

**ADULT & DISLOCATED WORKER PROGRAM COMMITTEE
AGENDA**

Wednesday, March 14, 2012
9:30 AM

workforce **CONNECTIONS**

Conference Room
7251 W. Lake Mead Blvd., Suite 200
Las Vegas, NV 89128

This meeting has been properly noticed and posted in the following locations:

City of North Las Vegas, 2200 Civic Center Dr., North Las Vegas, NV
City of Las Vegas, City Clerk's Office, 495 S. Main Street, Las Vegas, NV
Clark County, County Clerk's Office 500 S. Grand Central Parkway, Las Vegas, NV
Esmeralda County Courthouse, 233 Crook Street, Goldfield, NV
Henderson City Hall, 240 Water Street, Henderson, NV
City Hall, Boulder City, 401 California Ave., Boulder City, NV
workforce **CONNECTIONS**, 7251 W. Lake Mead Blvd., Las Vegas, NV
Nevada JobConnect, 3405 S. Maryland Pkwy., Las Vegas, NV
Lincoln County 181 Main Street Courthouse, Pioche, NV
Nye County School District, 484 S. West St., Pahrump, NV
Pahrump Chamber of Commerce, 1302 S. Highway 160, Pahrump, NV

This Agenda is also available on the *workforce* **CONNECTIONS** internet website at
www.nvworkforceCONNECTIONS.org.

COMMENTARY BY THE GENERAL PUBLIC

This Board complies with Nevada's Open Meeting Law, by taking Public Comment at the beginning of the meeting immediately after the Board approves the Agenda and before any other action is taken and again before the adjournment of the meeting." The Board also has discretion to take Public Comment after any item on the agenda, after the item has been discussed by the Board, but before the Board takes action on the item.

Each person participating in Public Comment will be limited to three minutes of comment. If any member of the Board wishes to extend the length of a comment, then the Board member may do so through a majority vote of the Board.

The Board chair has the right to end any Public Comment which: (1) is not related to any matter within the authority of the Board; or (2) is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, making personal attacks, or interfering with the rights of other speakers. *Members of the public: please comply with the requests of the Board chair and do not be disruptive, otherwise you may be removed.*

Auxiliary aids and services are available upon request to individuals with disabilities by notifying Dianne Tracy, in writing at 7251 W. Lake Mead, #200, Las Vegas, NV 89128; or by calling (702) 638-8750; or by fax (702) 638-8774. The TTY/TDD access number is (800) 326-6868 / Nevada Relay 711. A sign language interpreter may also be made available with twenty-four (24) hour advance notice. An Equal Opportunity Employer/Program.

NOTE: MATTERS IN THIS AGENDA MAY BE TAKEN OUT OF ORDER.

Adult & Dislocated Worker Program Committee members: Valerie Murzl, Chair; Daniel Rose, Vice-Chair; Chelle Bize'; Hannah Brown; Mark Edgel; Pat Maxwell; Charles Perry and Maggie Arias-Petrel.

All items listed on this Agenda are for action by the Adult and Dislocated Worker Program Committee unless otherwise noted. Action may consist of any of the following: approve, deny, condition, hold or table. Public Hearings may be declared open by the Chairperson, as required for any of the items on this Agenda designated for discussion or possible action or to provide direction and recommendations to workforce CONNECTIONS.

AGENDA

1. Call to order, confirmation of posting and roll call.
2. **ACTION:** Approve the agenda with inclusions of any emergency items and deletion of any items.
3. **FIRST PUBLIC COMMENT SESSION:** Members of the public may now comment on any matter posted on this Agenda, which is before this Committee for consideration and action today. Please clearly state and spell your name and state your address for the record. Each public comment will be limited to three (3) minutes.
4. **ACTION:** Approve the Adult & Dislocated Worker Committee meeting minutes of February 8, 2012.....1
5. **INFORMATION:** Welcome new members to the ADW Committee: Chelle Bize', Mark Edgel, and Pat Maxwell.....5
6. **DISCUSSION AND POSSIBLE ACTION:** Review Amended Budget Line Items from *workforce CONNECTIONS* and Memorandum from DETR amending the original \$4,050,000 SESP grant sub-contract with Workforce CONNECTIONS TO \$3,503,000. The \$547,000 reduction in funds would also reduce the original participant outcomes of 2,450 by 331 to 2,119.....6
7. **INFORMATION:** ADW Funded Partner Demographics Report.....28
8. **INFORMATION:** Regional Sector Update – Reports will be given regarding updates in Healthcare, Green Economy – Debra Collins, Jaime Cruz.....31
9. **INFORMATION:** ADW/Emerging Markets Update- Cornelius Eason.....33
10. **INFORMATION:** RFP 101Workshop. Update on the recent RFP 101 Workshop held at Texas Station on February 29th34
11. **SECOND PUBLIC COMMENT SESSION:** Members of the public may now comment on any matter or topic, which is relevant to or within the authority or jurisdiction of the Board. You may comment now even if you commented earlier, however, please do not simply repeat the same comment you previously made. Please clearly state and spell your name and state address for the record. Each comment will be limited to three (3) minutes.
12. Adjournment

ADULT & DISLOCATED WORKER COMMITTEE

February 8, 2012

9:30 AM

workforce **CONNECTIONS**

Conference Room

7251 W. Lake Mead Blvd., Suite 200

Las Vegas, NV 89128

Members Present

Valerie Murzl - Chair
Dan Rose – Vice Chair
Hannah Brown
Charles Perry
Maggie Arias-Petrel

Members Absent

None

Staff Present

MaryAnn Avendano
Debra Collins
Heather DeSart
Kelly Ford
Janice Greer
Jeannie Kuennen
Emilio Pias
Stacy Rainwater
Beth Rubins
Bridget Shaney
Sylvia Spencer
Scott Steinbach

Others Present

Donna Romo –DETR
Donna Bensing – New Horizons CLC
Sherri L. Kidd – DRHS
LaTanya Runnels –NPI
Capucine Holmes –GNJ
Tracey Torrence –SNRHA
Trnee Stephenson – ISIS Connection
Thresea Kaufmann –NHA
Tiffany Tyler –NPI
Peggy Oliver –ISIS Connection
Helicia Thomas –GNJ Family Life Center
Janice Rael –NPI
Sherry Ramsey – Goodwill of S.N.
Stacy Smith-NyeCC
Elizabeth McDaniels – Goodwill
Jake McClelland – FIT
Penny Hagen –FIT
Vincent Miller – Goodwill
Wendy Villanueva-ISIS

(It should be noted that not all attendees may be listed above)

Agenda Item 1 - Call to Order, confirmation of posting, roll call

Chair, Valerie Murzl, called the meeting to order at 9:39 a.m. Staff confirmed the meeting had been properly noted and posted in accordance with the Nevada Open Meeting Law. Roll call was taken and a quorum was present.

Agenda Item 2 –ACTION: Approval of agenda with inclusions of any emergency items and deletion of any items.

*Motion was made to accept the agenda as presented by Charles Perry, and seconded by Hannah Brown.
Motion was carried.*

Agenda Item 3 - First Public Comment Session:

David McKinnis, MGM Resorts International. Mr. McKinnis addressed the committee regarding the Incumbent Worker partnership formed with *workforce CONNECTIONS* known as the *B.E.S.T.*, -Building, Energy, and Sustainable Technician program. Mr. McKinnis noted that MGM has seen benefits in the program, not only in the workers' skill sets and attitudes, and economically but most importantly, they've seen a reduction in the carbon footprint of the company. Mr. McKinnis further stated that in this economic climate MGM is not building new properties that could create new jobs, but they are willing to invest in their

employees to help them be more valuable, retainable, and promotable. Mr. McKinnis commended the Board for deploying effective programs that help local businesses.

