

OAKLAND WORKFORCE DEVELOPMENT BOARD

Thursday, August 4, 2016

8:30 a.m. – 11:00 a.m.

Hearing Room 3
Oakland City Hall
One Frank H. Ogawa Plaza

OAKLAND WORKFORCE DEVELOPMENT BOARD (OWDB)

MEETING NOTICE

City Hall, 1 Frank H. Ogawa Plaza
Oakland, CA

Hearing Room 3

Thursday, August 4, 2016

8:30 a.m. – 11:00 a.m.

AGENDA

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The public wishing to address the Board on issues shall complete a Speakers Card. Members of the public who wish to address the Board on published issues should do so at the time the agenda item is being discussed.	
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NEXT OWDB MEETING IS THURSDAY, NOVEMBER 3, 2016, 8:30A-11:00A

ITEM I.a. Roll Call Roster

#	Name	Thursday, August 4 Present, Excused, Absent
1	Elena Anaya, Vice Chair	
2	John Brauer	
3	Kathleen Burris	
4	Kori Chen	
5	Rose Doss	
6	Dan Ferreira	
7	Herb Garrett, Chair	
8	Polly Guy	
9	Susan Hollingshead	
10	Derreck Johnson	
11	Lisa Kershner	
12	Jowel Laguerre	
13	Darien Louie	
14	Michael McDonald	
15	Doreen Moreno	
16	Chudy Nnebe	
17	Gilbert Pete	
18	Ruben Rodriguez	
19	Brian Salem	
20	Obray Van Buren	

ITEM I.d – ADOPTION OF MINUTES

Tuesday, May 24, 2016

8:30 a.m. – 10:30 a.m.

Minutes

Quorum: 8:45 am

Roll Call: Elena Anaya, John Brauer, Kathleen Burris, Kori Chen, Dan Ferreira, Herb Garrett, Susan Hollingshead, Lisa Kershner, Joelle Laguerre, Darien Louie, Chudy Nnebe, Gilbert Pete, Ruben Rodriquez, Brian Salem, Doreen Moreno

Absent: Ross Doss, Polly Guy, Derreck Johnson, Michael McDonald, Obray Van Buren

ITEM

2. Elect Board Chair & Vice Chair

Motion to Elect Herb Garrett as the Board Chair of the Oakland Workforce Development Board

Moved: Elena Anaya

Second: Brian Salem

Motion passed unanimously

Motion to Elect Elena Anaya as Board Vice Chair of the Oakland Workforce Development Board

Moved: Brian Salem

Second: Dan Ferreira

Motion passed unanimously

3. Approve May 5, 2016 Minutes

Correction to the minutes: Dan Rossi is the Deputy City Attorney

Motion to approve the minutes with the correction

Moved: Brian Salem

Second: Jowell Laguerre

Motion passed unanimously

4. Introduction to RFPs

Jim Torrens, Associate Director for Workforce Innovation and the National Network of Sector Partners, Insight Center for Community Economic Development present

3 Goals of the RFP

- RFPs would be informed by effective practices in the field
- A fair and inclusive process would be recommended for distribution of funds from the Workforce Investment Opportunity Act
- Process and content of RFPs would align with existing priorities of the WIB, and the WIOA

New contract for the Oakland Workforce Development Board:

- Business Engagement and Services which focuses on business as the customer
- Sector Access Points which is focused on targeted industry sectors, contextualized career services with emphasis on cohort-based training

John Brauer requested Business Engagement include the term Industry Engagement

Board requested performance measures and indicators be provided at subsequent board meeting.

Scoring rubric

- Non-responsive: 0% of available points
- **Meets expectation: 50% of available points (baseline score)**
- Exceeds expectation: 100% of available points

Any average score that is above 50% meets expectations

Definition of on-call: Service provider is eligible for funding, without having to conduct a formal RFP process, if and when the OWDB is awarded additional funds and service providers meets the scope of work requested.

5. Independent Review Panel Recommendations on RFPs

Award FY 2016-19 WIOA Contracts:

Mark Sawicki requested that the board members vote on the following:

1. Pick a service provider in each service area
2. Up to a dollar amount that is listed (budget will be discussed on 5/25/16)
3. 1 year contract

a. **Adult & Dislocated Worker Services**

Enjema Hudson presented staff report for Adult & Dislocated Worker Service Oakland Private Industry received the highest score and therefore recommended the contract for the provision of Adult & Dislocated Worker Services

Presentation and discussion of Boss's letter to the OWDB regarding independent panel review and comments. No formal appeal submitted.

Motion: Award a contract for Adult and Dislocated Worker service to Oakland Private Industry Council up to the amount of 1,052,000 for up to 1 year and contingent upon budget approval.

Moved: Dan Ferreira

Second: John Brauer

Abstention: Susan Hollingshead

Yes: 15

Motion Passed

b. Business Engagement and Services

Tamara Walker presented staff report for Business Engagement & Services
KRA received the highest score and therefore recommended the contract for the
provision of Business Engagement & Services

Motion to extend the meeting 15 minutes

Moved: Elena Anaya

Second: Dan Ferreira

Passes unanimously

Darien Louie requested to allow KRA Corporation and Lao Family Development
Corporation to present on 5/25/2016

Board decided to move forward with motion

Motion: Award contract for Business Engagement and Services to KRA
Corporation up to \$275,000 for up to 1 year and contingent upon budget approval.

Moved: Susan Hollingworth

Second: Dan Ferreira

Abstentions: Kori Chen, Lisa Kreshner, Darien Louie, Doreen Moreno, Brian
Salem

Yes: 11

Motion Passed

6. Open Forum

Larry Robbin of Larry Robbin & Associates

Matthew Graves of Oakland Youth First

No adjournment because of continuation of agenda at the 5/25/2016 meeting

Wednesday, May 25, 2016

8:30 a.m. – 10:30 a.m.

