

AGENDA

August 18, 2022 • 3:00 – 4:30
Virtual via Zoom

- Welcome 3:00 – 3:05
- Public Comment 3:05 – 3:10
- Consent Agenda (*Board Vote*) 3:10 – 3:15
 - June 2022 Minutes
 - PY21-FY22 Financial Report
- YA RFP release – Deborah Howell 3:15 – 3:25
 - YA RFP committee volunteers
- HIRE Pierce: Next Gen Outcomes – Kari Haugen 3:25 – 3:35
- ESD PY21 WIOA Management Letter – Karen Downing 3:35 – 3:45
- Conflict of Interest Policy – Karen Downing 3:45 – 3:55
- Workforce Impact Fund Endorsement – Katie Condit & Board 3:55 – 4:10
- Strategic Plan – Katie Condit & Board 4:10 – 4:25
- Good of the Order 4:25 – 4:30

Attachments

- June 2022 Minutes
- PY21-FY22 Financial Report
- ESD PY21 WIOA Management Letter
- Conflict of Interest Policy

Workforce Development Retreat
June 9, 2022
WorkSource Pierce, 2121 S. State St. 3rd Floor

MINUTES

Attendees: Dale King, Taliesha Garrett, Nathe Lawver, Marty Campbell, Deb Tuggle, Jolita Perez, Dave Shaw, Deanna Keller, Jenna Pollock, Lin Zhou, Sarah Rumbaugh, Norton Sweet, Jani Hitchen, Blaine Wolfe, April Betts-Gibson, Kiara Daniels, Irene Reyes

Staff: Steve Grimstad, Katie Condit, Josh Stovall, Deborah Howell, Karen Downing, Jan Adams, Shellie Willis

Guests: BDS Planning facilitators

COMMUNITY PRESENTATIONS

- **Grab Lunch**
- **Welcome and Introductions**
Katie facilitated introductions and welcomed everyone.
- **Impact over Pandemic – Josh Stovall**
Josh presented the impacts for the pandemic period and how our region has done.
- **Behavioral Health Workforce & WorkSource Expansion- Katie Condit & Board**
In the interest of saving time Katie noted she will send out a report with an update on this topic.

WDB AND EXECUTIVE BOARD MEETING AGENDA

- **Call to Order**
April called the WDB meeting to order at 12:45 p.m. CM Campbell called the Executive Board meeting to order at 12:46 p.m.
- **Consent Agenda (*Board Vote*)**
 - **April Minutes**
 - **Financial Report**Motion to approve the Consent Agenda as presented was made by Dale; seconded by Nathe. Approved
- **Budget Approval (*Board Vote*) – Steve Grimstad**
Steve gave a background and overview of the budget noting this is the third iteration of the budget. Dave asked about the additional funding previously mentioned in the last meeting. WDB Motion to approve the budget as presented made by Dave; seconded by Dale. Approved. Executive Board motion to approve the budget as presented made by April; seconded by Kiara. Approved
- **Youth/Young Adult Provider Approval (*Board Vote*) – Katie Condit & Board**
Katie gave a background noting we will not be renewing the contract for Equus as the Young Adult provider. She asked for approval of Career Team as an interim provider while we conduct a search for a new provider. Jenna asked about the remaining providers and why they couldn't take this on. Katie clarified they are more specialized providers and not WDB Motion for approval of Career Team as the interim Young Adult provider made by Dave; seconded by Deanna. Executive Board motion for approval of Career Team as the interim Young Adult provider made by Kiara; seconded by April. Approved
- **Break**

- **Strategic Planning – BDS Planning**
 - Leadership Team Introductions & Process
 - Goals and Objectives
 - Regional Alignment
 - Jobseeker Support
 - Business Solutions

Andres gave a background and overview of the process. Board members broke out into groups to brainstorm on the goals, objectives and performance measures. The group came back together with the facilitators summarizing the input.

- **Next Steps**

Katie explained the process going forward noting this will come back to the board for approval in the Fall.

- **Good of the Order**

Public Comment - None.

April expressed her thanks to several people for their work on the strategic planning process.

WDC Motion to adjourn meeting was made by Nathe; seconded by Dave. Meeting adjourned at 2:52 p.m.