Ed Maguire-Facilities Maintenance Manager, Public Works Department, City of Henderson. Mr. Maguire addressed the committee stating that he would like to echo the comments of Mr. McKinnis regarding the *B.E.S.T* program. Mr. Maguire said that approximately half of his department had been through the program and it has made a difference in the way they think about maintenance, equipment replacement, and lifetime costs because now they have the tools to measure and verify these elements themselves. Mr. Maguire further stated that the City of Henderson has done a lot of energy conservation projects over the years that previously they would have hired consultants for; now they have staff who, in many cases, are as well trained or better than they consultants. Mr. Maguire cited a project that the City of Henderson did last summer which resulted in a \$10,000 energy savings in the three hottest months of the year; and he believes those savings will continue for the next 20 years. He said the *B.E.S.T* training is some of the best training they've received over the years, and they were happy they were able to participate in the program.

Committee member, Charles Perry, inquired if there was any indication that other entities were involved in this program. Jaime Cruz, Director, Green Economy Workforce Development, responded that facilities operators from the jurisdictions of Henderson, Las Vegas, North Las Vegas, and Clark County, businesses such as Stations Casinos, MGM and Harrah's, and small companies that might employ 2-3 people have all participated in the *B.E.S.T* training program.

Agenda Item 4 – ACTION: Approve the Adult & Dislocated Worker Committee meeting minutes of January 11, 2012.

Motion was made to approve the meeting minutes of January 11, 2012 as presented by Hannah Brown, and seconded by Charles Perry. Motion was carried.

Agenda Item 5 – ACTION: Nominations for Chair and Vice-Chair of ADW Committee among the committee members.

Hannah Brown nominated Valerie Murzl for Chair of the Adult and Dislocated Workers Committee; Valerie Murzl nominated Dan Rose for Vice-Chair. *Charles Perry moved that the nominations be closed; Hannah Brown seconded the motion. The motion carried. Charles Perry moved that Valerie Murzl and Dan Rose be approved by acclamation and Hannah Brown seconded the motion. The motion carried and Valerie Murzl and Dan Rose were confirmed by acclamation of the committee members.*

Agenda Item 6 – ACTION: Approve staff's recommendation to publish a Request for Re-Entry Proposals for Adult and Youth Services in an amount not to exceed a total of \$1,000,000.

Sylvia Spencer, Research & Development Director, addressed the committee and provided a brief bit of background information regarding the Second Chance Act, which was signed into law in 1998 and addresses the need for practices and programs that reduce recidivism and lead to the successful reintegration of incarcerated individuals into their communities.

Ms. Spencer informed the committee that evidential data indicates Nevada has a significant population of individuals, both Adult and Youth who could benefit from Re-entry services such as employment and training services, counseling services, and work readiness services to name a few. Ms. Spencer noted that during PY 2010 *workforce CONNECTIONS* operated two re-entry programs "in-house", Adult and Youth, that has provided valuable information such as regards issues and challenges. The insight gathered will allow *wC* to provide proper oversight and technical assistance to a new Funded Partner, and *wC* staff believes the Re-Entry Programs can now be sustained through community partnerships.

Motion to approve staff's recommendation to publish a Request for Re-Entry Proposals for Adult and Youth Services in an amount not to exceed a total of \$1,000,000 was made by Hannah Brown and seconded by Dan Rose. The motion carried.

Agenda Item 7 – INFORMATION: Approve staff's recommendation to award additional funding to the following Funded Partners who have met or exceeded established placement goals:

FIRST QUARTER:

1.Foundation for an Independent Tomorrow (FIT).....	\$216,000.00
2.Latin Chamber Community Commerce Foundation.....	\$100,000.00
3.Goodwill	\$77,696.00
4.NYE CC	\$52,548.00

SECOND QUARTER:

1.Nevada Partners, Inc. (NPI).....	\$50,952.58
2.GNJ Family Life Center (GNJ).....	\$90,690.00

Chair, Valerie Murzl opened the discussion by inquiring which committee members would have a conflict of interest regarding this item and who would need to recuse themselves from voting; Maggie Arias-Petrel responded that it would be herself and committee member Hannah Brown. Ms. Arias-Petrel and Ms. Brown both sit on the board of the Latin Chamber Community Commerce Foundation.

The committee commenced a discussion on but not limited to: whether it was appropriate that this item be on the agenda, the formula used to arrive at the Funded Partners who successfully met the criteria, how long the formula had been in place, how much would be allocated to partners who met the criteria in the future, what the direction that was given to ADW staff surrounding this item, how long ADW intends to continue the incentive program, what happens if we run out of money for the incentive program; the importance of the Funded Partners continuing to exceed the performance criteria, how the amounts were arrived at, and the budgetary line items that the Funded Partners could put the money in. At the conclusion of the discussion Chair, Valerie Murzl, called for a motion:

Valerie Murzl: "Is there a motion on the floor to approve?"

Dan Rose: "I make a motion that we approve this agenda item as is. I'm fairly comfortable on the information that has been given to us to take further to the full board."

Valerie Murzl: "Is there a second?" "I'll second it, can I second it? I can't second it?"

Hannah Brown: "No".

Valerie Murzl: "Okay. Mr. Perry you're the only one that can second it, do you want to second it?"

Charles Perry: "I'm going to have to abstain from this one...(inaudible)"

Valerie Murzl: "Okay then we can't call for a vote and the motion dies, so I will move it to the Board, for the next Board meeting."

Agenda Item 8 –INFORMATION: Regional Sector Update

Debra Collins, Project Specialist I, informed the committee that the Nevada Health Care Sector Council had submitted an application for the Future of Nursing Campaign. If approved, this would open the door for the council to apply for Grant opportunities with the Robert Wood Johnson Foundation. Ms. Collins went on to inform the committee about the application that *workforce CONNECTIONS* wrote for the Center for Medicare/Medicaid Innovations Grant. The grant is a three-year project; and the application was for 16 million dollars. The project centers around telehealth stations where individuals would be able to access online healthcare services in the areas of cardiovascular health, respiratory health, and diabetes. The project is a collaboration between *workforce CONNECTIONS*, UNR, Nevadaworks, Dovetail, American Well, and PPN, and we should hear a decision by the end of March.

Agenda Item 9 –INFORMATION: ADW/Emerging Markets Update

Janice Greer, Business Analyst, and Kenadie Cobbin Richardson, Business Services Representative, addressed the committee and gave a brief overview of *workforce CONNECTIONS* newest business services program, Layoff Aversion. Ms. Greer detailed particulars of the program, which is at no cost to participants, and is

designed to assist small and medium sized businesses that are experiencing difficulties with strategies that can help business owners avert laying off staff as well as implement techniques to grow and sustain the business. Ms. Richardson gave details of how those strategies and goals were implemented in an event that was recently held called “*Dr. CEO Roundtable*”. The target audience was physicians and was very well received. Ms. Richardson noted that much of the time the Dr. CEO is very qualified to be a physician but not so qualified to manage a business, and the business services team was able to provide techniques that not only affect the business in terms of layoff aversion, but in helped as far as job creation as well.

Janice detailed for the committee what the outreach efforts were which included but were not limited to: social media, marketing, collateral materials, speaking at the various chambers of commerce, and the Strictly Business radio show.

Committee member, Maggie Arias-Petrel, asked to be included on the next communication for the Dr. CEO event as she has doctors she would like to invite.

Chair Valerie Murzl, asked if Cornelius Eason could send out an email to the committee to inform them when staff/guests are going to be on the Strictly Business radio show so that they could all be well informed.

Agenda Item 10 – INFORMATION: RFP 101 Workshop. Information on upcoming workshop to educate interested parties in the process of responding to a Request for Proposals released by workforce CONNECTIONS.

Heather DeSart informed the committee about the upcoming RFP 101 Workshop which will be held February 29th at Texas Station. The goal of the workshop is to provide interested parties with information that will help them be better prepared to engage in the RFP process.

Agenda Item 11 Second Public Comment Session:
None.

