WDB MEETING AGENDA

Date: October 31, 2024

I. **CALL TO ORDER**

II. **APPROVAL OF MINUTES FROM LAST MEETING** (PG 2-4)

III. **PUBLIC COMMENT & UNSCHEDULED APPEARANCES:**

Any person may directly address the Board at this time on any items on the agenda, or on any other items of interest to the public, that is within the jurisdiction of the Board. Five minutes are allowed for each item.

IV. **OPEN ISSUES**

A) **AJCC RECERTIFICATION** (PG 5-40) **ACTION**

B) **GRIEVANCE & COMPLAINT POLICY** (PG 41-67) **ACTION**

V. **NEW BUSINESS**

VI. **ROUND TABLE**

VII. **ADJOURNMENT**

Next meeting: TBD

Location: JTO/Zoom

Date: 10/31/2024

Time: 10:00 am

Workforce Development Board
Minutes
September 11, 2024

Meeting called to order at: 10:03 a.m. via Zoom **Meeting adjourned at: 10:45 a.m.**

Members' Present
Nancy Silva, Chair, Silva Dental
Dan Ramirez, Proteus
Ronnie Jungk, IEW100
Robert Kleyn, DOR
Jey Lacey, SCE
Joanne Doerter, Hanford Mall
Gracie Flores, Lemoore College
Toni Martin, Aqua Azel Water Corp.

Staff Present
Julieta Martinez, Director
Malisa Simon, Executive Secretary
Cobi Revious, Fiscal Analyst

Guests Present
None

Call to Order/Introduction
The Chair called the meeting to order at 10:03 am and introductions were made.

Approval of Minutes from September 11th meeting:
M/S/C Dan Ramirez/Ronnie Jungk

Open Issue

1. **WIOA Transfer Forms (Action)**
   Cobi discussed the transfer of funds from the dislocated worker account to the adult community account, with Cobi explaining the reasoning behind the transfer and the team unanimously approving it. The transfer, totaling $400,000, was expected to be completed by December and would also help spend the remaining dislocated worker funds. Cobi emphasized the importance of retaining some funds for dislocated workers to take advantage of potential future grants.
   M/S/C Ronnie Jungk/Robert Kleyn

New Business

2. **One Stop Operator Quarterly Report**
   Julieta discussed the need for a new one-stop operator for the job training office, as the current contract with Beaudette Consulting is set to expire. The board was informed that the process of finding a new operator would begin by the end of fiscal year 25, with Madera County leading the search. Julieta also mentioned that Merced County is considering becoming their own one-stop operator. The

board was encouraged to familiarize themselves with the one-stop operator's role and the upcoming Request for Proposal (RFP) process.

3. **One Stop Operator Annual Report FY 23-24**
   Julieta discussed the upcoming RFPs and the potential for partnerships. She mentioned that the group would receive the RFP and encouraged suggestions for potential partners.

1. **AJCC Certification/Local & Regional Plan**
   Julieta also discussed the AJCC certification process, which is being led by David Shinder. She mentioned that a tentative date for a Zoom meeting with the group to discuss the certification process has been set. Julieta then moved on to discuss the local and regional plans, which are mandated by the State and Federal Government. She mentioned that David is working with Kings County on the local plan and with 8 Central Valley counties on the regional plan. Julieta also mentioned that they are planning to hold a stakeholder outreach meeting, and she will send out the details once the venue is finalized.

2. **WDB Configuration**
   Julieta discussed the upcoming meeting's agenda, which would include a discussion on the Workforce Board Configuration and potential updates to the board's bylaws. Julieta mentioned that the board's size might be reduced from 25 to 20 or 17 members, and the meeting would also serve as an opportunity to confirm everyone's continued interest in being part of the board. Julieta also mentioned that the meeting would be an efficient one, aiming to wrap up within an hour.

3. **Real Role Workforce Boards Report**
   Julieta discussed the concept of the "real world of Workforce board" and the former director's efforts to ensure members understood their roles. She proposed a strategic planning session to clarify roles and increase involvement. Julieta mentioned the county's ongoing salary study, which could impact budgets and staffing decisions.

