

Mass Workforce Issuance

Workforce Issuance No. 07-20

Policy **Information**

To: Chief Elected Officials
Workforce Investment Board Chairs
Workforce Investment Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Associate Directors
DCS Field Managers

cc: WIA State Partners

From: Susan V. Lawler, Director
Division of Career Services

Date: April 20, 2007

Subject: **Fiscal Year 2008 Local Annual Workforce Development Business Plan**

Purpose: To provide instruction to the Local Workforce Investment Boards (LWIBs), regarding the development and submission of the FY 2008 Annual Workforce Development Business Plan.

Background: As was the case for the FY 2007 planning cycle, the FY 2008 Local Annual Workforce Development Business Plan Guidance has been developed in the absence of Congressional reauthorization of the Workforce Investment Act (WIA). The development of this year's local planning guidance has been structured to be consistent with the new two-year State Plan to be submitted by the Commonwealth in Fiscal Year 2008. As a result, the planning guidance described herein reflects the continuing federal direction toward: streamlined service delivery, the provision of youth services geared toward out-of-school youth and increasing local accountability. Additionally, the planning guidance reflects the evolving effort to align workforce investment activity more closely with a regional approach to critical, high growth sectors of the economy. This approach will include aligning Workforce Investment Board policies on training with identified, critical, high growth sectors of the region's economy. The approach should also be reflected in a commitment to assuring that front-line One-Stop Career Center staff are knowledgeable with regard to high growth occupations and critical job vacancies in the region.

Continuity of effort underlies the local planning process. To that end, the Narrative section seeks to guide local workforce investment areas to describe planned efforts that are consistent with national and state priorities.

The Narrative questions are intended to stimulate each LWIB to plan and describe how the local workforce investment system's operational focus for FY 2008:

- relates to the critical customer sectors: job seekers, businesses, and youth,
- reflects a current analysis of local labor market factors and needs, and
- includes locally initiated improvement projects.

Policy: The LWIB, with agreement and signature of the Chief Elected Official (CEO), is responsible for developing and submitting the Fiscal Year 2008 Annual Workforce Development Business Plan. The Plan must be made available for public comment prior to submission in accordance with WIA regulations at section 661.345.

Action

Required: Review the Local Annual Workforce Development Business Plan Guidance document and provide copies to those individuals who will develop the local plan.

Document

Submission: Please refer to Attachment A

Schedule: June 8, 2007: Plans must be submitted electronically to Lisa Caissie, at lcaissie@detma.org no later than close of business.

June 11 – 22: Plans will be reviewed; review teams will be comprised of staff of DLWD, CommCorp, and DCS. This period includes an “informal” response period (through June 22) for local areas to resolve, clarify, or correct points raised by the review. Information provided through this process will be kept on file at DCS and must also be maintained by the local area.

June 29: Approval or Conditional Approval letters sent to local area CEOs and WIB Chairs.

Effective: Immediately

Inquiries: Please email all questions to PolicyQA@detma.org. Also, indicate Issuance number and description.

ANNUAL WORKFORCE DEVELOPMENT

BUSINESS PLAN

PLANNING GUIDANCE

FISCAL YEAR 2008

ANNUAL WORKFORCE DEVELOPMENT **BUSINESS PLAN**

PART I. INTRODUCTION

Priorities for FY 2008

The vision of workforce development policy in the Commonwealth of Massachusetts is to ensure that workforce development is an integral part of the state's economic development system. The economic prosperity of the state is increasingly dependent upon our ability to produce a workforce that has the skills and abilities needed by our business community to retain high quality jobs and to grow and prosper. For our citizens, the goal is to increase employability, the ability to compete for higher skilled jobs in the economy, access career mobility and achieve more broadly-based prosperity. With reauthorization a looming priority, the fundamental goal for federal, state and local partners under the Workforce Investment Act will continue to focus on sustained improvements in the system of Workforce Boards and One-Stop Career Centers to increase responsiveness to changing economic conditions in order to meet the needs of critical, high growth sectors of the economy and the local workforce.

While state planning priorities for FY 2008 continue to include the development of a streamlined and responsive workforce system, a particular focus for FY 2008 will be an emphasis on aligning service delivery and service improvements with the needs of critical, high growth sectors of the economy and local workforce.