Minutes

Present: John Brauer, Dan Ferreira, Herb Garrett, Susan Hollingshead, Derrek Johnson, Lisa
Kershner, Darien Louie, Michael McDonald, Doreen Moreno, Chudy Nnebe, Gilbert Pete,
Ruben Rodriguez, Brian Salem, Obay Van Buren

Excused: Kori Chen

Absent: Elena Anaya, Kathleen Burris, Rose Doss, Polly Guy, Jowel Laguerre

ITEM

ACTION

- 1. **Call to Order and Roll Call** Informational
Meeting called to order at 8:40 am. Staff took roll call, quorum was met.

- 2. **Continuation of matters considered on May 24** Action
Board Chair Herb Garrett provided a brief recap of items discussed in the board meeting from the previous day. Herb Garrett was elected as Board Chair. Elena Anaya was elected as Vice Chair.

The Board approved the Comprehensive contract award to the Oakland Private Industry Council and the Business Engagement and services to KRA. Award recommendations will be forward to City Council for final approval.

As a continuation from May 24, staff presented the Sector Access Point (SAP) award recommendation to award two contracts, (1) Unity Council and (2) Merritt College

The board discussed action and took public comment.

Herb Garrett called for a motion to award two contracts for Sector Access Pints to (1) Unity Council and (2) Merritt College.

Moved by Brian Salem; Seconded by Chudy Nnebe

WDB Members	Approval of Sector Access Point Award Recommendations
John Brauer	Aye
Dan Ferreira	Aye
Herb Garrett	Aye
Susan Hollingshead	Nay
Derrek Johnson	Aye
Lisa Kershner	Aye
Darien Louie	Aye
Michael McDonald	Aye
Doreen Moreno	Aye
Chudy Nnebe	Aye
Gilbert Pete	Aye
Ruben Rodriguez	Aye
Brain Salem	Aye
Obray Van Buren	Abstention
Ayes	12
Neas	1
Abstentions	1
Recusals	0

Motion carried

Staff presented the Youth Service Provider award recommendation to award five contracts to (1) Lao Family Community Development, (2) Bay Area Community Resources, (3) Unity Council, (4) Youth Employment Partnership, and 5) Youth Radio

The board took public comment then discussed action and had an in-depth conversation about funding a sixth youth service provider, Civicorps. Darien Louie made a motion to fund the top six youth service providers at \$209,776 and for staff to find additional funding for the sixth provider. Seconded by Lisa Kershner.

The board chair requested a motion to extend meeting until 10:45 am. Moved by John Brauer, seconded by Brian Salem. Motion unanimously carried.

John Brauer proposed an amendment to the motion fund the first five youth service providers at \$209,776 and have the staff, Mayor and City Council come up with the funding necessary to fund a sixth youth service provider, Civicorps. Motion seconded by Doreen Moreno.

WDB Members	Approval of Sector Access Point Award Recommendations
John Brauer	Aye
Dan Ferreira	Aye
Herb Garrett	Aye
Susan Hollingshead	Nay
Derrek Johnson	Aye
Lisa Kershner	Aye
Darien Louie	Aye
Michael McDonald	Aye
Doreen Moreno	Aye
Chudy Nnebe	Aye
Gilbert Pete	Aye
Ruben Rodriguez	Aye
Brain Salem	Aye
Obay Van Buren	Aye
Ayes	13
Nays	1
Abstentions	0
Recusals	0

Motion carried

- 3. **Open Forum** Informational
No open forum speakers
- 4. **Announcements** Informational
The remainder of the items from the May 25 agenda will be moved to the next scheduled board meeting.
- 5. **Adjourn** Action

Meeting adjourned at 10:47 am.

Thursday, June 2, 2016
8:30 a.m. – 11:00 a.m.
Minutes

Board Members Present

Elena Anaya	Herb Garrett
John Brauer	Ruben Rodriguez
Dan Ferreira	Gilbert Pete
Obray Van Buren	Susan Hollingshead
Darien Louie	Jowell Laguerre

Board Members Excused:

Kathleen Burris	Derreck Johnson
Rose Doss	Polly Guy
Kori Chen	Lisa Kershner
Michael McDonald	Doreen Moreno
Chudy Nnebe	Brian Salem

1. Call to Order and Roll Call

The meeting was called to order at 8:44am. Staff conducted roll call and a quorum was met.

2. Award a “Pay for Performance” Contract to Youth Uprising

The staff presented awarding a pay for performance contract to Youth UpRising for up to \$110,000 for 14 Out of School Youth.

A motion was called to award a pay for performance contract to YU for Fiscal Year 2015/2016 for \$212,500 to serve 28 Out of School Youth.

Moved by Elena Anaya; Seconded by Obray Van Buren
The Motion Carried

3. Review and Approve FY 2016-17 Budget

Staff presented several budgets options for the WDB for consideration. Option One would require City Council to appropriate General Funds for City Support costs in its Mid-cycle Budget for FY 2016/17. Option two would reduce funding to the Comprehensive Center over its FY 2015/16 of \$1,035,867 to \$934,955. Option 2 also included an allocation of FY 2015/2016 unencumbered youth funds of \$44,405 and allocate staff salary of \$62,456 to fund Civicorps as a 6th youth services providers.

Darrien Louie made a motion to approve Option One and to fund Civicorps as a sixth youth services provider by allocating FY 2015-16 unencumbered youth funds of \$44,405 and allocating staff salary savings of \$62,456 from the PY 2015-16 budget.

Moved by Darien Louie; Seconded by Elena Anaya
The Motion Carried

Staff was also directed to request \$100,000 in General Funds from the City Council at its June 21, 2016 meeting to increase the total allocation to \$209,776 with the other 5-youth service providers.

