positive	0.18%	1
	Total	100%	559

Q18 - Topics



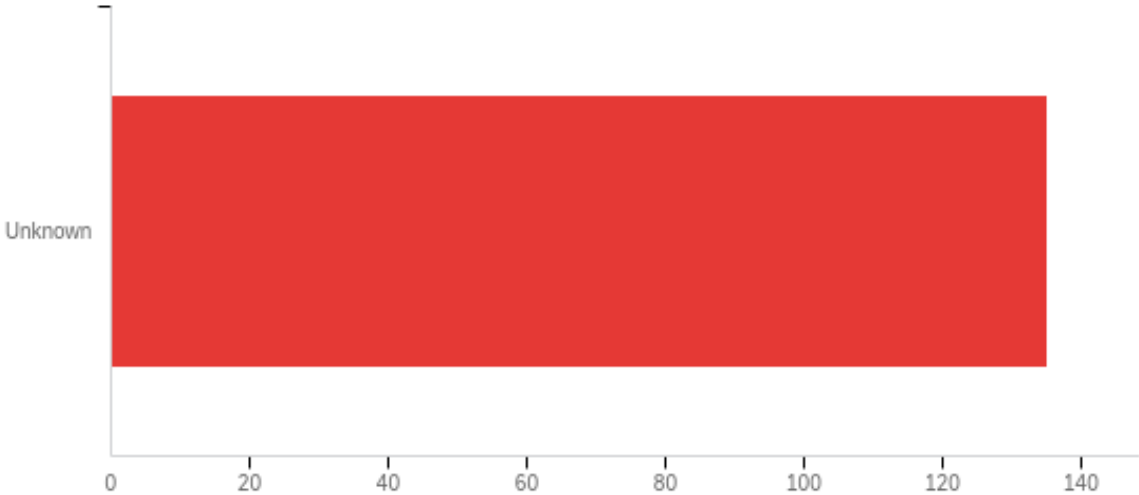
#	Answer	%	Count
1	Unknown	100.00%	559
	Total	100%	559

# Q4 - Sentiment



#	Answer	%	Count
1	Negative	70.97%	110
2	Very Negative	10.97%	17
3	Positive	8.39%	13
4	Neutral	7.10%	11
5	Mixed	1.29%	2
6	Very Positive	1.29%	2
	Total	100%	155

Q4 - Topics



#	Answer	%	Count
1	Unknown	100.00%	135
	Total	100%	135





## **SFWIB GLOBAL TALENT COMPETITIVENESS COUNCIL**

**DATE:** 10/21/2021

**AGENDA ITEM NUMBER:** 4

**AGENDA ITEM SUBJECT:** 2021-2022 WDA 23 DEMAND OCCUPATIONS LIST (TOL) ADDITION

**AGENDA ITEM TYPE:** **APPROVAL**

**RECOMMENDATION:** SFWIB staff recommends to the Global Talent and Competitiveness Council to recommend to the Board the approval to add a new occupation to the 2021-2022 Targeted Occupation, as set forth below.

**STRATEGIC GOAL:** **BUILD DEMAND-DRIVEN SYSTEM W/ EMPLOYER ENGAGEMENT**

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

### **BACKGROUND:**

On May 17, 2021, The Department of Economic Opportunity (DEO) released the 2021-2022 Demand Occupation List for the 24 Workforce Development Areas (WDA) in the State of Florida. In accordance with CareerSource Florida's Administrative Policy #82, local areas may revise the list, as needed, based on local demand in support of the occupation's addition.

SFWIB staff received a request with supporting documentation from Miami Dade County Public Schools (MDCPS) to add Standard Occupational Classification (SOC) code 49-9031 Home Appliance Repairers to the list for their Major Appliance and Refrigeration Repair Technician program.

SFWIB staff completed the review process and documentation is being presented to the Global Talent and Competitiveness Council for a recommendation to the Board for approval.

**FUNDING:** N/A

**PERFORMANCE:** N/A

*NO ATTACHMENT*



## **SFWIB GLOBAL TALENT COMPETITIVENESS COUNCIL**

**DATE:** 10/21/2021

**AGENDA ITEM NUMBER:** 5

**AGENDA ITEM SUBJECT:** EXISTING TRAINING PROVIDER AND PROGRAMS

**AGENDA ITEM TYPE:** **APPROVAL**

**RECOMMENDATION:** SFWIB staff recommends to the Global Talent and Competitiveness Council to recommend to the Board the approval of New Programs for Existing Training Providers, 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 Global Talent and Competitiveness Council for a recommendation to the Board for approval.

Below are requests to add new programs for an existing training provider for the review and approval of the Council.

1. District Board of Trustees of Miami Dade College dba Miami Dade College

Request to Add new program(s) to an existing location(s):

- Early Childhood Education – Associate of Science degree
- Early Childhood Education - Preschool – College Credit Certification
- Logistics and Transportation Specialist - College Credit Certificate
- DCF Childcare Training – Certificate of Completion
- Florida Child Care Professional Credential (FCCPC) – Certificate of Completion
- Certified Professional Coder – Certificate of Completion
- Patient Care Technician – Certificate of Completion

- Certified Financial Planner – Certificate of Completion
- Home Inspection Pre Licensing Provider – Certificate of Completion
- Certified Nursing Assistant (CNA) – Certificate of Completion

**FUNDING:** N/A

**PERFORMANCE:** N/A

*ATTACHMENT*

## Training Vendor Program Information for: Miami Dade College

**Note:** ITAs are issued in accord with the SFWIB ITA Policy; the initial ITA 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 training program's life and may cover up to and including the remaining 50 percent of the program's maximum ITA amount. **Pell Grants:** All participants are required to apply for the Pell Grant and if Pell eligible and the program is a Pell eligible program, then the Pell Grant must be deducted from the total ITA amount. ITAs only cover up to one year of training and neither A.A. nor Bachelor degrees. **Refunds:** For guidance on issuing refunds, refer to the SFWIB Standardized Refund Policy. **Notice:** Case Managers shall advise participants that they may be required to obtain student loans and/or other grants to cover the cost of the program that they wish to enroll in if the ITA amount and the Pell Grant, if eligible for Pell, does not cover the full cost of the program. **SFWIB will not be responsible for any debts that the participant incurs.**

																			2021-2022 TOL Wage Rate			
Proposed Training Program Name <small>(program name must be written as approved by the CIE)</small>	Credential Type <small>(i.e., Diploma, Associate or Bachelor of Science)</small>	Location/ Campus <small>(street address, city, state &amp; zip)</small>	Credit Hours	Clock Hours	Course Length <small>(estimated 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	2020-2021 TOL Related Occupations (SOC & Name)	Mean	Entry	Quadrant Category
<b>Associate of Science</b>																						
<b>Early Childhood Education</b>	Associate of Science	Various (All)	60	NA	22	\$7,143.20	\$0.00	\$952.44	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,095.64	Y	1413121004	25-2021 Elementary School Teachers, Except Special Education	\$25.12	\$19.08	Low Growth/High Wage
<b>Diploma/Certificate Programs</b>																						
<b>Early Childhood Education - Preschool</b>	College Credit Certificate	Various (All)	15	NA	10	\$1,803.30	\$0	\$399.25	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,202.55	N	1413121004	25-2021 Elementary School Teachers, Except Special Education	\$25.12	\$19.08	Low Growth/High Wage
<b>Logistics and Transportation Specialist</b>	College Credit Certificate	Various (All)	18	NA	10	\$2,127.96	\$0.00	\$1,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,327.96	Y	0652020901	11-3071 Transportation, Storage and Distribution Managers	\$45.75	\$26.03	High Growth/High Wage
<b>Non-Credit Courses</b>																						
<b>DCF Childcare Training</b>	Certificate of Completion	Various (All)	N/A	45	7	\$346.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40.00	\$0.00	\$0.00	\$0.00	\$386.00	N	1413121004	25-2021 Elementary School Teachers, Except Special Education	\$25.12	\$19.08	Low Growth/High Wage
<b>Florida Child Care Professional Credential (FCCPC)</b>	Certificate of Completion	Various (All)	N/A	120	4	\$878.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$878.00	N	1413121004	25-2021 Elementary School Teachers, Except Special Education	\$25.12	\$19.08	Low Growth/High Wage
<b>Certified Professional Coder</b>	Certificate of Completion	Various (All)	N/A	34	2	\$619.00	\$0.00	\$525.00	\$0.00	\$0.00	\$0.00	\$0.00	\$117.00	\$0.00	\$0.00	\$1,591.00	N	0351071403	29-2071 Medical Records and Health Information Technicians	\$21.43	\$13.45	High Growth/High Wage
<b>Patient Care Technician</b>	Certificate of Completion	Various (All)	N/A	300.5	10	\$3,741.00	\$0.00	\$538.00	\$0.00	\$44.00	\$0.00	\$380.00	\$0.00	\$218.00	\$0.00	\$4,703.00	N	1351380100	29-1141 Registered Nurses	\$33.28	\$24.81	High Growth/High Wage
<b>Certified Financial Planner</b>	Certificate of Completion	Various (All)	N/A	273	10	\$6,050.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$850.00	\$0.00	\$0.00	\$0.00	\$6,900.00	N	0252080301	11-3031 Financial Managers	\$70.51	\$35.44	High Growth/High Wage
<b>Home Inspection Pre Licensing Provider</b>	Certificate of Completion	Various (All)	N/A	120	2	\$819.00	\$0.00	\$165.00	\$0.00	\$0.00	\$0.00	\$230.00	\$0.00	\$200.00	\$0.00	\$1,414.00	N	1615100102	47-4011 Construction and Building Inspectors	\$28.30	\$14.23	High Growth/High Wage
<b>Certified Nursing Assistant (CNA)</b>	Certificate of Completion	Various (All)	N/A	90	3	\$1,259.00	\$0.00	\$70.00	\$0.00	\$44.00	\$0.00	\$190.00	\$0.00	\$218.00	\$0.00	\$1,563.00	N	1351380100	29-1141 Registered Nurses	\$33.28	\$24.81	High Growth/High Wage