The Meeting adjourned at 11:08am



workforce **CONNECTIONS**

PEOPLE. PARTNERSHIPS. POSSIBILITIES.

I approve the following workforce CONNECTIONS Board Members to join the Adult and Dislocated Workers Committee.

Chelle' Bize

Mark Edgel

Pat Maxwell

Hannah Brown

Chairperson, *workforce* **CONNECTIONS** Board

State Energy Sector Partnership (SESP) Grant - Timeline Summary

- In January of 2010, Nevada received a \$6M SESP grant from the US Department of Labor (DOL). The purpose of the grant was to invest in workforce sector strategies that target energy efficiency and renewable energy industries. The goal is to promote skill attainment and career pathway development for workers. These strategies must align with the Governor's overall workforce vision, State energy policies, and local and regional training activities. The end result of a sector strategy is a stronger labor market system that benefits workers and employers for years to come.
- By mid-2010 it was determined that the original grant proposed outcomes of 7,125 participants served and 5,557 placed into employment was undeliverable. It also proposed \$9,643,750 of in-kind leveraged resources. Workforce Connections staff was asked to develop a new plan, relevant to the labor market conditions that could be submitted by DETR to DOL as a grant modification request.
- The request was written in conjunction with Nevadaworks and other consulting partners across the country. With support from Senator Reid's office it was submitted by DETR in November, 2010 and approved by DOL in April, 2011. The new plan did not reduce the funding of \$6,000,000 for the state but did reduce the participant outcomes by over 50% to 3,500. Of those, 610 job-seekers will be trained and/or placed in green related occupations; 1,500 incumbent workers will receive "green skills" upgrades to promote job retention and career advancement; and 1,390 youth will participate in the "What's it Mean to be Green?" program, an introduction to the green economy and green career pathways.
- After 10 months since the modification approval, we are at approximately 47% participants served with 11 months to go until the grant performance period ends January, 2013. The main areas of focus include: The energy efficient building, construction, and retrofit industries; the renewable electric power industry; the deconstruction and materials use industries; the energy efficiency assessment industry; and the manufacturing of sustainable or energy efficient products industry;
- The SESP Council serves as a steering committee throughout the life of the grant to inform the planning and implementation of the State's energy sector strategy and ensure the overall success of the grant. It must also conduct sustainability planning to help insure that the strategic partnerships, training, placement and retention activities, or labor market information and exchange activities, are sustained after the grant performance period ends. This Council is now also functioning as the Governor's Workforce Investment Board Green Sector Council.

BRIAN SANDOVAL
GOVERNOR



FRANK R. WOODBECK
DIRECTOR

OFFICE OF THE DIRECTOR

MEMORANDUM

DATE: February 21, 2012
TO: John Ball, Executive Director, Workforce Connections
From: Dennis Perea, Deputy Director, DETR
RE: Contract #PY10-SESP-02, Amendment #1

The above-referenced contract is being amended to reduce the total amount of available funding from \$4,050,000.00 to \$3,503,000.00. DETR will be reallocating these dollars to funds other initiatives that may lead to placement in the green and renewable energy sector. This contract will not exceed \$3,503,000.00 and will include a maximum 10% administrative cost as specified below.

Administrative costs:	\$350,300.00
Program costs:	\$3,152,700.00

Contract / Expenditure	
Obligated/Projected Grant Authority	
DETR	600,000.00
High Tech Lights	(282,224.25)
CSN	(314,138.00)
NPI/Culinary Training Academy	(118,340.00)
Construction Training Center (Solar)	(3,822.00)
DETR Staff as of 01/12/12	(48,146.77)
Add'l DETR staff costs for Mgmt of CSN	
(Guess)	(50,000.00)
CSN / Spangler (estimated)	(80,000.00)
GOED	(250,000.00)
Total Grant Obligations	<u>(546,671.02)</u>

Workforce Connections
Current contract amount

4,050,000.00

Projected participant outcomes	2,450
Amended Contract Amount	3,503,000
Projected participant outcomes (revised)	2,119

DETR modification

Total Amount of re-capture	547,000
% of contract to re-capture	13.5%
Associated participant outcomes	331

Should you have any questions, please contact me at your convenience.

Thank you.

tln

cc: Ardell Galbreth, Deputy Director, Operations, Workforce Connections
MaryAnn Avendano, Interim Finance Manager, Workforce Connections
Lynda Parven, Deputy Administrator, Employment Security Division (ESD), DETR
Grant Nielson, Chief, Workforce Investment Support Services, ESD/DETR

Table C: Southern Nevada's LWIB Original SESP Budget Narrative

Category	Amount
A. Personnel	\$700,000.00
Description: The primary Workforce Connections staff assigned to SESP is: one Programs Manager, and two Project Managers, all at Full FTE. We are also projecting support from 1 fiscal position, at about .05FTE.	
B. Fringe Benefits	\$245,000.00
Description: The total cost of benefits for this LWIB level staff is projected at \$245,000.	
C. Travel	\$35,000.00
Description: We project attending SESP meetings across our region and trips to DC for other grant development activities.	
D. Equipment	\$60,000.00
Description: Project implementation requires the purchase of specialized equipment related to training for the energy efficiency and renewable energy industries like training systems/modules/kits, etc.	
E. Supplies	\$90,000.00
Description: Project implementation requires the purchase of standard office furnishing, equipment, supplies and materials associated with grant activities.	
F. Contractual	\$2,800,000.00
Description: To support project implementation, Workforce Connections will expend grant dollars with: <ul style="list-style-type: none"> • Approved training providers, to provide SESP participants with classroom training leading to certification. • WIA service providers, to provide WIA/SESP co-enrolled participants with any additional needed training services, including On the Job Training. • Partner employers, to provide SESP participants with On the Job Training. Workforce Connections expects to serve 2,450 participants through a combination of ITAs* (1,264), OJTs (214), and youth certificated training (973). Additional Job seeker and Incumbent worker percentages are in Table E. <p>*We are making entrepreneurship training available to individuals seeking to be in business for themselves under Strategy #4-Energy Efficiency & Assessment (and possibly others depending on demand). We expect between 10 and 20 participants to engage in this way. This training will also be provided through an ITA. The cost is built into the projected \$1,700 per job-seeker participant.</p> The following cost assumptions are associated with training allocations (more detail in Table E): <ul style="list-style-type: none"> • Energy efficient building, construction, retrofitting: \$1,724,450 (\$1,895 per participant) • Renewable electric power: \$209,195 (\$215 per WIA unemployed youth participant) • Deconstruction and materials use: \$119,000 (\$1,700 per job seeker, recycling); \$140,000 (\$1,000 per incumbent worker, electronic health records) • Energy efficiency and assessment: \$357,000 (\$1,700 per job seeker) • Manufacturing of sustainable or energy efficient products: \$295,800 (\$1,700 per job seeker) 	

Contract deliverables tied to strategies and resources are addressed in detail in the Projected Expenditures Outcomes Table (Table E).