4. Approve Proposed 2016 Summer Program Funding Allocations

Staff presented an item to approve the 2016 Proposed Summer program allocations and authorize staff to amend current contracts for Lao Family Community Development, Youth Employment Partnership and Youth UpRising to administer the summer program.

A motion was called to approve the 2016 summer program allocation

Moved by Elena Anaya; Seconded by Susan Hollingshead
The Motion Carried

5. Open Forum

Speakers included:

Michele Moore-Civicorps

Carrole Fife-Oakland Alliance

Larry Robbin-Robbin & Associates

6. Adjourn

- The meeting was adjourned at 10:57 a.m.

Wednesday, July 13, 2016

8:30 a.m. – 10:30 a.m.

Minutes

1. Call to Order and Roll Call

Present: Elena Anaya, Dan Ferreria, Herb Garrett, Jowell Laguerre, Chudy Nnebe, Gilbert Pete, Ruben Rodriguez, Brian Salem, Derreck Johnson

Excused: John Brauer, Kathleen Burris, Susan Hollingshead, Lisa Kershner, Darien Louie, Doreen Moreno, Obay Van Buren

Absent: Kori Chen, Rose Doss, Polly Guy, Michael McDonald,

The meeting was called to order at 8:43a.m. A quorum was not required.

2. Open Forum

There were no speakers during open forum.

3. WIOA Training, Bob Lanter, California Workforce Association

Bob Lanter provided an overview of the WIOA legislation to the OWDB.

Herb entered a Motion to extend the meeting 5 minutes.

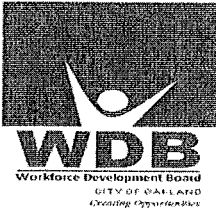
Moved by Jowell Laguerre, Seconded by Elena Anaya

Motion carried.

4. Adjourn

The meeting was adjourned at 10:37 a.m.

ITEM II.a-ACTION
Fiscal Year 2016/2017 General Funds Allocation



To: Oakland Workforce Development Board

From: Lazandra Dial, Program Analyst III

Date: August 4, 2016

Re: FY 2016/2017 General Funds Allocation

RECOMMENDATION:

That the Oakland Workforce Development Board approve and accept General Funds for Fiscal Year 2016/2017 to allocate to adult and youth service providers.

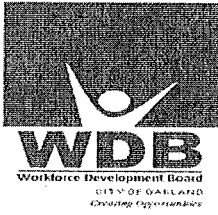
BACKGROUND:

The Oakland City Council at its June 21, 2016 meeting approved General Funds for the:

1. Oakland Private Industry Council in the amount of \$130,000. The motion was to provide funding to allow the West Oakland Center operated by Oakland Private Industry Council to remain open for Fiscal Year 2016/2017. Staff will develop and administer a one year contract retroactive to July 1, 2016-June 30, 2017. These funds are not subject to Workforce Innovation Opportunity Act (WIOA) contract performance.
2. Unity Council Neighborhood Center in the amount of \$100,000. The motion was to provide funds to Unity Council Center to remain open for Fiscal Year 2016/2017. Staff will develop and administer a one year contract retroactive to July 1, 2016-June 30, 2017. These funds are not subject to Workforce Innovation Opportunity Act (WIOA) contract performance.
3. Summer Youth Programming in the amount of \$200,000. These funds will be evenly allocated to Youth Uprising, Lao Family and Youth Employment Partnership. The OWDB at its June 2016 meeting approved augmentations and extensions to Fiscal Year 2015/2016 contracts to administer the Mayor's Classroom 2 Careers Summer Job program. Staff will allocate these additional funds to those contracts.
4. Civicorps in the amount of \$100,000. The OWDB at its June 2, 2016, approved an allocation of funds for Civicorps at \$106,861. Additionally, the WDB directed staff to find additional funds to align the funding level with the 5-other funded youth services

providers. Staff will allocate the additional funds to Civicorps for Fiscal Year 2016/2017 for a total contract funding allocation of \$206,861.

Item II.b. - ACTION
Fiscal Year 2016/2017 Rapid Response Allocation



To: Oakland Workforce Development Board

From: Tamara Walker, Program Analyst II

Date: August 4, 2016

Re: FY 2016/17 Rapid Response/Layoff Aversion Allocation

RECOMMENDATION:

That the Oakland Workforce Development Board approves and accepts additional Rapid Response and Layoff Aversion funds in the amount of \$132,597 for Fiscal Year 2016/2017.

BACKGROUND:

At the June 2, 2016 OWDB meeting staff presented a budget that included an allocation of \$226,550 of Rapid Response (RR) funds. The RR allocation was based on an estimated amount that reflected a reduction over the Fiscal Year 2015/2016 allocation. The Employment Development Department (EDD) released the Fiscal Year 2016/17 Rapid Response and Layoff Aversion Funds on June 9, 2016. The Oakland Local Workforce Development Area received \$279,874 Rapid Response funds and \$79,273 Layoff Aversion funds for a total allocation of \$359,147. This total was \$132,597 greater than the estimated amount previously approved in the WDB budget.

Rapid Response

Rapid Response is a primary gateway to the workforce system for both dislocated workers and employers and is a component of a demand driven system. The central purpose of Rapid Response is to help laid-off workers quickly transition to new employment. Rapid Response acts as both a provider of direct reemployment services and as a facilitator of additional services and resources.

Layoff Aversion

Plant closings and mass layoffs can occur for a variety of reasons in periods of both economic expansion and decline. These reasons may include financial difficulty, mergers and acquisitions, loss of market share, consolidations, foreign competition, product or service obsolescence, shift

in parent company focus, or other factors. Opportunities may exist to save jobs and avoid resulting hardships imposed on individuals and communities when a plant or business closes.