4. **State Monitoring FY 23-24/Annual Review & EDD Annual Review**
   Julieta discussed the upcoming visit from a monitoring team in two weeks, emphasizing the seriousness of their role and the extensive nature of their review. Julieta also mentioned that the team would be reviewing the organization's procurement process, employee priorities, and other aspects. She planned to create a new role under Laura to support her workload and be more involved in the monitoring process herself. Julieta also emphasized the need for better outreach to businesses and promoting the services offered by the Workforce board

Member Roundtable

Dan Ramirez, Proteus – shared that they received an award from the Department of Labor but fell short of their projected figure. He also mentioned potential adjustments to their staffing in other counties to continue providing services in Kings County.

Robert Kleyn, DOR – Robert reported that their organization, DOR, was experiencing a high volume of referrals post-pandemic, indicating a busy period & shared his plans to hire a graduate student assistant and his ongoing work with the justice-involved population

Joanne Doerter, Hanford Mall –their efforts to renovate a vacant building after five years.

Jey Lacey, SCE – talked about the closing of the third quarter at the energy center, the automation academy, and plans for new classes and partnerships for 2025. He also mentioned the intention to expand online training offers.

Tony Martin, Aqua Azel – Tony shared that Aqua Azel has experienced small growth and is considering hiring one or two more people, possibly through the JTO office.
Gracie Flores, Lemoore College – reports that the GED, ESL, and industrial mechanics programs have seen increased enrollment and participation. Spanish GED classes and an ESL healthcare pathway are being added.
Ronnie Jungk, IEW100 – The solar projects in Kings County will create many electrical worker job opportunities, potentially requiring doubling apprenticeship intake. Luis Rio will provide labor market information going forward.
Julieta Martinez, EDC/JTO – EDD is not on but Luis Rio will provide labor market information going forward. The first State of the County event is being held on October 10th.

Adjournment 10:45 a.m.

ATTACHMENT 3

AJCC Certification Indicator Assessment

The America's Job Center of California[SM] (AJCC) Certification Indicator Assessment is intended to encourage continuous improvement by identifying areas where an AJCC is exceeding quality expectations, as well as areas where improvement is needed. The Certification Indicators were developed in alignment with the Training and Employment Guidance Letter 04-15, California's Unified Strategic Workforce Development Plan (State Plan), and the AJCC Certification Workgroup's vision for California's One-Stop delivery system.

The matrix below describes each Certification Indicator using both characteristics of a high-quality AJCC and the overall vision and strategies of the State Plan. Additionally, the Certification Indicators are provided as guidance for the evaluator to use to note the assessment of the AJCC's strengths and continuous improvement opportunities.
The Local Board may establish additional criteria or set higher standards for continuous improvement than those suggested by the state criteria below.

Local Workforce Development Boards (Local Board) must submit a completed AJCC Certification Indicator Assessment to their Regional Advisor for each comprehensive and/or affiliate/specialized AJCC by **November 1, 2024.**

Name of Local Board: Kings County Workforce Development Board

Name of AJCC: Kings County One-Stop Job Center

AJCC Type: Comprehensive

Both the Baseline and Indicator Assessment portions of the AJCC certification process were completed by an independent evaluator, who applied a bifurcated approach to the review, including:

1) A focused review of Kings County's Workforce Development Board's One-Stop Job Center (OSJC), which is the term used locally for the County's sole America's Job Center of California (AJCC); and

2) Review of operations and service delivery from a system perspective, which takes into account services offered by or in cooperation with partner organizations, both inside and outside the OSJC.

This approach enabled the evaluator to complete a site-specific assessment of baseline compliance, while recognizing that most of the Indicator Assessment criteria can and should be addressed from a system perspective.

AJCC Certification Indicator #1: The AJCC ensures universal access, with an emphasis on individuals with barriers to employment.

U.S. Department of Labor Characteristics of a High Quality AJCC

A. Reflect a welcoming environment to all customer groups who are served by the AJCC. All AJCC staff are courteous, polite, responsive, and helpful to job seekers, businesses, and others who visit the AJCC location, or by telephone or e-mail. AJCC staff are sensitive to the unique needs of individuals with disabilities and are prepared to provide necessary accommodations.
B. Ensure meaningful access to all customers. AJCCs must be physically and programmatically accessible to all customers, including individuals with disabilities. In doing so, AJCCs use principles of universal and human-centered design, such as flexibility in space usage, the use of pictorial, written, verbal, and tactile modes to communicate with customers with disabilities or Limited English Proficiency; providing clear lines of sight to information for seated or standing users; providing necessary accommodations; and providing adequate space for the use of assistive devices or personal assistants. AJCCs use assistive technology and flexible business hours to meet the range of customer needs.
C. Include both virtual and center-based service delivery for job seekers, workers, and employers. Both methods of delivery support the talent needs of the regional economy, although each may better serve different customers with different levels of service needs at any given time. The system can expand its reach by delivering robust virtual services; and increasing the accessibility of those services through community partners, such as libraries, community and faith-based organizations, and other partners.