G. Construction	\$0.00
N/A	
H. Other	\$120,000.00
Description: Project implementation will require the lease of additional office space	
N/A	
I. Total Direct Charges	\$4,050,000.00
J. Indirect Charges	\$0.00
TOTAL	\$4,050,000.00

Table C: Southern Nevada's LWIB Amended SESP Budget Narrative

Category	Amount
A. Personnel	\$893,000.00
Description: The primary Workforce Connections staff assigned to SESP is: Jaime Cruz, Emilio Pias, Scott Steinbach, Bridget Shaney and Beth Rubins, all at Full FTE. Also included is support from 1 fiscal position, at about .05FTE.	
B. Fringe Benefits	\$339,000.00
Description: The total cost of benefits for this LWIB staff level is projected at approximately 38% of the Personnel amount.	
C. Travel	\$45,000.00
Description: This travel line is for allocated and direct travel to SESP meetings across our region and trips to DC for other grant development and/or activities.	
D. Equipment	\$60,000.00
Description: Project implementation requires the purchase of specialized training equipment related to the energy efficiency and renewable energy industries.	
E. Supplies	\$99,000.00
Description: Project implementation requires the direct and allocated purchase of standard office supplies and other materials associated with grant activities and support.	
F. Contractual	\$1,772,000.00
Description: To support project implementation, Workforce Connections will expend grant dollars with: <ul style="list-style-type: none"> • Approved training providers, to provide SESP participants with classroom training leading to certification and/or skills upgrades. • WIA service providers, to provide WIA/SESP co-enrolled participants with any additional needed training services, including On the Job Training. • Partner employers, to provide SESP participants with On the Job Training. Workforce Connections will serve 2,119 participants through a combination of ITAs* (1,092), OJTs (185), and the youth "What's It Mean To Be Green?" program (842). <p>*We are making entrepreneurship training available to individuals seeking to be in business for themselves under Strategy #4-Energy Efficiency & Assessment (and possibly others depending on demand). We expect between 10 and 20 participants to engage in this way. This training will also be provided through an ITA. The cost is built into the projected \$1,700 per job-seeker participant. The following per participant cost averages are associated with training allocations:</p> <ul style="list-style-type: none"> • Energy efficient building, construction, retrofitting: \$1,895 per participant • Renewable electric power: \$215 per youth participant • Deconstruction and materials use: \$1,700 per job seeker, recycling, \$1,000 per incumbent worker, electronic health records) • Energy efficiency and assessment: \$1,700 per job seeker • Manufacturing of sustainable or energy efficient products: \$1,700 per job seeker 	

Original contract deliverables tied to strategies and resources addressed in detail in the Projected Expenditures Outcomes Table (Table E) will be reduced by a total of 331 participants.

G. Construction	\$0.00
N/A	
H. Other	\$295,000.00
Description: Project implementation requires allocated and direct operating expenses including: rent, janitorial, insurance, communication systems, legal, licenses, training and meeting expenses, maintenance, rental, contractual support and other related costs.	
N/A	
I. Total Direct Charges	\$3,503,000.00
J. Indirect Charges	\$0.00
TOTAL	\$3,503,000.00

**Workforce Investment Act
State Compliance Policies**

SECTION: 1.14 On-the-Job Training and Customized Training February 2011

I. On-The-Job Training (OJT):

- A. OJT is provided under contract with an employer in the public, private non-profit, or private sector to a paid participant engaged in productive work in a job to develop knowledge or skills essential to the full and adequate performance of the job [§663.700(a), Sections 101(31) & (31)(A)].
- B. Provides reimbursement to the employer of up to 50 percent of the wage rate of the participant or the extraordinary costs of providing the training and additional supervision related to the training [§663.700(a)].
- C. Local Workforce Investment Boards (LWIBs) shall ensure that:
 - 1. OJT opportunities are directly linked to the employment opportunities either in the local area or in another area to which the individual is willing to relocate [Section 134(d)(4)(A)(iii) and §663.310(c)];
 - 2. The OJT contract is limited to the period of time required for a participant to become proficient in the occupation for which training is being provided. In determining the appropriate length of the contract, consideration should be given to the skills requirements of the occupation, the academic and occupational skill level of the participant, prior work experience, and the participant's individual employment plan [§663.700(c) and Section 101(31)(C)];
 - 3. OJT procedures accommodate an increased training period for participants needing longer term training or reduced for participants needing less training based on an assessment of an individual participant's background, skills, and barriers to employment [§663.700(c)]; and
 - 4. Only those participants who have been assessed and for whom OJT has been documented as appropriate in the participants' individual employment plans be referred to an employer [Section 134(d)(4)(A)(ii)].
- D. General provisions:
 - 1. OJT contracts for eligible employed workers may be written when (§663.705):
 - a. The employee is not earning a self sufficient wage as determined by the LWIB;
 - b. The requirements in §663.700 are met; and
 - c. The OJT relates to the introduction of new technologies, introduction to

new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the LWIB.

2. A contract must be developed between the employer and the program operator that provides occupational training for the participant in exchange for the reimbursement of up to 50 percent of the wage rate to compensate for the employer's extraordinary costs. Employers are not required to document these costs [§663.700(a), §663.710(b) and (c), and Section 101(31)(B)].
3. OJT employers must be informed that their performance will be monitored on a regular basis to ensure adherence to the terms and conditions of the contract. Monitoring shall include a review of financial records relating to the contract; and interviews with those persons directly involved with the services rendered under the contract, including participants [§667.410].
4. OJT employers must retain all financial, trainee attendance, payment, progress, and personal records in accordance with State Policy. In the event of future litigation, audit, or if a claim is instituted, these records must be made available to the proper authority. Records shall be kept until action has been resolved per WIA State Compliance Policy 5.4 [Nevada Revised Statutes 239.080 and State Administrative Manual - Records 0400].
5. OJT participants are compensated by the employer at the same rates, including periodic increases, as similarly situated employees, but in no event less than the higher of the minimum wage specified under the Fair Labor Standards Act of 1938, as amended or the applicable state or local minimum wage [§667.272(a), (b), and (c)].
6. The OJT employer shall, at the time of occurrence, notify the service provider of any work stoppages involving labor disputes, or any layoffs affecting regular employees (§667.270).

E. Prohibited Employers:

1. LWIBs must develop and maintain a current list of employers prohibited from receiving funds through OJT contracts. The list will include reasons for prohibition [§663.700(b)].
2. The process for review and approval of OJT contracts shall ensure that contracts are not approved with employers who have exhibited patterns of failing to provide OJT participants continued long-term employment as regular employees with wages, benefits, and working conditions at the same level and to the same extent as similarly situated employees [Section 195(4)]. The State defines long-term employment as six (6) months or longer.

F. Restrictions: no trainee shall be employed or job opening filled when:

1. Any other individual is on layoff from the same or any substantially equivalent job; and/or
2. The employer has terminated the employment of any regular employee or otherwise reduced the work force with the intention of filling the created vacancy by hiring a trainee under an OJT contract. (§667.270)

II. Customized Training (§663.715 and §663.720):

- A. Customized training is defined as training:
 - 1. That is designed to meet the special requirements of an employer (including a group of employers) [§663.715(a)];
 - 2. That is conducted with a commitment by the employer to employ, or in the case of incumbent workers continue to employ, an individual on successful completion of the training [§663.715(b)]; and
 - 3. For which the employer pays not less than 50 percent of the cost of the training [Section 101(8) and §663.715(c)].
- B. Requirements for customized training for employed workers:
 - 1. Customized training of an eligible employed individual may be provided for an employer or a group of employers when:
 - a. The employee is not earning a self-sufficient wage as determined by LWIB policy [§663.720(a)];
 - b. The requirements in §663.715 listed above in II.A. are met [§663.720(b)]; and
 - c. The customized training relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the LWIB [§663.720(c)].

Note: Funds provided to employers for OJT or customized training must not be used to directly or indirectly assist, promote, or deter union organizing (§663.730).