Local Workforce Investment Boards and their partners should reflect on the progress made and the challenges ahead in continuing the development of their One-Stop Career Centers and various initiatives to strengthen the workforce development system in their region. The annual planning and modification process for the Workforce Investment Act (WIA) in FY 2008 should act as the strategic local planning process for the region led by the local Workforce Investment Board in partnership with the Chief Elected Official that includes all key regional partners (Workforce Boards, Chief Elected Officials, Title I Administrators, One-Stop Career Center Operators, education and training institutions, the Adult education network, community-based workforce organizations, employers and other partners as desired) and spanning WIA and non-WIA workforce development programs as appropriate.

For FY 2008, regions should formulate their planning vision to demonstrate continued development of a demand-driven system that will respond quickly and effectively to close the skills gaps in the local workforce and to align strategies to high-demand sectors of the region. Local vision must encompass both short and long-term strategies designed to significantly contribute to establishing and sustaining a prosperous regional economy.

To encourage regions to focus their vision to meet the needs of what is being termed the “Innovation Economy”, the Commonwealth has identified the following planning priorities for the state’s workforce investment system:

- Support partnerships that strengthen the economic well-being of the regions and increase opportunities for the leveraging of funds.
- Align workforce investment services (especially training services) with high-growth, critical sectors in the region.
- Increase the efficiency in responsiveness to businesses by ensuring that employer services are integrated with other workforce or partner programs as appropriate.
- Assure that One-Stop Career Center front-line staff are trained to be knowledgeable of high-growth occupations and critical job vacancies.
- Use of formula and leveraged funds to close the “skill gap” through strategic talent development.
- Enhance the effectiveness of youth programming, especially for out-of-school youth and youth categorized as “hard-to-serve.”

Using these priorities as a guide, each area shall respond to the narrative questions listed in Part III, Plan Narrative.

PART II. LOCAL LABOR MARKET ANALYSIS

To ensure that services provided under the Workforce Investment Act address relevant labor force and employer needs, an analysis of local labor market conditions is a critical component of the annual planning process. An understanding of the economic trends and characteristics that shape the local labor market environment is essential to developing focused strategies and initiatives and to design an appropriate mix of employment and training services that will support efforts for continued economic development and growth.

Please describe the specific local labor market conditions and characteristics that form the basis of your FY 2008 Workforce Development Business Plan. The analysis should include a clear description of each of the following elements:

- The current industry employment trends, with respect to industries experiencing either high growth or significant decline.
- The current industry employment trends, with respect to industries identified as being critical to the local economy.
- The projected industry and occupational employment opportunities for local job seekers, specifically with respect to high growth occupations and critical industries.
- The job skills and training requirements necessary for employment in regionally targeted industries and occupations, particularly with respect to high growth occupations and other critical sectors.

- The demographic characteristics of the area’s population base relevant to local workforce development issues including projected education/skill training needs, occupational distribution, and wage/salary levels.

The conditions and characteristics described in the Labor Market Analysis section of the FY 2008 plan (PART II) should clearly inform and support the planned initiatives and service focus described in the responses to the questions in the Narrative section of the Plan (PART III).

The DCS Economic Analysis Office provides general labor market information for local areas in an on-line format. Labor Market Information Profiles, publications produced for each of the State's 16 Workforce Area regions can be accessed at <http://lmi2.detma.org/Lmi/FPlmiforms1.asp>. Labor market economists from the DCS Economic Analysis Office are able to assist with additional information and can be contacted at 617-626-5744.

Use of additional information sources, including business survey results, local advisory groups, specific economic development reports and any other source of relevant local labor market information is encouraged.

PART III. PLAN NARRATIVE

All responses should reflect a detailed, planned approach that clearly demonstrates the integration and coordination of partner services for the local area. The response to each Narrative question should adhere to the structure as delineated; each question should be answered separately following the order in which it appears.

A. JOB SEEKER CUSTOMERS

1. Please describe the policies of the Workforce Investment Board and One-Stop Career Center(s) to address the trends in unemployment and the service needs of unemployment insurance claimants.
 - a. Has a change in your job seeker base resulted in a change in your locally apportioned funding (e.g. transfer of funds between Adult and Dislocated Worker categories)?
2. Please describe how skill requirements for job seekers in your workforce investment area have changed over the past several years and how those changes have affected training and counseling activities in the One-Stop Career Center(s) and/or policies of the Workforce Investment Board.
 - a. What service strategies will be undertaken with respect to post-secondary education entities to promote lifelong learning opportunities as a focus of the workforce system?
3. Please describe the Priority for Services policy for your workforce investment area including the population(s) to which it applies.
 - a. Will “low-income” priority be applied to the delivery of adult intensive employment and training services in your region for FY2008 in accordance with Section 134(d)(4)(F) of the Workforce Investment Act and Subpart F §663.600 of the Regulations.