California State Plan Vision and Strategies

Enabling upward mobility for all Californians, including populations with barriers to employment. Workforce and education programs need to be accessible for all Californians and ensure that everyone has access to a marketable set of skills and is able to access the level of education necessary to ensure economic self-sufficiency and security.

AJCC Certification Workgroup's Vision

- All AJCC staff honor and accommodate diversity and are comfortable and adept in providing services to diverse customers, including individuals with disabilities, cultural differences, and all individuals with barriers to employment.
- The local Equal Opportunity Officer (EOO) periodically reviews the AJCC's policies, procedures, and the facility for accessibility and equal opportunity. The EOO then provides recommendations and staff training, where needed.
- The AJCC has a Limited English Proficiency Plan to provide meaningful access for individuals who do not speak English as their primary language and who have limited ability to read, speak, write, or understand English.
- The AJCC uses the principles of universal and human-centered design to ensure inclusive space and materials are available to individuals regardless of their

range of abilities, mobility, age, language, learning style, or educational level.
- The AJCC implements the veteran's preference and priority of service requirements.
- The AJCC provides services outside of regular business hours where there is a workforce need as defined by the Local Board.
- The AJCC delivers both AJCC-based and virtual services.
- The AJCC ensures that people with disabilities can access virtual services in a manner that is comparable to those without a disability.

AJCC Certification Indicator #1: The AJCC ensures universal access, with an emphasis on individuals with barriers to employment.

Assessment of the AJCC's Strengths and Continuous Improvement Opportunities:

Kings County WDB's One-Stop Job Center provides customers with universal access to services, while ensuring that individuals with barriers are also able to take advantage of a wide range of services that address their specific needs and support their attainment of skills and employment.

Areas of strength include:

1. Services are Universally Accessible

   The Center provides universal access to basic career services and resources. These services are available to all customers without completing an eligibility certification process. Included among these services is information on jobs and the labor market, along with descriptions of myriad workforce, education, human services, and allied support programs and services provided by workforce system partners and various other organizations throughout the County and in adjacent areas.

2. Services Address the Need of Diverse Populations

   Many, if not most, of the job seekers served by the One-Stop Job Center are individuals who face one or more barriers to employment. Furthermore, the local workforce development delivery system's customers are representative of the ethnic, cultural, and linguistic diversity of Kings County. Center staff, along with individuals working for system partners, mirror the diversity of the customers they serve. Some center staff members are bilingual and bicultural and are, therefore, able to relate easily to customers with diverse backgrounds. To supplement and expand upon staff's lived experience, ongoing training is provided to increase staff's capacity to effectively serve persons with disabilities, formerly incarcerated individuals, immigrants and refugees, English language learners, Native Americans, migrant and seasonal farmworkers, disconnected youth, and homeless and housing insecure individuals, among others.

3. Equal Opportunity Strategies Are in Place

   Kings County Job Training Office, which administers the OSJC, has designated an Equal Opportunity Officer (EOO) who is responsible for maintaining policies and practices that support equal opportunity at the AJCCs. As federal and state requirements are updated, local policies follow. Equal opportunity practices of the Center frequently correspond to those of the County. Among the internal policies of the organization that deal with equal opportunity are the following: Equal Opportunity Policy, Reasonable Accommodation Policy, Sexual Harassment Policy, Substance Abuse Policy, Grievance and Complaint Procedure, Personal Identifiable Information Policy, Limited English Policy, and Workplace Bullying Policy.

5. A Plan had Been Developed to Guide Services for Individuals with Limited English Proficiency

   Kings County WDB has published a Limited English Proficiency Plan that provides guidance and set standards for delivery of services to English Language Learners. The plans outlines the ways in which the WDB will ensure meaningful access to services. Provisions touch upon assessments, support, resources, strategies, and overall access to Center and the broader services of the workforce development system in Kings County.