## **SFWIB GLOBAL TALENT COMPETITIVENESS COUNCIL**

**DATE:** 10/21/2021

**AGENDA ITEM NUMBER:** 6

**AGENDA ITEM SUBJECT:** WORKFORCE INNOVATION AND OPPORTUNITY ACT POLICIES

**AGENDA ITEM TYPE:** **APPROVAL**

**RECOMMENDATION:** SFWIB staff recommends to the Global Talent and Competitiveness Council to recommend to the Board the approval of Workforce Innovation and Opportunity Act policies, as set forth below.

**STRATEGIC GOAL:** **STRENGTHEN THE ONE-STOP DELIVERY SYSTEM**

**STRATEGIC PROJECT:** **Develop specific programs and initiatives**

### **BACKGROUND:**

On January 14, 2021, South Florida Workforce Investment Board (SFWIB) staff received a copy of the compliance report for a review conducted by the U.S. Department of Labor (USDOL) on November 16-20, 2020. The USDOL recommended that the Florida Department of Economic Opportunity (DEO) and the SFWIB establish and/or updated programmatic policies in several areas to ensure compliance with the Workforce Innovation and Opportunity Act (WIOA). On September 30, 2021, an exit meeting was held by the USDOL and the DEO at which time SFWIB staff was advised to create and/or update additional policies.

SFWIB staff completed the WIOA review process and is presenting the following policies to the Global Talent and Competitiveness Council for a recommendation to the Board for approval:

- CSSF One-Stop Operator Policy
- Common Exit Policy
- Incumbent Worker Training Policy
- WIOA Customized Training Policy

**FUNDING:** N/A

**PERFORMANCE:** N/A

*ATTACHMENT*



POLICY

<b>SUBJECT:</b>	One Stop Operator Procurement	<b>Policy/Guidance No.:1 PY2021-22</b>
<b>PROGRAM:</b>	Workforce Innovation and Opportunity Act (WIOA)	Effective Date:10/11/2021
		Expiration Date:
<b>REFERENCE:</b>	<ol style="list-style-type: none"> <li>1. Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, Sections 107(d)(10)(A), 107(g)(2), and 121(d),.</li> <li>2. 20 CFR parts 678.605-625, Workforce Innovation and Opportunity Act Final Rule, August 19, 2016.</li> <li>3. 2 CFR, Part 2900 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, December 19, 2014.</li> <li>4. Training and Employment Guidance Letter (TEGL) No. 15-16, Workforce Innovation and Opportunity Act (WIOA) Competitive Selection of One-Stop Operators, January 17, 2017.</li> <li>5. Florida Statutes, 445.007(6).</li> </ol>	

**A. PURPOSE**

The purpose of this policy is to outline the requirements and procedures for CareerSource South Florida will follow to competitively procure and select one-stop operators under the Workforce Innovation and Opportunity Act (WIOA).

**B. BACKGROUND**

Under the Workforce Investment Act (WIA) of 1998 many Local Workforce Investment Boards served as one-stop operators. One-stop operators could be designated or certified through three mechanisms: a competitive process; as a consortium of three or more partners; or “grandfathered” in from the Job Training Partnership Act. Many of these entities have continued to be one-stop operators since the inception of WIA.

WIOA requires LWDBs to conduct open and competitive procurement processes to select one-stop operators. Existing entities serving as one-stop operators under WIA will not be grandfathered in under WIOA. LWDBs that would like to serve as the one-stop operator must also fully comply with the procurement process.

<b>Approved By:</b> Rick Beasley Executive Director	<b>Supersedes:</b>	<b>Issued by/Contact:</b> Policy Manager
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## C. POLICY AND PROCEDURES

WIOA requires Local Workforce Development Boards (LWDBs) to use a competitive procurement process to select its one-stop operator, and to conduct a re-competition of one-stop operators every four years. Competition is intended to promote the efficiency and effectiveness of one-stop operators by providing a mechanism for LWDBs to periodically evaluate performance and costs against original expectations. WIOA does not allow for the “designation” or “certification” of a one-stop operator, nor does WIOA allow one one-stop operators to be “grandfathered” in based on their current existence as a one-stop operator.

Each LWDB was required to develop procurement procedures, conduct the procurement, review responses, select a one-stop operator and award a contract or agreement for its local one-stop operator no later than June 30, 2017, to ensure the one-stop career center operator was under contract and ready to operate on July 1, 2017.

CareerSource South Florida (CSSF) shall conduct a competitive process in accordance with the CSSF Procurement Policy. The South Florida Workforce Investment Board (SFWIB) shall approve selected respondents as One Stop Operators. In accordance with 20 CFR § 678.605, One Stop Operator must be competitively procured at a minimum every four years. SFWIB, at its sole discretion, may renew One Stop Operator contracts for an additional two (2) one (1) year periods.

### A. Roles and Responsibilities

The one-stop operator must coordinate service delivery of one-stop partners and providers at a career center. The SFWIB defines the roles and responsibilities, and these may vary between centers in a local area. Additional responsibilities the SFWIB may assign to the one-stop operator may be to:

- Provide career services (except training).
- Provide some of the services within the center.
- Coordinate service providers within the center and across the one-stop system.
- Coordinate service delivery in a multi-center area, which may include affiliated sites.

The one-stop operator may serve in multiple roles within the one-stop delivery system, as long as sufficient firewalls and conflict of interest policies and procedures exist and are followed. The role of the one-stop operator must be clearly defined in all phases of the procurement process and in the legally binding agreement between the SFWIB and the one-stop operator.

One-stop operators may not:

- Convene system stakeholders to assist in the development of the local plan.
- Prepare and submit local plans (as required under WIOA sec. 107).
- Be responsible for oversight of itself.

<b>Approved By:</b> Rick Beasley Executive Director	<b>Supersedes:</b>	<b>Issued by/Contact:</b> Policy Manager
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- Manage or significantly participate in the competitive selection process for one-stop operators.
- Select or terminate one-stop operators, career service providers, and youth providers.
- Negotiate local performance accountability measures.
- Develop and submit budgets for activities of the LWDB in the local area.

**B. Eligible Entities**

The one-stop operator must be a public, private, nonprofit entity or a consortium of entities in the local area. A consortium must include at least three or more of the required one-stop partners as described in 20 CFR 678.400. Entities selected and serving as one-stop operators are sub-recipients of a Federal award; therefore, they must follow the Uniform Guidance at 2 CFR part 200. The types of entities that may serve as one-stop operators include but are not limited to:

- A public, private, for-profit, or nonprofit organization.
- An institution of higher education.
- Non-traditional public secondary schools, night schools, adult education schools, career and technical education schools.
- An employment service state agency established under the Wagner-Peyser Act.
- A government agency.
- A local board, with approval from the chief elected official and the Governor.
- Local chambers of commerce, business organizations, or labor organizations.
- Indian Tribes.

A for-profit entity (or a consortium that includes a for-profit entity) may compete to be selected as the one-stop operator. Private for-profit entities selected as one-stop operators must adhere to the requirements of 2 CFR 200.323 for earning and negotiating a fair and reasonable profit. The SFWIB must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. Profit should be based on the contractors' efforts and risks in achieving a performance result that typically aligns with the performance measures outlined in the SFWIB's plan. Some conditions to consider in quantifying the opportunity to earn profit are referenced at 48 CFR 15.404-4. LWDBs are allowed to cap the maximum profit potential that can be earned per performance results within the approved budget. Profit may not be earned with federal funds except for WIOA Title I funds (Youth, Adult and Dislocated Worker), Temporary Assistance for Needy Families and Supplemental Nutrition Assistance Program pursuant to §121(d), 122(a) and (134) (b), WIOA. Profit may not be earned with Wagner Peyser or Veteran funds.