- b. If “low-income” priority *will not* be applied to the provision of adult intensive employment and training services for FY 2008, describe the criteria that was used to determine that other funds *are not limited*, therefore negating the need to apply a low-income priority.
 - c. If “low-income” priority *will* be applied to the provision of adult intensive employment and training services for FY 2008, describe the process established by the board that ensures priority is given to public assistance and other low income adults and veterans.
4. Does your workforce investment area employ a residency requirement for job seeker access to intensive and/or training services? If yes, please describe.
 5. With respect to job seeker customers, please describe additional priorities and/or strategies that have been planned for your region’s workforce development system in FY 2008.

B. BUSINESS CUSTOMERS

1. Please describe how the board will align workforce investment activities with high-growth industry sectors or those deemed “critical” in the region and also with small businesses in FY08.
 - a. What training will be provided to front-line OSCC staff in FY08, if any, to impart knowledge of high-growth occupations and critical job vacancies?
2. How does your workforce area determine the employer “menu” of services (in addition to the core services listed in WIA Policy #04-46), taking into account job vacancy data, regional surveys, and employer input?
 - a. What strategies does your region employ to ensure that the workforce system has the agility to respond quickly and effectively to meet the needs of business customers, particularly the needs of small businesses driven by the fast pace of innovation?
3. Please describe the extent to which employer services are integrated with other workforce or partner programs to minimize duplicative employer contact and maximize access to employment information.
 - a. Describe how employer outreach is coordinated with other workforce or partner programs to minimize repetitive contacts.
4. With respect to business customers, please describe additional priorities and/or areas of focus that have been planned for your region’s workforce development system in FY 2008.

C. YOUTH

1. Please describe the region's overarching initiatives/priorities for providing services to youth for FY 2008.
2. Please describe strategies or program models that you have implemented or will put in place in FY08 that have improved retention and completion for hard-to-serve youth populations (e.g. Foster Child, Adjudicated, Severely Low-Income, Educationally Deficient).
 - a. Please describe your region's strategy for ensuring that WIA youth programs will lead to post-secondary education, advanced training or employment outcomes.
 - b. What strategies are in place to address the needs of youth with very low (5th or 6th grade) numeracy and literacy skills?
3. Please describe the youth provider partnerships that are in place in your region and the effect of these partnerships on WIA youth formula funds (*provide examples, e.g. P-21*).
4. Please describe whether or not your region has "created a space" for youth in the mainstream workforce development system and the factors/policies that led to this decision (e.g. are youth served in the One-Stop Career Centers?).
 - a. Have there been significant physical, philosophical, or programmatic changes in your OSCC(s) to better accommodate youth? Please describe.
5. What specific occupational or technical skill certificates/credentials will your youth program emphasize? How are those certificates/credentials matched with the requirements for employment in the critical and high growth industries in the area (skills gap, retention, required certification, etc.)?
6. What segments of the Title I WIA eligible youth population will have the highest priority for FY 2008? If your workforce investment area failed one of more youth performance measures in FY 2007, what steps will be taken in FY 2008 to ensure continuation of performance improvement?

D. TRAINING RESOURCES

1. Please describe how the workforce investment board has aligned training policies to prepare individuals for high-demand occupations in high-growth industries within the context of moving to a "talent development" system.
 - a. What strategies does your region employ to ensure that training activities are concentrated in occupational areas having critical job vacancies and/or high-demand jobs in high-growth sectors?
2. To what extent do customer choices for training coincide with the targeted occupations in high-growth areas?

- a. Please analyze training enrollments in your region and compare trends to job vacancies and critical sectors in your region.
3. Please provide specific examples of how your region has leveraged WIA formula funds and additional resources to support talent development and life-long learning strategies.
4. How will the region's FY 2008 level of budgeted training funds meet the needs of the area's workers and businesses?
 - a. Does the region employ a limit or "cap" on the amount of ITA funds available to the customer? Please describe.