6. Veterans Receive Priority of Service

   The WDB has developed a policy on veterans' preference and priority of service. Center staff has implemented the policy.

7. The Center Observes Regular Hours of Operation

   The Kings County One-Stop Career Center is open Monday through Thursday from 8:00 a.m. until 5:00 p.m., and on Friday from 8:00 a.m. to 12:00 p.m. However, staff may work outside these hours to address various aspects of service delivery for both job seekers and businesses. Examples of center-related activities in which staff participate outside regular business hours include: meetings of local service organizations, business associations, and chambers of commerce; community information and service events sponsored by public agencies or community-based organizations; large scale job fairs and recruitment events for specific companies; and rapid response presentations to employees working outside traditional business hours.

Improvement could be realized in the following areas:

1. Proceed with the Modernization and Customization of the One-Stop's Website

   The content of the WDB's website is limited. As the site is currently hosted by the County, the structure and format of the site does not lend itself to communicating the full range and variety of programs, services, partnerships, and information associated with the One-Stop Job Center and the local workforce development system. WDB representatives have indicated that the organization intends to modernize and customize the website so that is can more accurately and completely present local workforce programs to customers and stakeholders.

2. Increase to the Range of Services Available Virtually

   Currently the site includes information, but its lacks features that would enable customers to access services, such as completing applications and participating in an orientation. Adding this functionality would enable customers throughout Kings County to receive various services without having to travel to the center.

AJCC Certification Indicator #2: The AJCC actively supports the One-Stop system through effective partnerships.

U.S. Department of Labor Characteristics of a High Quality AJCC

Reflect on the establishment of robust partnerships among partners. The AJCC operator facilitates an integrated, co-located partnership that seamlessly incorporates the services of all the AJCC partners.

California State Plan Vision and Strategies

Aligning, coordinating, and integrating programs and services to economize limited resources while also providing the right services to clients based on each client's particular and potentially unique needs to facilitate skills attainment.

AJCC Certification Workgroup's Vision

- A system is in place to assess the satisfaction of both co-located and non-co-located partners with the AJCC and its services.
- Both co-located and non-co-located partners believe that the AJCC adds value to their program and customers.
- The required AJCC partners meet on a regular basis to discuss the One-Stop system and the AJCC's contribution to the system and make recommendations for continuous improvement.
- The AJCC actively outreaches and provides access to non-co-located partner customers to participate in AJCC-based services, such as workshops and recruitment events.
- An inventory and overview of all partner programs and services are available to all AJCC staff, and all AJCC staff has received an orientation to all partner programs and services.
- One-Stop system marketing materials that overview all partner programs and services for distribution to customers at the AJCC and at all non-co-located partner locations have been developed.
- The AJCC's partner referral process (as outlined in the Memorandum of Understanding) is being implemented with a focus on quality referrals that are likely to convert to service.
- Referrals are recorded, and a system is in place for partners to follow through and report progress on referrals made.
- The AJCC connects to the community through multiple community partnerships and community access points.

AJCC Certification Indicator #2: The AJCC actively supports the One-Stop system through effective partnerships.

Assessment of the AJCC's Strengths and Continuous Improvement Opportunities:

The Kings County workforce development system benefits from strong, effective, and, in many cases, decades-long relationships with state, county, and local agencies of all types and sizes. The OSJC engages with system partners on a daily basis through cross referrals, various communications, and sharing information about programs and activities.

Areas of strength include:

1. The Partners Convene Regularly

   Under the direction of a competitively procured AJCC Operator, who performs the one-stop operator coordinating functions outlined in WIOA, quarterly meetings are held among the partner organizations that have jointly executed a memorandum of understanding (MOU). The meetings deal with a range of issues pertaining to the delivery of services by the partners and coordination among them.

2. The Center Outreaches to Customers of Non-Co-Located System Partners

   All partners understand that their customers may utilize the basic career resources of the One-Stop Job Center. For specialized employment activities, including job fairs and smaller recruitment events for a single employer or multiple businesses in a particular industry, Kings County WDB staff will communicate directly with non-co-located partners to inform them of the events and to request that they share this information with their participants. Use of social media further communicates to partner organizations about special events of the one-stop. While many partners' customers take advantage of such events, individuals served by the County Human Services Agency and Proteus, the migrant and seasonal farmworker program operator, regularly participate in these events.