SFWIB may serve as a one-stop operator, if selected through the competitive procurement process, pursuant to 20 CFR 678.605(c) and 678.615(a). Additionally, under the Uniform Guidance, there is the flexibility for sole source as a method of procurement, as outlined in Section (G) of this policy. In the event of a failed competitive process, SFWIB may temporarily serve as a One Stop Operator while negotiating with another agency.

<b>Approved By:</b> Rick Beasley Executive Director	<b>Supersedes:</b>	<b>Issued by/Contact:</b> Policy Manager
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DEO or CareerSource Florida (CSF) can facilitate the one-stop operator competition for a SFWIB when SFWIB is competing to be the one-stop operator. However, DEO and CSF must follow the same policies and procedures that the State uses for procurement with non-federal funds. If the CSF is incorporated as a nonprofit organization, it must use a competitive process consistent with the Uniform Guidance.

**C. Allowable Methods of Competitive Procurement**

The following methods of procurement are permissible to select a one-stop operator through a competitive process:

- Sealed Bids, (formal advertising), such as an invitation for bids (IFB) pursuant to 2 CFR 200.320(c).
- Competitive Proposals, such as a request for proposals (RFP), pursuant to 2 CFR 200.320(d).
- Sole Source - SFWIB may select a one-stop operator through sole source selection only under the criteria outlined in 20 CFR 678.610. The SFWIB must follow its local sole source policies and procedures and the Uniform Guidance outlined in 2 CFR 200.320(f). When utilizing a sole source selection process, SFWIB must prepare and maintain written documentation describing the entire process of making such a selection.

**D. Phases of the Competitive Procurement Process**

Formal competitive processes may include several phases and steps, which may take place concurrently with other activities. The various phases and steps are designed to ensure that the competitive procurement process is open and transparent, and may include:

- Planning,
- Release and Evaluation,
- Negotiation and Selection,
- Implementation; and
- Closeout.

**E. Procurement Standards**

When the State conducts the competitive procurement process for the SFWIB, it must follow the same policies and procedures it uses for procurements with non-federal funds, to include appropriate protections from conflict of interest, per the State’s own procurement policies and procedures.

All other non-Federal entities, including entities that receive funding from a State (such as Local WDBs), must use a competitive process to select a one-stop operator that is based on local procurement policies that are consistent with the procurement standards of the Uniform Guidance at 2 CFR 200.318 through 200.326.

General procurement requirements under WIOA must be followed as part of the competitive process. The requirements must be consistent with the Uniform Guidance, and include:

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- Written Policies and Procedures which describe the competitive process for selecting a one-stop operator and the manner in which it will address the settlement of all contractual and administrative issues, such as protests, appeals, and disputes. The policies must also outline a timetable to ensure that the selection of a one-stop operator through a competitive process is conducted every four years.
- Appropriate Methods of Procurement for Competitions. Non-Federal entities (such as LWDBs), are required to use the methods of procurement described at 2 CFR 200.320 when selecting a one-stop operator which are:
  - Sealed Bids.
  - Competitive Proposals.
  - Sole Source.
  - Full and Open Competition must be conducted for all procurement transactions. Written procedures must allow for sufficient time for all phases of the procurement process to be carried out in a manner that would not unduly restrict competition. Pre-qualified lists must be current and include enough qualified sources to ensure open and free competition, and must not preclude bidders and offerors from qualifying during the solicitation period.
  - Procurements that are in excess of the simplified acquisition threshold (currently set at \$150,000 by 48 CFR 2.1) cannot use the small purchase procurement.
  - Entities performing a competitive procurement must ensure the proposed costs of the one-stop operator are allowable, meaning that they are reasonable, necessary and allocable.
  - Restricting competition is not allowed. Activities that may considered to be restrictive of competition include, but are not limited to:
    - Placing unreasonable requirements on firms in order for them to qualify to do business.
    - Requiring unnecessary experience and excessive bonding.
    - Non-competitive pricing practices between firms or between affiliated companies.
    - Non-competitive contracts to consultants that are on retainer contracts;
    - Organizational conflicts of interest.
    - Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement.
    - Any arbitrary action in the procurement process.
  - Standards of Conduct. Each LWDB must have written standards of conduct that require fairness, objectivity, ethical standards and other related standards of conduct during all phases of the procurement process. Written standards of conduct must address:
    - Mitigating apparent or real conflicts of interest. Conflicts of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated has a financial or other interest or a tangible personal benefit from a firm considered for a contract.
    - Disclosure of any real or apparent conflict of interest, whether individual, or organizational. Written standards of conduct must identify the process for recusal of

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individuals or organizations that are members of the LWDB who disclose a real or apparent conflict of interest.

- A description of the firewalls and internal controls to mitigate conflict of interest in circumstances including, but not limited to, situations where an entity acts in more than one role in the one-stop delivery system or performs more than one function in the procurement process, as well as situations where the non-federal entity uses a sole source selection.
- Confidentiality of information contained in the proposals submitted for consideration.
- Not allowing any entity that develops or drafts specifications, requirements, statements of work, IFBs or RFPs, and evaluation of proposals to compete under the procurement.
- Transparency and Responsibility. The procurement process must be conducted with transparency and responsibility from the planning phase to the closeout phase. Information about the selection and certification of the one-stop operators must be made available to the public on a regular basis through electronic means and open meetings. Information must also be made available to auditors and Federal reviewers. This provides an avenue for public comment and participation in the process. When selecting an entity as the one-stop operation, the LWDB must consider the entity's integrity, compliance with public policy, record of past performance and other factors that demonstrate transparency and responsibility. The LWDB must also ensure that any entity is not debarred, suspended, or otherwise excluded from or ineligible to participate in Federal assistance programs or activities.

#### F. Competitive Procurement of One-Stop Operators

SFWIB must select its one-stop operator through a competitive process at least once every four years, as required by sec. 121(d)(2)(A) of WIOA. The state may require, or SFWIB may choose to conduct a competitive procurement for one-stop operators more frequently than once every four years. The SFWIB must conduct the competitive procurement based on its local procurement policies and procedures and the competitive procurement requirements in the Uniform Guidance outlined at 2 CFR 200.318 through 200.326. The SFWIB must document, in writing, the process used to conduct the competitive procurement of a one-stop operator.

In instances where the SFWIB competes to be one-stop operators, the procurement process must be completed by a "third party." The third party may be a consultant, a professional, or any other independent entity retained specifically to arrange, notice, and process the procurement. The "third party" must not bid on, compete for or have any financial interest in the contract for procurement or its outcome. The Local Board cannot draft specifications, contract requirements, statements of work or procurement documents. These activities must be exclusively the actions of the third party after appropriate guidance is provided by the Local Board.

The third party must meet the requirements outlined in Uniform Guidance in 2 CFR 200.318-326.

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The Governor and chief elected official (CEO) must both give approval if the SFWIB is selected as the one-stop operator. The SFWIB must document and use appropriate firewalls and conflict of interest policies and procedures to govern the operations. These policies and procedures must align with 20 CFR 679.430, must include internal controls and must demonstrate how it will prevent conflict of interest.

The SFWIB must apply appropriate policies to ensure participants in a competitive bid are not directly involved with the procurement process itself, including (but not limited to) drafting procurement requirements, establishing review criteria, conducting the review of responses and the final selection. The entity conducting the procurement cannot have any financial interest in the outcome of the procurement.

**G. Non-Competitive Procurement of One-Stop Operators (Sole Source)**

SFWIB may select a one-stop operator through sole source selection only under the criteria outlined in 20 CFR 678.610 and 2 CFR 200.320(f). Sole source procurement can only be done when:

- The item or service is available only from a single source.
- The public exigency or emergency for the item or service will not permit a delay resulting from competitive solicitation.
- The Federal awarding agency or pass-through entity expressly authorizes non-competitive proposals in response to a written request from the non-Federal entity.
- After solicitation of a number of sources, competition is determined to be inadequate, whether for reasons of number or quality of proposals/bids.

LWDBs that use the sole source selection must prepare and maintain written documentation describing the entire process of making such a selection. The sole source procurement must be done in accordance with locally established internal control and conflict of interest policies; and procedures pursuant to 20 CFR 679.430.

LWDBs requesting to use sole source procurement for one stop operators must submit a formal request to CareerSource Florida and DEO via email to [WIOA@deo.myflorida.com](mailto:WIOA@deo.myflorida.com). The request must include justification that all other options were exhausted and identify the reason for sole source from the items listed above. The LWDB must identify the timeline and activities performed prior to the sole source request. The LWDB must also certify that all appropriate measures consistent with WIOA and this policy have been taken.

The following criteria should also be included with the request for sole source:

- Copy of the RFP/IFB;
- Proof of the announcement medium used (newspaper, social media);
- Documentation showing how long the announcement was posted;
- The name of the entity to which the sole source is to be awarded; and
- Documentation showing that the entity has the capacity and ability to perform the one-stop operator functions.