E. OPERATIONAL IMPROVEMENT

1. What operational improvements are planned for FY 2008 with respect to the local One-Stop Career Center(s) and/or Youth Services.
 - a. Why were these planned operational improvements deemed necessary at this time?
 - b. What specific impact will these planned operational improvements have for job seekers (including youth if appropriate) and business customers?

F. RAPID RESPONSE PLANNING

1. Have any changes been made to the local Rapid Response Planning team(s) for your region?
 - a. If yes, please list the names of any new members, who they are replacing (if applicable) and indicate which position on the team they are representing.
 - b. What is your region's threshold number for FY 2008 that will determine when a Rapid Response Planning Team meeting will be convened?

G. PARTNERSHIPS

1. Please describe the regional strategies employed by your workforce investment area to utilize the specialized services of other partner programs and avoid duplicating services that are already available.
 - a. Please refer to Attachment D (MOU Activity Summary Form). Describe any MOUs (financial or non-financial) that have yet to be developed with critical partners and the anticipated timeline for their final execution.
 - b. Please describe examples of how executed MOUs have resulted in improved services to your customer base.

PART IV. ASSURANCES

The following section delineates the formal assurances related to statutory compliance, program integration, universal access, customer choice, reporting, veterans' priority of service, performance, quality assurance and other program and administrative elements to which each Local Workforce Investment Board agrees, ensuring the systemic foundation of the Massachusetts workforce investment system. By signing the local plan the Board certifies that the operators and partners of the local one-stop career center delivery system will adhere to these assurances and comply with all Federal, State, County and local statutes, regulations and policies relevant to the delivery of services within the context and meaning of the local plan.

1. STATUTORY COMPLIANCE

The Board agrees to comply with the Workforce Investment Act of 1998, the Wagner-Peyser Act, as amended, the Trade Act of 1974, as amended, the Jobs for Veterans Act and all related statutory requirements and implementing regulations. The Board also agrees to comply with policies issued by the Department of Workforce Development, the Division of Career Services, the Division of Unemployment Assistance and the Commonwealth Corporation related to the administration, delivery and performance of all programs covered by this local plan.

2. PROGRAM INTEGRATION

The Board assures that the one-stop career center delivery system will fully integrate all programs covered under this local plan into the full range of available workforce development services.

The Board agrees that DVOP and LVER staff will be responsible for case management of veterans' service delivery, and where feasible, provide direct services or assist one-stop delivery system staff in the provision of priority services for veteran customers.

The Board assures that one-stop career center system operators will coordinate with local Rapid Response staff related to outreach, intake and registration of workers covered by a certification under the Trade Adjustment Act.

3. UNIVERSAL ACCESS

The Board assures that the local one-stop career center delivery system [as described in Part 662.100 (b) of the Workforce Investment Act and in accordance with all relevant state policies and procedures] will provide services to all customers consistent with the principles of universal access. The Board also assures that core and applicable intensive services, including staff-assisted services, will be provided in at least one physical career center in the workforce investment area.

The Board assures that LVER and/or DVOP staff assigned to the local one-stop career centers, consistent with the principle of universal access, will also provide outreach services

to veterans at Service Delivery Points (SDPs) such as Veterans Administration Hospitals, veterans' shelters and military installations for which no LVER or DVOP is assigned. The Board also assures that DVOP and LVER staff will also conduct outreach to employers, community agencies, veterans' organizations, etc. and that they will share information gained from these contacts with staff of the one-stop career centers and SDPs.

4. CUSTOMER CHOICE

The Board assures that local one-stop career center system operators and partners will adhere to the principles of customer choice in the provision of services covered under this local plan.

5. REPORTING

The Board assures that the local one-stop career center delivery system (in accordance with all relevant Federal and State policies and procedures) will collect data on customer characteristics, service/activity participation, and outcomes consistent with the requirements of the Massachusetts One Stop Employment System (MOSES) so as to ensure the integrity of all federal and state reporting requirements.

6. FUNDS OF LAST RESORT

The Board assures that one-stop career center system operators shall take sufficient actions to assure that WIA programs will not be charged when other assistance is available. Local operators shall be responsible for ensuring the filing of applications for Pell Grant or Supplemental Education Opportunity Grant (SEOG) assistance or any other assistance available for each participant enrolled in a Pell Grant or SEOG approved course and upon receipt of such grant the portion received by a training participant for the cost of tuition, fees and books shall be applied to replace the WIA funds used to cover such costs. If the Pell Grant is received after the termination of training paid with WIA funds, the portion to be applied for the cost of tuition, fees and books shall be remitted to the career center operator. No compensation shall be earned or deemed payable for services provided to a WIA program participant to the extent that any such services are paid for, directly or indirectly, through a Pell Grant (or Supplemental Education Opportunity Grant (SEOG)) by Trade, or by any other source.

