

Innovation Committee

May 6, 2021

1:00 P.M.

[Click here for Zoom Link](#)

Meeting ID: 834 7597 2908

Password: 349840

Telephone Number: +1 312 626 6799



**Northern Middle Tennessee
Workforce Board Inc.**

Agenda

Welcome

Call the Meeting to Order

Approval of Minutes

Business Reports:

1. Policy and Agreement Updates:
 - a. Priority of Service
 - b. Grievance and Complaint
 - c. Support Services
 - d. TAA Co-Enrollment Process
2. McGruder Center Access Point
3. Eligible Training Provider Requests & Monitoring
4. Key Performance Indicators
5. CSP Performance Update

Adjourn

Members:

Seth Thurman (Chair)

Anne Fugate

Tony Adams

Richie Brandon

Tylesha McCray

Dan Ryan

John Alexander

Complete zoom link: <https://us02web.zoom.us/j/83475972908?pwd=QVplUjFJbXZzWkNiR1gvNWIRck9FZz09>



Northern Middle TN Workforce Board Innovation Committee
October 30, 2020
9:00 a.m. Virtual via Zoom
Workforce Essentials
523 Madison Street, Clarksville, Tennessee

Members Attending	Members Absent	Staff and Guest Attending
Seth Thurman	Jon Hunter	Marla Rye
Richie Brandon	Tony Adams	Andrea Dillard
John Alexander	Tylesha McCray	Renee Hollis
John Zobl	Dan Ryan	Ginger Fussell
		Freda Herndon
		John Watz
		Christel Brown

The Northern Middle Tennessee Workforce Board Innovation Committee met via Zoom on October 30, 2020. Roll call was taken with Seth Thurman, committee chair calling the meeting to order and announcing a quorum was present.

Seth called for approval of the minutes with John Alexander motioning and Ritchie seconding. With no other discussion the minutes were approved unanimously.

Marla then welcomed the group and discussed the overall agenda with its primary purpose of reviewing the Career Service Provider and One Stop Operator recommendations from the Third Party Administrator, Thomas P Miller. She also stated there would be needs for voting to approve new policies, and new eligible training providers. She stated that she had sent earlier additional information and details on a shared file and via zoom committee members nodded that they have received and reviewed.

Marla then turned it over to Renee who presented a new Board Policy on Credential Attainment, Youth Eligibility, Monitoring and Oversight, and Grievance and Complaint Resolution. She stated that these four new policies were required due to the state Board adopting these policies the previous quarter. The Credential Policy provided new definitions on credential documentation and we wanted to increase our credential attainment. With this policy we will get credit for academic completion and justification was sent to the state. The Youth Policy outlined the 5% exception as well as defining which qualifies a youth needing 'additional assistance'. The Youth policy defines poor attendance, chronic absenteeism and drop out prevention. This will aid us in serving youth with high absenteeism specifically in two schools in Davidson County. Again justification has already been sent to the state. The Monitoring and Oversight policy focuses on staff functions and processes to review sub-recipients and it is broken down by job title and defines staff responsibilities. It also includes an appeals process. The Grievance and Complaint

Policy describes staff roles and documentation procedures for customer complaints. It further defines procedures for discriminatory complaints. Renee stated that all policies reflect state policy and had been reviewed and vetted with the staff responsible for administering each policy. Seth asked for discussion and hearing none asked for a motion. John Alexander made a motion to approve, Ritchie seconded, without further discussion the vote occurred with unanimous approval.

Marla then gave an update as to AJC COVID actions and Cares Act review. She stated that all centers were open and that they were obeying local government guidance with the AJCs maintaining social distance and PPE Protocols. Temperature scanners were being installed in all centers. CARES Act funding was providing laptops and Ipads to over 750 people, primarily AE students as well as Title 1 students so they could attend virtual classes. Companies were also being reimbursed for COVID expenses with CARES Act funding through the United Way. There are 54 businesses who have applied for that funding. Funding must be spent by the end of December. There are 38 companies who have applied for IWT funding. In another grant, over 90 people with a National Emergency Grant were being served to help people get back to work. They are mostly providing PPE COVID cleaning assistance to other agencies primarily school systems across our region. All of these separate funding streams are happening simultaneously along with normal operations, COVID protocols and new service provider procurement. It is a very busy time.

Freda then presented the new updates to the Eligible Training Provider List. The list included only one new school which was a healthcare provider and the remaining courses had bright outlooks as well as providing industry recognized credentials that would help the area meet performance. However, there was one course from APSU that covered soft skills training without a credential. Discussion ensued as to whether the Board should approve schools and classes that do not lead to a credential. There may need to be a balance as to education and industry needs. There was no requirement at this time from the state that all providers award a credential. Marla, Freda as well as the Chair concluded that the Board should only approve those on this list that were bright outlook and lead to a credential. Seth asked for a motion to approve that statement and John made the motion and Ritchie seconding. With no further discussion the vote was for unanimous approval.

John Watz then reviewed the process the Board had been on with the Third Party Administrator (Thomas P Miller- TPM) to procure a new One Stop Operator (OSO) and Career Service Provider (CSP). TPM was procured in August. Working with Board staff they developed the scope of work and released a RFP mid- September via the internet and direct distribution to 117 companies. Questions and answers were posted and the RFP closed on October 16. Two proposals were received for OSO and five for CSP. TPM evaluated the proposals and due diligence was accomplished. The procurement recommendation was delivered to Marla on October 23. All proposals were very good, thus scores were close in most areas.

Marla began to summarize the TPM recommendation report specifically focusing on the scoring table. She reiterated that the scoring was close and went over the scoring matrix. TPM recommended that Mid Cumberland Human Resource Agency should be the One Stop Operator. Due to state policy, this eliminated MCHRA from any other bid. Firewall conflicts, and state policy ensures you cannot have the same agency perform OSO and CSP functions. EDSI was recommended to deliver Adult and Dislocated worker services in all counties. The Youth committee reviewed the proposals the day before and recommended that Metropolitan Action Commission (MAC) serve youth in Davidson County due to issues alluded to by Renee in her policy section. They wanted EDSI to perform Youth services in the other 12 counties. TPM scored Oasis and Eckerd lower due to some financial concerns. For full disclosure EDSI is a for profit company. The process truly reached out to a wide variety of companies to

bid. Marla stated she was comfortable with these recommendations. However, she was unsure if handoff may not all run smooth, that EDSI has not operated in TN before, we will need to keep a sharp monitoring eye on these providers, and specifically focus on the MPCR. The finance committee recommended 18 month contracts.

Seth then commented that this is putting some teeth in the contract and asked for a motion to approve the TPM recommendation. John made the motion and Ritchie seconded. Marla stated that the committee recommendation would go to the Executive Committee to be reviewed and voted on. With no further discussion, Seth asked for a vote and the vote passed unanimously.

Marla thanked the committee and stated there was no further business and with that Seth adjourned the meeting.

Meeting ID	Topic	Host	Email	User Type	Department	Start Time	End Time	Duration (hh:mm:ss)
839 5993 9562	Innovation Committee	Marla Rye	nmclimore	Licensed	WFTN	10/30/2020 8:49	9:29 AM	0:39:10

Participant	Device	IP Address	Location	Network Type	Microphone	Speaker	Camera	Data Center
Marla Rye	Windows	Public IP: 1	Clarksville	Wired	Microphon	Speakers (HuddlePod Air)	AT-HDVS-C	United States
Seth Thurman (Guest)	Mac	Public IP: 1	Lebanon	Wifi	Built-in Mic	Built-in Output (Internal)	FaceTime	United States
Freda Herndon (Guest)	Windows	Public IP: 6	Greenbrier	Wired	Microphon	Speakers (Realtek(R) Aud	HP HD Carr	United States
John Alexander (Guest)	Windows	Public IP: 7	Henderson	Wired	Headset M	Headset Earphone (Plan	Integrated	United States
Richie Brandon (Guest)	Windows	Public IP: 1	Nashville	Wifi	Microphon	Speakers (High Definition	Integrated	United States
C Brown (Guest)	Windows	Public IP: 1	Clarksville	Wired	Speakers (Realtek High Definition	Au	United States	
John Zobl (Guest)	Phone	69.174.110	(US)	Others				United States
Freda Herndon (Guest)	Windows	Public IP: 6	Greenbrier	Wired	Microphon	Speakers (Realtek(R) Aud	HP HD Carr	United States



Northern Middle Tennessee Workforce Board Inc.

May 6, 2021

Executive Summary

Adult Priority of Service Policy

1. What is the purpose of this policy?

To provide guidance for American Job Center Staff on the implementation of priority of service for career and training services.

2. What are the notable guidelines conveyed within this policy?

- Describes the statutory priority for Adult funds
- Describes Veteran's priority of service and Adult priority and how to apply it
- Establishes any covered person who is seeking WIOA services must be provided priority of service at their "point of entry" into the workforce system.
- Defines the percentage of priority populations that are to be served.

3. What are the modifications to this policy:

"Point of Entry" Priority of Service definition was added per Tennessee Department of Labor and Workforce Development's Adult Priority of Service Guidance.

Added requirement that seventy- five (75%) of individuals enrolled in the title I Adult program must meet one of the top four (4) priority levels contained within the policy.



Priority of Service Policy

Purpose

This policy provides guidance for American Job Center staff on the requirements for providing priority of service to all covered persons and identified populations.

Background

WIOA establishes a priority requirement for the use of funds allocated to a local area for certain adult employment and training activities. Under WIOA sec. 134(c)(3)(E), American Job Center Staff must give priority of service to recipients of public assistance, low-income individuals, and individuals who are basic skills deficient when using WIOA Adult program funds to provide individualized career services and training services. These priorities are in addition to the requirements in the WIOA regulations at 20 CFR 680.650 that veterans and their eligible spouses receive priority of service for all Department of Labor (DOL)-funded job training programs, including the WIOA Adult program.