Executive Board Motion to adjourn meeting was made by Kiara; seconded by April. Meeting adjourned at 2:52 p.m.

WorkForce Central
Program Year 2021/Fiscal Year 2022
Budget vs. Actual through June 30, 2022

Budget Line Item	Final PY21 Approved Budget	Year to Date Actual Expenditures	Budget Remaining
Direct Services and Contracts	\$ 8,155,125	\$ 6,095,445	\$ 2,059,680
New Cohort Training/Reskill-Upskill Initiatives	1,750,000	54,600	1,695,400
Incumbent Worker Training	200,000	-	200,000
(Pre) Apprenticeship Initiatives	50,000	-	50,000
System Partner Professional Development	50,000	29,571	20,429
Service Delivery via Technology	307,500	187,436	120,064
Communications	142,000	49,276	92,724
Data and Research	97,000	22,812	74,188
Workforce Summits	60,000	-	60,000
Resource Development	100,000	-	100,000
WorkForce Central Staff	4,033,798	3,457,861	575,937
WorkForce Central Operational Expenses	710,000	566,778	143,222
Administrative Reserve	967,169	-	967,169 (1)
Total	<u>\$ 16,622,592</u>	<u>\$ 10,463,779</u>	<u>\$ 6,158,813</u>

Notes:

(1) - Administrative reserve represents WIOA annual formula funding available for PY21 that will be used to maintain services such as when a continuing resolution is delayed, there is a government shutdown, or there is a delay in the awarding of PY22 WIOA annual formula funding. This allows for a period of time for continuation of services while the budget is negotiated and finalized. The administrative reserve can also be used to leverage WIOA formula funding as other funding opportunities or initiatives come up during PY21.

WorkForce Central
Program Year 2021/Fiscal Year 2022
Direct Services and Contracts through June 30, 2022

Contract	Final PY21 Approved Budget	Year to Date Actual Expenditures	Budget Remaining	Obligation Remaining
PY2020 Adult Annual Formula	\$ 125,000	\$ 150,764	\$ (25,764)	-
PY2021 Adult Annual Formula	1,125,000	777,789	347,211	457,211
PY2020 Dislocated Worker Annual Formula	150,000	165,055	(15,055)	-
PY2021 Dislocated Worker Annual Formula	1,325,000	1,012,862	312,138	312,138
PY2020 Youth Annual Formula	160,000	81,958	78,042	-
PY2021 Youth Annual Formula	1,551,075	866,737	684,338	684,338
Tacoma Community College Basic Education for Adults Navigator	82,250	72,054	10,196	10,196
Rapid Response	-	72,515	(72,515)	-
Economic Security for All	410,800	663,903	(253,103)	388,773
Pre-Employment Transition Services	226,000	116,164	109,836	269,422
Disaster Recovery Dislocated Worker Grant	775,000	662,645	112,355	101,513
Employment Recovery Dislocated Worker Grant	730,000	741,838	(11,838)	4,218
Pierce County Youth Work Program	900,000	413,331	486,669	464,634
CDBG COVID Hunger Relief Staffing and Services	595,000	297,830	297,170	591,695
Total	<u>\$ 8,155,125</u>	<u>\$ 6,095,445</u>	<u>\$ 2,059,680</u>	<u>\$ 3,284,138</u>

July 1, 2022

Katie Condit, Chief Executive Officer
Workforce Central
3640 South Cedar Street, Suite E
Tacoma, WA 98409

RE: PY21 WIOA Management Letter

Dear Ms. Condit:

Employment Security Department's Workforce Monitoring Unit (ESD's Monitoring Unit) completed the compliance review of Workforce Central regarding the oversight and administration of the Workforce Innovation and Opportunity Act (WIOA) for Federal Program Year 2021 (PY21). The purpose of this letter is to describe the scope of the review and communicate any items to address, questioned or disallowed costs, if applicable, in the administrative/fiscal and programmatic operations of Workforce Central.