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## H. Legally Binding Agreement

Once the LWDB has competitively selected a one-stop operator, the LWDB and the one-stop operator must execute a legally binding agreement. At a minimum, the agreement must include the following elements:

- Statement of Work (SOW). The SOW specifies:
  - The period of performance or the start and end date of the contract.
  - The services to be performed, including measurable performance goals to be delivered under the contract, agreement, or Memorandum of Understanding (MOU).
- Authorized Officials and Purpose. Authorized officials are persons authorized to enter into and sign legally binding agreements and must be on record as the signatory official. Signatures of the authorized persons must be a part of the written contract.
- Additional contractual terms and conditions. Contracts, agreements, and MOUs must include standard terms and conditions that are either required by the federal agency, State law, or local area policies. The contract, agreement, or MOU must identify that one-stop operators are sub recipients of Federal funds.
- The legally executed document solidifies the agreement between a LWDB and a one-stop operator is different from the MOUs that are required between the LWDB and its one-stop partners.

## I. Recordkeeping

LWDBs must prepare written documentation, in accordance with 20 CFR 678.605(d), explaining the competitive process for selecting a one-stop operator. States and LWDBs must also maintain sufficient records to detail the history of procurement in accordance with 2 CFR 200.318(i) and 2 CFR 200.333. These records must include, but are not limited to the following:

- All proposals/bids received.
- Ratings of those proposals.
- Rationale for the method of procurement.
- Selection of agreement or contract type.
- Selection or rejection of proposals/bids.
- Appeals and disputes.
- Basis for the contract price.

LWDBs that make the selection for sole source must prepare and maintain written documentation of the entire sole source selection process. The documentation should provide evidence that the review was performed by an impartial entity or organization; and clarify that firewalls that are in place during the review of the proposals.

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## J. Avoiding Conflicts of Interest

Each one-stop operator must disclose potential conflicts of interest arising from the relationships of the operators with particular training service providers or other service providers. A conflict of interest can arise when actions taken or may appear to be taken by any entity or individual involved in more than one role, when the performance of that entity or individual affects the interest of the other role, thereby making it difficult for the entity or individual to perform the procurement process objectively and impartially. Proper firewalls must be in place to ensure the transparency and integrity of the procurement process, and to demonstrate that the selection process was unbiased and free of preferential treatment toward the awardee. Additionally, due diligence must be exercised to avoid certain conflicts of interest which may arise during the competitive process, including recusal of members of the LWDB with financial or other interests in the entities applying to be the one-stop operator. However, if the number of members who must recuse themselves deprives the LWDB of a quorum, the LWDB must follow an alternative process and outsource the selection to an outside entity. Best practices also require LWDB's procurement policies and procedures to define the requirements for a quorum for decisions made by the LWDB.

No one-stop operator can establish practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term services, such as intensive employment, training and education service. The one stop operator must comply with federal regulations and procurement policies governing calculation and use of profits.

If the One-Stop Operator serves as a direct service provider, there must be appropriate firewalls in place for the competition, and subsequent oversight, monitoring, and evaluation of performance of the service provider. In this situation, the One-Stop Operator cannot develop, manage, or conduct the competition of a service provider in which it intends to compete.

In cases where an operator is also a service provider, there must be firewalls and internal controls within the operator-service provider entity, as well as specific policies and procedures at the Local WDB level regarding oversight, monitoring, and evaluation of performance of the service provider, consistent with 20 CFR 679.430.

## K. Monitoring

In accordance with WIOA, the SFWIB must conduct monitoring of its one-stop operator. However, when the SFWIB is the one-stop operator, there is an inherent conflict of interest in that the SFWIB is unable to effectively monitor itself. In these circumstances, an outside organization or entity must conduct the monitoring and report the results to the CEO.

## V. ATTACHMENTS

CSSF Procurement Policy

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**POLICY TRANSMITTAL**

<b>SUBJECT:</b>	<b>Common Exit</b>	<b>Policy/Guidance No.:</b>
<b>APPLIES TO:</b>	<b>Workforce Services WIOA Adult / Dislocated Worker / Youth and Trade Adjustment Act (TAA) Service Providers</b>	<b>Effective Date:</b> <b>April 30, 2021</b>
		<b>Revised Date:</b>
		<b>Expiration Date:</b> <b>Indefinite</b>
<b>REFERENCE:</b>	<ul style="list-style-type: none"> <li>• <b>Administrative Policy 115</b></li> <li>• <b>Training and Employment Guidance Letter (TEGL) 19-16</b></li> </ul>	

**I. PURPOSE**

The purpose of this policy is to provide staff the minimum requirements for the common exit of program participants for the Workforce Innovation and Opportunity Act (WIOA), Wagner-Peyser (WP) and Trade Adjustment Assistance (TAA) programs, and procedural guidance for the associated processes.

**II. BACKGROUND**

WIOA establishes performance accountability indicators, aligns performance-related definitions, ensures comparable data collection, and integrates performance-reporting requirements to assess the effectiveness of states in achieving positive outcomes for individuals served by the workforce development system. Common exit is intended to ensure a more efficient and effective integrated service delivery system, track the coordination of services, and align performance reporting.

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## **Managing Disengaged Participant Exits**

Managing disengaged participants will require staff provide a detailed case note that explains the effort to reengage the participant prior to closing open activities. All open activities must be closed for participants that have not received a participating service, cannot be located or contacted, refuse additional workforce services or has moved out of the service area for more than 90 days and no future services are scheduled.

A participating service occurs when the staff and participant are actively engaging with each other and there is an exchange of information. If no participating service occurs, then close any open activity and allow the system to create the Closure and Soft Exit. The only exception to this will be when the Closure is due to an Exclusion, as indicated below.

### **Exclusions**

Exclusions from performance are granted when a participant meets one of the reasons below and has been in that status for more than 90 days, with the exception of the deceased. Documentation must be obtained and maintained in the file to validate the reason and status.

- Institutionalized
- Health/Medical
- Deceased
- Family Care
- Reservist Called to Active Duty
- Foster Care (WIOA Youth only)

### **Case Closure (WIOA Adult, Dislocated Worker, Youth, & TAA)**

The participant's case should be formally closed in Employ Miami Dade (EMD) / Employ Monroe (EM), when it has been determined that a participant no longer requires services because he/she has entered employment or education, become disabled or otherwise incapable of working, or the participant voluntarily opts out of service. A detailed case note must be added upon closing the case.

The steps below provide guidance on what should occur prior to closing an activity or the case due to an "Allowable Exclusion" staff must:

Step 1: Reach out to the participant to re-engage by providing a participating service or see if s/he meets one of the Exclusions and obtain the proper documentation.

Step 2: if the participant cannot be reached, proceed to close any opened activity within the current quarter.

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Step 3: Ensure the Individual Employment Plan/Service Strategy (IEP/SS) Plan has been closed out. (See the Virtual OneStop User Guide for Staff, Section 4: Individuals - Case Management for further guidance);

Step 4: Ensure all services have been closed across all programs included in common exit (WIOA, WP, TAA);

Step 5: Enter any credential(s) earned during the program, including the type, verification and credential date to the Closure Information tab or Credential Section. If the credential is not yet available, staff have up to one year after exit to report the credential attainment. (see the Virtual OneStop User Guide for Staff, Section 6: Programs - WIOA for further guidance);

Step 6: Make sure any Measurable Skills Gains (MSG) attained during the program have been added to the participant's Measurable Skills Gain ribbon or, individuals below postsecondary education level literacy/numeracy gains or to the Educational Functioning Level for Measurable Skills Gain ribbon (see the Virtual OneStop User Guide for Staff, Section 6: Programs - WIOA for further guidance); and

Step 7: Add any unsubsidized or On-the-Job Training (OJT) employment entered during the program or at closure to the **Add Employment ribbon** (see the Virtual OneStop User Guide for Staff, Section 6: Programs - WIOA for further guidance).

### **Follow-Up Services**

For WIOA Adult and Dislocated Worker programs, follow-up services may begin immediately following placement into unsubsidized employment if no future services (other than follow-up services) are scheduled or expected. For the WIOA Youth program, follow-up services may begin immediately following the last date of service if no future services (other than follow-up services) are scheduled or expected.

Follow-up services do not cause the exit date to change, delay exit or trigger re-enrollment in the program. These services must be provided and documented in EMD/EM unless the participant refuses services. If a participant refuses follow-up services, staff must document the refusal with a case not in EMD/EM, (see the Virtual OneStop User Guide for Staff, Section 6: Programs – WIOA for further guidance).

EMD\EM follow-up service codes are outlined in the Employ Florida Service Code Guide, see below.