On-the-Job Training (OJT) Federal Regulation

Requirements under Workforce Investment Act (WIA)

*This document is a tool for WIA OJT administrators and monitoring staff to use as guidance when implementing or reviewing OJT as a training option. Administrators should assure that policies and procedures are in place to ensure compliance with these requirements.**

Eligibility for OJT

1. Training under WIA may be established for an individual and that person may then be referred to any number of training options. When the State OJT provider or local OJT provider needs to check specific requirements in law and regulation related to eligibility for OJT, the following would apply:
 - a. **20 CFR 663.240: Are there particular intensive services an individual must receive before receiving training services under WIA section 134(d)(4)(A)(i)?**
 - i.) Yes, at a minimum, an individual must receive at least one intensive service, such as development of an individual employment plan with a case manager or individual counseling and career planning, before the individual may receive training services.
 - ii.) The case file must contain a determination of need for training services under § 663.310, as identified in the individual employment plan, comprehensive assessment, or through any other intensive service received.
 - b. **20 CFR 663.245: What is the individual employment plan?** The individual employment plan is an ongoing strategy jointly developed by the participant and the case manager that identifies the participant's employment goals, the appropriate achievement objectives, and the appropriate combination of services for the participant to achieve the employment goals.
 - c. **20 CFR 663.250: How long must an individual participant be in intensive services to be eligible for training services?** There is no Federally-required minimum time period for participation in intensive services before receiving training services. The period of time an individual spends in intensive services should be sufficient to prepare the individual for training or employment. (WIA sec. 134(d)(4)(A)(i))
 - d. **20 CFR 663.310: Who may receive training services?** Training services may be made available to employed and unemployed adults and dislocated workers who: (a) Have met the eligibility requirements for intensive services, received at least one intensive service under 20 CFR 663.240, and been determined to be unable to obtain or retain employment through such services; (b) After an interview, evaluation, or assessment, and case management, have been determined by an One-Stop operator or One-Stop partner, to be in need of training services and to have the skills and qualifications to successfully complete the selected training program.
- Note:** For OJT NEG's, eligibility is limited to dislocated workers only.
- e. **20 CFR 664.460(d): What are work experiences for youth?** In most cases, OJT is not an appropriate work experiences activity for youth participants under age 18. Local program operators may choose, however, to use this service strategy for eligible youth when it is appropriate based on the needs identified by the objective assessment of an individual youth participant. (WIA sec. 129(c)(2)(D))

** Please Note: Users of this checklist should be aware that these eligibility provisions apply to WIA OJT and that requirements for OJT funded through other programs (e.g., Trade Adjustment Assistance (TAA), American Recovery and Reinvestment Act*

(ARRA), Vocational Rehabilitation, Temporary Assistance for Needy Families (TANF), Apprenticeship, and Veterans Employment programs) will vary.

Employer Eligibility

2. Prior to entering a contract for OJT with an employer, the OJT provider must assure the employer is eligible. The following requirements apply:

a. 20 CFR 663.700: What are the requirements for OJT?

- (i.) On-the-job training (OJT) is defined at WIA section 101(31). OJT is provided by an employer in the public, private non-profit, or private sector. A contract may be developed between the employer and the local program that provides occupational training for the WIA participant in exchange for the reimbursement of up to 50 percent of the wage rate to compensate for the employer's extraordinary costs. (WIA section 101(31)(B))

Note: For OJT NEGs, OJT positions may not be created with public sector employers.

- (ii.) The local program must not contract with an employer who has previously exhibited a pattern of failing to provide OJT participants with continued long-term employment with wages, benefits, and working conditions that are equal to those provided to regular employees who have worked a similar length of time and are doing the same type of work. (WIA section 195(4))

- (iii.) An OJT contract must be limited to the period of time required for a participant to become proficient in the occupation for which the training is being provided. In determining the appropriate length of the contract, consideration should be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, prior work experience, and the participant's individual employment plan. (WIA section 101(31)(C))

Note: For OJT NEGs cap OJT duration at 6 months.

b. 20 CFR 667.260: May WIA title I funds be spent for construction? WIA title I funds must not be spent on construction or purchase of facilities or buildings except:

- (i.) To meet a recipient's, as the term is defined in 29 CFR 37.4, obligation to provide physical and programmatic accessibility and reasonable accommodation, as required by section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended;
- (ii.) To fund repairs, renovations, alterations and capital improvements of property, including: (a.) SESA real property, identified at WIA section 193, using a formula that assesses costs proportionate to space utilized; (b.) Job Training Partnership Act (JTPA) owned property which is transferred to WIA title I programs; (iii.) Job Corps facilities, as authorized by WIA section 160(3)(B); and
- (iii.) To fund disaster relief employment on projects for demolition, cleaning, repair, renovation, and reconstruction of damaged and destroyed structures, facilities, and lands located within a disaster area. (WIA sec. 173(d))

- c. **20 CFR 667.268: What prohibitions apply to the use of WIA title I funds to encourage business relocation?** WIA funds may not be used or proposed to be used for:
- (i.) 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;
 - (ii.) Customized training, skill training, or OJT or company specific assessments of job applicants or employees of a business or a part of a business that has relocated from any location in the United States, until the company has operated at that location for 120 days, if the relocation has resulted in any employee losing his or her jobs at the original location.
- Pre-award review.** To verify that an establishment which is new or expanding is not, in fact, relocating employment from another area, standardized pre-award review criteria developed by the State must be completed and documented jointly by the local area with the establishment as a prerequisite to WIA assistance. (1) 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 WIA assistance is sought in connection with past or impending job losses at other facilities, including a review of whether WARN notices relating to the employer have been filed. (2) The review may include consultations with labor organizations and others in the affected local area(s). (WIA sec. 181(d))

The OJT Contract

3. The OJT provider must insure its contracts with employers meet requirements of Federal regulations:
- a. **20 CFR 663.700: What are the requirements for the on-the-job training (OJT)?**
See section 2(a) above for OJT requirements at this section.
 - b. **20 CFR 663.705: What are the requirements for OJT contracts for employed workers?** OJT contracts may be written for eligible employed workers when: (a) The employee is not earning a self-sufficient wage as determined by Local Board policy; (b) The requirements in Sec. 663.700 are met; and (c) The OJT relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the Local Board.

- c. **20 CFR 663.710: What conditions govern OJT reimbursements to employers?** (a) OJT payments to employers are deemed to be compensation for the extraordinary costs associated with training participants and the costs associated with the lower productivity of the participants. (b) Employers may be reimbursed up to 50 percent of the wage rate of an OJT participant for the extraordinary costs of providing the training and additional supervision related to the OJT. (WIA section 101(31)(B)) (c) Employers are not required to document such extraordinary costs.

Note: For OJT NEG, The reimbursement amount will be a negotiated percentage of the wage being paid to the participant. The wage level on which the reimbursement is based cannot exceed the State's average hourly wage. For this NEG, the negotiated reimbursement percentage may be as high as 90 percent of the participant's hourly wage based on either of the following conditions:

Employer size: (1) up to 90 percent of the participant's wage rate for employers with 50 or fewer employees; and, (2) up to 75 percent of the participant's wage rate for employers with 51-250 employees. Employers with more than 250 employees are limited to the standard WIA cap of 50 percent.

Participant skills gap: Where there is an extraordinarily large gap between the skills of the individual and the skills needed for the job, a sliding scale up to 90 percent may be used to reflect the degree of the individual participant's skills gap.

- d. **20 CFR 663.730: May funds provided to employers for OJT or customized training be used to assist, promote, or deter union organizing?** No, funds provided to employers for OJT or customized training must not be used to directly or indirectly assist, promote or deter union organizing.
- e. **20 CFR 665.220: Who is an "incumbent worker" for purposes of state-wide workforce investment activities?** States may establish policies and definitions to determine which workers, or groups of workers, are eligible for incumbent worker services under this subpart. An incumbent worker is an individual who is employed, but an incumbent worker does not necessarily have to meet the eligibility requirements for intensive and training services for employed adults and dislocated workers at 20 CFR 663.220(b) and 663.310.
- f. **20 CFR 667.266: What are the limitations related to sectarian activities?**
- (i.) WIA title I funds may not be spent on the employment or training of participants in sectarian activities.
 - (ii.) (1) 29 CFR part 2, subpart D governs the circumstances under which DOL support, including WIA Title I financial assistance, may be used to employ or train participants in religious activities. Under that subpart, such assistance may be used for such employment or training only when the assistance is provided indirectly within the meaning of the Establishment Clause of the U.S. Constitution, and not when the assistance is provided directly. As explained in that subpart, assistance provided through an Individual Training Account is generally considered indirect, and other mechanisms may also be considered indirect. See also 20 CFR 667.275 and 29 CFR 37.6(f)(1). 29 CFR part 2, subpart D also contains requirements related to equal treatment in Department of Labor programs for religious organizations, and to protecting the religious liberty of Department of Labor social service providers and beneficiaries. (2) Limitations on the employment of participants under WIA Title I to carry out the construction, operation, or maintenance of any part of any facility used or to be used for religious instruction or as a place for religious worship are described at 29 CFR 37.6(f)(2).