Policy & Instructions

A. Priority of Service Defined

“Priority of Service” means the right to take precedence over a person with lower priority in obtaining employment and training services. WIOA implements priority of service to recipients of public assistance, low-income individuals, and those who are basic skills deficient. These priorities are in addition to the requirements that veterans and their eligible spouses receive priority of service.

B. Priority Populations Defined

1. **Veteran** – a veteran is a person who has served at least one (1) day of active duty in the military, naval, or air service, and who was discharged or released from such service with other than a dishonorable discharge.
2. **Eligible Spouse** – an eligible spouse must meet one (1) of the following qualifications:
 - A spouse of any veteran who died of a service-connected disability
 - A spouse of any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than ninety (90) days:
 - Missing in action
 - Captured in the line of duty by a hostile force, or
 - Forcibly detained or interned in the line of duty by a foreign government or power;
 - A spouse of a veteran who has a total disability resulting from a service-connected disability, as evaluated by the department of Veteran Affairs; or
 - A spouse of any veteran who died while a disability was in existence.

A spouse will lose eligibility if it is derived from a living veteran, or a service member, who loses their status which made them eligible. Such a situation would be: if a veteran, with a total service-connected disability, were to receive a revised-disability rating at a lower level.

Similarly, a spouse, whose eligibility is derived from a living veteran or service member, would lose that eligibility upon a divorce from that veteran or service member.

The spouse of a veteran who died as the result of a service-connected disability, or died while a disability was in existence, would not lose covered status through subsequent remarriage.

3. **Low-Income Individual** – a low-income individual is defined as a person who meets any of the following criteria and will satisfy the low-income requirement for WIOA Title I Adult services:

Recipient of public assistance - individuals who receive, or in the past six (6) months have received, or are a member of a family that is receiving or the in the past six (6) months has received assistance through one or more of the following:

- Supplemental Nutrition Assistance Program (SNAP)
- Temporary Assistance for Needy Families (TANF)
- Supplemental Security Income (SSI)
- Other State or local income-based public assistance

Low-Income Includes

- Recipients of public assistance (defined above),
- Individuals in a family with total family income below seventy percent (70%) of the lower living standard income level,
- Homeless
- Foster youth, or
- Individuals with disabilities with an income below seventy percent (70%) of the lower living standard income level

A youth eighteen (18) or older, who was determined to be a low-income individual eligible for the WIOA Title I Youth program, may be co-enrolled in the WIOA Title I Adult program without an additional determination of eligibility. They may be counted as an individual who meets adult priority of service if the original determination was made no more than six (6) months prior to the date of co-enrollment.

Under WIOA, an individual with a disability, whose family does not meet income eligibility criteria, will qualify for priority as a low-income adult.

Criteria and Procedure Used to Determine Low-Income Eligibility

American Job Center (AJC) Staff will utilize the Income Worksheet to determine low income eligibility. Please see ***Workforce Services Guidance – Income Guidelines for Persons Defined as Low-income Individuals*** for additional information on who qualifies as low-income.

4. **Basic Skills Deficient** – WIOA defines basic skills deficient as “an individual who is unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual’s family, or in society.”

Criteria and Procedure Used to Determine Basic Skills Deficient

Basic skills deficiency will be determined by an objective, valid, and reliable assessment such as the Test for Adult Basic Education (TABE) or Comprehensive Adult Student Assessment Systems (CASAS) and must be maintained in the individual’s electronic case file to include the participant’s name, date of test, and results.

5. **Underemployed** – an individual who is employed full or part-time at an hourly wage of \$12.00 or less. An underemployed individual must also meet the definition of a low-income individual in order to be eligible for the adult priority.

6. **Covered Person** – an individual who meets the above definition of veteran or eligible spouse.

C. “Point of Entry” Priority of Service

Any covered person who is seeking WIOA services must be provided priority of service at their “point of entry” into the workforce system. The “point of entry” includes physical locations, such as AJCs, as well as websites and other virtual service delivery resources.

D. Employment and Training Priority of Service

The priority of service for veterans and eligible spouses always applies across all qualified employment and training programs. The priority of service for public assistance recipients, other low-income individuals, and individuals who are basic skills deficient is a statutory priority that applies only to the recipient of individualized career and training services in the WIOA Title I Adult program.

How to Apply Priority of Service

Priority of service must be provided in the following order:

1. Veterans and eligible spouses who are recipients of public assistance, low-income individuals, or individuals who are basic skills deficient receive first priority for services;
2. Individuals (not veterans or eligible spouses) who are recipients of public assistance, low-income individuals, or individuals who are basic skills deficient and meet Title I Adult program eligibility receive second priority for services;
3. Veterans and eligible spouses who do not meet the statutory priority (of public assistance recipients, other low-income individuals, or those who are basic skills deficient), but meet Title I Adult program eligibility then receive third priority for services;
4. Other individuals (not veterans or eligible spouses) who do not meet the above priorities, but who meet Title I Adult program eligibility, are unemployed, and is an individual with one of the following barriers to employment, receives fourth priority for services.
 - Indians, Alaska Natives, and Native Hawaiians;
 - Individuals with disabilities;
 - Older individuals (age 55 and older);
 - Ex-offenders;
 - Homeless individuals;
 - Youth who have aged out of the foster care system;
 - Individuals who are:
 - English language learners,
 - Individuals who have low levels of literacy; and
 - Individuals facing substantial cultural barriers;
 - Eligible migrant and seasonal farm workers;
 - Single parents (including single pregnant women)
 - Long-term unemployed individuals (unemployed for 27 or more consecutive weeks)

5. Persons outside the groups given priority under WIOA but meet Title I Adult program eligibility, then receive the fifth level of priority for services.

Seventy-five percent (75%) of individuals enrolled in the Title I Adult program must meet one of the top four (4) priority levels listed above.

References

WIOA Section 3(24), WIOA Section 134(c)(4)(E), 20 CFR 680.600, 20 CFR 680.640, 20 CFR 680.650, 20 CFR 683.230, 20 CFR 688.31, TEGL 7-20, TEGL 19-16, Workforce Services Policy – Priority of Service for Adults, Veterans, and Eligible Spouses, Workforce Services Guidance – Persons Defined as Low-income Individuals

Authorized by:

Approved by:

Marla Rye, Executive Director Date

John Zobl, Chairman Date



Northern Middle Tennessee Workforce Board Inc.

May 12, 2021

Executive Summary

Grievance and Complaint Resolution Policy

1. What is the general purpose of this policy?

To provide instruction and procedures regarding grievances and complaints resolution from participants and other interested parties.

2. What are the notable guidelines conveyed within this policy?

- Describes the complaint and/or grievance process that are non-discriminatory in nature
- Describes the discriminatory complaint process

3. What are the modifications to this policy?

The policy was updated to reflect new forms and reporting deadlines.

Grievance and Complaint Resolution Policy & Procedures

Purpose

The purpose of this guidance is to provide instruction on the policy and procedures required under the Workforce Innovation and Opportunity Act (WIOA) regarding grievances and complaints from participants and other interested parties.

This policy differentiates complaints as they relate to four (4) separate categories:

- Complaints alleging discrimination or denial of equal opportunity;
- Complaints alleging unjust denial of WIOA services;
- Complaints alleging hostile work environment against employers that are not related to WIOA-funded programs or training; and
- Complaints made by staff within the LWDA against other LWDA staff or a sub-recipient entity

This policy outlines the process, including required documentation, to address complaints at the local and state levels.

Policy & Instructions

A. Discrimination or Denial of Equal Opportunity Complaints

WIOA Section

188 prohibits discrimination against individuals in any program or activity that receives financial assistance under Title I of WIOA as well as by the One-Stop Partners listed in WIOA Section 121(b) that offer programs or activities through the One-Stop/American Job Center system. WIOA Section 188 prohibits discrimination on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only, citizenship status or because of an individual's participation in a program or activity that receives financial assistance under Title I of WIOA (29 CFR Part 38).

No person in the United States shall, on the grounds of race, color, national origin, or disability, be excluded from, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance from the Department of Labor (29 CFR Part 31.3 and 32.4).

It is against the law for the Northern Middle Tennessee Workforce Board, a recipient of Federal financial assistance, to discriminate on the following basis:

- Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and
- Against any beneficiary of programs financially assisted under Title I of Workforce Innovation and Opportunity Act of 2014 (WIOA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his/her participation in any WIOA Title I – financially assisted program or activity.

The Northern Middle Tennessee Workforce Board must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIOA Title – I financially assisted program or activity;
- Providing opportunities in, or treating any person with regard to, such a program or activity; or
- Making employment decisions in the administration of, or in connection with such a program or activity.