7. VETERANS PRIORITY OF SERVICE

The Board agrees that one-stop career center operators will assure priority services for veterans for all services funded with Federal resources. The Board also assures that it will encourage and promote the provision of maximum employment and training opportunities to veterans by all service program providers participating in the local workforce investment system. To promote informed choice for veteran customers, the Board agrees that one-stop career center delivery system operators will provide information during the intake process that advises veterans of the advantages of registration to access special programs and services for veterans and the availability of DVOP or LVER staff to assist with employment issues. To further assure priority of service and maximum opportunity to veteran customers the Board agrees that one-stop career center operators will integrate Federal Contractor Program job information and listings of Federal job openings in the MOSES system. Both printed and

electronic Federal Contractor Program and Federal job information will be available to veteran customers. Federal Contractors and Federal Agencies will be provided with recruitment assistance in accordance with their obligation for Affirmative Action and veterans' preference requirements pursuant to 38 U.S.C., Chapter 42.

The Board agrees that LVER and DVOP staff will provide training and technical assistance to one-stop career center staff relative to Federal employment opportunities for veterans, the Federal Contractor Job Listing Program and the customer complaint process as it relates to veterans.

The Board agrees that LVER staff will monitor and provide quarterly reports to the one-stop career center operator on the universality of veteran services provided by one-stop delivery system staff and the access and receipt of these veteran services.

The Board agrees that under this plan LVER and DVOP staff can receive guidance from the one-stop operator. However, compensation, personnel actions and terms and conditions of employment, including performance appraisals and accountability of merit-staff employees will remain under the authority of DCS.

8. SERVICES TO MIGRANT AND SEASONAL FARMWORKERS (MSFWs)

The Board assures that the local one-stop career center operators (in accordance with all relevant state policies and procedures, and as required under provisions for the equitable delivery of labor exchange services at 20 CFR Parts 651, 653 and 658) will: identify Migrant and Seasonal Farm Worker (MSFWs) customers; refer such identified customers to appropriate job openings, training opportunities and any other workforce investment services as needed; conduct appropriate follow-up with employers and other applicable service providers; and report all relevant activities through MOSES.

9. ALIEN LABOR CERTIFICATION – AGRICULTURAL and NON-AGRICULTURAL

The Board assures that the local one-stop career center operators (in accordance with all relevant state policies and procedures, and consistent with provisions for the hiring of non-U.S. workers at 20 CFR Parts 655 and 656) will assist DCS to determine the availability of U.S. workers and the potential adverse effect on wages and working conditions that the admission of foreign workers might have on similarly employed U.S. workers, and agrees to assist job seekers to comply with the requirement of facilitating resumes to the Employer or their representative. OSCCs may also assist in forwarding two resumes to the DCS Special Programs /Alien Labor Certification unit for consideration of job seekers' qualifications with regard to a specified employer job order. With regards to the agricultural activities under the Alien Labor Certification program, OSCCs agree to facilitate the referral of qualified job seekers and to assist employers throughout the recruitment process. OSCCs can not process any ALC job orders that have not met the prevailing wage, issued by DCS. There are no reporting requirements applicable to this section.

10. WORK OPPORTUNITY TAX CREDIT and WELFARE-TO-WORK CREDIT

The Board assures that the local one-stop career center operators will assist in determining the eligibility of interested customers as members of targeted groups; and assist interested customers and employers to complete related documentation including IRS Form 8850 Work Opportunity Credit Pre-screening Notice and Certification Request, and DOL Form ETA-9061 (Individual Characteristics Form) or DOL Form ETA-9062 (Conditional Certification). Issuance of final certifications will remain a central administrative responsibility of DCS. There are no reporting requirements applicable to this section.

11. WORKER PROFILING/REEMPLOYMENT SERVICES PROGRAM

The Board assures that local one-stop career center operators will participate in the Connecting Claimants to Career Centers program consistent with requirements of the federal Profiling/Reemployment Services Program for designated UI claimants and related State policies. The Board further assures that the local one-stop career center operators will collect data on claimant service/activity participation, outcomes and results, including conformance with the Worksearch Plan activities, through the Massachusetts One-Stop Employment System (MOSES).