The review included the following:

WIOA Title I Formula Program Review

WIOA Program Policies

- Eligibility Guidelines and Documentation Requirements (ESD Policy 1019, Rev. 5)
- Supportive Services and Needs-Related Payments (ESD Policy 5602, Rev. 3)
- All other policies and/or procedures, memos, technical assistance guides, etc. developed for the implementation of your WIOA formula and/or discretionary grants edited or published since the last state review

WIOA Adult and Dislocated Worker Program

- Eligibility
- Priority of Service (Adult Program Only)
- Supportive Services
- MIS/ETO – Data Element Validation

WIOA Youth Program

- Eligibility
- Supportive Services
- MIS/ETO – Data Element Validation

COVID-19 Disaster Recovery Dislocated Worker Grant; and COVID-19 Employment Recovery Dislocated Worker Grant

- Data Element Validation

WIOA Title I Formula Administrative and Fiscal Review

- Design and governance of the LWDB including sunshine provisions
- MOU/IFA/RSA
- One-Stop Operator, if applicable
- Policies/Procedures
- Administrative controls and monitoring (Subrecipient/Contractor and Pass-Through Entity)
- Internal controls
- Cash and financial management
- Procurements & Contracts
- Cost allocation plan or rate
- Property & Inventory
- Single audit
- Personnel
- Grievance and complaint
- Support services & needs related payments
- Incumbent Worker, if applicable

Statewide Discretionary Contracts Compliance Review

Economic Security for All (EcSA); Increased Employment (Rapid Response); COVID-19 Disaster Recovery Dislocated Worker Grant & COVID-19 Employment Recovery Dislocated Worker Grant

Administrative and Fiscal

- Cash and financial management/A19 reimbursements
- Administrative controls (Sub-recipient monitoring)
- Procurements & Contracts
- Personnel Activity Reports and Cost Allocation

If applicable, the monitoring review included any elements from the PY20 monitoring cycle, identified in your PY20 Daily Observation Reports, required to be included in your next round of monitoring.

There were no findings or disallowed costs. Items to address that were identified during the review are listed below with their status.

On behalf of ESD's Monitoring Unit, I would like to thank you and your staff for the courtesy you showed us during our review. Please let me know if you have any questions.

Sincerely,



Greg Ferland
Director, Workforce Monitoring

Katie Condit
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cc: Dan Zeitlin, Director of Employment System Policy and Integrity, Employment Security
Department

WIOA Title I Program Policies Review

TAA and Dislocated Worker Co-enrollment Policy

Items to Address

The TAA and WIOA Dislocated Worker Co-enrollment policy still includes Adversely Affected Incumbent Workers (AAIW) under all co-enrollment circumstances.

Actions Required

1. WorkForce Central must update their TAA and WIOA Dislocated Worker Co-enrollment policy to take account the allowability of co-enrollment for Adversely Affected Incumbent Workers (AAIW) consistent with ESD WIOA Title IB policy 5617, Rev. 1.
2. WorkForce Central will send an updated copy of the policy and notification to staff of the updated policy to the ESD Monitoring Unit by 6/30/2022.

WorkForce Central Response

On 05/25/22, Karen Downing emailed, “Greg and Team, please find attached WorkForce Central’s revised TAA-DW Co-enrollment policy and our email below delivered this morning to our local Dislocated Worker and TAA staff. The revised policy and procedures contained within were reviewed and approved by TAA and DW staff and leadership.”

Status – Resolved

WIOA Youth Program

MIS

Item to Address

Nine (9) of ten (10) files reviewed for the WIOA Youth program participant files sampled had late service entries beyond the 7-day local data entry requirement in accordance with WorkForce Central’s ETO Data Validation and Documentation Policy.

Actions Required

1. WorkForce Central will provide the ESD Monitoring Unit with a plan by 6/30/2022 on how they will ensure their service provider(s) are recording services within their 7-day local policy in ETO.
2. WorkForce Central must include this element in their next round of monitoring.
3. WorkForce Central must provide the ESD Monitoring Unit during the PY22 ESD monitoring review, documentation this element was included in their review and the results of monitoring this element.