- ***Early response is critical. Adequate Lead Time is Essential***

Over the past 25 years there have been numerous examples of companies that were scheduled to close, but continued operations because of a response initiated by one or more interest groups such as employees, management representatives, government and community groups, and labor organizations. These responses have included management or employee buyouts, sale to other parties, business restructuring and incumbent worker training. In order for RR to work effectively, early intervention is critical. For a layoff aversion effort to succeed there must be sufficient time to organize an effective response.

- ***Layoff Aversion Is a Cooperative Effort***

An important initial step in Rapid Response is to assess the reason for the plant closing or mass layoff. If there is an indication that the business closing or mass layoff might be averted, the WDA, in conjunction with the local MWA and other partners can provide technical assistance to interested parties to investigate possible layoff aversion strategies.

Benefits to Business

Providing Rapid Response services to workers during layoffs or plant closings will result in multiple benefits to employers and will help assure:

- Higher productivity, better worker morale and lower absenteeism by reducing stress.
- Lower unemployment insurance costs as workers become re-employed faster when early intervention services are begun prior to the layoff.
- Decreases likelihood of retaliations, theft, or other work disruptions.
- Saves Human Resources staff time and resources.
- Formation and utilization of Transition Team Peer Counseling.
- Rapid Response understands the often confidential nature of layoffs, and will work with the company to ensure confidentiality at all times.
- Better public relations for an employer. Rapid Response teams can also work with the media to highlight services an employer is providing to its workers during a layoff period, which can assist with maintaining the company's public image.

Rapid Response must take an ongoing, comprehensive approach to planning, identifying, and responding to layoffs, and preventing or minimizing their impacts whenever possible. Our mission is to establish a comprehensive, collaborative effort to improve the Rapid Response system throughout Oakland by promoting consistent, high quality, timely and innovative responses to economic transition.

To ensure high quality and maximum effectiveness, successful Rapid Response strategies include:

- Informational and Direct Reemployment Services for Workers
- Convening, Facilitating, and Brokering Connections, Networks, and Partners
- Solutions for Businesses in Transition; Growth and Decline

In accordance with EDD Workforce Services Directive No. WSD 16-04, Workforce Boards statewide utilize Rapid Response and Layoff Aversion to fund a variety of activities including but not limited to:

- Developing Marketing Strategies.
- Technical assistance to businesses to avoid layoff.
- Ongoing Labor Market Information (LMI) data to the system.
- Staff training.
- Occupational skills upgrade training in OWDB priority sectors.
- Funding for demonstration projects to businesses and workers impacted or at-risk of being impacted by company closures or layoffs. Funds would support the following RR activities:
 - On-the-Job and/or work-based training for unemployed workers;
 - Registered Apprenticeships for unemployed and existing workers;
 - Class Size Training for unemployed workers;
 - Customized Training for unemployed workers; and
 - Skills Upgrade Training/Incumbent Worker Training for existing workers.

Attachment 1–WSD 16-04-Rapid Response and Layoff Aversion Activities

Attachment 2- Categorization of Rapid Response Activities

RAPID RESPONSE AND LAYOFF AVERSION ACTIVITIES

EXECUTIVE SUMMARY

This policy consolidates previous *Workforce Investment Act* (WIA) Rapid Response guidance into a single comprehensive directive, and distinguishes Rapid Response activities from Additional Assistance. It provides the California Workforce Development Board's (State Board) policy framework for Local Workforce Development Boards (Local Board) to design and implement a local/regional business engagement strategy and articulates the role of layoff aversion within effective Rapid Response systems.

It does not make any changes to the current formula allocation methods for Rapid Response funds. It also provides direction and guidance for conducting layoff aversion activities as required by the federal *Workforce Innovation and Opportunity Act* (WIOA).

This policy applies to all recipients of WIOA 25 Percent Dislocated Worker funds, and is effective upon release.

This policy contains only state-imposed requirements.

This directive finalizes Workforce Services Draft Directive WSD14-142, issued for comment on May 6, 2016. The State Board received 12 comments. The comments did not result in any changes to the directive. A summary of the comments is provided as Attachment 6.

This directive supersedes Workforce Services Directive WSD14-03, dated September 3, 2014. Retain this directive until further notice.

REFERENCES

- WIOA (Public Law 113-128) Sections 3(15) and (51), 107(d)(4), and 134(a)(2)(A)
- Title 20 *Code of Federal Regulations* (CFR) WIOA Notice of Proposed Rule Making (NPRM) Section 682.300-340
- Training and Employment Guidance Letter (TEGL) 03-15, Subject: *Operating Guidance for WIOA* (July 1, 2015)

- Training and Employment Notice (TEN) 09-12, Subject: *Layoff Aversion in Rapid Response Systems* (August 31, 2012)
- TEN 31-11, Subject: *The Rapid Response Framework* (March 1, 2012)
- TEN 32-11, Subject: *Rapid Response Self-Assessment Tool* (March 1, 2012)
- TEN 03-10, Subject: *The National Rapid Response Initiative* (August 9, 2010)
- California Labor Code Sections 1400-1408
- California's Strategic Workforce Development Plan: 2013-2017, Shared Strategy for a Shared Prosperity
- Workforce Services Directive WSD15-23 Subject: *Transfer of Funds – WIOA Adult/Dislocated Worker Programs* (March 29, 2016)
- WSD15-19 Subject: *Revised Amendment to PY 2015-16 RR Allocations and Guidance on Use of these Funds for WIOA Transition Activities* (March 14, 2016)
- WSD13-1 Subject: *Authorization to Work Verification Requirements* (July 2, 2013)
- WSD12-3 Subject: *Quarterly and Monthly Financial Reporting Requirements* (July 18, 2012)
- Workforce Investment Act Directive WIAD05-18 Subject: *Dislocated Worker 25 Percent Funding Policy* (June 14, 2006)
- WIAD04-22 Subject: *State Required Surveys of Dislocated Workers* (June 15, 2005)
- WIAD02-9 Subject: *Worker Displacement Prohibition* (November 22, 2002)
- Workforce Services Information Notice WSIN15-21 Subject: *Implementation of the CalJOBS Customer Relations Management Module* (December 30, 2015)

BACKGROUND

Federal law requires that states set aside not more than 25 percent of their WIOA Dislocated Worker funding for two statewide activities:

1. Rapid Response to assist workers and businesses at risk of layoff or affected by layoff.
2. Additional Assistance for Local Boards to apply for if there is a significant increase in unemployment in their areas caused by plant closure, downsizing, natural disaster, or "other events."