<b>Follow-Up Services</b>	
<b>Activity Code</b>	<b>Activity Title</b>
F01	Referral to Community Resources
F02	Referral to Medical Services
F03	Tracking Progress on the Job
F04	Work-Related Peer Support Group

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F05	Assistance securing better paying job
F06	Career development and further education planning
F07	Assistance with Job/Work Related Problems
F08	Adult Mentoring
F09	Tutoring
F10	Leadership Development
F11	Other Follow Up Service, not classified
F12	SS-Transportation
F13	SS- Purchase work related uniforms/attire
F14	SS- Work related tools
F15	SS- Housing Assistance
F16	SS- Utilities
F17	SS- Dependent Care
F18	SS- Medical
F19	SS- Incentives/Bonus

### **Conducting Follow-up after Exit**

Follow-up after exit includes contacting or attempting to contact a participant for verifying the employment status and obtaining documentation for the case file in order to report a performance outcome. As well as, verifying the attainment of a certificate or degree.

Five attempts to contact the participant must be made before the follow-up is closed with no contact. Each of the attempts must be documented in the case notes and the attempts should vary by the time of day, day of week, and means of contact. The type of follow-up recorded will depend on the type of service each participant is in need of at the time of contact.

The follow-up will be conducted on a quarterly basis as per the table below:

#### **EXAMPLE:**

<b>Follow-Up</b>	<b>Cases closed and exited between 04/01/2021 and 06/30/2021 (MSG)</b>	
<b>QTR's After Exit</b>	<b>Date</b>	<b>Performance</b>
<b>1st</b>	07/01/2021 – 09/31/2021	Ensure participant has employment
<b>2nd</b>	10/01/2021 – 12/31/2021	<b>Employment 2nd QTR and Median Earnings</b>
<b>3rd</b>	01/01/2022 – 03/31/2022	Ensure participant has employment
<b>4th</b>	04/01/2022 – 06/30/2022	<b>Credential and Employment 4<sup>th</sup> QTR</b>

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## **Managing Future Participants**

All staff are required to check EMD/EM for prior registration when an applicant is seeking services. If the applicant was prior enrolled in WP/WIOA, record all services in the case note section or create an activity using one of the follow-up codes to record the service that is being provided and this will not extend the exit from occurring.

Every participating service provided to a participant, once recorded, establishes a new exit date and extends participation for ninety (90) days. Self-service, information-only services or activities, and follow-up services do not delay, postpone or affect the date of exit. Participating services that establish (trigger) or extend participation are identified in the Employ Florida Service Code Guide. The management of participant services includes regular, direct contact with the participant on all aspects of their workforce development needs.

Direct contact is considered to have occurred when staff and the participant have exchanged information, or the participant has agreed to the service being provided by staff. Staff should ensure that direct contact is made at a minimum of every thirty (30) days with the participant to maintain the highest level of individual service. Determined on an individual basis, contact that is more frequent may be necessary and is encouraged. Attempts to re-engage, such as sending workshop flyers or job leads by mail or email or leaving telephone messages without receiving a response, do not constitute direct contact for the purpose of providing a service or keeping an activity open. Direct contact may be performed in-person or remotely and may be conducted by mail, telephone, email, or other documented means of contact. Such contact should result in a participating service being provided to the participant and it must be documented.

## **Participating Services**

Providing participating services that are not listed in the Follow-Up Services (above), can lead to a new WP registration or WIOA enrollment/participation for an applicant, if it has been determined and detailed case noted that this level of service is necessary to gain meaningful employment and/or training. The participating services for the Adult, DW, TAA and Youth are listed below.

## **Individualized Services (Adult, DW, TAA)**

- a) Comprehensive and specialized assessments of the skill levels and supportive service needs of eligible adults and dislocated workers, which may include:
  - 1. Diagnostic testing and use of other assessment tools; and
  - 2. In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;
- b) Development of an individual employment plan (IEP) to identify the employment goals, appropriate achievement objectives and appropriate combination of services for the participant to achieve his or her employment goals;
- c) Group and/or individual counseling and mentoring;
- d) Career planning (e.g., case management);

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- e) Short-term, pre-vocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare the participants for unsubsidized employment or training; in some instances pre-apprenticeship programs may be considered as short-term pre-vocational services;
- f) Internships and work experiences that are linked to careers;
- g) Workforce preparation activities that help participants acquire a combination of basic academic skills, critical thinking skills, digital literacy skills and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of post-secondary education, training or employment;
- h) Financial literacy services;
- i) Out-of-area job search assistance and relocation assistance; and
- j) English language acquisition and integrated education and training programs.

### **14 Elements (Youth)**

All eligible participants must be enrolled WIOA in order to receive services. These services are provided on an individualized basis as needed.

These services include but are not limited to:

1. Tutoring, study skills training, instruction, and dropout prevention.
2. Alternative secondary school services or dropout recovery services.
3. Paid and unpaid work experience.
4. Occupational skills training.
5. Education offered concurrently with workforce preparation and training for a specific occupation.
6. Leadership development opportunities.
7. Supportive services.
8. Adult mentoring.
9. Follow-up services.
10. Comprehensive guidance and counseling.
11. Financial literacy education.
12. Entrepreneurial skills training.
13. Services that provide labor market information.
14. Postsecondary preparation and transition activities.

### **Training Services**

The training services that will be made available will provide tools and resources to assist participants in meeting the skills and experience needs of the customer. From technical skills, soft skills, work experience, traditional classroom instruction and employer-anchored training services help close the skills gap between the participants and the customers.

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Eligibility criteria for training services under WIOA consist of the following:

- a) Individuals who, after an interview, evaluation, or assessment, and career planning have been determined to be
  - Unlikely or unable to obtain or retain employment that leads to economic self-sufficiency
  - In need of training services to obtain or retain employment that leads to economic self-sufficiency, and
  - Have the skills and qualifications to successfully complete the program

Listed below are types of training services to be made available to participants based on the development of the IEP/ISS that includes the short- and long-term employment goals.

- Individual Training Account (ITA) is used for traditional classroom training services that are intended to provide enrollees the maximum customer choice in training selection and provide the flexibility needed to provide training in high demand occupations. ITAs are funded for training providers who have met eligibility of the State's Eligible Training Provider List (ETPL).
- On-the-Job Training (OJT) is another training option through WIOA funding that provides work-based learning rather than classroom instruction. The intention of an OJT agreement is to benefit both the participant and the customer by:
  - Bridging the gap between a worker's current skills and the skills the customers are looking for;
  - Providing reimbursement to the employer for the costs associated with training the OJT trainee; and
  - Promoting good paying jobs.
- Apprenticeship Training Accounts (ATA) is a formalized, structured training program that combines on-the-job learning with related practical and technical instruction in an occupation. The length of the apprenticeship training will vary by occupation. The apprentice is hired as an employee and earns wages once accepted into the program.
- Customized Training (CT) is provided based on a specific training curriculum "customized" to the particular workforce skill needs of the participant or group of participants. CT is designed to meet the unique training needs of a customer or a group of customers. CT can be used for training new or existing workers (referred to as Incumbent Worker Training or (IWT).

### **Non-Participating Services**

Contact where the participant does not engage will not be considered direct and must not constitute a participating service. An offer to provide a service or a scheduled appointment to provide a service must not be recorded as a participating service, although the contact and the results may be entered as a case note or non-participating service.

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If the participant has not been provided with a participating service for 90 consecutive days and no future services are scheduled, any opened activity must be closed by the end of the current quarter. The EMD/EM system will create the "Closure" 90 days after the "Last Service Date". The soft exit occurs 90 days from the date of "Closure", providing that the participant does not receive any services during those 90 days prompting the Follow-Up schedule.

The participant's exit must not be prolonged by staff extending service dates, removing exits, or opening new services unless it is demonstrated and documented that the participant has unmet needs and is actively being served. Additionally, non-training services in Employ Florida must not be future dated to extend participation. Attempts to re-engage a participant do not constitute a participating service for the purpose of providing a service or keeping an activity open. These contacts must instead be documented by case notes or by the appropriate non-participating service. Prolonging exit due to the inability to contact a participant is inappropriate.

The following items do not constitute a service or contact with a participant for the purpose of extending the activities / services participation:

- Leaving voicemail messages for the participant;
- Speaking with relative(s) of the participant who are not their guardian;
- Scheduled services or an offer to provide services;
- Sending flyers, letters or postcards;
- Speaking with the participant's parole officer;
- Casual, unscheduled conversations with the participant in public;
- Having the participant bring in time sheets and/or attendance records for payment without providing meaningful guidance, service or conducting a review of the participant's Individual Employment Plan (IEP); and
- Contacts to obtain employment status, educational progress, need for additional services or income support payments without providing meaningful guidance, service or conducting a review of the participant's Individual Employment Plan (IEP).