WorkForce Central Response

On 5/24/2022, Karen Downing emailed, “*WorkForce Central takes timely and accurate ETO data entry seriously, which is why we expect our providers to record data within 7-days versus the state’s 14-day policy. Despite ongoing and repeated technical assistance and corrective actions, and the development of a local “ETO Data Validation and Documentation Policy” that prescribes in detail how and where to record information in ETO, our provider was unable to meet this requirement which is one reason WorkForce Central opted not to*

renew this providers' WIOA Title I youth contract at the end of this program year. WorkForce Central contractually requires it's subrecipients to conduct internal ETO reviews to ensure accurate and timely data entry and will continue our practice of real-time ETO monitoring reviews and facilitate technical assistance to our new WIOA Title I youth providers on an ongoing basis. If needed, WorkForce Central will enforce corrective actions."

Status – Plan Received

Workforce Central submitted their plan on 5/24/2022. WorkForce Central will include this element in their next round of monitoring and provide the ESD Monitoring Unit documentation this element was included in their review, including the results of monitoring this element during the PY22 ESD monitoring review.

Administrative / Fiscal Review

1.1 Design and Governance of LWDB

Item to Address

Workforce Central ran a competitive procurement for a youth service provider. The committee formed to review the responses to the RFP made recommendations to Pierce County WDC. This occurred in between scheduled meetings of the Board, so a vote was taken via email. The Board, via individual emails from its members, voted to authorize the selection. There were no minutes that reflect the action that was taken by the Board. Moving forward WorkForce Central has agreed to take actions taken in between Board meetings and document at the next scheduled Board meeting the action that was taken. Since Youth service providers are required to be approved by the WIOA Board and one of the items DOL had identified was needed to have on the website the selection of Youth service providers, WorkForce Central will need to ensure that the actions taken by the Pierce County WDC to approve Youth service providers are documented on their website.

Actions Required

WorkForce Central is required to take an action for Board adoption to commemorate in minutes the prior action the Pierce County WDC took to approve the Youth service providers by 6/9/2022.

WorkForce Central Response

On 04/28/22, Karen Downing emailed, "Good morning Greg, please find attached the Workforce Development Board meeting minutes from last week (April 21st) commemorating their electronic votes that occurred via email in May 2021 approving Career Team as the OSO and April 2021 approving the selection of the YA providers. You will find it on the last page of the minutes under "Other Business".

We will ensure a link to these board minutes are placed on our website where we posted the awardees. "

Status – Resolved

Item to Address

While it is noted that WorkForce Central, the Tacoma-Pierce County WDC and chief elected officials are working to revise the interlocal agreement, until it is adopted the 2010 agreement is in place. One

of the items that must be addressed and resolved in a new interlocal agreement is clarifying that hiring the Executive Director-Chief Executive Officer of the entity that staff the Local Workforce Development Board under WIOA is under the authority of the Local Workforce Development Board, not the chief elected officials. In addition, the adoption of the local plan for the area and budget for the Local Workforce Development Board is a joint responsibility, requiring approval from both the chief elected officials as well as the Local Workforce Development Board.

Actions Required

WorkForce Central must work with its chief elected officials to revise the existing interlocal agreement to address items of noncompliance with the Workforce Innovation and Opportunity Act. WorkForce Central is required to share the revised interlocal agreement with the Monitoring Unit, once it is complete.

Status – Pending

WorkForce Central response was due 6/30/2022. WorkForce Central emailed on 06/30/22, letting the ESD Monitoring Unit know that they the final version of the interlocal agreement has been sent to the County for signature and they would send the completed agreement once signed.

1.7 Procurements and Contracts

Item to Address

According to TEGL 15-16, "Consistent with WIOA sec. 121(d)(4)(A) and (C), any organization or entity that has been selected to perform multiple functions in a Local Area must develop a written agreement with the Local WDB and the CEO to clarify how the organization will carry out its responsibilities while demonstrating compliance with WIOA and corresponding regulations, the Uniform Guidance, and conflict of interest policies of both the State and the organization or entity performing multiple functions." WorkForce Central did not have such an agreement for their subrecipient-one stop operator-service provider, Career Team.

Actions Required

By 6/9/2022 WorkForce Central must ensure a conflict of interest agreement consistent with the requirements of TEGL 15-16 is signed between the chief elected official (s), Tacoma Pierce County Workforce Development Council and Career TEAM, the entity that serves as both the WIOA Title IB Adult and Dislocated Worker services provider and the one-stop operator.