- g. **20 CFR 667.268: What prohibitions apply to the use of WIA title I funds to encourage business relocation?** (i.) WIA funds may not be used or proposed to be used for:
- (1) 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;
 - (2) Customized training, skill training, or OJT or company specific assessments of job applicants or employees of a business or a part of a business that has relocated from any location in the United States, until the company has operated at that location for 120 days, if the relocation has resulted in any employee losing his or her jobs at the original location.
- (ii.) **Pre-award review.** To verify that an establishment which is new or expanding is not, in fact, relocating employment from another area, standardized pre-award review criteria developed by the State must be completed and documented jointly by the local area with the establishment as a prerequisite to WIA assistance. 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 WIA assistance is sought in connection with past or impending job losses at other facilities, including a review of whether WARN notices relating to the employer have been filed. (WIA sec. 181(d))
- h. **20 CFR 667.270: What safeguards are there to ensure that participants in WIA employment and training activities do not displace other employees?**
- (i.) A participant in a program or activity authorized under title I of WIA 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).
 - (ii.) A program or activity authorized under title I of WIA must not impair existing contracts for services or collective bargaining agreements. When a program or activity authorized under title I of WIA would be inconsistent with a collective bargaining agreement, the appropriate labor organization and employer must provide written concurrence before the program or activity begins.
 - (iii.) A participant in a program or activity under title I of WIA may not be employed in or assigned to a job if: (1) Any other individual is on layoff from the same or any substantially equivalent job; (2) 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 WIA participant; or (3) The job is created in a promotional line that infringes in any way on the promotional opportunities of currently employed workers.
 - (iv.) Regular employees and program participants alleging displacement may file a complaint under the applicable grievance procedures found at 667.600. (WIA sec. 181.)
- i. **20 CFR 667.272: What wage and labor standards apply to participants in activities under title I of WIA?**
- (i.) Individuals in OJT or individuals employed in activities under title I of WIA must be compensated at the same rates, including periodic increases, as trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience and skills. Such rates must be in accordance with applicable law, but may not be less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable State or local minimum wage law.
 - (ii.) Individuals in OJT or individuals employed in programs and activities under Title I of WIA must be provided benefits and working conditions at the same level and to the same extent as other trainees or employees working a similar length of time and doing the same type of work.

- j. **20 CFR 667.274: What health and safety standards apply to the working conditions of participants in activities under title I of WIA?**
- (i.) Health and safety standards established under Federal and State law otherwise applicable to working conditions of employees are equally applicable to working conditions of participants engaged in programs and activities under Title I of WIA.
 - (ii.) (1) To the extent that a State workers' compensation law applies, workers' compensation must be provided to participants in programs and activities under Title I of WIA on the same basis as the compensation is provided to other individuals in the State in similar employment.
 - (2) If a State workers' compensation law applies to a participant in work experience, workers' compensation benefits must be available with respect to injuries suffered by the participant in such work experience. If a State workers' compensation law does not apply to a participant in work experience, insurance coverage must be secured for injuries suffered by the participant in the course of such work experience.
- k. **20 CFR 667.275: What are a recipient's obligations to ensure nondiscrimination and equal opportunity, and what are a recipient's obligations with respect to religious activities?**
- (i.) (1) Recipients, including State and local workforce investment boards, One-Stop operators, service providers, vendors and subrecipients, must comply with the nondiscrimination and equal opportunity provisions of WIA section 188 and its implementing regulations.
 - (2) Nondiscrimination and equal opportunity requirements and procedures, including complaint processing and compliance reviews, are governed by the regulations implementing WIA sec. 188 and are administered and enforced by the Department of Labor Civil Rights Center.
 - (3) As described in Sec. 667.260(a), funds may be used to meet a recipient's obligation to provide physical and programmatic accessibility and reasonable accommodation in regard to the WIA program, as required by section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended.
 - (ii.) 29 CFR part 2, subpart D governs the circumstances under which DOL support, including WIA Title I financial assistance, may be used to employ or train participants in religious activities. Under that subpart, such assistance may be used for such employment or training only when the assistance is provided indirectly within the meaning of the Establishment Clause of the U.S. Constitution, and not when the assistance is provided directly. As explained in that subpart, assistance provided through an Individual Training Account is generally considered indirect, and other mechanisms may also be considered indirect.

See also §§667.266 and 667.275 of 20 CFR. 29 CFR part 2, subpart D also contains requirements related to equal treatment of religious organizations in Department of Labor programs, and to protection of religious liberty for Department of Labor social service providers and beneficiaries. Limitations on the employment of participants under WIA Title I to carry out the construction, operation, or maintenance of any part of any facility used or to be used for religious instruction or as a place of religious worship are described at 29 CFR 37.6(f)(2). See section 188(a)(3) of the WIA of 1998, 29 U.S.C. 2938(a)(3).

NOTES: Under that definition, the term "recipients" includes State and Local Workforce Investment Boards, One-Stop operators, service providers, vendors, and subrecipients, as well as other types of individuals and entities. As discussed in 29 CFR 37.6(f)(2), WIA financial assistance may be used for the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship if the organization operating the facility is part of an OJT or activity providing services to WIA participants. See WIA section 188(a)(3).

I. 20 CFR 37.20: What is a grant applicant's obligation to provide a written assurance?

(a)(1) Each application for financial assistance under Title I of WIA, as defined in 37.4, must include the following assurance: As a condition to the award of financial assistance from the Department of Labor under Title I of WIA, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

- Section 188 of WIA, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title financially assisted program or activity;
- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;
- Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
- The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
- Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The grant applicant also assures that it will comply with 29 CFR part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

(2) The assurance is considered incorporated by operation of law in the grant, cooperative agreement, contract or other arrangement whereby Federal financial assistance under Title I of the WIA is made available, whether or not it is physically incorporated in such document and whether or not there is a written agreement between the Department and the recipient, between the Department and the Governor, between the Governor and the recipient, or between recipients. The assurance also may be incorporated by reference in such grants, cooperative agreements, contracts, or other arrangements.

Disclaimer: The tools, templates, and information provided in the OJT Toolkit serve as a general guide for states and local areas. Although every effort is made to ensure that the material within this web site is accurate and timely, we make no warranties or representations as to the accuracy or completeness of the contents, whether the contents are current, or free from changes caused by third parties. All the information is provided "as is" without warranty of any kind. No information provided in this site may be considered legal advice and it is the responsibility of each user of the OJT Toolkit materials to ensure that the materials meet all federal, state and local requirements. Use of the materials does not imply compliance with ETA requirements.

