

BOS AGREEMENT # 16-041

Local Workforce Development Board Recertification Request

Program Years 2016-18

**Local Workforce Development Board
Mendocino County**

Local Board Recertification Request

This will serve as our request for Local Workforce Development Board (Local Board) recertification for Program Years (PYs) 2016-18 under the *Workforce Innovation and Opportunity Act* (WIOA).

If the California Workforce Development Board (State Board) determines the request is incomplete, it will either be returned or held until the necessary documentation is submitted. Please contact your Regional Advisor for technical assistance or questions related to completing and submitting this request.

Mendocino County

Name of Local Board

631 South Orchard Ave

Mailing Address

Ukiah, CA

95482

City, State

Zip

Debra Dockins (Holmes)

Contact Person

(707) 467-5590

Contact Person's Phone Number

March 27, 2016

Date of Submission

Table of Contents

Local Board Membership.....	4
Local Board Performance Accountability Measures	12
Local Board Sustained Fiscal Integrity	13
Local Board WIOA Implementation.....	14
Local Board Assurances	17
Signature Page.....	19

Instructions

If additional pages were added to the *Local Workforce Development Board Recertification Request*, the page numbers may be updated by hovering over the gray box above, clicking, and then selecting "Update Table" on the top left corner.

Local Board Membership

Instructions

Enter the names of the Local Board members in the appropriate membership categories found in the tables below. If the Chief Local Elected Official (CEO) has approved additional members, enter the information under the "ADDITIONAL MEMBERS" table. If an individual represents multiple categories, after the first time s/he is identified (subsequent to the first notation), please asterisk his/her name at all subsequent entries. Address any vacancies under "CORRECTIVE ACTION COMMENTS." If additional rows are needed, add a table following the membership type.

BUSINESS

WIOA Section 107(b)(2)(A) – a **majority** of the members of each Local Board shall be representatives of business in the Local Workforce Development Area (Local Area), who (i) are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority; (ii) represent businesses, including small businesses, or organizations representing businesses described in this clause, that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the Local Area; and (iii) are appointed from among individuals nominated by local business organizations and business trade associations.

- WIOA Section 107(b)(3) – the members of the Local Board shall elect a chairperson for the Local Board from among the representatives described in Section 107(b)(2)(A).
- Must include **two or more** members that represent small business as defined by the U.S. Small Business Administration.

Name	Title	Entity	Appointment Date	Term End Date
Jon Kuhry	Chairperson/ Director	Economic Development & Finance Corp.	03/01/2016	03/31/2018
Pamela Patterson	Small Business/ Director	West Company	03/01/2016	03/31/2018
Pam Jenson	Small Business/ Director	Ukiah Valley Association for the Handicapped	03/01/2016	03/31/2018
Terry Buchanon	Manager	Business	03/01/2016	03/31/2018
Lisa Epstein	Owner	State Farm Insuranc	03/01/2016	03/31/2018
Patty Bruder	Director	North Coast Opportunities	03/01/2016	03/31/2018
Steve Hixenbaugh	Dean	Mendocino Community College	03/01/2016	03/31/2018

WORKFORCE

WIOA Section 107(b)(2)(B) – not less than **20 percent** of the members of each Local Board shall be representatives of the workforce within the Local Area, who— (i) shall include representatives of labor organizations (for a Local Area in which employees are represented by labor organizations), who have been nominated by local labor federations, or (for a Local Area in which no employees are represented by such organizations) other representatives of employees; (ii) shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such joint program exists in the area, such a representative of an apprenticeship program in the area, if such a program exists; (iii) may include representatives of community based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and (iv) may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

- Must include **two or more** representatives of labor organizations, where such organizations exist in the Local Area. Where labor organizations do not exist, representatives must be selected from other employee representatives.
- Must include **one or more** representatives of a joint labor- management, or union affiliated, registered apprenticeship program within the area who must be a training director or a member of a labor organization. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists.

California Unemployment Insurance Code (CUIC) Section 14202(c) further requires and specifies that at least **15 percent** of Local Board members shall be representatives of labor organizations unless the local labor federation fails to nominate enough members. If this occurs, then at least 10 percent of the Local Board members shall be representatives of labor organizations.