WorkForce Central Response

On 05/11/22, Karen Downing emailed, "Good afternoon Greg, I hope your journey up north is going well. Please find attached WorkForce Central's One Stop Operator Conflict of Interest statement. This was modeled after South West's.

Please confirm receipt and let me know if this is sufficient to close out this item to address.

Thank you,"

Status – Resolved

Conflict of Interest Policy

Policy Number: 3006, Rev. 2

Release Date: XXX

Supersedes: Code of Conduct and Conflict of Interest Policy # 3006, Rev. 1, released 9-6-20

PURPOSE

The Pierce County Workforce Development Board (WDB), Executive Council, and WorkForce Central are committed to maintaining the highest of standards of ethical conduct and to guard against problems arising from real, perceived, or potential conflict of interest. All partners at all levels of participation in the WorkSource System are expected to apply this policy to ensure system integrity and effective oversight of the WorkSource System.

Standards of conduct covering conflicts of interest governing the performance of WorkForce Central employees are in WorkForce Central's Personnel Rules and Regulations.

This policy is revised to:

- Shorten the name of the policy from "Code of Conduct and Conflict of Interest Policy" to "Conflict of Interest Policy"
- Include the Executive Council
- Provide definition for "indirect conflicts of interest"
- Reduce duplicative policy standards throughout
- Non-substantive formatting for clarity purposes

POLICY

1. Conflict of Interest Policy Requirement

Grantees, subrecipients, and contractors funded under WIOA Title I must implement conflict of interest policies and procedures as stipulated in WIOA law and regulations, Office of Management and Budget (OMB) Circulars, state regulations, and state WIOA Title I policies. A conflict of interest policy is required to ensure that individuals or representatives of organizations entrusted with public funds will not improperly benefit from the award, administration, or expenditure of such funds.

Membership on the Pierce County WDB, Executive Council and WDB committees and being a recipient of WIOA Title I or other federal funds to provide training or other services, is not itself a violation of conflict of interest.

2. Ethical Principles

It is the Pierce County WDB's and Executive Council's policy to be knowledgeable of and comply with applicable laws and regulations of the United States and the State of Washington in a manner that will reflect a high standard of ethics. Compliance does not comprise one's entire ethical responsibility; rather it is a minimum, and an essential condition for adherence to mission and duties.

It is the Pierce County WDB's policy that its members, and the Executive Council, be knowledgeable of emerging issues and professional standards in the field and conduct themselves with professional competence, fairness, efficiency, and effectiveness.

3. Areas of Concern

The Pierce County WDB recognizes that by its very composition, conflicts of interest and issues concerning the appearance of fairness may arise. Areas of concern are those actions or lack of actions which may lead to conflict of interest, or the appearance of conflict of interest, or to a perception of unfairness related to Pierce County WDB and Executive Council business outside council and committee meetings. Specific areas which may pose problems include but are not limited to untimely comments made in public or information sharing, and lack of disclosure of associations. Therefore, it is essential for the Pierce County WDB members to err on the side of caution when potential, perceived, or real conflicts of interest occur.

4. Information Sharing

Pierce County WDB, Executive Council, and WDB committee members are encouraged to share information with the community about Pierce County WDB activities. To the extent possible, access to information regarding competitive procurement of services should be available at the same time and under the same circumstances to all parties. Additional information to be shared with the community includes the strategic plans, requests for proposals, meeting notices and minutes, and policies.

Pierce County WDB, Executive Council, and WDB committee members shall not use for their personal gain, for the gain of others, or for other than officially designated purposes, any information obtained as a result of their committee, council, or working relationships with the Pierce County WDB where that information is not available to the public at large or divulge such information in advance of the time decided by the Pierce County WDB for its release.

5. Disclosure of Associations

Pierce County WDB, Executive Council, and WDB committee members have professional and personal associations throughout the community. Such associations have been and will continue to be of significant benefit to the Pierce County WDB.