Applicants/participants, or other interested parties, who feel that they have received unequal treatment should contact the Northern Middle Tennessee Workforce Board, Equal Opportunity Officer (EEO), 931-905-3507, TTY/TDD 1-800-848-0299. Informal procedures will be initiated to resolve the applicant/participant's complaint. One-on-one assistance is available for individuals with disabilities when necessary. If these procedures do not resolve the issue to the applicant/participant's satisfaction, the Equal Opportunity Officer will advise the applicant/participant of the formal complaint procedure as follows:

If an individual thinks he/she has been subjected to discrimination under WIOA Title I – financially assisted program or activity, the individual may file a complaint within 180 days from the date of the alleged violation with either:

Northern Middle Workforce Board
Equal Opportunity Officer
523 Madison Street
Suite A
Clarksville, TN 37040
TTY/TDD: 1-800-848-0299

TN Dept. of Labor & Workforce Development
Attn: EO Officer
220 French Landing Drive
Nashville, TN 37243
Phone: 615-253-1331
TTY/TDD: 615-532-2879

US Department of Labor
Director, Civil Rights Center
US Department of Labor
200 Constitution Avenue, NW
Room N - 4123
Washington, DC 20210
TTY: 202-693-6516

To file a complaint with the Northern Middle Tennessee Workforce Board Equal Opportunity Officer (EEO):

- a. All complaints must be submitted in writing to the EEO at 523 Madison Street, Suite A, Clarksville, TN 37040 within 180 days of the date of the incident
- b. All complaints must be filed using the Employment and Training Administration (ETA) Complaint/Apparent Violation Form
- c. The EEO will provide written acknowledgement of receipt of complaint to complainant.
- d. The EEO will launch an investigation and hold a formal verbal discussion with complainant within fifteen (15) working days of receipt of complaint.
- e. The EEO will communicate a written decision to the complainant within ten (10) working days of the verbal discussion.
- f. If a resolution is not obtained at the local level within sixty (60) days of the filing of the complaint, or either party is dissatisfied with the local hearing decision, an appeal may be filed with the Tennessee Department of Labor and Workforce Development (TDLWD) at WIOA.complaints@tn.gov.

If a complaint is filed with the Northern Middle Tennessee Workforce Board, the individual must wait either until the Workforce Board issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center. If the Northern Middle Tennessee Workforce Board does not give a written Notice of Final Action within 90 days of the day on which the individual filed a complaint, the individual does not have to wait for the Workforce

Board to issue that Notice before filing a complaint with the Civil Rights Center. However, the individual must file with the Civil Rights Center within 30 days of the 90 day deadline.

If the Northern Middle Tennessee Workforce Board does give written Notice of Final Action, but the individual is dissatisfied with the decision or resolution, a complaint may be filed with the Civil Rights Center. An individual must file a Civil Rights Center complaint within 30 days of the date on which he/she received the Notice of Final Action.

The Northern Middle Tennessee Workforce Board is an Equal Opportunity Employer/Program. Auxiliary Aides and services are available upon request to individuals with disabilities.

B. Non-Discriminatory Complaint Process

This complaint procedure is limited to complaints, and/or grievances that are non-discriminatory in nature. The follow process is required for:

- Complaints alleging unjust denial of WIOA services;
- Complaints made by staff within the LWDA against other LWDA staff or a sub-recipient entity

This procedure applies to program participants, applicants, service/training providers, and other interested parties. One-on-one assistance is available for individuals with disabilities when necessary.

- 1) All complaints must be filed by the within one hundred eighty (180) calendar days of the alleged occurrence
- 2) The complainant must be provided a copy of the Tennessee Department of Labor and Workforce Development (TDLWD) Grievance and Complaints Resolution Procedures.
- 3) Staff should follow the guidelines outlined in Attachment I and II of the TDLWD Grievance and Complaints Resolution Procedures.
- 4) The Northern Middle Tennessee Workforce Board has developed the following local complaint and grievance procedures:
 - a. All complaints must be submitted to the Executive Director of the Northern Middle Tennessee Workforce Board (NMTWB) at: Executive Director, 523 Madison Street Suite A, Clarksville, TN 37040.
 - b. All complaints must be filed using the Employment and Training Administration (ETA) Complaint/Apparent Violation Form
 - c. The Executive Director or their designee will provide written acknowledgement of receipt of complaint to complainant.
 - d. The Executive Director or their designee will launch an investigation and hold a formal verbal discussion with complainant within fifteen (15) working days of receipt of complaint.
 - e. The Executive Director or their designee will communicate a written decision to the complainant within ten (10) working days of the verbal discussion.
 - f. Should the complainant not be satisfied, the complainant may file a written appeal, prepared consistent with item b above, with the Board Chairman.
 - g. Upon receipt of an appeal, the Chairman will convene an ad hoc committee to review the appeal. The hearing will be limited to the original complaint and the complainant can choose to be represented by another individual, including legal counsel.
 - h. The committee will render a written decision to the complainant within five (5) working days of the hearing. If more time is needed to reach a decision, the complainant will

be notified in writing of the time by which a decision will be made.

- i. If a resolution is not obtained at the local level within sixty (60) days of the filing of the complaint, or either party is dissatisfied with the local hearing decision, an appeal may be filed with the Tennessee Department of Labor and Workforce Development (TDLWD) at WIOA.complaints@tn.gov. The TDLWD decision may be appealed to the Secretary in the event that a decision has not been reached within sixty (60) days, or a decision has been reached and the party wishes to appeal to the Secretary.
- j. An individual party to a collective bargaining agreement, alleging a labor standards violation, may also submit the grievance to a binding-arbitration procedure.

C. Hostile Work Environment, Unrelated to American Job Center Staff

The One-Stop Operator (OSO) Director must ensure complaints alleging a hostile work environment or other unfair treatment by an employer are appropriately forwarded to either the Labor Standards Unit or the Tennessee Occupational Safety and Health Administration (TOSHA).

I. Complaints to the Labor Standards Unit:

- Request inspections of child-labor and non-smoker protection
- Processes claims for unpaid wages
- Investigate if there are allegations of unlawful hiring practices related to illegal aliens and whether workers are lawfully authorized to work

More information can be accessed at <https://www.tn.gov/workforce/employers/safety---health/regulations-compliance/regulations---compliance-redirect/labor-standards-unit.html>

II. Complaints to TOSHA:

- Request inspections if concerned with the possible existence of safety and health hazards

More information can be accessed at <https://www.tn.gov/workforce/employees/safety-health/tosha-redirect/file-a-safety-complaint.html>

The OSO Director must assist the complainant to file a complaint with the aforementioned organizations, to include follow up with the customer. This process must be reflected in the AJC Complaint Log and documentation must be maintained at the AJC.

D. American Job Center Partner Reporting Due Dates:

The following list details requirements for American Job Center (AJC) Complaint Log submissions to the OSO and local Board:

Reporting periods and deadlines for complaint log submissions are as follows:

Quarters	Fiscal Year Reporting Periods	Deadlines for Submission
Quarter 1	October 1 to December 31	January 15
Quarter 2	January 1 to March 31	April 15
Quarter 3	April 1 to June 31	July 15
Quarter 4	July 1 to September 31	October 15

All processes and procedures described in this policy will be made available in hard copy and posted on the Northern Middle Tennessee Workforce Board website at www.nm-wb.com.

Authorized by:

Approved by:

Marla Rye, Executive Director Date

John Zobl, Chairman Date



	Local Workforce Development Area Complaint Form
American Job Center Name:	
American Job Center Type:	
Address of One-Stop Center:	
City, State, Zip Code of One-Stop Center:	
Phone Number of One-Stop Center or Employer:	() -
Date Complaint is Filed:	
Name of Complainant (Last, First, Middle Initial):	
Phone Number of Complainant:	() -
Name of Individual or Organization Complaint is Against:	
Name of Staff Addressing Complaint:	

Complaints referred to Other State Departments:	
Labor Standards Unit:	<ul style="list-style-type: none"> Request inspections of child-labor Request inspections of non-smoker protection Processes claims for unpaid wages Investigate if there are allegations of unlawful hiring practices related to illegal aliens and whether workers are lawfully authorized to work.
Tennessee Occupational Hazard Safety Administration:	<ul style="list-style-type: none"> Request inspections if concerned with the possible existence of safety and health hazards.
Date of Referral	
Complaints referred to Local EO Officer:	
Discrimination or denial of equal opportunity to participate in WIOA program	
Workplace discrimination or denial of equal opportunity against employer receiving WIOA funds	
Date Submitted to Local EO Officer (if applicable):	
Complaints referred to Executive Director:	
Unjust denial of WIOA services, but not discriminatory in nature	
Hostile work environment against employer related to WIOA-funded program	
Other Complaints against employer related to WIOA-funded program	
Date Submitted to Executive Director (if applicable):	

Please include following documentation in this PDF:	
Employment and Training Administration Complaint/Apparent Violation Form (ETA Form 8429)	
Email correspondence related to the complaint	
Meeting minutes regarding any in-person adjudication	
Documentation to support eligibility to receive WIOA services	
Date submitted to WIOA.Complaints@tn.gov	



U.S. Department of Labor
Employment and Training Administration

OMB Approval No. 1205-0039
Expiration Date: 07/31/2023

For Official Use Only **Complaint/Apparent Violation Form¹**

Complaint/Apparent Violation No.		Date Received	
Part I. Contact Information²		Respondent's Information³	
1. Name of Complainant/(Last, First, Middle Initial) ⁴		4. Name of Person, Company, or Agency the Complaint is Made Against	
2a. Permanent Address (No., St., City, State, ZIP Code)		5. Name of Employer (if different from Part I #4 above) /One-Stop Office	
b. Temporary Address (if Appropriate)		6. Address of Employer/One-Stop Office	
3a. Permanent Telephone () -	b. Temporary Telephone () -	7. Telephone Number of Employer/One-Stop Office () -	
8a. Description of Complaint or Apparent Violation (If additional space is needed, use separate sheet(s) of paper and attach to this form)			

8b. ☐ I hereby give authorization to: _____ to act on my behalf regarding this complaint.
Phone #: () - Address: _____

Certification I CERTIFY that the information furnished is true and accurately stated to the best of my knowledge. I AUTHORIZE the disclosure of this information to other enforcement agencies for the proper investigation of my complaint. I UNDERSTAND that my identity will be kept confidential to the maximum extent possible, consistent with applicable law and a fair determination of my complaint.