Name	Title	Entity	Appointment Date	Term End Date
Jack Buckhorn	Labor Organization/ Business Manager	IBEW 551	03/01/2016	03/31/2018
Terry Poplawski	Labor Organization/ Commissioner	AFL-CIO	03/01/2016	03/31/2018
*Jack Buckhorn	Registered Apprenticeship/ Business Manager	IBEW 551	03/01/2016	03/31/2018
Eric Cooper	Field Office Supervisor	Native Am. Emplyt./Training	03/01/2016	03/31/2018

EDUCATION AND TRAINING

WIOA Section 107(b)(2)(C) – each Local Board shall include representatives of entities administering education and training activities in the Local Area, who— (i) shall include a representative of eligible providers administering adult education and literacy activities under title II; (ii) shall include a representative of institutions of higher education providing workforce investment activities (including community colleges); (iii) may include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.

- Must include **at least one** eligible provider administering adult education and literacy activities under WIOA title II.
- Must include **at least one** representative from an institution of higher education providing workforce investment activities, including community colleges.

Name	Title	Entity	Appointment Date	Term End Date
Dennis Aseltyne	Adult Education & Literacy/ Director Career Technical Education	Mendocino County Office of Education	03/01/2016	03/31/2018
*Steve Hixenbaugh	Institution Higher Education/ Interim Dean of Career and Technical Education	Mendocino Community College	03/01/2016	03/31/2018

GOVERNMENTAL AND ECONOMIC AND COMMUNITY DEVELOPMENT

WIOA Section 107(b)(2)(D) – each Local Board shall include representatives of governmental and economic and community development entities serving the Local Area, who— (i) shall include a representative of economic and community development entities; (ii) shall include an appropriate representative from the State employment service office under the *Wagner-Peyser Act* (29 U.S.C. 49 et seq.) serving the Local Area; (iii) shall include an appropriate representative of the programs carried out under title I of the *Rehabilitation Act of 1973* (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), serving the Local Area; (iv) may include representatives of agencies or entities administering programs serving the Local Area relating to transportation, housing, and public assistance; and (v) may include representatives of philanthropic organizations serving the Local Area.

- Must include **at least one** representative of economic and community development entities.
- Must include **at least one** representative from the state Employment Service Office (EDD) under the *Wagner-Peyser Act* (29 U.S.C. 49 et seq.) serving the Local Area.
- Must include **at least one** representative from programs carried out under title I of the *Rehabilitation Act of 1973*, other than Section 112 or Part C of that title.

Name	Title	Entity	Appointment Date	Term End Date
*John Kuhry	Economic & Community Dev/ Director	Economic Development & Finance Corp.	03/01/2016	03/31/2018
Robyn Stalcup	Employment Service / Manager	Employment Development Department	03/01/2016	03/31/2018
Diana Easley	Rehabilitation Act of 1973/ Manager		03/01/2016	03/31/2018

ADDITIONAL MEMBERS

WIOA Section 107(b)(2)(E) – each Local Board may include such other individuals or representatives of entities as the chief elected official (CEO) in the Local Area determines to be appropriate.

Name	Title	Entity	Appointment Date	Term End Date

CORRECTIVE ACTION COMMENTS

Explain any vacant appointment(s) regarding the required membership composition only. Include the length of time the appointment(s) has been vacant, efforts made to fill the vacant appointment(s), and dates by which the vacant appointment(s) should be filled.

The local labor federation has failed to nominate an appropriate number of members, so our local workforce investment board would fall under the 10 percent requirement. The Mendocino County WDB continues to pursue and would welcome nominations from the labor federation.

COMPLIANCE WITH MAJORITY OF BUSINESS REPRESENTATIVES

The table below will assist Local Boards determine compliance with WIOA Section 107(b)(2)(A), which requires that a **majority** of the members be representatives of business in the Local Area.

Instructions – Double click the table below to open in Excel.

Total number of individuals currently sitting on local board =	15
Number of vacancies currently on local board =	0
Total local board membership =	<u>15</u>
Total number of Business Representatives currently sitting on local board =	8
Number of Business Representative vacancies currently on local board =	0
Total local board Business Representatives =	<u>8</u>
Divide total local board Business Representatives by total local board membership =	<u>53.33%</u>
	(Must be greater than 50%)

COMPLIANCE WITH 20% OF WORKFORCE REPRESENTATIVES AND 15% LABOR ORGANIZATION REPRESENTATIVES

The table below will help Local Boards determine compliance with WIOA Section 107(b)(2)(B), which requires not less than **20 percent** of the members be representatives of the workforce within the Local Area and compliance with CUI Section 14202 which requires that at least **15 percent** of Local Board members be representatives of labor organizations unless the local labor federation fails to nominate enough members, in which case it is **10 percent**.