Federal law provides discretion to the Governor to develop specific policy. In California, current policy is to formula-allocate the Rapid Response funds (half of the total 25 percent funds) to Local Workforce Development Areas (Local Area).

California's Rapid Response system has evolved since the implementation of WIA, with Local Boards leading innovative and proactive local Rapid Response systems. In addition, the WIOA requires states and Local Areas to include layoff aversion as an integral component of Rapid Response policy.

In response to this evolution, the State Board established a Rapid Response/Layoff Aversion Workgroup to consolidate various state guidance into a single comprehensive document and to recommend policy, consistent with the WIOA, that requires proactive business engagement and layoff aversion strategies that can assist a business to avoid layoffs through an incumbent worker training program, use of the Work Sharing Program, or in the event of layoffs, assists workers in quickly re-entering the workforce through rapid re-employment services.

Rapid Response

The primary purpose of Rapid Response as stated in federal guidance is to enable affected workers to return to work as quickly as possible following a layoff, or to prevent layoffs altogether. To accomplish this, the workforce development system must be coordinated, comprehensive, and proactive in communicating with business. This includes providing labor market and workforce information, integrating industry requirements into training strategies and career pathways, brokering relationships and job connections, making services efficient and easy to access, and coordinating with regional partners to reduce duplication.

A sound business engagement infrastructure should include early warning systems, which are necessary to ensure a timely response to worker dislocations. Early indicators can be recognized in a variety of ways, including through close communication with employer representatives, industry groups, organized labor, utilities, or through local media. Rapid Response also tracks labor market trends, increased Unemployment Insurance claims, public announcements through the California Worker Adjustment and Retraining Notification (WARN) Act notices, and analyzes economic data to assess the health of businesses. In each region, systems should be in place to regularly monitor all potential early warning indicators and notification channels, and employers must be informed about their legal responsibilities to issue advance notifications of layoffs and closures.

It is critical that regional business engagement teams build relationships with employers, labor organizations, workforce and economic development agencies, training institutions, service providers and community-based organizations. Proactive business engagement systems rely on good intelligence. Their value to economic development efforts can be increased by providing ready access to information regarding available talent. Regions can gain a competitive edge when they can leverage accurate information about regional economic trends, labor markets, new business development, impending layoffs, regional assets, and education and training resources.

The Role of Layoff Aversion

A layoff aversion strategy helps employers retain a skilled workforce and/or provides workers rapid transition to new employment, minimizing periods of unemployment. Layoff aversion is a central component of a high-performing business engagement strategy, requiring a shared responsibility among numerous partners at the state, regional, and local levels.

It is important to emphasize that Rapid Response does not stop layoffs. The intent of layoff aversion as a business engagement strategy is to provide business solutions to companies that want to save jobs. To save jobs, a business engagement team must be able to identify an at-risk company well in advance of layoffs, get executive level commitment to work together, assess the needs of the company, and deliver solutions to address risk factors. This requires a new culture of prevention and a strong infrastructure, including clarity of roles among regional partners. It requires data collection and analysis of regional labor market and industry sector trends, early warning mechanisms that can alert of problem areas and well-trained staff with capacity to build relationships among businesses, labor organizations and civic leaders.

Led by regionally coordinated Local Boards, business engagement teams should be built on regional partnerships among a range of organizations and intermediaries that can help identify and design appropriate business and employment solutions. Local Boards should include a variety of partners including the Department of Commerce's Trade Adjustment Assistance for Firms, the Manufacturing Extension Partnership or other sector-based partnerships, public and private economic development entities, Chambers of Commerce, Small Business Development Centers, community-based organizations, community colleges, local labor councils, and others.

Business engagement activities such as customized training, incumbent worker training, and work sharing strategies are among the many WIOA funded strategies that the workforce system can deploy to assist companies in averting layoffs.

As described in the Department of Labor's (DOL) [TEGL 03-15](#), incumbent worker training provides both workers and employers with the opportunity to build and maintain a quality workforce. Incumbent worker training can be used to help avert potential layoffs of employees, or to increase the skill levels of employees so they can be promoted within the company and create backfill opportunities for the employers. Under Section 134(d)(4) of WIOA, Local Boards can use up to 20 percent of their adult and dislocated worker funds to provide for the federal share of the cost of providing incumbent worker training. Incumbent worker training needs to take into account the following factors:

- The characteristics of the participants in the program.
- The relationship of the training to the competitiveness of a participant and the employer.
- Other factors the State or Local Boards may determine appropriate (e.g., the number of employees participating in the training, wage and benefit levels of those employees [both pre and post participation earnings]), and the existence of other training and advancement opportunities provided by the employer).

Employers are required to pay for a significant cost of the training for those participants in incumbent worker training; this can be done through both cash and/or in-kind payments. The wages paid to participants, while in training, may be considered as a source of matching funds. Rules for matching funds are provided in the Uniform Guidance and DOL exceptions at 2 CFR 200.306 and 2 CFR 2900.8, respectively. Under Section 134(d)(4)(D) of WIOA, the minimum amount of employer share in the incumbent worker training depends on the size of the employer:

- At least 10 percent of the cost for employers with 50 or fewer employees
- At least 25 percent of the cost for employers with 51 to 100 employees
- At least 50 percent of the cost for employers with more than 100 employees

Employer share must be reported on the ETA-9130 quarterly financial report. The DOL encourages states and Local Areas that use incumbent worker training to ensure contracts with employers provide sufficient information to include participants in reporting. Incumbent workers should be reported in the WIASRD under element number 911 until a new reporting layout is available.