3. A Partner Referral Process is in Place

   Establishment of a system for the referral of customers among the local workforce development system partners is a key objective of the partner MOU. The MOU outlines methods for referring customers. A referral form was created by WDB management and staff, which has been shared with all partners. Kings County OSJC staff use excel to tracking both referrals they make and those they receive. However, Center staff and partners recognize that a system is needed to better track referrals.

4. Center Staff Makes Use of Various Access Points to Engage with Customers

   With just one brick-and-mortar AJCC in the County, the WDB relies on various community partners to serve as "access points" though which job seekers and businesses can learn about workforce development services. Center staff co-locate on a periodic basis at community colleges, adult schools, community

centers and libraries both to recruit participants and to provide services, including enrollment, service planning, and case management. Even when OSJC staff are not present, partner representatives will promote WIOA services and connect potential customers to Center staff.

5. Information is Available on the Full Range of Local Workforce System Partners

   The OSJC has a brochure that provides information about its services and that indicates partner organizations. However, to increase the effectiveness of its outreach materials, WDB leadership should consider ways in which it can provide clear, simple messaging to customers about the services and benefits available through the local workforce system such as training, information on careers, financial assistance, and referrals to jobs. Creating separate materials for key customers, businesses and job seekers, would also increase effectiveness.

Improvement could be realized in the following areas:

1. Implement A Partner Survey and Use Results for Improvement

   The active participation of WIOA-mandated partners and other local organizations in Kings County WDB-led meetings and events serves as a testament to the value that these agencies attribute to the WDB, the Center, and the local workforce system. However, implementation of a structured instrument that surveys priorities, preferences, satisfaction and other factors could help to inform the continuous improvement process of the WDB with respect to its partnerships and the delivery of workforce services.

2. Improve the Content of Partner Meetings

   WDB and One-Stop Center leadership should examine the content and outcomes of quarterly partner meetings and prescribe to the AJCC Operator critical content and outcomes for these meetings. Content should be of value to all participating organizations, their programs, and their customers.

3. Improve the Tracking of Referrals

   To promote tracking of referrals or sharing of customer information between organizations jointly serving job seekers, Kings County WDB should consider options for securing access to and implementing a web-based tool. Kings County WDB and partner agencies may want to explore Unite Us, a unique web-based data sharing platform that is being adopted by local workforce development systems in California and beyond.

4. Revive Partner Cross Training

   WIOA envisions a local workforce development system in which all partners, including frontline staff, have been trained in and understand the features, processes, and benefits of all partner programs and services. The MOU executed among the Kings County workforce system partners describes the partners'

commitment to providing such training, and during the early implementation and operation of WIOA such training regularly occurred. The whole workforce system would benefit from the process being reimplemented at quarterly partner meetings or in another format.

5. Examine Opportunities to Re-engage EDD as a Co-Located Partner

   WDB leadership should engage EDD management at the state and local level about EDD returning to the center as a co-located partner as envisioned by WIOA. To adequately and equitably serve Kings County job seekers and businesses, EDD should provide Wagner-Peyser, Jobs for Veterans State Grants, and other program services in Kings County.

AJCC Certification Indicator #3: The AJCC provides integrated, customer-centered services.

U.S. Department of Labor Characteristics of a High Quality AJCC

A. Organize and integrate services by function, rather than by program; when permitted by a program's authorizing statute and as appropriate, and by coordinating staff communication, capacity building, and training efforts. Functional alignment includes having AJCC staff who perform similar tasks serve on relevant functional teams, (e.g., skills development team). Service integration focuses on serving all customers seamlessly, including targeted populations, by providing a full range of services staffed by cross-functional teams, consistent with each program's purpose, scope, and requirements.
B. Use an integrated and expert intake process for all customers entering the AJCCs. Frontline staff are highly familiar with the functions and basic eligibility requirements of each program. They can appropriately assist customers and make knowledgeable referrals to partner programs, as needed and as appropriate, given the authorized scope of the program.
C. Develop and maintain integrated case management systems that inform customer service throughout the customer's interaction with the integrated system and allow information collected from customers at intake to be captured. Customer information is properly secured in accordance with personally identifiable information guidelines and facilitated as appropriate, with the necessary MOU or other forms of confidentiality and data sharing agreements. Data, however, would be shared with other programs within the One-Stop system only after the informed written consent of the individual has been obtained, where required.