Instructions – Double click the table below to open in Excel.

Total number of individuals currently sitting on local board =	15
Number of vacancies currently on local board =	0
Total local board membership =	<u>15</u>
Total number of Workforce Representatives currently sitting on local board =	4
Number of Workforce Representatives vacancies currently on local board =	0
Total local board Workforce Representatives =	<u>4</u>
Divide total local board Workforce Representatives by total local board membership =	<u>26.67%</u>
	(Must not be less than 20%)
Total number of Labor Organization Representatives currently sitting on local board =	2
Total number of Apprenticeship Program Representatives currently sitting on local board =	1
Number of Labor Org/Apprenticeship Program Representatives vacancies =	0
Total local board Labor Representatives =	<u>3</u>
Divide total local board Labor Representatives by total local board membership =	<u>20.00%</u>
	(Must be at least 15%)

Local Board Performance Accountability Measures

Instructions

Enter your Local Board's negotiated levels of performance and actual levels of performance for PYs 2013-14 and 2014-15.

Performance Table				
Name of Local Area: <u>County of Mendocino</u>				
Common Measure	Negotiated PY 2013-14	Actual PY 2013-14	Negotiated PY 2014-15	Actual PY 2014-15
Adult				
Entered Employment Rate	80%	100%	72.5%	73.9%
Employment Retention Rate	85%	100%	81%	83.3%
Average Earnings	\$15,500	\$12,536	\$13,500	\$18,263.03
Dislocated Worker				
Entered Employment Rate	82.5%	93.8%	73%	82.4%
Employment Retention Rate	85%	90.3%	79%	88.2%
Average Earnings	\$16,000	\$18,331	\$14,900	\$23,641.35
Youth (ages 14-21)				
Placement in Employment or Education	67%	100%	65%	80%
Attainment of a Degree or Certificate	61%	50%	55%	90%
Literacy and Numeracy Gains	47%	50%	50%	9.1%

Local Board Sustained Fiscal Integrity

The Local Board hereby certifies that it has not been found in violation of one or more of the following during PYs 2013-14 or 2014-15:

- **Final determination of significant finding(s)** from audits, evaluations, or other reviews conducted by state or local governmental agencies or the Department of Labor, identifying issues of fiscal integrity or misexpended funds due to the willful disregard or failure to comply with any *Workforce Investment Act (WIA)* requirement, such as failure to grant priority of service or verify participant eligibility.
- **Gross negligence**, which is defined as a conscious and voluntary disregard of the need to use reasonable care, which is likely to cause foreseeable grave injury or harm to persons, property, or both.
- **Failure to observe accepted standards of administration.** Local Areas must have adhered to the applicable uniform administrative requirements set forth in Title 29 *Code of Federal Regulations (CFR)* Parts 95 and 97, appropriate Office of Management and Budget circulars or rules, WIA regulations, and state guidance. Highlights of these responsibilities include the following:
 - Timely reporting of WIA participant and expenditure data
 - Timely completion and submission of the required annual single audit
 - ***Have not been placed on cash hold for longer than 30 days***

(In alignment with WIOA Section 106[e][2])

Local Board WIOA Implementation

Using the questions below, describe your Local Board's efforts toward implementing the following key WIOA implementation provisions and designing a better system for customers.

1. What activities have you undertaken to design a better system for customers? Specifically, describe any actions you have taken, or actions you plan to take, for the following topics:

a. Developing new services

New services within Mendocino County Workforce Development Board's (WDB) AJCC are forthcoming dependent upon MOUs and planned strategy meetings.

New services to incorporate the five new youth program elements have been discussed and will be developed with our youth program service provider.

b. Entering into collaborative partnerships

Mendocino County WDB has collaborated regionally with both North Bay Employment Connection (NBEC) in the Career Pathways and Slingshot grants, continuing the efforts to engage employers and industry in workforce activities.

The ongoing collaborative partnership with Mendocino County's CalWORKs program has provided several opportunities for discussion of the services provided at the AJCC, as well as the potential for collaboration and co-enrollment of CalWORKs participants in WIOA.

c. Creating innovative workforce development strategies in alignment with WIOA

Business and industry engagement, as aligned with WIOA and as prescribed in the Career Pathways and Slingshot grants, have allowed the opportunity for the WDB and its Youth Sub-Committee to strategize an innovative approach to engaging employers and industry by conducting our first ever Youth Employment Symposium. The symposium is bringing together local youth, employers, workforce service providers, and educators. Presentations and discussion during the symposium will provide the feedback that is needed in order to assist with workforce program's work activities and with educators when developing curriculum so that youth will be able to meet workforce needs in the future.