12. SECTION 30/TAA

The Board assures that local One-Stop Career Center operators will provide timely and appropriate services for any customer wishing to apply for benefits under either Section 30 of Chapter 151A of Massachusetts General Law for the Unemployment Insurance program or the Trade Adjustment Assistance (TAA) program. The Board also assures that local One-Stop Career Center operators will conform to all policies and regulations of these programs. The Board assures that local One-Stop Career Center operators will provide timely assistance to customers with the application process for UI benefits, training services, and other related program allowances provided in conjunction with the Section 30 and/or TAA programs including universal access to core services, access to needed intensive services (including testing and assessment) and case management services consistent with state policy. The Board also assures that local One-Stop Career Center operators will cooperate with any Hearings requirements related to UI, Section 30 and/or TAA benefit eligibility issues.

13. ACCESS TO UI INFORMATION

The Board assures that local one-stop career center operators will use any information received from the UI system related to claimants solely for the purpose of providing reemployment services to UI claimants. The Board further assures that all information on UI claimants received by the one-stop career center operators will be used in a manner that is consistent with state and federal confidentiality statutes and policies.

14. PERFORMANCE

The Board agrees that for purposes of this plan, performance will be measured consistent with all appropriate federal and/or state statutes, regulations and policies.

15. CASE MANAGEMENT SERVICES FOR TARGETED CUSTOMERS

The Board assures that one-stop career center operators will provide case management services for targeted customers consistent with state policy. Customers targeted for case management services include: WIA Title I enrollees; military veterans who are recently separated veterans, disabled veterans; veterans with a campaign badge; minority and/or female veterans, any veteran with a barrier to employment; spouses of: veterans who died of a service connected disability, are MIA, are captured/POW, or is the spouse of any person who has a total permanent service connected disability; Employment Assisted Service (EAS) participants; National Emergency Grant (NEG) participants; and Trade Adjustment Assistance (TAA) participants.

16. GENERAL QUALITY ASSURANCE

The Board assures the local one-stop career center operator will carry out all activities relevant to the provision of each program covered under this plan in accordance with all Federal/State policies and procedures. The Board further assures that a schedule for the monitoring of local one-stop career center activities will be developed and agreed upon in concert with the Division of Career Services (DCS). Additionally, the Board assures that DCS shall have full access to all one-stop career center staff, records, systems, data, books, accounts, correspondence and other documentation necessary to carry out its program evaluation responsibilities as authorized by statute and/or regulation. The Board also agrees that DCS, in order to effectively carry out its responsibilities, may conduct on-site evaluation activity that is either with, or without, advance notice. The Board also assures that local staff training relevant to the delivery of services covered under this plan will be developed and agreed upon in concert with DCS.

17. NONDISCRIMINATION EMPLOYMENT & EQUAL OPPORTUNITY

The Board assures that the local one-stop career center operator will comply fully with the nondiscrimination and equal opportunity provisions of the following laws: Section 188 of the Workforce Investment Act of 1998 (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 I 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 Board 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 operation of the WIA Title I financially assisted program or activity, and to all agreements made to carry out the WIA Title I financially assisted program or activity. The Board understands that the United States, the Commonwealth of Massachusetts and the Division of Career Services have the right to seek judicial enforcement of this assurance. The Board also assures that the local one-stop career center operator will appoint an Equal Opportunity Officer to ensure compliance with the regulatory requirements cited above.

18. GRIEVANCE PROCEDURE POLICY

The Board assures that the local one-stop career center operators will implement and maintain a formal complaint system consistent with State policy and Federal regulations promulgated at 20CFR §658.400-418 and 658.500-504 and §667.600-667.640 relevant to the Workforce Investment Act of 1998 and the Wagner-Peyser Act, as amended.

19. NONPARTICIPATION IN SECTARIAN ACTIVITIES

The Board assures that WIA Title I funds will not be expended on the employment or training of participants in sectarian activities. Participants must not be employed under Title I of WIA to carry out the construction, or maintenance of any part of any facility that is used or to be used for sectarian instruction or as a place of religious worship. However, WIA funds 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 a program or activity providing services to WIA participants.