Definitions and Resources

Business Cycle – A business cycle is identified as a sequence of four phases:

- Contraction – A slowdown in the pace of economic activity
- Trough – The lower turning point of a business cycle, where a contraction turns into an expansion
- Expansion – A speedup in the pace of economic activity
- Peak – The upper turning of a business cycle

Customer Relationship Management Module (CRM) – The CRM is a CalJOBSSM based tool, supported by the Employment Development Department (EDD), which allows Local Boards and their partners who have access to the CalJOBS system to record, track and report a variety of business engagement activities at the individual company level.

Economic Development – The International Economic Development Council defines economic development as a program, group of policies, or activity that seeks to improve the economic well-being and quality of life for a community, by creating and/or retaining jobs that facilitate growth and provide a stable tax base. For a good resource, see the California Association of Local Economic Development and the Governor's Office of Business and Economic Development.

Employer Contact (Rapid Response 121 Report) – A visit to an employer by staff for the purposes of conducting Rapid Response activities. This visit may be in person, by telephone or through the use of other interactive technology. This is a cumulative report.

Employer Contact (122 Report) – This form is used only to report the development, implementation and completion of a business solution strategy(s) relating to and resulting in job retention at the current place of employment and the rapid re-employment (talent transfer) of affected workers. This is a cumulative report.

Employment Training Panel (ETP) – The ETP provides incumbent worker training funding to employers to assist in upgrading the skills of their workers through training that leads to good paying, long-term jobs. The ETP is a funding agency, not a training agency. Businesses determine their own training needs and how to provide training. ETP staff is available to assist in applying for funds and other aspects of participation.

Incumbent Worker – An employee of a business applying for incumbent worker training funds to up-skill and/or retrain in accordance with the WIOA.

Incumbent Worker Training – Developed with an employer or employer association to upgrade skills of a particular workforce. The employer agrees to retain the trained worker(s) upon completion of the training. Frequently, such training is part of an economic development or layoff aversion strategy.

Jobs Retained – A layoff is averted when (1) a worker's job is retained with the current employer that is at risk of downsizing or closing, or (2) when a worker at risk of dislocation transitions to a different job with the same employer.

Layoff Aversion – The process of using a series of activities, studies, and networks to examine a business or sector's cycle, organizational conditions, markets, and broad community relationships etc., in an effort to determine workforce and economic solutions that can mitigate job loss or save jobs.

Manufacturing Extension Partnership (MEP) – The National Institute of Standards and Technology's Hollings MEP works with small and mid-sized U.S. manufacturers to help them create and retain jobs, increase profits, and save time and money. The MEP also works with partners at the state and federal levels on programs that put manufacturers in position to develop new customers, expand into new markets and create new products.

Rapid Re-Employment (Talent Transfer) – A laid off worker is hired by a different employer and experiences short term unemployment (45 calendar days or less). To qualify for this activity, a confirmed job offer must be on file from the hiring employer and issued within 45 days of the date the participant becomes unemployed.

Small Business Development Centers of California (SBDC) – The SBDCs provide training and no-cost one-on-one counseling to help small businesses and entrepreneurs overcome obstacles to growth. Topics range from: start-up assistance, planning for growth and expansion, technology and innovation and access to capital.

Work Sharing Program/Short Term Compensation – Work Sharing is described in Section 1279.5 of the California Unemployment Insurance Code and provides employers with an alternative to layoffs and provides their employees with the payment of reduced Unemployment Insurance benefits. Note: This activity is considered a job saved/retained as this strategy does minimize the impact on the Unemployment Insurance fund and should be reported on the Layoff Aversion Form 122.

POLICY AND PROCEDURES

The EDDs WSIN15-21 communicated to the local workforce system the availability of a new module for CalJOBS. Local Boards and their staff responsible for business outreach activities are strongly encouraged to use this module to track all business engagement activities. Local Boards are encouraged to provide access to and training for the CalJOBS CRM module, as use of this module regionally across Local Areas will help eliminate duplicate contacts from local/regional agencies to the same employers, provide information regarding historical activities and the types of activities being conducted with an individual employer.

On May 18, 2004, the State Board adopted a Dislocated Worker 25 percent funding policy, which includes the following components and related recommendations.

Dislocated Worker 25 Percent Set-aside

State Board policy specifies that the state will set aside 25 percent of the state's WIOA Dislocated Worker funding for California's Rapid Response System and for Additional Assistance to dislocated workers in Local Areas. Of this 25 percent, one-half is reserved for Rapid Response activities and one-half is reserved for Additional Assistance to Local Areas. The state will reserve a portion of the 25 percent Additional Assistance funds for statewide dislocated worker activities.

Rapid Response Funding

The Rapid Response set-aside funds will be allocated based on a three-part formula and layoff aversion component as follows:

- **Baseline funding** is allocated equally among Local Areas to ensure, at a minimum, that some capacity exists in each Local Area for the coordination and conduct of Rapid Response activities. Allocations to Local Areas comprised of more than one county will include an additional allocation of \$50,000 for each additional county. Of the Rapid Response set-aside funds, 30 percent will be reserved for this baseline funding
- **Layoff-based funding** is for Local Areas that serve regions where significant numbers of dislocation events occur. This allocation will be based on quantitative layoff data. Funds

will be allocated to Local Areas in proportion to the number of affected workers offered Rapid Response services in response to layoffs reported to the state. This methodology will ensure California meets WIOA requirements to provide services to assist groups of workers affected by mass layoffs, permanent business closures, and natural or other disasters. Of the Rapid Response set-aside funds, 45 percent will be reserved for this layoff-based funding.