The Mendocino County WDB is planning future symposiums and business round tables in order to continuously garner the information needed to keep our workforce services pertinent to employer's needs.

d. Redesigning service delivery

MOU discussions with AJCC partners are currently in progress. Service delivery will be redesigned dependent on the outcome of those discussions.

e. Other WIOA transitional activities to design a better system for customers

The above activities highlight only a few examples of how the Mendocino County WDB is working to develop new services, entering into collaborative partnerships, creating innovative workforce development strategies and redesigning service delivery they are prime examples of efforts that are ongoing and create a foundation to build an innovative future system. Staff has attended training and webinars sponsored by CWA, CWDB, EDD and DOL, to assist with the WIOA transition and development of a customer-centered design approach to our services.

2. What steps have you taken to implement the new WIOA youth program requirements, including the 75 percent out-of-school youth and 20 percent work experience minimum expenditure requirements?

The Mendocino County WDB directed the youth services provider to increase the out-of-school youth and work experience expenditure requirements to meet the WIOA youth program requirements, as well as updated the youth program services provider's contract to reflect those requirements.

The WDB developed a WIOA Youth Program policy outlining the WIOA youth program requirements which included the 75 percent out-of-school youth and 20 percent work experience minimum requirements, and the five new program elements.

3. Describe your efforts to comply with the Uniform Guidance requirements.

Key staff, including the Director attended the Region 6 SMART Financial Grant Management Training which was held March 22-24, 2016. Staff have utilized EDD's Uniform Guidance Readiness Assessment that was provided during Mendocino County's 2015 monitoring and have attended DOL's Workforce3one.org webinars when they have pertained to the Uniform Guidance Requirements. Program service provider contracts have been amended to reflect any necessary changes in order to comply with Uniform Guidance requirements.

4. Describe your efforts to develop sector initiatives and career pathways in high demand industries in coordination with community colleges, apprenticeship programs, adult basic education, and other training providers.

Currently, under the Career Pathways grant, the Mendocino County WDB is focusing efforts on engaging four high demand industries within the county; Healthcare/Patient Care, Agriscience, Hospitality/Tourism, and Business and Finance. Coordination among the WDB, community college, adult basic education, County Office of Education, and business partners will continue to be essential in developing additional sector initiatives and career pathways in other high demand industries.

Pre-Apprenticeship and Apprenticeship opportunities have recently become available to youth and younger adults in our local area.

The WDB is continuously exploring opportunities for apprenticeship, training, and work activities that are in high demand industry sectors and are in coordination with our partner programs.

5. Describe your efforts to adopt, implement, and promote the AJCC brand.

At the direction of the Mendocino County WDB, the one-stop resource center and partners adopted the AJCC brand in 2013. All protocols provided by the CWDB in the AJCC Toolkit at the time were adhered to. The AJCC brand is promoted by building signage, brochures, website logos, business card designs, and email signatures. Program service providers are required within their contracts to market the AJCC brand on brochures and websites.

6. Describe your efforts to complete Phase I of the MOU development process. What challenges are you facing?

WDB staff attended the MOU development session sponsored by CWA, CWDB, and EDD. The WDB appointed a WIOA Implementation Ad Hoc Sub-Committee to assist with the MOU process. Appointments to the Sub-Committee include mandatory partners, as well as other AJCC partners. The Sub-Committee will be reviewing common services of AJCC partners and strategize the initial development of the Phase I MOU with assistance from the WDB staff.

The challenges we are facing:

- Many partners are experiencing difficulty making a determination of how services will be provided, staffing levels, co-location, etc. without first knowing what contributions will be made by each partner and the financial structure of the one-stop operation;
- Some of the mandatory partners listed under WIOA are not fully responsive to requests for collaboration and/or do not understand their requirement under WIOA to be a mandatory member of the one-stop system because they have not received guidance from their oversight agency;

Local Board Assurances

For PYs 2016-18, the Local Board assures that it will do the following:

- A. Comply with the applicable uniform administrative requirements, cost principles, and audit requirements included in Title 2 CFR Parts 200 and 2900 (WIOA Section 184[a][2] and [3]).