20. POLITICAL ACTIVITIES, LOBBYING PROHIBITION

The Board assures that WIA Title I funds and none of the services provided with said funds may be used for any partisan or non-partisan political activity or to further the election or defeat of any candidate for public office. The Board also agrees to comply, where applicable, with the provisions of the Hatch Act, which limits the political activity of certain State and local government employees, along with contractors, subcontractors and participants funded through the use of WIA funds. The Board shall comply with 29 CFR 93 regarding the restrictions on lobbying and the Certification and Disclosure requirements pursuant to Section 319 of Public Law 101-12.

21. CERTIFICATION REGARDING DEBARMENT

The Board certifies, that neither it nor its principals:

- are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- have within the 3 year period preceding this plan been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal,

State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

- are presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or local) with the commission of any of the offenses enumerated in paragraph (b) above.
- have within the 3 year period preceding this application had one or more public transactions (Federal, State or local) terminated for cause or default.

22. HEALTH AND SAFETY

The Board agrees all services provided to participants under the programs covered under this plan will take place in an environment where appropriate standards for health, safety and comfort are maintained. Participants in on-the-job training operated with WIA funds as defined in 20 CFR Part 663.700, are subject to the same health and safety standards established under State and Federal law which are applicable to similarly employed employees, of the same employer, who are not participants in programs under WIA. Facilities will be adequately heated and ventilated; with adequate toilet, rest and lunch areas; easy access to potable water; and separate and clearly delineated non-smoking areas.

23. NEPOTISM

The Board assures that no recipient of funds covered under this plan will hire a person in an On-The-Job Training position, administrative capacity or consultant position funded under WIA if the individual or a member of his/her immediate family is employed in the administrative capacity of the USDOL, DWD, DCS, Commonwealth Corporation or the recipient. The Board agrees to inform the Division of Career Services of any potential violation of the nepotism restriction.

24. UNIONIZATION AND ANTI-UNIONIZATION

The Board assures that no funds covered by this plan shall in any way be used to either promote or oppose unionization.

25. FINANCIAL RECORDKEEPING, COST PRINCIPLES AND COST ALLOCATION

The Board agrees to maintain all financial records, and to develop and follow cost allocation procedures that are in compliance with GAAP, Federal Cost Principles, all applicable OMB Circulars, and policies issued by the Commonwealth. These include, but are not limited to, the following OMB Circulars:

- A-21, Cost Principles for Educational Institutions (10/27/98)
- A-87, Cost Principles for State and Local Governments (5/4/95, amended 8/29/97)
- A-122, Cost Principles for Non-Profit Organizations (5/19/98)

- A-102, Grants and Cooperative Agreements with State and Local Governments (10/7/94, amended 8/29/97)
- A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (11/19/93, amended 9/30/99)
- A-133, Audits of States, Local Governments, and Non-Profit Organizations (6/24/97).

26. RAPID RESPONSE SERVICES

The Board assures that local One-Stop Career Center operators and other workforce development staff will coordinate/support Rapid Response service delivery with the Division of Career Services Central Rapid Response team in accordance with established policy and procedure as articulated in Policy Issuance No. 00-28 (6/28/2000), WIA Communication No. 03-29 (11/25/2003), WIA Communication No. 04-39 (5/18/2004), MassWorkforce Issuance No. 06-46 (7/31/2006) and MassWorkforce Issuance No. 06-72 (11/7/2006).

FY2008 Annual Workforce Development Business Plan Instructions include the following attachments:

| | |
|----------|--|
| A | Submission Instructions |
| B | Annual Workforce Development Business Plan Checklist |
| C | Career Center Hours of Operation Form |
| D | MOU Activity Summary Form |
| E | LWIB Contact Information Form |
| F | Duration and Principal Signatories Form |
| G | Program Summaries and Performance Goals Charts (1-4) |
| H | Performance Measures and Goals Narrative |
| I | Integrated Budget Form |
| J | Integrated Budget Instructions |
| K | Integrated Budget Program List |
| L | WIA Title I Youth Program Budget Form |
| M | Budget Modifications Authorization Form |
| N | Title I Allocations - Adult, Dislocated Worker, Youth (Tables 2 – 4) |
| O | Wagner-Peyser 90% and 10% Allocations |
| P | State Allotments (WIA Title I and ES Federal to State Allocations) |
| Q | Local Allocations Compared |
| R | State One-Stop Allocations |
| S | MOSES Support* |
| T | Facilities Lease Costs* |
| U | Data Circuit Costs* |
| V | Telephone Service* |

*** Asterisk indicates document will be posted upon availability**