SOUTHERN NEVADA WORKFORCE INVESTMENT BOARD
General Policy & Procedure

ON-THE-JOB TRAINING & CUSTOMIZED TRAINING

EFFECTIVE DATE: July 11, 2003

NUMBER: 3.8

**SUPERSEDES: SNWIB General Policies and
Procedures No. 3.8 dated July 1, 2000**

AUTHORIZATION: SNWIB Executive Director

I. BACKGROUND:

- A. Title I of the Workforce Investment Act (WIA) defines that **On-the-Job (OJT)** training be "...provided under contract with an employer in the public, private non-profit, or private sector. Through the OJT contract, occupational training is provided for the WIA participant in exchange for the reimbursement of up to 50 percent of the wage rate to compensate for the employer's extraordinary costs." OJT is an ideal service strategy, since it is specifically designed to address unique, individual participant needs and interests. [§663.700, [§663.715(a), Sections 101(31) and 134(d)(4)(A)]
- B. OJT's participants may earn a credential for the skills obtained during their training program (refer SNWIB Policy 3.13, "General Provisions for Credentialing On-The-Job Training").
- C. **Customized training** is defined as training that is designed to meet the special requirements of an employer (or group of employers), that is conducted with a commitment from the employer to hire or (in the case of incumbent workers) continue to employ an individual on successful completion of the training, for which an employer pays not less than 50% of the cost of training.
- D. Customized Training of an eligible employed individual may be provided for an employer or a group of employers when the employee is not earning a self-sufficient wage as determined by SNWIB policy 3.1, and the Customized Training relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, or workplace literacy. **For purposes of this policy, Customized Training will be documented, procured, reimbursed, and the credentialing requirements shall be the same as those under the guidelines for On-The-Job Training.**

II. GENERAL PROVISIONS FOR DETERMINATION OF THE NEED FOR ON-THE-JOB TRAINING

- A. Prior to enrollment of clients into an OJT activity, the following criteria must be considered in determining the appropriateness of this type of training for an individual:
 - 1. **OJT's shall only be offered to individuals who have been assessed, and for whom the need for training services has been documented in the IEP/ISS. (Refer to SNWIB Policy 3.2]**
 - 2. The OJT training must be directly related to employment opportunities in the local

area, or in another area to which the individual is willing to relocate. This must be documented in the client's case file (Refer to SNWIB Policy 3.3)

3. OJT is not a placement activity, it is a training program. Therefore, the SNWIB service providers shall develop and execute OJT contracts that encompass highly skilled occupational training that is portable, and the acquired knowledge is "life long" and essential to performing the job.
4. A realistic training plan must be constructed which documents the skills required, stipulates a schedule for achieving those skills, and contains criteria for measuring and monitoring the attainment of those skills.

III. **GENERAL PROVISIONS FOR DEVELOPMENT OF AN OJT EMPLOYER**

- A. An OJT employer pre-award assessment procedure must be performed prior into entering into an OJT contract. This evaluation must delineate the OJT employer's prior performance in training, fiscal accountability and the process by which the employer plans to meet local WIA established performance standards.
- B. The pre-award evaluation must ensure that the OJT physical environment and the employer's training plan are in compliance with NRS, WIA, ADA, EEO, the Fair Labor Act of 1938, and all other Federal, State and Local regulations that are contained in the SNWIB's Methods of Administration.
- C. SNWIB prohibits negotiating OJT contracts with employers under the following conditions:
 1. If any employee is displaced by a participant.
 2. If any individual is on a layoff status with the employer n the same or equivalent job.
 3. If the place of employment is engaged in a labor dispute.
 4. If the OJT would impair an existing collective bargaining unit.
 5. If the OJT would impair the promotional opportunity of any currently employed individual.
 6. If the employment of an OJT participant is with the participant's previous employer in the same, a similar, or an upgraded job.
 7. The WIA prohibits WIA Title I assistance to any relocating company for the first 120 days after the company commences operations at a new or expanded location if the relocation results in any employee's job loss at the original site.
 8. OJT participants are prohibited from being trained in any facility that is used or to be used for sectarian activities.

IV. GENERAL PROVISIONS FOR DEVELOPMENT OF AN OJT CONTRACT

- A. OJTs focus is on the definition and attainment of measurable skills. If tangible skills have been attained by a trainee during the OJT experience, employers shall be reimbursed for the extraordinary costs incurred in providing the required training.
- B. In an OJT training situation, the WIA participant becomes an employee of the OJT employer, and is hired under the same policies and procedures, and retain the same rights, as other currently employed individual at the facility. The WIA allows for reimbursement up to 50% of the trainee's wages paid by the employer during the training period.
- C. In general, OJT contracts shall contain the following provisions:
 - 1. The OJT contract must be limited to the period of time that is required for the participant to become competent in the occupation for which they are being trained, and the start and end dates of training must appear on the contract. The justification for the timeframe must be documented in the individuals IEP/ISS based upon the skill level of the trainee and the required occupational skills of the job, the trainee's work history, and any other factor that may effect the time period of the training.
 - 2. The employer's job skill requirements must be specifically identified, carefully analyzed, and monitored. A realistic training plan must be constructed which documents the skills required, stipulates a schedule for achieving those skills, and contains criteria for measuring and monitoring the attainment of those skills.

The description of training must indicate the occupational areas or skills the participant will be trained to perform. Specific measurable objectives, along with number of hours of training required to obtain those skills, should be part of the OJT training description. Language such as "will perform other duties as required," should not be used in a training description. The skills criteria must be a part of the OJT contract.

- 3. The SNWIB requires that OJT participants be compensated at the same rates, including periodic increases not related to individual performance, as similarly situated employees or trainees. In no event shall OJT participants be paid less than the minimum wage. The participants wage rate and maximum reimbursement obligation amount must be a part of the OJT contract.

Wages do not include tips, commissions, or normal fringe benefits. OJT trainees are entitled to the same fringe benefits regular employees receive. The employer is responsible for 100% of the fringe benefit cost for each trainee.

Trainees may work overtime for an employer as long as the trainee does not object, and provided they are compensated at the employer's usual rate. However, overtime wages are not reimbursable. Paid federal or local holidays, recognized by the employer as being a paid day off, are reimbursable.

4. OJT contracts will not be considered valid unless they **are signed and dated by both the appropriate employer and Service Provider representatives. Copies of all fully executed OJT contracts must be made a part of the client 's file,** as well as all related attendance records.
5. For **Youth** selected for OJT training must have career advancement potential, and must pay a wage that equals or exceeds the average local area's performance placement wage for youth. The training curriculum must be written presenting the skills to be learned in an orderly sequence, and include a "skill certificate" attainment component.

V. **ADDITIONAL OJT CONTRACT PROVISIONS**

- A. The SNWIB has determined that the following are additional requirements to the OJT procurement and reimbursement process:
 1. **It is the policy of the SNWIB that the number of trainees at any single site of training shall not exceed 25% of the total number of employees at such site. In the event the business is small and there is only the owner/operator and less than 5 employees, then the maximum number of trainees shall be one (1), which will be dependant upon the employer's ability to provide constant and constructive supervision and training to the participant.**
 2. When requesting reimbursement for wages paid under an OJT contract, **employers are required to submit time and attendance records documenting all hours worked for which the employer is requesting reimbursement.** The information submitted must be designed to provide Service Providers with sufficient information to validate hours worked and that wages paid conform to the OJT Contract. **Both the employer and the trainee must sign the time and attendance records** as certification that the time report is correct and that the trainee received the wages shown on the invoice.
 3. If an OJT participant receives a salary increase during the period of the OJT enrollment, or if there is additional training required than was outlined in the original contract training description, then an OJT contract may be modified. In these cases, a revised contract must be developed using the same provisions as an original contract. **The reason for the contract modification must be documented in the client's IEP/ISS.**
 4. OJT employers must maintain and retain all financial, trainee attendance, progress, and any other documents related to WIA Title I OJT contracts. These records must be made available when deemed appropriate for review by the Service Provider, SNWIB, State, or Department of Labor for monitoring, participant complaints, audits and/or litigation. Records shall be kept until such action has been resolved.
 5. No funds provided to employers for OJT or Customized Training can be used to directly or indirectly assist, promote or deter union organizing.

VI. **GENERAL PROVISIONS FOR PROHIBITED OJT EMPLOYERS**

- A. State Policy 1.14 stipulates that the process for review and approval of OJT contracts shall

ensure that contracts are not approved with employers who have exhibited patterns of failing to provide OJT participants with continued long-term employment as regular employees with wages, benefits and working conditions at the same level and to the same extent as similarly situated employees. The State defines long-term employment as six months or longer.