9. Signature of Complainant ⁵	10. Date Signed
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¹ For information regarding complaints that are covered through the Employment Service and Employment-Related Law Complaint System see 20 CFR 658 Subpart E.

² If the Complaint/Apparent Violation Form is used to submit an Apparent Violation, the name of the Complainant is not necessary and may remain anonymous. Parts 2a and 2b also do not need to be filled out if the form is used for an Apparent Violation.

³ For definition of "Respondent" see 20 CFR 651.10.

⁴ Pursuant to 658.400(d), "A complainant may designate an individual to act as his/her representative." If the complainant has a designated representative, the name and contact information of the designated representative must be provided in 8b.

⁵ No signature is required at Part 9 if this form is submitted as an Apparent Violation. If the form is submitted as a complaint and a designated representative is acting on behalf of the complainant, the designated representative must sign here.

Part II. For Official Use Only

<p>1. Migrant or Seasonal Farmworker? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <hr/> <p>2. Complaint or Apparent Violation Employment Service Related ("X" Appropriate Box(es))</p> <p><input type="checkbox"/> Complaint against the Employer</p> <p><input type="checkbox"/> Apparent violation involving the Employer</p> <p><input type="checkbox"/> Complaint against the Local Employment Service Office</p> <p><input type="checkbox"/> Apparent violation involving the Employment Service Office</p> <p>2a. Job Order No, if available: _____</p> <p>3. Complaint or Apparent Violation Employment-Related Law: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>4. Issue(s) involved in Complaint or Apparent Violation ("X" Appropriate Box(es)):</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Wage Related</td> <td style="width: 50%;">Housing</td> </tr> <tr> <td>Child Labor</td> <td>Pesticides</td> </tr> <tr> <td>Health/Safety</td> <td>Discrimination</td> </tr> <tr> <td>Transportation</td> <td>Trafficking</td> </tr> <tr> <td colspan="2" style="height: 20px;"> </td> </tr> <tr> <td colspan="2">Sexual harassment/coercion/assault</td> </tr> <tr> <td colspan="2" style="height: 20px;"> </td> </tr> <tr> <td colspan="2">Other (Specify) _____</td> </tr> </table>	Wage Related	Housing	Child Labor	Pesticides	Health/Safety	Discrimination	Transportation	Trafficking			Sexual harassment/coercion/assault				Other (Specify) _____		<p>5. If employer is an H-2A/Criteria Employer, is the complainant a: ("X" Appropriate Box):</p> <p><input type="checkbox"/> U.S. Worker</p> <p><input type="checkbox"/> H-2A Worker</p>
Wage Related	Housing																	
Child Labor	Pesticides																	
Health/Safety	Discrimination																	
Transportation	Trafficking																	
Sexual harassment/coercion/assault																		
Other (Specify) _____																		

6a. Referrals To Other Agencies ("X" Appropriate Box(es)) <input type="checkbox"/> WHD. U.S. DOL. <input type="checkbox"/> OSHA U.S. D.O.L. <input type="checkbox"/> EEOC <input type="checkbox"/> Other _____	7. Address of Referral Agency (No., St., City, State, ZIP Code and Telephone No.) _____ _____ (____)____-____
6b. Next Follow-up Date if complainant is an MSFW	

8. Actions Taken on Complaint/Apparent Violation (If additional space is needed for multiple actions taken, use a separate paper):

Action Taken By: _____ On: _____
(First and Last Name) (Date)

Action Taken:

12a. Name and Title of Person Receiving Complaint	12b. Office Address (No., St., City, State, ZIP Code)	
12c. Phone Number () -	12d. Signature	12e. Date

Public Burden Statement

Persons are not required to respond to this collection of information unless it displays a currently valid OMB Control Number. Obligation to reply is required to obtain or retain benefits (44 USC 5301). Public reporting burden for this collection is estimated to average 2 hours and 30 minutes per response, including the time to review instructions, search existing data sources, gather and maintain the data needed, and complete and review the collection of information. Send comments regarding this burden estimate or any other aspect of this collection, including suggestions for reducing this burden, to the U.S. Department of Labor, Employment and Training Administration, Office of Workforce Investment, Room C-4510, 200 Constitution Avenue, NW, Washington, DC 20210.

[illegible]



Northern Middle Tennessee Workforce Board Inc.

May 6, 2021

Executive Summary

Supportive Services Policy

1. What is the purpose of this policy?

The Supportive Service Policy establishes guidelines for supportive services provided to participants in the Workforce Innovation and Opportunity Act (WIOA) Title I Adult, Dislocated Worker and Youth programs.

2. What is the purpose of the update to this policy?

Clarified sales tax reimbursement allowability for eligible sub-contractors.

Supportive Services Policy

Purpose

The purpose of this policy is to establish guidelines for supportive services provided to participants in the Workforce Innovation and Opportunity (WIOA) Title I Adult, Dislocated Worker, and Youth programs.

Background

Funds allocated to a local area may be used to provide supportive services to adults and dislocated workers who:

- Are participating in programs with activities authorized in WIOA Section 134(c)(1)(A)(ii) or WIOA Section 134(c)(1)(A)(iii);
- Have exited and need post-program support services as follow-up (for up to 12 months after exit); and
- Are unable to obtain such supportive services through other programs providing such services

Policy & Instructions

A. Supportive Services

Supportive services may be made available to adults or dislocated workers participating in career or training services that is unable to obtain supportive services through other programs providing such services. The supportive services must be necessary to enable the individual to participate in career services or training activities. Supportive services for youth are services that enable an individual to participate in WIOA activities.

Supportive services may include, but are not limited to:

- Linkages to community services
- Assistance with transportation
- Assistance with child care and dependent care
- Assistance with housing
- Needs-related payments
- Assistance with educational testing
- Reasonable accommodations for individuals with disabilities
- Legal aid services
- Referrals to health care
- Assistance with uniforms or other appropriate work attire and work-related tools, including such items as eyeglasses and protective eye gear
- Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes
- Payments and fees for employment and training-related applications, tests, and certifications

Supportive services are not entitlements and must be supported by demonstration of financial need. The participant's need for the provided service must be documented in the electronic case file in the Individual Employment Plan (IEP) or Individual Service Strategy (ISS) and case notes. The cost of supportive services must be reasonable and competitive in price. When multiple options are available for receiving supportive services, documentation must show a reasonable effort was made to determine and choose the lowest, competitively priced service available.

The maximum amount of funding for supportive services for the Northern Middle Tennessee Workforce Board (NMTWB) is \$4,000 per enrollment. Exceptions may be approved by board staff on a case by case basis. Tips on products or services are not reimbursable for any reason, and may not be waived. Uniform Guidance (2 CFR 200.470 (a.)(1)) states that taxes which a unit is legally required to pay and which are paid or accrued in accordance with the Generally Accepted Accounting Principles, are allowable. Any refund of taxes, and any payment to the non-Federal entity of interest thereon, which were allowed as Federal award costs, will be credited either as a cost reduction or cash refund, as appropriate. Therefore, it would be allowable for sub-contractors to be reimbursed for said taxes as long as they are legally required to pay the tax.

Note that follow-up career services are not a qualifying service for the receipt of supportive services; therefore, an individual who is only receiving follow-up services may not receive supportive services.

Support services may not be used to pay for expenses incurred prior to the participant's enrollment into the WIOA program. Advances against future payments are not allowed. Examples of unallowable services include, but are not limited to:

- a) Fines and penalties such as traffic violations, late finance charges, and interest payments
- b) Entertainment, including tips
- c) Contributions and donations
- d) Vehicle or mortgage payments
- e) Refund deposits
- f) Alcohol or tobacco products
- g) Pet food
- h) Items to be purchased for family or friends
- i) Out-of-state job search and relocation expenses that will be paid by the prospective employer

B. Needs-Related Payments

Needs-related payments are designed to provide a participant with financial assistance for the purpose of enabling them to participate in training services.

To receive needs-related payments

1) Adults and Out of School Youth aged 18-24 must:

- Be unemployed;
- Not qualify for, or have ceased qualifying for, unemployment compensation; and
- Be enrolled in a program of training services under WIOA Section 134(c)(3)

2) Dislocated Workers must:

- Be unemployed; and have ceased to qualify for unemployment insurance or trade readjustment allowance under TAA; and be enrolled in a program of training services under WIOA section 134(d)(4) by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility as a dislocated work, or if later, by the end of the 8th week after the worker is informed that a short term layoff will exceed 6

months; or

- Be unemployed and unable to qualify for unemployment insurance or trade readjustment assistance under TAA and be enrolled in a program of training services under WIOA section 134(c)(3)

The level of a needs-related payment made to a dislocated worker shall not exceed the greater of:

- 1) The applicable weekly level of unemployment insurance compensation for participants who were eligible for unemployment insurance compensation as a result of a qualifying dislocation; or
- 2) The poverty level for an equivalent period, for participants who did not qualify for unemployment compensation as a result of a qualifying layoff. The weekly payment level must be adjusted to reflect changes in total family income, as determined by the NMTWB.

C. Priority of Service

Participants in WIOA programs who face significant barriers to employment — such as recipients of public assistance, low-income individuals, or individuals who are basic skills deficient — should be given service according to their level of need. Please refer to the TDLWD's Priority of Service Guidance concerning the order of service delivery which can be accessed at: <https://www.tn.gov/workforce/contact-the-department0/boards---commissions/boards---commissions-redirect/state-workforce-development-board/wioatechnicalassistance>.