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**POLICY TRANSMITTAL**

<b>SUBJECT:</b>	<b>Workforce Innovation Opportunity ACT (WIOA) Incumbent Worker Training (IWT)</b>	<b>Policy/Guidance No.:</b>
<b>APPLIES TO:</b>	<b>Workforce Services WIOA Adult and Dislocated Workers, Workforce Development Area (WDA) 23 (Miami-Dade and Monroe Counties) CareerSource center contractors (Service Providers), Businesses, and South Florida Workforce Investment Board (SFWIB) staff</b>	<b>Effective Date:</b>
		<b>Revised Date:</b>
		<b>Expiration Date:</b> <b>Indefinite</b>
<b>REFERENCE:</b>	<ul style="list-style-type: none"> <li>• Workforce Innovation and Opportunity (WIOA), § (3)(24), 134 (c)(3)(A)(1i, 134(d)(4), 181 (a)(1)(A) and (B), (b) (2), (3), (4), and (5), (d)(1-2); and 188</li> <li>• WIOA Final Rule, 20 Code of Federal Regulations (CFR) Parts 680.210(a)(-2); 680.770-840, 682.210(b), 682.320(a), (b)(3-4), 683.200(g), 683.250(a)(1-5); 683.275</li> <li>• 2 CFR 200.96</li> <li>• Training and Employment Guidance Letter (TEGL) 3-15; 10-16.Change 1; 19-16</li> <li>• The Reimagining Education and Career Help (REACH) Act (House Bill 1507) - Florida, Chapter No. 2021-164</li> <li>• Florida Statutes 445.003 (3)(a)(2-4)</li> <li>• CareerSource Florida, Administrative Policy Number FG-OSPS 89</li> </ul>	

**I. PURPOSE**

The purpose of the Incumbent Worker Training (IWT) policy is to provide all SFWIB stakeholders with uniform guidance regarding the use of WIOA funds to assist eligible businesses to retain workers and/or avert potential layoffs by upgrading the skills of their current workforce to avert potential layoffs; and/or improve the economic competitiveness of local business.

**II. BACKGROUND**

<b>Approved By:</b> Rick Beasley, Executive Director	<b>Update to:</b>	<b>Issued by:</b> Adult Programs
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Incumbent Worker Training is part of a comprehensive business engagement strategy designed to meet the special requirements of an employer (including a group of employers) by upgrading the skills of their current employees. The IWT program is intended to assist businesses in retaining a skilled workforce and/or avoid the need to lay off employees by providing reimbursement for preapproved, direct, training related costs, while assisting the workers in obtaining the skills necessary to retain employment. The IWT must increase the competitiveness of the employee and the employer or group of employers. The IWT may only be conducted with the commitment of the employer or group of employers to retain the trained incumbent worker(s) for at least one year following training completion; and/or the promotion of the incumbent worker(s) to a higher paying position.

### III. Definitions

#### A. Incumbent Worker

An individual currently employed, meets the Fair Labor Standards Act requirements for an employer-employee relationship, and has an established employment history with the employer for six months or more. However; if the event that the incumbent worker training is being provided to a cohort of employees, not every employee in the cohort must have an established employment history with the employer for six months or more as long as a majority of the employees being trained meet the employment history requirement. An incumbent worker does not have to meet the eligibility requirements for career and training services for the Adult and Dislocated Worker program.

#### B. Conflict of Interest

The South Florida Workforce Investment Board (SFWIB) will not favor a grant application from and/or to a member of the SFWIB over another business in the community. IWT shall be made based upon what will be most beneficial to the employee and business.

The SFWIB shall be notified whenever an IWT application is connected to a SFWIB member, Service Partner, or employee.

Service Partners are prohibited from recommending an IWT grant application or making IWT referrals to businesses who are members of their immediate family or members of families of other service partner staff or SFWIB staff.

The contracted IWT business shall not train an employed worker 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.

#### C. Credentials

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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 On-the-Job Training (OJT) and IWT. Local credentials may be counted. Countable credentials should have a direct correlation to industry standards, requirements of the business and shall be recorded as “employer specific”. In some instances, attainment of Occupational Completion Point (OCPs) as designated by the Florida Department of Education may also be counted as credentials.

**D. Layoff aversion**

A continuum of strategies targeted to specific employers or industries that are experiencing a decline and have the potential to undergo layoffs, or are experiencing a serious skills gap that impacts their ability to compete and retain workers. A layoff is considered to be averted when:

1. A worker’s job is saved at an existing employer facing a risk of downsizing or closing; or
2. A worker at risk of dislocation faces a brief gap or unemployment when transitioning to a different job with the same employer or is hired at a new job with a different employer.

**E. Self-Sufficiency**

Self-Sufficiency refers to an identified wage that allows an individual to provide for oneself without the need for supportive services.

**IV. Eligibility**

**A. Business**

Businesses that meet the following criteria are considered eligible and may, subject to available funding, awarded an IWT grant to provide training to its employees through an executed IWT agreement with an approved SFWIB service partner.

3. Located in the State of Florida;
4. A “for-profit” company, or
5. A hospital operated by a non-profit or local government entities in the State of Florida;
6. In operation for a minimum of one year prior to the application date (as verified by Florida Department of State Division of Corporations ([www.sunbiz.org](http://www.sunbiz.org)));
7. Demonstrate financial viability;
8. Maintains Workers Compensation Insurance (if applicable);
9. Have at least one full-time employee (must be a Florida Resident AND W-2 employee). The employees W-2 must match the company name that is on the

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application. For a sole proprietor where the business owner is the only employee, the sole proprietor may be considered as the full-time employee; and

10. Has not received an IWT award in the previous or current program year.

For purposes of this policy, the term “business” includes hospitals operated by nonprofit or local government entities which provide nursing opportunities to acquire new or improved skills.

The following businesses are not eligible to apply for IWT funds:

- Not-for profit agencies or organizations. **[Note:** This requirement is not applicable to hospitals operated by non-profits or local government entities in the State of Florida.]
- Retail establishments.
- Entities whos administrations are comprises of volunteers.
- Local Workforce Development Boards and their administrative entities.
- Labor Unions.
- Federal, state, county, or city governmental entities. **[Note:** This requirement is not applicable to hospitals operated by non-profits or local government entities in the State of Florida.]
- Businesses that received an IWT award in the current of previous program year.

#### B. Incumbent Worker (WIOA Adult or Dislocated Worker)

An incumbent worker does not *necessarily* have to meet the eligibility requirements for WIOA career and training services for the adult or dislocated worker programs, unless they also are enrolled as a participant in the WIOA adult and dislocated worker program.

The incumbent worker is further defined as follows:

- At least 18 years of age;
- Is at least one of the business applicant, working a minimum of 37.5 hours per week and receives a W2 from the employer;
- A citizen of the United States or a non-citizen whose status permits employment in the United States;
- A Florida resident working at a physical location in Florida; and
- Employed six months before the signature date of the application.
- Currently employed and in need of additional training to avert a layoff or be retained by their employer.

#### C. Service Partners

Entities that have a current Workforce Services contract are eligible.

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#### D. Training Providers

Businesses providing training to their employees through an IWT may, at its discretion, utilize a Training Provider(s) that appears or does not appear on the CareerSource South Florida (CSSF) approved Eligible Training Provider List (ETPL).

#### V. Application/Agreement

##### A. Conditions

1. Employed workers may not commence training and businesses may not make training-related purchases prior to SFWIB approval of the IWT grant application. The agreement is executed when signed by all required parties, i.e., Service Provider and business
2. IWT funds may not be used or proposed to be used for:
  - a. The encouragement or inducement of 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.
4. The Pre-award Checklist must be completed to validate the following:
  - a. The business has operated at its current location for at least 120 days. If less than 120 days and the business relocated from another area in the U.S and employees were not laid off at the previous location as a result of the relocation.
  - b. The review must include names under which the establishment does business, including predecessors and successors in interest; the name, title, and address of the company official certifying the information, and whether WIOA assistance is sought in connection with past or impending job losses at other facilities, including a review of whether Worker Adjustment and Retraining Notification (WARN) notices relating to the employer have been filed.
5. The following sections must be pre-negotiated and included in the IWT agreement:
  - a. Percentage of reimbursement;
  - b. Frequency of reimbursement;
  - c. Timeframe of achievement of credentials.
6. 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

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authority transferring signatory responsibilities must be obtained by the individual responsible for developing the agreement.

7. Service providers are responsible for reviewing the application with the business prior to submission to CSSF to ensure that the business wholly understands and are familiar with the requirements of a grant award.
8. Businesses approved for funding by CSSF must enter into an agreement with the Service Partners and commit to completing the training as proposed in the application and/or as negotiated with the Service Partner.
9. The incumbent worker's credential attainment must be adequately documented by the business and Service Partner. The Service Partner should also record the information in the appropriate State and local Workforce system(s) and place a copy in the participant's file.
10. Businesses shall establish and maintain records with respect to all matters covered by the IWT 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 IWT agreement, unless the records are exempt under federal or state law.
11. Businesses must certify that all information provided for the purposes of requesting reimbursements and reporting is true and accurate.
12. Businesses must agree 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.
13. Businesses shall comply with the nondiscrimination and equal opportunity provisions of the federal or state law.

#### B. Application Review

1. The CSSF Executive Director will have the authority to approve application requests \$50,000 or less. Awards will be included in the Executive Director's report to the South Florida Workforce Invest Board (SFWIB).
2. Requests exceeding \$50,000 must be approved by the SFWIB and/or appropriate Council at the next Board meeting.
3. Applications that fail the CSSF review process may not be recommended for approval.