- **Hold-Harmless** minimizes funding losses from year-to-year. A portion of the Rapid Response set-aside funds will be used to ensure that no Local Area receives less than 75 percent of their prior-year share of statewide funds distributed for baseline and layoff-based activities. This policy also limits any Local Area's year-over funding increase to 100 percent of their prior-year allocation.

Layoff Aversion Funding

Layoff Aversion activities will be funded from the previously state-held Rapid Response Competitive Solicitation Fund. These funds will be distributed to Local Areas based on the Local Area's relative share of the Rapid Response formula allocations.

Additional Assistance Funding

Additional Assistance Funding will continue to be available as currently outlined in WSD13-2, Dislocated Worker Additional Assistance Projects. An updated future policy directive will be issued to separate Additional Assistance from Rapid Response guidance and clarify the policy and procedures for use these funds.

Uses of Rapid Response 25 Percent Funds

Attachment 1 describes the required and allowable uses of Rapid Response funds. Layoff aversion activities are a required activity in WIOA. It is the state's policy priority that the full scope of required Rapid Response activities, as described in the WIOA, must be provided in each Local Area.

The scope of business solutions that may be provided at Rapid Response events is not restricted to the activities described in Section 134 of WIOA. Local Boards are encouraged to leverage other local or state funding sources to provide a broader scope of business solutions. Examples include assisting with Trade Adjustment Assistance, Unemployment Insurance claim filing, economic development, financial assistance counseling, and mental health counseling.

Reporting

Baseline, layoff-based, and hold-harmless Rapid Response funds will continue to be issued to each Local Board, in the master subgrant, as grant codes 540 and 541. These formula funds may be spent on the wide range of required and/or allowable activities. Participants receiving

Additional Assistance services must be enrolled in grant code 241. Local Boards shall continue to report participant enrollments receiving incumbent worker training using Rapid Response formula funds under grant code 2274.

Layoff Aversion funding will be issued under grant codes 292 and 293 in each Local Board's master subgrant. These funds can be spent on the wide range of required and/or allowable activities. Local Boards are to report participant enrollments receiving incumbent worker training using layoff aversion funds under grant code 2274.

Rapid Response Reporting Requirements (121 Report)

Activities to be included on the Rapid Response 121 Report are those relating to employer contacts in response to layoffs or closures, as defined by the State Board. The Rapid Response 121 report must be completed to report all employer layoff/closure planning/orientation meetings. Planning meetings and/or orientations of nine or less employees are for information only and will not be used in the calculation of the dislocation-based formula funding factor.

Complete a separate line item entry for each employer contact occurring on different days, locations, or employers. Complete a single line item entry if multiple sessions are conducted on the same day, for a single employer with the note of how many multiple orientations were made that day. Note – this is a cumulative report.

The Rapid Response 121 Report and line item instructions are included as Attachments 2 and 3. The Rapid Response 121 Report must be completed quarterly and submitted via email by the 20th of the month following the quarter's end to the Local Area's assigned Regional Advisor, with a "cc" to the Local Area administrator.

Layoff Aversion Reporting Requirements (122 Report)

This is a new report, specifically developed to capture and report business solution strategies delivered to business during any stage of the business cycle that relate to and result in job retention and/or rapid re-employment. A 122 Report may be submitted for a "single" job retained at an existing employer and/or a single rapid re-employment with a different employer. It is important that Local Area staff consider and document how layoff aversion activities will result in a positive outcome before allocating resources. Note – this is a cumulative report. It is not a register of local activities. It is to be used to report only business solutions (incumbent worker training to prevent a layoff, Work Sharing or Talent Transfer) completed during the reporting quarter.

For completion of the business solution strategy, documentation of outcomes must be attached to the 122 Report and retained locally for audit purposes. Note – the Local Board's administrative, fiscal, and program activities will be subject to the state's monitoring.

The 122 Report and line item instructions are included as Attachments 4 and 5. The 122 Report must be completed quarterly; it is a cumulative report and submitted via email by the 20th of the month following the quarter's end to the Local Area's assigned Regional Advisor, with a "cc" to the Local Area administrator. The reporting period is from April 1 to March 31 of the following year.

ACTION

Bring this directive to the attention of all relevant parties.

INQUIRIES

If you have questions, please contact your Regional Advisor at 916-654-7799.

/s/ JOSÉ LUIS MÁRQUEZ, Chief
Central Office Workforce Services Division

Attachments are available on the internet:

1. Required, Allowable and Prohibited Rapid Response Activities
2. Rapid Response 121 Report
3. Rapid Response 121 Report Line Item Instructions
4. Layoff Aversion 122 Activity Report
5. Layoff Aversion 122 Activity Report Line Item Instructions
6. Summary of Comments

Categorization of Rapid Response Activities
Title 20 Code of Federal Regulations Notice of Proposed Rule Section 682.330

Activity	Required	Allowable	Prohibited
Conducting planning meeting with employer	X		
Assessing layoff aversion potential	X		
Conducting orientation meeting with employees	X		
Providing TAA orientation	X		
Delivering/mailing Rapid Response informational materials	X		
Providing access to CalJOBS SM and SkillsMatch on-site, using company's or mobile facility	X		
Enabling participants to register with America's Job Center of California SM onsite	X		
Job fair or information expo focused on one or more dislocation events, at or not at the dislocation site	X		
Coordinating Labor-Management/Workforce Transition Committee	X		
Providing information about services available in the AJCCs and setting up systems to provide on-site access to information and services	X		
Providing training orientation on industry specific opportunities (ex: Biotech)	X		
Providing resources for food, shelter, clothing and other emergency assistance	X		
Conducting Business Engagement Activities	X		
Conducting Research on Business Activities	X		
Devising layoff aversion strategies with employer	X		
Providing layoff aversion technical assistance to employer	X		
Conducting business services workshops	X		
Training affected workers to upgrade skills for another position in company	X		
Attending Regional Roundtable		X	
Attending conferences		X	
Conducting interview technique workshops		X*	
Conducting job search assistance and resume writing workshops		X*	
Completing Unemployment Insurance applications			X
Job fair or information expo not related to a dislocation event			X

* Local Workforce Development Areas may conduct group workshops (e.g. job search assistance and/or resume writing workshops) as part of on-site Rapid Response to business closures or significant layoffs and charge the cost to their 25 Percent Rapid Response funds if they have determined, in consultation with the local workforce services manager, that EDD workforce services staff are not available to conduct such workshops.