D. Duplication of Services

Funds for supportive services should be monitored to ensure that they are spent in a manner that avoids redundancy. Please refer to the TDLWD's Co-Enrollment of American Job Center Customers Policy for more information concerning co-enrollment of participants in multiple programs and best practices to leverage resources for maximum benefit. This document can be accessed at <https://www.tn.gov/workforce/contact-the-department0/boards---commissions/boards---commissions-redirect/state-workforce-development-board/wioatechnicalassistance>.

References

WIOA Section 3(59); WIOA Section 133; WIOA Section 134(c)(3); 20 CFR 680.900 through 680.970; 20 CFR 681.570; TEGL 19-16; Workforce Services Guidance – LWDA Supportive Services Policy Update Requirements - WIOA

Authorized by:

Approved by:

Marla Rye, Executive Director

Date

John Zobl, Chairman

Date



Northern Middle Tennessee Workforce Board Inc.

May 6, 2021

Executive Summary

Trade Adjustment Assistance (TAA) Co-Enrollment Policy

1. What is the purpose of this policy?

To provide instruction and processes to ensure TAA participants who are WIOA eligible are co-enrolled in the WIOA Title I-B Dislocated Worker program in a seamless manner as required by federal and state law.

2. What are the notable guidelines conveyed within this policy?

- Explains the federal requirement that all TAA participants who meet WIOA eligibility must be co-enrolled into the WIOA Title I-B Dislocated Worker program.
- Describes the coordination and processes needed by TAA and WIOA to ensure the co-enrollment mandate is successfully achieved.



Effective Date: 5.12.2021
Duration: Indefinite

Trade Adjustment Assistance and Reemployment Adjustment Assistance (TAA and RTAA) Co-Enrollment Policy with Title I Dislocated Worker

Purpose

The purpose of this policy is to ensure TAA and RTAA participants who are Workforce Innovation and Opportunity Act (WIOA) eligible are co-enrolled in the WIOA Title I-B Dislocated Worker program in a seamless manner to facilitate coordination of TAA and RTAA and WIOA services as required by federal and state law. This policy will provide guidance to program administrators and service providers regarding the mandate for co-enrollment of eligible TAA and RTAA participants in the Dislocated Worker (DW) program.

Background

The U.S. Department of Labor (DOL) published and consolidated TAA and RTAA Final Rule on August 21, 2020. 20CFR 618.325 requires co-enrollment of all TAA and RTAA participants to the WIOA Title I-B Dislocated Worker (DW) program, subject to eligibility, unless the participant declines.

While there is not a corresponding WIOA Final Rule, it is noted that DOL commented on page 51913 of the TAA and RTAA Final Rule that “States, under their Governor-Secretary Agreements, are required to implement the Final Rule. The Governor-Secretary Agreements bind state governments to the terms and conditions of the Agreement and implementation of the TAA and RTAA program, including the co-enrollment requirement, and the ability to enforce the co-enrollment requirement at the state and local levels.”

Policy

TAA and RTAA participants, including Adversely Affected Incumbent Workers, must be co-enrolled in the WIOA Title I-B DW program if they are determined eligible. The following instructions provide details outlining the co-enrollment process as a means to facilitate integrated service delivery. The One Stop Operator (OSO) will be responsible for ensuring the coordination of partner staff to ensure TAA and RTAA Co-Enrollment occurs as required. The Northern Middle Tennessee Workforce Board will provide needed technical assistance.

Instructions

- **Enrollment**

The TAA and RTAA Career Specialist will manage the enrollment process for TAA and RTAA participants and will upload the required TAA and RTAA documents as well as the WIOA supplemental application and three signature forms listed below. The TAA and RTAA application and the WIOA supplemental application will be completed by the participant at the time of initial enrollment. Three additional WIOA forms require a participant signature during the initial enrollment:

- Release of Information form
- Conflict of Interest form

- EEO form

The WIOA Supplemental Application, Release of Information form, Conflict of Interest form, and EEO form will be provided to the One Stop Operator (OSO) and the TAA and RTAA specialist in each American Job Center location. In addition, the forms will be provided electronically to the Career Service Provider responsible for the Title I program.

- **Assessment**

The TAA and RTAA career specialist will manage the participant assessment (TABE) during enrollment. Assessment may be administered by an AJC Partner. The WIOA career specialist will utilize the TAA and RTAA assessment and will not require the customer to duplicate efforts.

- **IEP**

The TAA and RTAA career specialist will develop the customer IEP during enrollment. The WIOA career specialist will utilize the TAA and RTAA IEP and will not require the customer to duplicate efforts.

- **Referral**

After the initial enrollment, including the enrollment application, assessment, and IEP, the TAA and RTAA career specialist will provide the enrollment referral paperwork to a WIOA career specialist via email. The WIOA career specialist will create the WIOA application from the TAA and RTAA enrollment documents which will be visible in VOS and coordinate with the TAA and RTAA career specialist regarding services.

- **WIOA Eligibility Determination**

TAA and RTAA program participants will meet the Dislocated Worker program eligibility criteria. However, some may be ineligible for the Dislocated Worker program, including those who do not meet the Selective Service registration requirement, and will therefore be exempt from the co-enrollment mandate.

- **Case Management**

The TAA and RTAA career specialist will serve as the primary career specialist and coordinate services with the WIOA career specialist. The WIOA career specialist will provide and case note additional needs including but not limited to supportive services, documenting justification for services and funds via uploaded documents in VOS. The signature on TAA and RTAA enrollment paperwork will serve as the WIOA signature. The WIOA career specialist will utilize the TAA and RTAA assessment and IEP and will not require the customer to duplicate efforts. The TAA and RTAA 60-day benchmark documented by the TAA and RTAA career specialist will equal the WIOA measurable skills gain (MSG). If the TAA and RTAA participant is not enrolled in training, the WIOA career specialist will provide 30 day case note contact, otherwise the WIOA 30-day case note requirement is waived with TAA and RTAA co-enrollments.

References

20 CFR 618.325, Integrated service strategies and Workforce Innovation and Opportunity Act co-enrollment, Trade Adjustment Assistance Final Rule, Federal Register, Volume 85, No. 163, August 21, 2020, page 51987.

Training and Employment Guidance Letter (TEGL) 04-20, Guidance on Integrating Services for Trade-Affected Workers under the TAA and RTAA Program with the WIOA Title I DW Program, October 29, 2020.

Authorized by:

Approved by:

Marla Rye, Executive Director Date

John Zobl, Chairman Date



APPLICATION FOR CERTIFICATION

Date 05/06/2021

LWDA

Northern Middle TN LWDB

Type of Site

Access Point

Contact Person

Greg Gabis

Title

Workforce Dev. Coordinator

Phone

615-242-1554

Email

ggabis@cctenn.org

Site to be certified

Address

2013 25th Ave. North

City

Nashville

State

TN

Zip Code

37208

Web site

http://cctenn.org

Hours of Operation

8:00 AM - 5:00 PM

Days of Operation

Monday - Friday



AJC ACCESS POINT:

Accessible to the general public or targeted population that includes physical and programmatic access to individuals with disabilities

Portal site for electronic access

Established working relationship as part of an integrated system

C.E. McGruder Family Resource Center:

The McGruder Center focuses on specific needs of residents living in the North Nashville Area. Typical community risk factors include poverty, hunger, homelessness, abuse, neglect, poor health, evictions, mental illness, substance abuse, unemployment, and other basic needs.

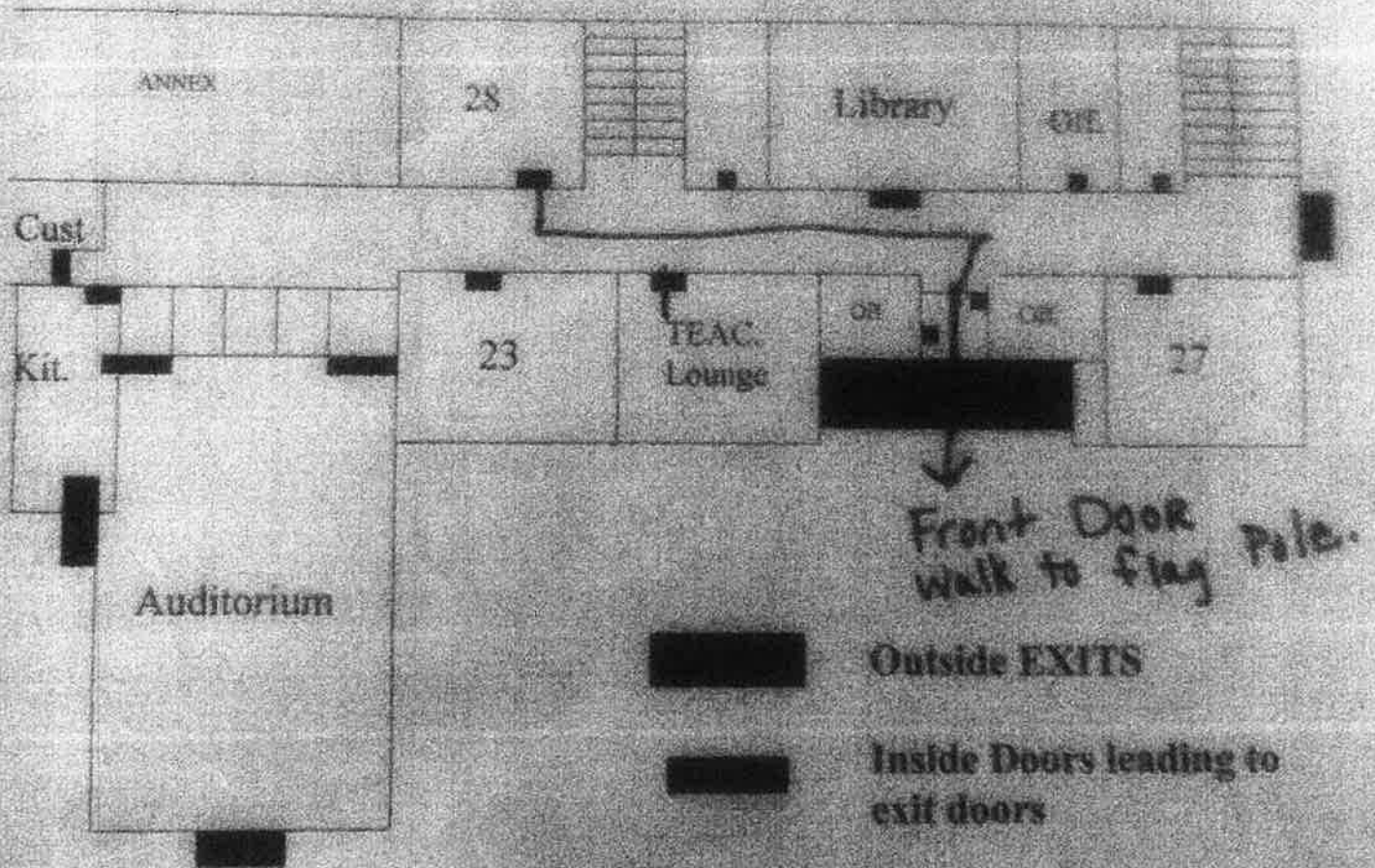
Having an American Job Center Access Point co-located within the McGruder Center would be an invaluable resource to not only the North Nashville residents that frequent the building daily, but also the Greater Metropolitan Nashville Area. As we are all aware, many Nashvillians were negatively impacted by the 202 tornado and COVID-19 pandemic and having access to relevant training and employment/career resources in the community will make a lasting impression and help those most in need. Integrating the American Job Center into the existing community hub of the McGruder Center will provide another partner resource to assist local citizens in identifying training and employment opportunities resulting in future successes.