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C. Duration

Duration of an IWT will be based on the need for training and not the maximum funding allowed under this policy. The Occupational Information Network's (ONET) Specific Vocational Preparation Range (SVP) will be used to determine the appropriate occupational training needed. Using the SVP provided by ONET, the following duration times are recommended in addition to the participant's prior education and work history.

The IWT agreement(s) must be completed during the current program year, which begins on July 1st and must be completed no later than June 20<sup>th</sup> of the following year.

D. Funding and Compensation

Funding priority shall be provided in the following manner:

1. Businesses that provide employees with opportunities to acquire new or improved skills by earning a credential on the Master Credentials List.
2. Hospitals operated by nonprofit or local government entities that provide nursing opportunities to acquire new or improved skills.
3. Businesses whose grant proposals represent a significant upgrade in employee skills.
4. Businesses with 25 employees or less, businesses in rural areas, and businesses in distressed inner-city areas.
5. Businesses in a qualified targeted industry or whose grant proposal represent a significant layoff avoidance strategy.

This priority does not include an increased reimbursement percentage, business applicant that meet the aforementioned criteria shall receive priority during times of limited funding.

If a company has more than one location in Florida, they are treated as either one company or separate companies depending upon the Federal Employer Identification Number (FEIN). If the locations operate under different FEINs, they will be considered separate companies and shall submit separate applications and receive separate awards.

If the locations operate under one FEIN, the locations will be considered as one company and will therefore need to join their training efforts, submit one application and receive one award.

The non-federal share of the cost of providing the IWT shall be paid by the participating business and may include the amount of the wages paid by the business to a worker while the worker is attending a training program. The business may provide the match in cash or in-kind, fairly evaluated.

1. Training Providers are paid by the business for training costs.

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2. The SFWIB will set aside a pool of training funds that will be utilized for IWT initiatives.
3. Businesses will be reimbursed by Service Partners with the final reimbursement upon the completion of the last training and credential attainment, and proper documentation has been provided. The reimbursement amounts will be based upon the relevant funding stream requirements and any waivers at the time of the agreement.

**E. Training Completion and Outcomes**

1. All IWT initiatives shall be performance based with specific measurable outcomes, including training completions and the number of participants trained.
2. Training must result in the attainment of a credential that leads to self-sufficiency, as established during the contract negotiations.

**F. Grievances and Appeals**

1. Service Partners shall advise the incumbent workers of their right of appeal using either the business grievance procedures, or those of the CSSF, if previously agreed with the business. If a business elects to use its own grievance procedures, the business must agree to provide information to CSSF 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 CSSF under the CSSF grievance procedures.
2. If the application is not approved, the appropriate CSSF staff shall notify the business in writing. Businesses may appeal an application denial by the CSSF in accordance with the CSSF appeal process.

**G. Prohibitions**

1. A participant in a program or activity authorized under Title I of WIOA 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).
2. A participant in a program or activity under Title I of WIOA 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 WIOA participant or
  - c. The job is created in a promotional line that infringes in any way on the promotional opportunities of currently employed workers.

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3. Participants shall not be employed to carry out the construction, operation, or maintenance of any part of any facility that is 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).
4. Businesses that fail to meet the conditions as outlined in the executed agreement may not be considered for future IWT agreements.
5. No officer, employee, agent, or representative of the Business or Service Partner may charge a participant a fee for the placement of such individuals in or to a training funded under an IWT agreement or amendments thereof.
6. IWT funded agreement must not impair existing contracts for services or collective bargaining agreements. When a program or activity authorized under Title I of WIOA would be inconsistent with a collective bargaining agreement, the appropriate labor organization and employer must provide written concurrence before the agreement is initiated.
7. IWT funds shall not be used for any political activity, lobbying of federal, state or local legislators, or to promote or oppose unionization.
8. IWT funds may not be used to directly or indirectly assist, promote or deter union organizing.
9. IWT funds shall not be used to fund employees of home-based businesses.
10. The encouragement or inducement of any business or part of a business, to relocate from any location within the United States, if the relocation results in any employee losing his or her job of such business at the original location.
11. IWT funds shall not be used for company-specific assessments of job applicants or employees, for any business or part of a business that has relocated, until the date that is 120 days after the date on which such business commences operations at the new location, if the relocation of such business or part of a business results in a loss of employment for any employee of such business at the original location and such original location is within the United States.

H. Repayment

Violation of section H., or any portion thereof, of this policy may result in the repayment of said funds provided to an entity and shall be equal to the amount expended in relation to the violation.

I. Exceptions

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

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**POLICY TRANSMITTAL**

<b>SUBJECT:</b>	<b>Workforce Innovation Opportunity ACT (WIOA) Customized Training (CT)</b>	<b>Policy/Guidance No.:</b>
<b>APPLIES TO:</b>	<b>Workforce Services WIOA Adult / Dislocated Workers Service Providers</b>	<b>Effective Date:</b>
		<b>Revised Date:</b>
		<b>Expiration Date:</b> <b>Indefinite</b>
<b>REFERENCE:</b>	<ul style="list-style-type: none"> <li>• <b>Workforce Innovation and Opportunity WIOA, § 122(h), 134 (c)(3)(a)</b></li> <li>• <b>Workforce Innovation and Opportunity WIOA Final Rule, 20 CFR 680.770-840</b></li> <li>• <b>Training and Employment Guidance Letter (TEGL) 19-16</b></li> <li>• <b>CareerSource Florida, Administrative Policy Number FG-OSPS 89</b></li> </ul>	

**I. PURPOSE**

The purpose of this policy is to provide guidance as it pertains to Customized Training for eligible Adult and Dislocated Workers. Customized training opportunities provide structured training for participants to gain the knowledge and skills to be competent in the job for which they are hired and lead to economic self-sufficiency.

**II. BACKGROUND**

The Workforce Innovation and Opportunity WIOA (WIOA) recognize that job seekers may require assistance in order to obtain or retain employment that leads to self-sufficiency. It allows the use of local formula funds to be utilized for work-based training activities to include CT. Training activities are achieved through collaboration with local employers who receive subsidies for participants engaged in said activities.

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### III. DEFINITIONS

#### A. Customized Training

Customized Training is designed to meet specific requirements of an employer or group of employers with the commitment that the employer(s) hire an individual or retain employees upon successful completion of the training. The Final Rules provide Local Workforce Development Boards (LWDB) with flexibility to ensure that customized training meets the unique needs of the job seekers and employer(s). The employer is required to pay for a significant portion of the cost of training. Local Boards may either choose to follow the Incumbent Worker Training Guidelines established by CareerSource Florida or those as determined by the SFWIB.

#### B. Self-Sufficiency

Self-Sufficiency refers to an identified wage that allows an individual to provide for oneself without assistance.

#### C. Conflict of Interest

The SFWIB will not favor a grant application from and/or to a member of the SFWIB over another business in the community. Customized training shall be made based upon what will be most beneficial to the job seeker and business.

The SFWIB shall be notified whenever a CT application is connected to a SFWIB member, Service Partner, or employee.

Service Partners are prohibited from recommending a CT grant application or making CT referrals to businesses who are members of their immediate family or members of families of other service partner staff or SFWIB staff.

The contracted CT business shall not train an employed worker 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.

#### D. 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 (OCP0; licensure or industry-recognized certificates; and, successful completion of OJT and CT.

Local credentials may be counted. Countable credentials should have a direct correlation to industry standards, requirements of the business and should be recorded as “employer

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specific”. In some instances, attainment of Occupational Completion Point (OCPs) as designated by the Florida Department of Education may also be counted as credentials.

#### IV. ELIGIBILITY

##### A. Business

Businesses that meet the following criteria are considered eligible and may, subject to available funding, deliver CT through an executed CT agreement with an approved SFWIB service partner.

1. Located in the State of Florida;
2. Hold a valid business tax receipt (formerly 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](http://www.sunbiz.org));
5. Business has operated at current location for at least 120 days, and
6. Have at least one full-time employee.

##### B. Job Seekers

Individuals that meet the eligibility criteria under WIOA Adult and Dislocated Workers, subject to available funding, may receive CT through an approved agreement.

1. WIOA eligible unemployed adult and dislocated workers.
2. Adult and dislocated workers who are currently employed for the employer (or group of employers) for which the customized training is being provided, when those employees are earning less than a self-sufficient wage and the employer commits to employ such trainees who successfully complete the training.

##### C. Service Partners

Entities that have a current Workforce Services contract are eligible.

#### Application/Agreement

##### A. Conditions

1. Customized Training for employed workers must relate 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 as identified by the SFWIB. Other appropriate purposes must be clearly defined and approved by the SFWIB.
2. Individuals may not commence training and businesses may not make training-related purchases prior to the SFWIB approval of the CT grant application. The

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agreement is executed when signed by all required parties. i.e., Service Partner and business.