Prior to public discussions regarding the release of a Request for Proposals (RFP), or any matter regarding the provision of WIOA Title I or federally funded services, a Pierce County WDB, Executive Council, or WDB committee member must first disclose any real, implied, apparent, or potential direct or indirect conflicts of interest before engaging in the discussion. Indirect conflicts of interest may include but are not limited to entering into a contract with a member's business or business owned by member's family.

A Pierce County WDB member, Executive Council member, or WDB committee member shall abstain from voting and making decisions involving the selection or award of a subrecipient or contractor for which they may directly or indirectly benefit. This includes serving on a competitive procurement evaluation committee for which they, their business, or their family members may directly or indirectly benefit.

Minutes of the WDB, Executive Council, and WDB committee meetings will reflect the member's disclosure and abstention.

The WorkForce Central Chief Executive Officer (CEO) will report occasions when WorkForce Central enters into a contract on behalf of the Pierce County WDB through a non-competitive procurement (i.e., micro and small purchase procurement where WDB vote is not required) with a Pierce County WDB member, Executive Council member, or WDB committee member, their business, or their family member who directly or indirectly benefits from the contract. This statement will be captured in meeting minutes.

6. Solicitation and Gratuities

Pierce County WDB, Executive Council, committee members, and WorkForce Central staff are prohibited from soliciting or accepting gratuities, favors, or anything of monetary value (\$50 or more) from awardees, potential awardees, or other parties to agreements.

Applicants and awardees of grants are discouraged from giving Pierce County WDB, Executive Council, committee members, and WorkForce Central staff unsolicited gifts, even if they are of nominal value (\$50 or less).

7. Conflict of Interest Disclosure Form

Pierce County WDB, Executive Council and WDB committee members will receive a copy of this policy and a Conflict of Interest (COI) Disclosure Form during their new member orientation and on an annual basis. By signing the COI Disclosure Form, members acknowledge their understanding of this policy and disclose the existence of any financial or competing interests that may rise to an actual or potential conflict of interest.

If at any time following the submission of the COI Disclosure Form, the member becomes aware of any actual or potential conflicts of interest, or if the information provided on the COI Disclosure Form becomes inaccurate or incomplete, they shall promptly notify the Pierce County WDB Chair and WorkForce Central CEO in writing.

8. COI Requirement for Organizations That Perform More Than One WIOA Related Function

Any organization that has been selected or otherwise designated to perform more than one function related to WIOA Title I must develop a written plan that clarifies how the organization will carry out its multiple responsibilities while demonstrating compliance with WIOA, corresponding regulations, relevant Office of Management and Budget circulars, and this Conflict of Interest Policy. This plan must limit conflict of interest or the appearance of conflict of interest, minimize fiscal risk, and develop appropriate firewalls within that single entity performing multiple functions. The plan must be agreed to by both the Pierce County WDB and the Executive Council.

9. One Stop Operators

One Stop Operators must disclose any potential conflicts of interest arising from relationships with training providers and other service providers through the WorkSource Pierce One-Stop Operator Conflict of Interest Agreement.

10. Disciplinary Actions

Disciplinary actions may be taken up to and including termination of Pierce County WDB and Executive Council membership for violation of this policy. The Pierce County WDB may evaluate violations of these provisions on a case-by-case basis and recommend to the Executive Council, if and what penalties, sanctions or other disciplinary action are appropriate.

REFERENCES

- [Public Law 113-128 Section 107\(h\) and 121\(d\)\(4\)](#) (WIOA)
- [20 CFR 679.430](#)
- [20 CFR 683.200\(c\)\(5\)](#)
- [29 CFR 97.36\(3\)](#)
- [2 CFR 200.318\(c\)\(1\) and \(2\)](#)
- [RCW 42.20.070](#)
- [RCW 42.20.080](#)
- [RCW 42.52.160](#)
- [ESD WIOA Policy #5405, Rev. 1](#)

ATTACHMENT

- Conflict of Interest Disclosure Form

APPROVED

WorkForce Central CEO

Date

EQUAL OPPORTUNITY - EQUAL ACCESS

WorkForce Central is an equal opportunity employer/program.
Auxiliary aids and services are available upon request for individuals with disabilities. Washington Relay Service – 711.