McGruder Family Resource Center Partner List							
Partner Name	Programming Offered	Bldg. Schedule	H & HS	WFD	Youth	A & C	Civic Eng.
Preston Taylor Ministries	Afterschool tutoring & Camps	M-TH 1P-7P			x		
14th Avenue MBC	Destiniation Graduation	Virtual due to C19			x		
Studio NPL	Digital Literacy	On hold due to C19		x			
YWCA	Dress for Success	On hold due to C19		x			
Corner to Corner	The Academy	Virtual due to C19		x			
Corner to Corner	Hope Bakes	Part of Afterschool			x		
Corner to Corner	Script to Screen	Part of Afterschool			x		
Pathway Lending	Entrepreneurship Coaching	On hold due to C19		x			
Free Hearts	Education/WFD/Advocacy	On hold due to C19		x			x
Girl Scouts Troop 6000	Life Skills + Entrepreneurship	Tuesdays 6p-7p			x		
MAC	Opportunity NOW	Summer (times vary)		x	x		
National Council on Aging	Senior Employment Services	M-F 8:30-4p (shifts vary)	x	x			
Catholic Charities	Sewing Training Academy	T/TH Classes run until 4p		x			
Nashville Food Project	Community Garden + Education	Spring + Fall Growing Season	x				x
Catholic Charities	Mental Health Counseling	M-F 8:30-4p by Appt	x				
New Beginnings	Exercise, Yoga, Aerobics	On hold due to C19	x		x		
UW/DHS/Catholic Charities	Family Empowerment Program	M-F 8:30-5 (hybrid schedule)	x				
CSPED/Maximus	Fatherhood Training	Last weekend of each month Fr-Sat	x				x
Matthew Walker Comp. Health Center	Insurance Enrollment	On hold due to C19	x				
Metro Juvenile Court	Probation Case Management	Virtual due to C19			x		x
Catholic Charities	Living at Home Senior Services	Virtual due to C19	x				
Catholic Charities/ United Way	North Nashville Outreach; Financial Literacy/Utility Assistance Rental Assistance/ Emergency Food Assistance	M-TH 8:30-11:45; Appts accepted	x				
Public Defenders Office	Provide assistance to Nashville neighbors who are justice and formally justice involved		x	x			x
TN Dept of Human Services	SNAP Enrollment and services	Monday 9:00-4:00	x				
McGruder Social Practice Artist Residency	Social Practice artistry	Schedule Varies		x	x	x	x
Metro Bordeaux North Nashville Community Justice Center	Housing Court, Expungement Clinics, Voter Restoration, Educational Resources	Virtual due to C19	x		x		x
Urban Housing Solutions	Affordable Housing Solutions	Off-site location	x				x

Conference Rm # 28

McGruder FRC Emergency Exits



New Provider Requiring Board Review for Approval						
Staff Recommendation: Board discussion about flight training programs						
Provider Name	Provider Main Address	Approval Agency	Approval Status	Sector Strategy	Years in Business	Site Visit
Highland Rim Aviation	Springfield	Tennessee Higher Education Commission	THEC Exemption	Transportation and Logistics	18 months	Yes Freda Hendon
Frequency Change Aviation	Nashville	Tennessee Higher Education Commission	THEC Exemption	Transportation and Logistics	1 year	No

New Programs Requiring Board Review for Approval							
Staff Recommendation: Board Discussion (see above)							
Provider Name	Provider Main Address	Program Name	Total Cost	Job Outlook	Credential Earned	Program Length	Sector Strategy
Highland Rim Aviation	Springfield	Private Pilot Course	\$9,330.00	Bright Outlook	FAA Private Pilot License	40 Weeks	Transportation & Logistics
Frequency Change Aviation	Nashville	Commercial Pilot License Training - Airplane	\$4,100.00	Bright Outlook	Commerical Pilot License	2 weeks full-time; 6 weeks part-time	Transportation & Logistics
Frequency Change Aviation	Nashville	Flight Instructor - Airplane	\$3,125.00	Bright Outlook	Certified Flight Instructor	9 weeks full-time; 20 weeks part-time	Transportation & Logistics
Frequency Change Aviation	Nashville	Private Pilot - Airplane License Training	\$10,775.00	Bright Outlook	Private Pilot License	3 months full-time; 12 months part-time	Transportation & Logistics
Frequency Change Aviation	Nashville	Private Pilot - Instrument Rating Airplane	\$10,775.00	Bright Outlook	Instrument Rating - Airplane	12 weeks full-time; 12 months part - time	Transportation & Logistics
Mid TN Aviation Academy	Clarksville	Multi-Engine Rated Pilot	\$9,225.00	Bright Outlook	Pilot Multi-Engine Land	12 weeks	Transportation & Logistics
Staff Recommendation: Approval							
Austin Peay State University	Clarksville	Project Management Professional Exam Prep Webinar - Live Online	\$1,692.00	Bright Outlook	PMP	3 Weeks	Information Technology
Austin Peay State University	Clarksville	EMT - Emergency Medical Technician Training	\$2,500.00	Bright Outlook	EMT License	3 Months	Healthcare

Former Programs Requiring Board Review for Approval

Staff Recommendation: Approve for one year due to lack of WIOA enrollment history; re-evaluate in one year.

Provider Name	Provider Main Address	Program Name	Total Cost	Job Outlook	Credential Earned	Program Length	Sector Strategy
NASHVILLE GENERAL HOSPITAL AT MEHARRY	Nashville	Certified Nursing Assistant Program <i>**Did not resubmit for approval</i>	\$ 851.00	Bright Outlook	Occupational Skills Certificate	96 Hours 12 weeks In-person	Health Care
Volunteer State Community College	Gallatin	Phlebotomy <i>**Did not resubmit for approval</i>	\$ 1,112.00	Bright Outlook	Occupational Skills Certificate	100 hours 11 weeks Hybrid	Health Care
Staff Recommendation: Do not approve due to lack of credential and prior unsuccessful performance.							
NASHVILLE STATE COMMUNITY COLLEGE	Nashville	SOFT SKILLS SUITE (ONLINE)	\$ 395.00	N/A	None	96 hours	N/A

ETPL Progress: Federal Monitoring

The ETPL program listing review was completed in late March. The number of programs was reduced from more than 1,300 to 584.

We provided numerous individual virtual calls with providers to facilitate the review, and offered a virtual Zoom workshop on April 7 to educate providers about the upcoming monitoring and to answer questions about the program changes. More than 50 people participated in the Zoom Workshop.



100%



OVERALL PERCENTAGE OF PROGRAMS TO BE MONITORED = 20%

Monitoring guidance requires 15% of each provider's programs to be monitored. That equals 122 programs randomly selected for monitoring in 2021. The numbers range from one to 16 per provider depending on the number of programs included on the ETPL.



30% OF SELECTED PROGRAM MONITORING HAS BEEN COMPLETED AS OF 4/28/2021

In 2021, the monitoring is focused on complete data entry by the provider, as well as documented authorization by an approved agency. Performance data will be submitted after June 30, 2021.