3. CT funds may not be used or proposed to be used for:
  - a. The encouragement or inducement of 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.
4. The Pre-award Checklist must be completed review to validate the following:
  - a. The business has operated at its current location for at least 120 days. If less than 120 days and the business relocated from another area in the U.S and employees were not laid off at the previous location as a result of the relocation.
  - b. The review must include names under which the establishment does business, including predecessors and successors in interest; the name, title, and address of the company official certifying the information, and whether WIOA assistance is sought in connection with past or impending job losses at other facilities, including a review of whether Worker Adjustment and Retraining Notification (WARN) notices relating to the employer have been filed.
5. The following sections must be pre-negotiated and included in the CT agreement:
  - a. Percentage of reimbursement;
  - b. Frequency of reimbursement;
  - c. Timeframe of achievement of credentials;
6. Employees selected by the business for training must meet the adult or dislocated worker WIOA eligibility requirements.
7. 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.
8. Service providers are responsible for reviewing the application with the business prior to submission to CSSF to ensure that the business wholly understands and are familiar with the requirements of a grant award.
9. Businesses approved for funding by CSSF must enter into an agreement with the Service Partners and commit to completing the training as proposed in the application and/or as negotiated with the Service Partner.

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10. The individual's credential attainment must be adequately documented by the business and Service Partner. The Service Partner should also record the information in the appropriate State and local Workforce system(s) and place a copy in the participant's file.
11. Businesses shall establish and maintain records with respect to all matters covered by the CT 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 CT agreement, unless the records are exempt under federal or state law.
12. Businesses must certify that all information provided for the purposes of requesting reimbursements and reporting is true and accurate.
13. Businesses must agree 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.
14. Businesses shall comply with the nondiscrimination and equal opportunity provisions of the federal or state law.

**B. Application Review**

1. The CSSF Executive Director will have the authority to approve application requests \$50,000 or less. Awards will be included in the Executive Director's report to the South Florida Workforce Invest Board (SFWIB).
2. Requests exceeding \$50,000 must be approved by the SFWIB and/or appropriate Council at the next Board meeting.
3. Applications that fail the CSSF review process may not be recommended for approval.

**C. Duration**

The maximum time limit for a CT is six (6) months. Duration of a CT will be based on the need for training and not the maximum funding allowed under this policy. The Occupational Information Network's (ONET) Specific Vocational Preparation Range (SVP) will be used to determine the appropriate occupational training needed. Using the SVP provided by ONET, the following duration times are recommended in addition to the participant's prior education and work history.

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LEVEL	TIMEFRAME
Level 1	<1 month
Level 2	1 month
Level 3	>1 month - 3 months
Level 4	>3 months - 6 months
Level 5-9	>6 months

The CT agreement(s) must be completed during the current program year, which begins on July 1st must be completed prior to the end of the PY, June 20th.

**D. Funding and Compensation**

For purposes of the provision of CT under this policy, an employer may be reimbursed a portion of the cost of training a participant, taking into account the size of the business and such other factors in accordance with the WIOA and as the SFWIB determines to be appropriate, which may include the number of employees participating in training, wage and benefit levels of those employees (at present and anticipated upon completion of the training), relation of the training to the competitiveness of a participant, and other employer-provided training and advancement opportunities; and in the case of customized training involving an employer located in multiple local areas in the State, a significant portion of the cost of the training, as determined by the Governor of the State, taking into account the size of the employer and such other factors as the Governor determines to be appropriate.

Businesses entering into a CT agreement must provide a minimum 10% matching contribution to the training project.

Businesses shall contribute/match a non-federal share in an amount not less than the following:

- 10 percent for companies with 50 or fewer employees
- 25 percent for companies with 51-250 employees
- 50 percent for companies with 251 or more employees
- 

The non-federal share provided by a business participating in the CT may include the amount of the wages paid by the business to a worker while the worker is attending a training program. The business may provide the match in cash or in-kind, fairly evaluated.

1. Training Vendors are paid by the business for training costs.
2. The SFWIB will set aside a pool of training funds that will be utilized for CT initiatives.
3. Businesses will be reimbursed by Service Partners with the final reimbursement upon the completion of the last training and credential attainment, and proper documentation has been provided. The reimbursement amounts will be based upon the relevant funding stream requirements and any

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waivers at the time of the agreement. As seen in this policy, Service Partners may submit a written request to the SFWIB/CSSF Executive Director to approve an exception to the reimbursement process.

**E. Training Completion and Outcomes**

1. All CT initiatives shall be performance based with specific measurable outcomes, including training completions and the number of participants trained.
2. Training must result in the attainment of a credential that leads to self-sufficiency, as established during the contract negotiations.

**F. Grievances and Appeals**

1. Service Partners shall advise participants of their right of appeal using either the business grievance procedures, or those of the CSSF, if previously agreed with the business. If a business elects to use its own grievance procedures, the business must agree to provide information to CSSF 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 CSSF under the CSSF grievance procedures.
2. If the application is not approved, the appropriate CSSF staff shall notify the business in writing. Businesses may appeal an application denial by the CSSF in accordance with the CSSF appeal process.

**G. Exceptions**

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

**H. Prohibitions**

1. A participant in a program or activity authorized under Title I of WIOA 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).
2. A participant in a program or activity under Title I of WIOA 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 WIOA participant or
  - c. The job is created in a promotional line that infringes in any way on the promotional opportunities of currently employed workers.

<b>Approved By:</b> Rick Beasley, Executive Director	<b>Update to:</b>	<b>Issued by:</b> Adult Programs
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3. Participants shall not be employed to carry out the construction, operation, or maintenance of any part of any facility that is 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).
4. Businesses that fail to meet the conditions as outlined in the executed agreement may not be considered for future CT agreements.
5. No officer, employee, agent, or representative of the Business or Service Partner may charge a participant a fee for the placement of such individuals in or to a training funded under a CT agreement or amendments thereof.
6. CT funded agreement must not impair existing contracts for services or collective bargaining agreements. When a program or activity authorized under Title I of WIOA would be inconsistent with a collective bargaining agreement, the appropriate labor organization and employer must provide written concurrence before the agreement is initiated.
7. CT funds shall not be used for any political activity, lobbying of federal, state or local legislators, or to promote or oppose unionization.
8. CT funds may not be used to directly or indirectly assist, promote or deter union organizing.
9. CT funds shall not be used to fund employees of home-based businesses.
10. The encouragement or inducement of a business, as 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.

<b>Approved By:</b> <b>Rick Beasley, Executive Director</b>	<b>Update to:</b>	<b>Issued by:</b> <b>Adult Programs</b>
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## **SFWIB GLOBAL TALENT COMPETITIVENESS COUNCIL**

**DATE:** 10/21/2021

**AGENDA ITEM NUMBER:** 7

**AGENDA ITEM SUBJECT:** RAPID RESPONSE AND LAYOFF AVERSION INITIATIVES

**AGENDA ITEM TYPE:** **APPROVAL**

**RECOMMENDATION:** SFWIB staff recommends to the Global Talent and Competitiveness Council to recommend to the Board the approval to allocate an amount not to exceed \$50,000 in Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker funding to continue Rapid Response & Layoff Aversion projects, as set forth below.

**STRATEGIC GOAL:** **BUILD DEMAND-DRIVEN SYSTEM W/ EMPLOYER ENGAGEMENT**

**STRATEGIC PROJECT:** **Develop integrated Business Service teams**

### **BACKGROUND:**

On June 17, 2021, the South Florida Workforce Investment Board (SFWIB) approved the renewal of business intermediary contracts with the the South Florida Progress Foundation Incorporated, the Beacon Council Economic Development Foundation, the Miami-Dade Chamber of Commerce and the Latin American Chamber of Commerce. The aforementioned entities serve as business intermediaries on behalf of the SFWIB, as well as, an extension of the regional Rapid Response team to provide assistance to dislocated workers of businesses who are implementing layoffs or plant closing.

In an effort to address the same concerns with minority owned businesses, SFWIB staff recommends to the Global Talent Competitiveness Council to approve an allocation not to exceed \$50,000 in WIOA Dislocated Worker funding to the Florida State Minority Supplier Development Council (FSMSDC)

The Florida State Minority Supplier Development Council (FSMSDC) is one of 23 regional councils affiliated with the National Minority Supplier Development Council. FSMSDC is the state leader in advancing business opportunities for certified Black, Hispanic, Asian and Native American business enterprises, including connecting them to member corporations.

FSMSDC has more than 40 years of experience successfully identifying and developing minority-owned businesses, matching them with procurement opportunities, helping Minority Business Enterprises (MBEs) increase capacity, and delivering programs that help MBEs create and retain jobs.

In following the 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 SFWIB. A two-thirds (2/3) vote of the quorum present is required to waive the competitive procurement process and award the Florida State Minority Supplier Development Council an allocation not to exceed \$50,000 in Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker Funds to provide business intermediary services in Workforce Development Area 23.

**FUNDING:** WIOA Dislocated Worker

**PERFORMANCE:** N/A

*NO ATTACHMENT*