California State Plan Vision and Strategies

A. Integrated Service Delivery: braiding resources and coordinating services at the local level to meet client needs.
B. Customer-Centered Service Design: use of customer-centered design to involve frontline staff and customers in the development, prototyping, and evaluation of AJCC services, resources, tools, and systems.

AJCC Certification Workgroup's Vision

- AJCC staff identifies with the AJCC system (and not just their specific program), believes that all AJCC customers are shared customers, and contributes to providing a positive AJCC experience for every AJCC customer.
- AJCC staff have received customer service and customer-centered design training.
- AJCC staff is cross trained in program partner eligibility and services, so they have the capacity to functionally serve customers well.
- The AJCC has clearly identified the roles, responsibilities, and authorities of both functional leaders and the supervisors of program partners, and the AJCC has an integrated functional organizational chart.

- The AJCC has a system in place to promptly greet all AJCC customers, identify the reason for their visit and their needs, and connect them to appropriate services as quickly as possible.
- The AJCC has developed integrated customer flow procedures that respond to customer need and moves customers seamlessly between AJCC entry and service delivery with as few hand-offs as possible.
- All AJCC co-located partners have identified the Career Services that apply to their program, and the AJCC has developed methods to align/integrate the delivery of those services.
- The AJCC has established protocols to co-enroll customers in more than one partner program when there is value to customers and has a strategy for effectively sharing case management when customers are co-enrolled.

AJCC Certification Indicator #3: The AJCC provides integrated, customer-centered services.

Assessment of the AJCC's Strengths and Continuous Improvement Opportunities:

Co-location, cooperation, and collaboration with system partners are key characteristics of Kings County WDB's AJCCs and service delivery strategies reflect a commitment to customers.

Areas of strength include:

1. Partners Collaborate with the OSJC and the Local Workforce System

   Local agencies representing the core and mandated partner programs identified by WIOA generally work well together, support the Center, and recognize that their programs are part of a system that serves the same populations.

2. The Center Uses Customer-Centered Design

   The re-configuration and refurbishment of the One-Stop Job Centers that took place a few years ago reflects a customer-centered design focus, where the use of space shifted from a focus on staff to the needs of customers. The facility feels modern, is accessible, and makes available sufficient space and resources to address a wide range of customer needs.

3. Training Has Been Provided on Customer-Centered Design and Customer Service

   Center staff work to meet the individual needs of all customers. Several years ago, staff participated in both customer service training and specialized training pertaining to the use of customer-centered design. Additional training on customer service and customer-centered design should be provided.

4. A Process Is in Place to Greet and Serve Customers

   A reception process has been implemented to identify the purpose of customers' visits to the center. Customers are then assisted in accessing the services they need and/or meeting with specific OSJC or partner staff that are prepared to provide information and services.

5. Co-Enrollment is an Effective Strategy to Ensure that Customers Gain Access to the Full Range of Services They Need

   Co-enrollment of eligible individuals into two or more programs is common. Individual assessment and service planning activities help to identify needs that may best be addressed by more than one program. Center representatives indicate that individuals served through the King County WDB's WIOA Title I program may be co-enrolled in other partner programs that can provide services outside those normally available through WIOA. These programs include a state-funded Prison-to-Employment grant program, a Regional Equity and Recovery

Partnership grant program, a project funded under a Federal Good Jobs Challenge grant. The WDB should review the EDD/California Workforce Development Board (CWDB) directive on “Strategic Co-Enrollment” to identify best practices for co-enrollment of local workforce develop system customers.

Improvement could be realized in the following areas:

1. Ensure that Cross Training Addresses Partner Program Eligibility

   As cross training among the partners is re-implemented, content should include information on basic eligibility requirements. This information in crucial to ensure that staff make communicate accurate information to customers and provide appropriate referrals.

2. Re-Implement Customer-Centered Design and Customer Service Training

   Many current staff at the OSJC have not received training on these critical topics. Given the Center’s customer focus, training on these topics should be renewed and provided to all center and workforce system partner staff.

AJCC Certification Indicator #4: The AJCC is an on-ramp for skill development and attaining industry-recognized credentials that meet the needs of targeted regional sectors and pathways.