Northern Middle Key Performance Indicators

January 1, 2021 - December 31, 2021

Time progression 25%

PROGRAM	TARGET	Actual as of 3/31/2021	% of Goal
Adult, Dislocated Worker & NDWG (New Enrollments)	995	297	30%
Youth (New Enrollments)	403	39	10%
Adult Education (New Enrollments)	2151	506	24%
Adult Education/NICE (IELCE) (New Enrollments)	611	50	8%
Wagner Peyser	3851	1195	31%
Senior Community Service Employment Program (SCSEP) (Exits)	10	5	50%
Re-Employment Services & Eligibility Assessment (RESEA) (Co-Enrollments)	73	0	0%
Trade Adjustment Assistance (TAA) (Co-Enrollment Rate)	100.0%	50.0%	50%
Supplemental Nutrition Assistance Program Employment & Training (SNAP E&T) (New Enrollments)	630	295	47%
Jobs for Veterans State Grants (JVSG) (New Enrollments)	146	19	13%
Justice Involved Individuals (New Enrollments)	294	64	22%



STATE OF TENNESSEE
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
DIVISION OF WORKFORCE SERVICES
220 French Landing Drive
Nashville, TN 37243-1002
(615) 741-1031

Workforce Services Policy – Key Performance Indicators

Effective Date: June 18, 2021

Duration: June 30, 2023

Purpose:

The purpose of this policy is to establish key performance indicators (KPIs) as hard targets and to define the KPI performance period. Tennessee's KPIs demand streamlined service delivery and quality collaboration among all workforce partners. Each year, the latest set of KPI metrics are approved by the State Workforce Development Board (SWDB). Each quarter, the SWDB reviews KPI achievement-fostering sustained excellence, improved outcomes, and the promotion of workforce services to the greatest number of individuals with significant barriers to employment (SBE).

Scope:

Office of the Governor, Tennessee Department of Labor and Workforce Development (TDLWD); Division of Workforce Services (WFS); Tennessee Department of Economic and Community Development (ECD); Tennessee Department of Education (TNED); Tennessee Department of Human Services (DHS); State Workforce Development Board (SWDB); Title I – Adult, Dislocated Worker, and Youth Programs, Title II – Adult Education and Family Literacy Act Program(AE); Title III – Wagner-Peyser Act Program (WP); Title IV – Vocational Rehabilitation Program (VR); Regional Planning Council (RPC); Local Workforce Development Boards (LWDB); Local Workforce Development Areas (LWDA); American Job Center (AJC); One-Stop Operator (OSO); Workforce System Sub-Recipients (Sub-Recipients); Workforce System Partners (Partners)

Background:

To become the best public workforce system in the nation, KPIs quantify and track Tennessee's implementation of the Workforce Innovation and Opportunity Act (WIOA).

KPIs foster:

- Increased access to education, training, and employment- particularly for people with significant barriers to employment.
- A comprehensive, high-quality workforce development system by aligning workforce investment, education, and economic development.
- Improvement in the quality and labor market relevance of workforce investment, education and economic development efforts.
- Improvement in the structure and delivery of services.
- Increased family-sustaining employment, meet employer need, and enhance the productivity and competitiveness of Tennessee.

I. Key Performance Indicator (KPI) Scope:

The following are lists of KPI subjects. Key performance indicators are designed to deal with all WIOA programs, SBE groups and the connections between them. These lists are not exhaustive. Programs, groups, or sub-groups may be added or removed in alignment with state, regional, and local priorities.

A. Programs:

Business Solutions
Jobs for Veterans State Grants
Reemployment Services and Eligibility Assessment
Senior Community Service Employment Program
SNAP Employment and Training
Temporary Assistance for Needy Families (TANF)
Trade Adjustment Assistance
WIOA Title I - Adult and Dislocated Worker and Youth
WIOA Title II - Adult Basic Education and Integrated English Language and Civics Education
WIOA Title III - Wagner-Peyser
WIOA Title IV – Vocational Rehabilitation
YouthBuild

B. Significant Barrier to Employment Groups:

Individuals with SBEs include the fourteen (14) populations of:

- Displaced homemakers¹
- Low-income individuals or recipients of income-based public assistance²
- Native Americans³
- Individuals with mental or physical disabilities, including the recipients of Social Security Disability Insurance⁴
- Those age 55 and older⁵
- Justice-involved individuals⁶
- Individuals experiencing or have experienced homelessness⁷
- Youth in or have aged out of the foster care system

¹ WIOA Section 3(16)

² WIOA Section 3(36)

³ WIOA Section 166(b)

⁴ WIOA Section 3(25)

⁵ WIOA Section 3(39)

⁶ WIOA Section 3(38)

⁷ 'Homeless individual' is defined in the Violence Against Women Act of 1994 Section 41403(6); 'Homeless children and youths' is defined in the McKinney-Vento Homeless Assistance Act Section 725(2)

- Individuals who are:
 - English language learners⁸
 - Individuals who have low levels of literacy – unable to compute or solve problems, or read, write, or speak English at a level necessary in order to function on the job, in an individual's family, or in society
 - Individuals facing substantial cultural barriers – participants, at program entry, perceives themselves as possessing attitudes, beliefs, customs, or practices that influence a way of thinking, acting, or working that may serve as a hindrance to employment including non-traditional employment⁹
- Eligible migrant and seasonal farmworkers¹⁰
- Individuals within two years of exhausting lifetime TANF eligibility
- Single parents – including pregnant women
- Long-term unemployed – unemployed for 27 or more consecutive weeks¹¹
- Other groups as the Governor determines to have barriers to employment

II. Key Performance Indicator Roles and Responsibilities:

A. Roles and Responsibilities

The following identifies roles and responsibilities relating to KPIs:

1. State Workforce Development Board (SWDB):

- Provides the strategic vision for Tennessee's public workforce system
- Upon review of SWDB staff recommendation, determines state annual KPI targets
- Approves quarterly and annual KPI targets
- Monitors, on a quarterly basis, KPI achievement

2. State Workforce Development Board Staff (SWDB Staff):

- Recommend state target guidelines and for each KPI measuring device
- Following the KPI negotiations, submit a KPI target proposal to the SWDB
- Divides annual state target guidelines into Grand Planning Regions
- Reviews and analyzes LWDB staff KPI target proposals
- Leads KPI target negotiations with LWDB staff
- Runs and analyzes targeted KPI reports to identify trends, best practices, and areas for significant improvement
- Facilitates and leads KPI-related technical assistance
- Recommends the adoption or revision of piloted or established KPI measuring devices
- Analyzes the efficiency of WIOA funds in relation to KPIs
- Provides opportunities for improvement using monitoring, sanctions, and corrective action
- Creates public facing KPI dashboards

3. Regional Planning Councils:

- Identify and respond to regional strengths, weaknesses, opportunities, and threats
- Make a proposal to LWDBs on how best to divide regional KPI guidelines into LWDBAs

⁸ WIOA Section 203(7)

⁹ WIOA Section 3(37)

¹⁰ WIOA Section 167(i)(1-3)

¹¹ As defined by the United States Bureau of Labor Statistics' Current Population Survey

4. Local Workforce Development Boards (LWDB):

- Consider the KPI target proposal of the respective Regional Planning Council before independently submitting quarterly proposed KPI targets to SWDB staff for review
- The Executive Director negotiates KPI targets with SWDB staff
- Following KPI negotiation, submit a KPI target proposal to the SWDB staff

III. KPI Performance Period:

- A. Beginning July 1, 2021, KPIs in **Attachment 1** will become “hard targets”. Failure to achieve the hard targets will affect the LWDB performance and potential funding.
- B. KPI Performance Periods:
- Quarter 1: July 1 – September 30
 - Quarter 2: October 1 – December 31
 - Quarter 3: January 1- March 31
 - Quarter 4: April 1 -June 30
 - Year: July 1 – June 30
- C. The following are key dates for the establishment of KPI targets for the performance year:
- February 1: SWDB staff issues annual target guidelines to the Regional Planning Councils.
 - March 1: LWDBs submit proposed quarterly and annual targets to the SWDB staff.
 - March 15 -March 31: Negotiations occur between LWDB staff and SWDB staff.
 - May 15: All WIOA Assistant Commissioners and LWDB Chairs submit all proposed annual and quarterly KPI targets for the performance period to the SWDB for approval.

IV. Monitoring and Technical Assistance:

The KPI assessment weight and the KPI achievement scale are the two tools for KPI evaluation. SWDB staff use these tools to monitor each KPI measuring device and rapidly implement a graded response in accordance with each KPI achievement level and subject-matter expertise.

A. Assessment Weight:

The KPI assessment weight tool outlines the percentage each evaluation period is valued relative to the final KPI score. As shown in the table below, each period of evaluation is weighted equally at 20 percent- requiring year-round excellence.

Evaluation Period	Weight
Quarter 1	20%
Quarter 2	20%
Quarter 3	20%
Quarter 4	20%
Annual	20%
Total	100%

B. Achievement Scale:

As indicated below, the KPI assessment scale tool has six (6) levels of KPI achievement. This tool rapidly identifies best practices and opportunities for improvement. By evaluating the achievement of each KPI measuring device, SWDB staff responses can be prioritized to improve efficiency and strategic alignment. Each KPI measuring device will measure each program and SBE group.

Achievement Levels
0- Unacceptable
1- Needs Significant Improvement
2- Needs Improvement-
3- Approaching Target
4- Target achieved
5- Best practice- significantly above target

If the achievement of a KPI measuring device is determined to be either “unacceptable”, “needs significant improvement” or “needs improvement”- those devices are required for corrective action as outlined within the *Sanctions for Failure to Meet Federal and State Standards* policy. This achievement group requires significant assistance to achieve state, regional, and local goals.

The appropriate response to KPI measuring devices within the “approaching target” achievement level should be dictated in part due to a trend analysis. The KPI measuring devices within this group may have fluctuated and may be subject to sanctions. This achievement group should minimize ineffective methods in service delivery and maximize opportunities for future growth.