III.a.-PRESENTATION
Youth UpRising Participatory Research Project



To: Oakland Workforce Development Board

From: Lazandra Dial, Program Analyst III

Date: August 4, 2016

Re: Presentation-Youth UpRising

SUMMARY

Youth UpRising leveraged it's WIOA contract to have 28 Out-of-School Youth develop two place-based Youth-led Participatory Action Research (YPAR) projects. These YPAR projects are training young people to ground truth community data and develop a narrative that reflects their place and their reality. This form of research changes the face of community research, shifting power to those who are the future of our communities. Specifically, the project will prepare these 28 young people to lead through cultivating their interest in communities' outcomes, building their research skills, getting them certified in Microsoft Excel, and enrolling them in Post-Secondary programs.

The West Oakland cohort partnered with the Oakland Housing Authority to conduct Resident Needs Assessment to support the launch of JobsPlus, a coveted HUD employment program recently awarded. The East Oakland cohort is conducting a community survey in the Castlemont Community to benchmark livability and displacement factors undergirding our City's housing crisis.

ITEM IV.a.-INFORMATION
Update on Youth UpRising



MEMORANDUM

To: Oakland Workforce Development Board

From: Enjema Hudson, Program Analyst II

Date: August 4, 2016

Re: FY 2014-15 Youth UpRising “Pay-for-Performance” Update

BACKGROUND:

The Oakland Workforce Development Board (OWDB) approved a Pay-for-Performance” Contract for Youth UpRising at its June 2, 2016 meeting. The action approved up to \$212,500 in WIOAYouth funds to serve 28 Out of School Youth (OSY).

The “Pay-for-Performance” Contract Schedule is as follows:

<u>Program Units of Service</u>	<u>Dollar Value</u>
<u>1st Performance Based Reimbursement</u> (100% out of school youth served) <ul style="list-style-type: none"> • Eligibility determination and enrollment • Pre-Literacy/Numeracy Testing 	\$14,000
<u>2nd Performance Based Reimbursement</u> (80% of out of school youth served) <ul style="list-style-type: none"> • Attainment of a degree or certificate 	\$43,160
<u>3rd Performance Based Reimbursement</u> (75% of out of school youth served) <ul style="list-style-type: none"> • Completion of subsidized or unpaid work experience, internship 	\$70,840
<u>4th Performance Based Reimbursement</u> (Youth Statewide Common Measures) Exit one or more of the following: (80% of out of school youth) <ul style="list-style-type: none"> • Placement in Unsubsidized employment and/or post-secondary education 	\$70,000

OR;	
Performance Based Reimbursement (Basic Skill Deficient)	\$42,000
(Youth Statewide Common Measures) Exit one or more of the following: (80% of out of school youth)	
<ul style="list-style-type: none"> • Placement in Unsubsidized employment and/or post-secondary education 	
(60% of out of school youth)	\$28,000
<ul style="list-style-type: none"> • Of those out of school basic skills deficient youth, an established improvement in the literacy and numeracy as recognized by the state Post-Literacy/Numeracy Testing 	
<u>5th Performance Based Reimbursement</u> (65%, 60% 40% respectively, of out of school youth served)	
A minimum of 12 months of documented follow-up	\$14,500
Program Dollars Grant Award	\$212,500

YU has completed the following goals for their FY 15/16:

- WIOA OSY eligibility determination and CalJOBS enrollment for 30 OSY. (They were only required to enroll 28)
- Pre-literacy and numeracy Comprehensive Adult Student Assessment System (CASAS) testing for each enrollee.
- Enrolled 30 OSY in a Microsoft Excel courses at Laney College where they will receive an industry recognized certificate upon completion.
- Placed 30 OSY in Summer Employment at the Oakland Housing Authority.
- Created an Individualized Education Plans for each of the 30 OSY.
- Enrolled 30-OSY in college which begins in mid-August 2016.
- Received CalJOBS training on enrollment and follow-up from OWDB staff. (YU staff will receive refresher training in August 2016 to ensure that all CalJOBS/WIOA Follow-Up measures are met.)

Based upon the information received by OWDB staff, YU is on track to completing all benchmark goals in their "Pay-for-Performance" Contract.

**Oakland Workforce Development Board
2017 Meeting Calendar**

Per the Bylaws:	1 st Thursday, February, May, August, and November (8:30-11:00am)
February 2017	Thursday November 2, 2017
May 2017	Thursday May 4, 2017
August 2017	Thursday August 3, 2017
November 2017	Thursday November 2, 2017

#	Name	Vote #1	Vote #2	Vote #3	Vote #4
1	Elena Anaya				
2	John Brauer				
3	Kathleen Burris				
4	Kori Chen				
5	Rose Doss				
6	Dan Ferreira				
7	Herb Garrett				
8	Polly Guy				
9	Susan Hollingshead				
10	Derreck Johnson				
11	Lisa Kershner				
12	Jowel Laguerre				
13	Darien Louie				
14	Michael McDonald				
15	Doreen Moreno				
16	Chudy Nnebe				
17	Gilbert Pete				
18	Ruben Rodriguez				
19	Brian Salem				
20	Obray Van Buren				