Highlights of this assurance include the following:

- The Local Area's procurement procedures will avoid acquisition of unnecessary or duplicative items, software, and subscriptions (in alignment with Title 2 CFR Section 200.318).
- The Local Area will maintain and provide accounting and program records, including supporting source documentation, to auditors at all levels, as permitted by law (Title 2 CFR Section 200.508).

**Note that failure to comply with the audit requirements specified in Title 2 CFR Part 200 Subpart F will subject the Local Area to potential cash hold (Title 2 CFR Section 200.338).*

- B. Do financial reporting in compliance with federal and state regulations and guidance.

Highlights of this assurance include the following:

- Reporting will be done in compliance with Workforce Services Directive WSD12-3, *Quarterly and Monthly Financial Reporting Requirements*.
- All close out reports will comply with the policies and procedures listed in Workforce Services Directive WSD09-12, *WIA Closeout Handbook*.

**Note that failure to comply with financial reporting requirements will subject the Local Area to potential cash hold (Title 2 CFR Section 200.338).*

- C. Expend funds in accordance with federal and state laws, regulations, and guidance.

Highlights of this assurance include:

- The Local Area will meet the requirements of State Senate Bill 734, to spend a minimum of 30 percent of combined total of adult and dislocated worker formula fund allocations on training services (CUIC Section 14211).
- The Local Area will not use funds to assist, promote, or deter union organizing (WIOA Section 181[b][7]).

- D. Select AJCC operator(s), with the agreement of the local CEO, through a competitive process such as a Request for Proposal, unless granted a waiver by the state (WIOA Section 121[d][2][A] and 107[g][2]).

- E. Collect, enter, and maintain data related to participant enrollment, activities, and performance necessary to meet all CalJOBSSM reporting requirements and deadlines.
- F. Comply with the nondiscrimination provisions of WIOA Section 188, including the collection of necessary data.
- G. Comply with State Board policies and guidelines, legislative mandates and/or other special provisions as may be required under federal law or policy, including the WIOA or state legislation.
- H. Give priority of service to veterans, recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient for receipt of career and training services funded by WIOA Adult funding (WIOA Section 134[c][3][E] and *Training and Employment Guidance Letter 10-09*).
- I. Comply with Assembly Bill (AB) 1234 and ensure that local members receive ethics training every two years. AB 1234 requires Local Boards to consult with the California Fair Political Practice Commission (FEPC) and the California Attorney General's office regarding the content of the ethics training course they can use. Local Boards may consider using the free, two-hour, on-line ethics training course available from the FPPC: AB 1234 Ethics Training for Local Officials.
- J. Comply with the conflict of interest provisions of WIOA Section 107(h).

Signature Page

By signing below, the local CEO and Local Board chair request Local Board recertification. We certify that the Local Board appointed members as described in WIOA Section 107(a), (b), and (c), performed successfully and sustained fiscal integrity during PYs 2013-14 and 2014-15, and developed and implemented strategies to improve and continuously strengthen the workforce development system in accordance with WIOA. Additionally, we agree to abide by the Local Area assurances included in this document.

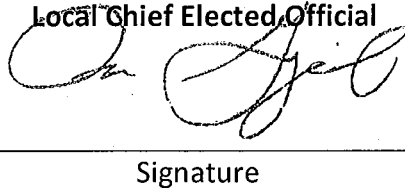
Instructions

The Local Board chairperson and local CEO must sign and date this form. Include the original signatures with the request.

Local Workforce Development Board Chair

Local Chief Elected Official


Signature


Signature

John Kuhry
Name

Dan Gjerde
Name

Chair
Title

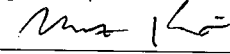
Chair
Title

5/23/16
Date


JUN 21 2016
Date

APPROVED AS TO FORM:


KATHARINE L. ELLIOTT,
County Counsel

By: 

INSURANCE REQUIREMENTS:

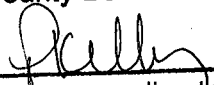

Alan D. Flora
Assistant CEO/Risk Manager

FISCAL REVIEW


Deputy CEO/Fiscal

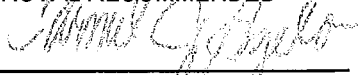
ATTEST:

Carmel J. Angelo, Clerk of the Board
Mendocino County Board of Supervisors



I hereby certify that according to the provisions of Government Code sections 25103, delivery of this document has been made.

EXECUTIVE REVIEW:

APPROVAL RECOMMENDED


CARMEL J. ANGELO
CHIEF EXECUTIVE OFFICER

CARMEL J ANGELO
Clerk of the Board

By: 
Deputy