Monitoring conducted through annual reviews of fiscal and program requirements will inform the corrective action process if the reviews result in a finding(s). After the monitoring review is conducted, an exit conference will be scheduled with the sub-recipient to discuss any findings or observations. An official written report will follow the exit conference to list out the findings and/or observations. This report will provide instruction on how, where, and when to submit a corrective action plan. The written report will be sent to the sub-recipient within thirty (30) business days from the exit conference. After the report is received by the sub-recipient, they will have thirty (30) business days to submit that information to Workforce.Board@tn.gov. Any communication regarding the submitted Corrective Action Plan will need to be responded to within thirty (30) business days.

KPI measuring devices that are either “target achieved” or “significantly above target” are the most likely sources of best practices. Peer-to-peer learning and further improved coordination among WIOA partners should be encouraged to attain better or more reliable attainment of KPI targets.

For example:

LWDA X has a Title I Adult KPI goal of 180 new enrollments, with the program-specific achievement thresholds as listed in the table below.

Achievement Levels	Thresholds
0- Unacceptable	0 to 20%
1- Needs Significant Improvement	21 to 50%
2- Needs Improvement-	51 to 70%
3- Approaching Target	71 to 90%
4- Target achieved	91 to 110%
5- Best practice- significantly above target	110%+

Evaluation Period	Target	Actual	Percentage	Weight	Title I Adult KPI Score	Achievement Level
Quarter 1	40	35	87.5%	20%	17.5	Approaching Target (3)
Quarter 2	40	30	75.0%	20%	15.0	Approaching Target (3)
Quarter 3	60	45	75.0%	20%	15.0	Approaching Target (3)
Quarter 4	40	50	125.0%	20%	25.0	Best Practice (5)
Annual	180	160	88.0%	20%	17.6	Approaching Target (3)
				100%	90.2	Target Achieved

Accompanying this evaluative process is the proactive provision of comprehensive quarterly technical assistance (TA). This TA prioritizes all state, regional, and local strategic goals, fosters the promotion of best practices, and provides opportunities for further collaboration among geographic areas and workforce partners.

In combination with fiscal and compliance-based metrics, high levels of KPI achievement indicate high achieving LWDBs which may be eligible to receive performance-based incentive contracts.

Attachments:

Attachment 1: Negotiated Key Performance Indicator Targets

Contact:

For any questions related to this policy, please contact the Program Integrity Unit at Workforce.Board@tn.gov.

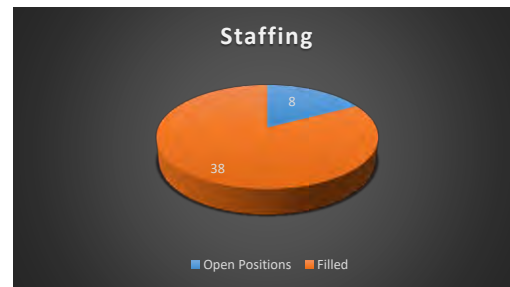
State Workforce Development Board Chair, Tim Berry

EDSI Implementation Dashboard-April 28, 2021

1. Staffing

Open Positions	Filled	Total Positions	% Vacant
8	38	46	17.4%

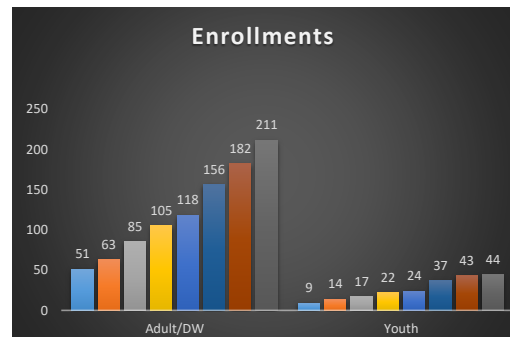
1	Career Advisor -Ad/DW	Sumner	Declined
2	Business Services	Sumner/Trousdale	
3	Community Outreach Coordinator		
4	Career Advisor -Ad/DW	Nashville	Resignation
5	RESEA Advisor	Robertson	Declined
6	Business Services	Williamson	
7	Business Services	Davidson	Resignation
8	Youth Advocate	Sumner	Resignation



2. Enrollments (cumulative)

Week	Adult/DW	Youth	Total	Change
Goal (6/30)	455	112	567	
3/3/2021	51	9	60	
3/10/2021	63	14	77	17
3/15/2021	85	17	102	25
3/24/2021	105	22	127	25
3/31/2021	118	24	142	15
4/7/2021	139	32	171	29
4/13/2021	156	37	193	22
4/20/2021	182	43	225	32
4/28/2021	211	44	255	30

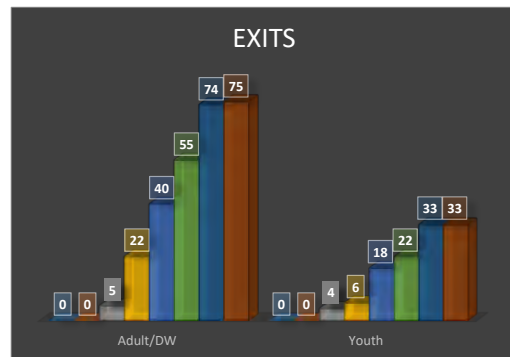
*9 weeks- 46% 39% 45%
 27 8 35



3. Exits

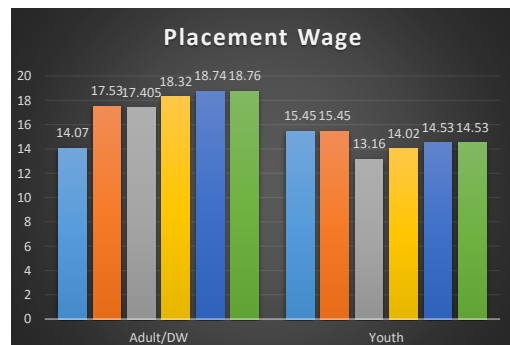
Week	Adult/DW	Youth	Total	Change
Goal	228	56	284	
3/3/2021	0	0	0	0
3/10/2021	0	0	0	0
3/15/2021	5	4	9	9
3/24/2021	22	6	28	19
3/31/2021	40	18	58	30
4/7/2021	55	22	77	19
4/20/2021	74	33	107	30
4/28/2021	75	33	108	1

Positive 83% 64%
 9 weeks 17.0 2.6



4. Placement Wage

Week	Adult/DW	Youth	Total	Change
Goal	\$ 15.00	\$ 10.00		
3/3/2021	0	0		
3/10/2021	0	0		
3/17/2021	14.07	15.45		
3/24/2021	17.53	15.45		
3/31/2021	17.405	13.16		
4/7/2021	18.32	14.02		
4/20/2021	18.74	14.53		
4/20/2021	18.76	14.53		



4. MPCR

Week	Adult	DW	Youth	Total
Goal	50%	50%	50%	
January	0%	0%	17%	
February	16%	35%	16%	-
March	18%	29%	11%	
Cumulative	12%	23%	14%	

MAC Implementation Dashboard-April 28, 2021

1. Staffing

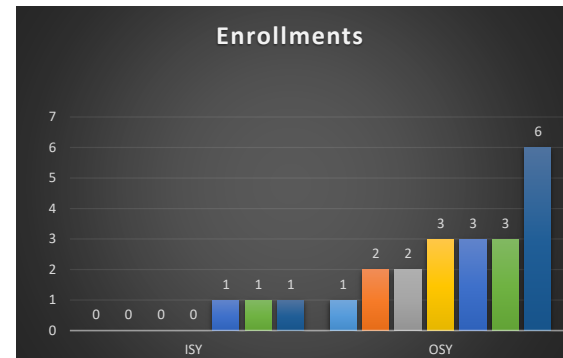
Open Positions	Filled	Total Positions	% Vacant
0	3	3	0.0%



2. Enrollments (cumulative)

Week	ISY	OSY	Total	Change
Goal (6/30)	65	50	115	
3/3/2021	0	1	1	
3/10/2021	0	2	2	1
3/15/2021	0	2	2	-
3/24/2021	0	3	3	1
3/31/2021	1	3	4	1
4/7/2021	1	3	4	-
4/13/2021	1	6	7	3
4/20/2021	1	9	10	3
4/28/2021	3	9	12	2

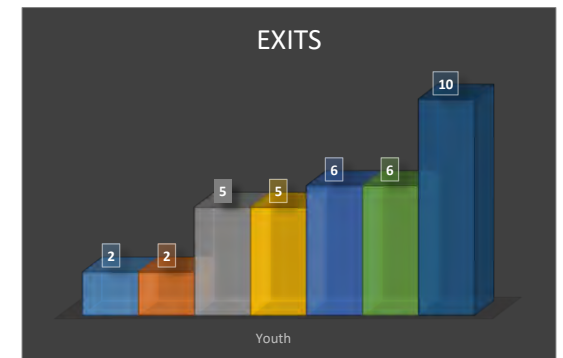
	5%	18%	10%
*10 weeks-	6.4	4.1	11



3. Exits

Week	Youth	Total	Change
Goal		0	
3/3/2021	2	2	
3/10/2021	2	2	-
3/15/2021	5	5	
3/24/2021	5	5	
3/31/2021	6	6	
4/7/2021	6	6	
4/13/2021	10	10	
4/20/2021	10	10	
4/20/2021	10	10	

Positive 80%



4. Placement Wage

Week	Youth	Total	Change
Goal	\$ 9.00		
3/3/2021			
3/10/2021			-
3/17/2021			
3/24/2021			
3/31/2021			
4/7/2021			
4/13/2021	\$ 12.48		
4/20/2021	\$12.48		
4/28/2021	\$ 12.48		

4. MPCR

Week	MPCR	Work Exp	ISY
Goal	50%	25%	40%
January	100%	85%	0%
February	19%	17%	1%
March	15%	6%	6%
Cumulative	17%	9%	4%