U.S. Department of Labor Characteristics of a High Quality AJCC

A. Improve the skills of job seekers and worker customers. AJCCs offer access to education and training leading to industry-recognized credentials through the use of career pathways, apprenticeships, and other strategies that enable customers to compete successfully in today's global economy.
B. Value skill development by assessing and improving each individual's basic, occupational, and employability skills.
C. Balance traditional labor exchange services with strategic talent development within a regional economy.
D. Create opportunities for individuals at all skill levels and levels of experience by providing customers as much timely, labor market, job-driven information, and choice as possible related to education and training, careers, and service delivery options while offering customers the opportunity to receive both skill-development and job placement services.

California State Plan Vision and Strategies

A. Career Pathways: enabling progressive skills development through education and training programs, using multiple entry and exit level of skills development corresponds with a labor market payoff for those being trained or educated and results in industry-recognized credentials.
B. Earn and Learn: a subsidized program that allows individuals to gain work experience while getting paid. Individuals receive training and education that combine applied learning opportunities while participating in the labor market.
C. Supportive Services: providing supportive services like childcare, transportation, and counseling to facilitate program completion by those enrolled in training and education courses.
D. AJCCs as an access point for programs providing "demand-driven skills attainment." From this perspective, AJCCs operate as an "on-ramp" or "gateway" to the "Regional Sector Pathways" programs either built out or identified through the regional planning process described above.
E. AJCCs will continue to provide the full array of Career Services and function as labor exchanges. Still, there will be much greater emphasis on treating AJCCs as an access point for education and training services for those who want and need them.

AJCC Certification Workgroup's Vision

- All AJCC staff (i.e., the staff of all co-located partners regardless of staff position or program) value both skill development and employment outcomes and know how they can promote and contribute to both.

- All AJCC staff knows the regional target sectors, can identify regional sector career pathways, and can understand what those mean in terms of providing services to customers.
- The AJCC has skill development and training opportunities for customers at all skill and experience levels.
- The AJCC staff assist customers in accessing and enrolling in robust training services, including career pathways, integrated education and training, workforce preparation, work-based learning, and apprenticeship.
- AJCC staff are committed to and competent in helping customers navigate career pathways that result in industry-recognized credentials.
- The AJCC does not implement a “sequence of service requirement” for training and does not have cumbersome entry steps that prohibit easy access to education and training that leads to industry-recognized credentials.
- The AJCC ensures that supportive services are available to customers, as appropriate, to facilitate participation in training services.
- The AJCC strives to increase the number of all AJCC customers receiving skill development and training services, resulting in industry-recognized credentials.

AJCC Certification Indicator #4: The AJCC is an on-ramp for skill development and the attainment of industry-recognized credentials that meet the needs of targeted regional sectors and pathways.

Assessment of the AJCC's Strengths and Continuous Improvement Opportunities:

As many of the customers served by the Kings County WDB have significant and, often, multiple barriers to employment, many need skills training to qualify for employment in high-demand jobs within priority sectors. The Center serves as a critical resource to inform job seekers about training and credentials necessary for employment in promising careers and to assist them with enrollment into appropriate training

Areas of strength include:

1. The Center Provides Services to Support Customers in Both Accessing Training and Securing Employment

   Center staff understands customers' needs and that each individual seeking services must be assessed to determine what training (if any) and employment preparation services are required. Customers lacking skills that qualify them for jobs that pay self-sustaining wages and offer career mobility are strong candidates for training either within a traditional educational setting or through a work-based learning program. Other customers may simply require job readiness and job search assistance to secure employment. Given these variables, Center staff, including those representing system partners, understand that training completion, credential attainment, and employment are all valuable outcomes. Staff explain all options to customers to promote informed decisions about careers and training.

2. Staff Has a Working Knowledge of Regional Target Sectors

   The Kings County's Job Training Office, which operates the One-Stop Job Center, and the Kings County Economic Development Corporation are a single organization that operates with a dual focus. Agency management and those working specifically in economic development have a strong understanding of the economy and the labor market.

   Front line staff working in the OSJC has received training on the use of labor market information. However, these staff could benefit from additional training on topics dealing with the economy, the labor market, and key industries.