- B. In order to facilitate a list of prohibited employers, the Service Provider must adhere to the following provisions:
1. All OJT employers are subject to evaluation for purposes of determining whether or not they met the terms and conditions of their agreements. Through a collective effort from ongoing monitoring, counselor communication, and participant input, the effectiveness of an OJT employer can be determined.
 2. An employer may be identified as inappropriate for OJT contracts because the employer has had two or more previous OJT contracts and exhibited a pattern of failing to provide OJT participants continued long-term employment (defined as six months) as regular employees with wages and working conditions at the same level and to the same extent as similarly situated employees.
 3. Any employers found to have violated any contract assurance, exhibited a lack of fiscal accountability, or failed to meet contract provisions will be placed on a "Prohibited Employers List". The SNWIB must be informed, in writing, whenever a Service Provider has determined and documented such failures and determinations. Additionally, the SNWIB may identify circumstances where the employer's actions are in noncompliance with established OJT regulations and procedures, and as such may result in the SNWIB placing the employer on the "Prohibited Employers List".

New Enrollees PY2011 to date (July 1, 2011 - March 5, 2012)

DEMOGRAPHICS	Adult	DW	Total
Ethnicity - African American	312	120	432
Ethnicity - American Indian or Alaskan Native	18	7	25
Ethnicity - Asian	67	18	85
Ethnicity - Caucasian	386	211	597
Ethnicity - Hawaiian/Pacific Islander	21	5	26
Ethnicity - Hispanic or Latino	201	100	301
Ethnicity - Not Disclosed	271	122	393
Ethnicity - Not Hispanic or Latino	531	239	770
Female	555	247	802
Male	350	164	514
CHARACTERISTICS	Adult	DW	Total
Disabled/Handicapped	22	6	28
Employed At Registration	101	8	109
Ex-Offender	110	8	118
Homeless	16	1	17
RESIDENCE*	Adult	DW	Total
Boulder City	2	2	4
Caliente	0	2	2
Henderson	76	33	109
Indian Springs	1	0	1
Jean	0	1	1
Las Vegas	551	245	796
Logandale	1	0	1
Mesquite	0	1	1
North Las Vegas	117	49	166
Pahrump	82	53	135
Sandy Valley	1	0	1

*Only Southern Nevada Residences shown

ZIP CODES SERVED	Adult	DW	Total
89002	4	2	6
89005	1	2	3
89006	1	0	1
89008	0	3	3
89011	6	4	10
89012	11	4	15
89014	10	7	17
89015	13	4	17
89018	1	0	1
89019	1	1	2
89021	1	0	1

89027	0	1	1
89030	31	16	47
89031	34	13	47
89032	34	14	48
89033	1	0	1
89041	5	8	13
89044	4	1	5
89046	0	1	1
89048	37	22	59
89052	16	6	22
89060	25	11	36
89061	7	3	10
89074	10	5	15
89081	11	2	13
89084	11	3	14
89085	2	0	2
89086	2	0	2
89101	29	12	41
89102	14	3	17
89103	17	5	22
89104	18	5	23
89105	1	0	1
89106	26	14	40
89107	14	4	18
89108	29	17	46
89109	1	0	1
89110	20	11	31
89112	1	0	1
89113	4	4	8
89115	26	20	46
89116	1	0	1
89117	16	3	19
89118	36	1	37
89119	25	7	32
89120	5	8	13
89121	22	12	34
89122	24	13	37
89123	15	2	17
89124	1	0	1
89128	11	9	20
89129	24	14	38
89130	10	6	16
89131	13	4	17
89133	1	0	1

89134	3	1	4
89135	4	3	7
89138	2	0	2
89139	10	6	16
89141	2	2	4
89142	12	7	19
89143	7	1	8
89144	2	2	4
89145	2	4	6
89146	7	2	9
89147	16	6	22
89148	17	5	22
89149	10	2	12
89156	19	4	23
89158	1	0	1
89162	1	1	2
89166	5	0	5
89169	14	9	23
89178	8	8	16
89179	0	1	1
89180	1	0	1
89181	1	0	1
89183	9	3	12
89193	1	0	1

Grand Total:	837	374	1211
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Healthcare Sector

ADW Committee March Update

1. Announcement of receiving the Action Coalition Designation, National announcement March 6, 2012.
2. Nevada Health Care Sector Council Update.
3. Anticipation of the VA hospital – working with HR for major Certified Nurse's Aide recruitment and training, thousands of positions.



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Green Economy Sector

ADW Committee March Update

Green Economy Sector Update:

- Job seekers being placed in jobs with a positive impact on the environment (K2 Energy Solutions, Blue Oasis Shrimp Farm, etc.)
- Local businesses benefiting from incumbent worker training.
- “What’s It Mean To Be Green?” Youth Program generating community interest beyond original participant targets.
- SESP participant outcomes on pace to meet goals by end of grant performance period in January 2013, currently at 45% of target.
- Nevada STEM Coalition Summit on March 9-10th at the South Point.
- Las Vegas Science Fair on April 29th at the Las Vegas Speedway.



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Emerging Markets/Partnerships/Resource Development

ADW Committee March Update

Employment Edge Workshop Series – the next event is scheduled for March 29th and will last from 8:00 am – 2:30 and is being held at the Pearson Community Center. The target attendee of this job seekers workshop is Veterans of the U.S. Armed Services.

Layoff Aversion/Business Services – This program is fully underway and the team of two business consultants is actively meeting with businesses to assess their needs. The consultants are also aggressively recruiting resource partners that can be available to assist the business clients once the needs have been identified.

Business Roundtable Series – this gathering of business owners, managers and professionals continues in partnership with the North Las Vegas, Henderson and Women's Chambers of Commerce. The next events are currently being planned with a target of May for the next.

Strictly Biz – The radio shows that are broadcast 6 times per month on KCEP, FM (2nd and 4th Mondays, 9:00 am) and KNUU AM (each Thursday 2:00 pm) allows Workforce Connections to drive the community conversation regarding a wide range of workforce development, economic development and business related issues. Recent guests include the Director of Business and Industry, Director of DETR, officers of the Henderson, North Las Vegas, Las Vegas, Urban, Women's and Latin Chambers of Commerce. We have also hosted a number of small business owners as well as elected officials to discussing the current economy and business climate.

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RFP 101 Workshop Update

Becoming a Funded Partner or Service Provider, begins with the desire to help people get back to work and an idea or program to achieve that goal. The process of applying for funds however, can be daunting to those new to the process, and maybe even for those who have some familiarity.

We wanted to help alleviate the confusing and overwhelming elements that can be part of the RFP process and to that end, the first RFP 101 Workshop was held Wednesday, February 29th @ Texas Station. Through our RFP process, Reg Javier of PCG Human Services was the successful proposer to present the material. Mr. Javier along with his colleague and fellow presenter, Tom Kavanaugh, have a wealth of experience in workforce development, procurement planning, system collaboration with Economic Development entities as well as design and implementation from RFP development to board approval of contracts.

We sent invites to Board Members, Funded Partners, and Agencies in our database as well as publicized in the Las Vegas Review Journal, and on our *Strictly Business* radio shows. In addition, there was quite a bit of word of mouth.

With a fantastic welcome speech given by Commissioner Lawrence Weekly, the workshop was well attended with lots of questions asked and notes taken by the participants. There were 84 attendees; the audience was comprised of current Funded Partners, agencies just starting up, those who have been unsuccessful in previous RFP rounds, interested members of the community, Board Members, and even a LEO. With the imminent release of the RFP for Adult and Youth Re-entry Services; the timing of this workshop was especially apropos.

We have received lots of great feedback on the quality of the workshop and the presenters from those who were in attendance. With this encouragement we hope to have more of these types of workshops in the future. To paraphrase the tagline on the Workshop invitation, ***when they succeed, we all succeed.***