3. Training is Available for Participants with Various Levels of Skills

   The One-Stop Job Center serves individuals with skill levels and experience ranging from those first entering the labor market to experienced workers, such as those displaced from employment, which may need to upgrade or develop new skills. For individuals lacking basic skills, programs are available through the member agencies of the Adult Education Consortium, nearby community colleges, the WIOA Section 167 program, and community-based providers. For those

needing more advanced skills, many programs are available through individual training accounts or through customized work-based learning models.

4. Various Types of Training Are Available

   For a small workforce area, Kings County makes a substantial amount of training available to customers by leveraging programs and models that are locally available along with those in adjacent counties. Providers including Kings County-based West Hills College in Lemoore and College of the Sequoias in nearby Visalia, local adult schools, and private career schools offer training in fields related to priority sectors, including construction, healthcare, logistics and manufacturing. For participants willing to travel to Fresno County, a wide range of additional training providers and programs is available. In addition, a variety of online training is becoming increasingly available. Participants can also take advantage of work-based learning programs ranging from on-the-job training to apprenticeships.

5. Staff Support Customers in Navigating Options Before Selecting Training

   Staff knows the region's predominant sectors and related training programs and credentials. Additional training in how to support customers in making informed career choices related to key sectors and pathway programs may be beneficial.

6. Supports Service are Available to Enable Customers' Participation in Training

   King County WDB has developed a policy to establish local guidelines for supportive service reimbursements for WIOA participants who depend upon such assistance in order to participate in career services and training. The policy outlines requirements to ensure that needs are assessed and results recorded within a participant's individual employment plan. The policy outlines specific requirements for the provision of supportive services in the following areas: transportation, childcare, transitional childcare, dependent care, and housing. Additional services that are allowed under the policy include: licensing fees; tools and equipment; drug screening and background clearance requirements; clothing; and health, dental, and vision services.

<u>Improvement</u> could be realized in the following areas:

1. Identify Opportunities to Design and Implement a Structured Labor Market Information Training Program for All Staff

   To strengthen knowledge of the labor market among direct services staff, leadership should procure or develop a training program addressing basic economics; local labor market information and how to use it in service planning; the region's target industries; regional and local sector strategies; career pathways and industry-specific training programs; and quality jobs. This training would support staff's ability to effectively support job seekers in making decisions about training and preparation for jobs and careers.

AJCC Certification Indicators #5: The AJCC actively engages industry and labor and supports regional sector strategies through an integrated business service strategy that focuses on quality jobs.

U.S. Department of Labor Characteristics of a High Quality AJCC

A. Design and implement practices that actively engage industry sectors and use economic and labor market information, sector strategies, career pathways, registered apprenticeships, and competency models to help drive skill-based initiatives.
B. Develop, offer, and deliver quality business services that assist specific businesses and industry sectors in overcoming the challenges of recruiting, retaining, and developing talent for the regional economy.
C. To support area employers and industry sectors most effectively, AJCC staff identify and clearly understand industry skill needs, identify appropriate strategies for assisting employers, and coordinate business services activities across AJCC partner programs, as appropriate.
D. To incorporate an integrated and aligned business services strategy among AJCC partners to present a unified voice for the AJCC in its communications with employers.
E. Additionally, AJCCs use the forthcoming performance measure(s) on effectiveness in serving employers to support continuous improvement of these services.

California State Plan Vision and Strategies

A. Regional partnerships: building partnerships between industry leaders, workforce professionals, education and training providers, and economic development leaders to develop workforce and education policies that increase job quality and support regional economic growth.
B. Sector strategies: aligning workforce and education programs with leading and emergent industry sectors' skills needs.
C. Fostering demand-driven skills attainment: workforce and education programs must align program content with the state's industry sector needs to provide California's high road employers and businesses with the skilled workforce it needs to compete in the global economy.

AJCC Certification Workgroup's Vision

- All AJCC staff have advanced knowledge of the regional economy, labor market conditions, business talent supply chains, and the needs of high-growth sectors and high road employers.
- The AJCC focuses on quality jobs by actively promoting targeted sector opportunities and high-demand occupations to all AJCC customers.
- The AJCC promotes systems and partnerships that connect workers to high-quality jobs or entry-level work with clear routes to advancement.

- The AJCC has a defined strategy in place to regularly seek and capture employer advice in the design and delivery of demand-driven services for job seekers.
- The AJCC is an integral partner in the implementation of the Local Board's integrated business services strategy and seeks to minimize redundant employer contacts while maximizing access to system-wide, integrated business services.
- The AJCC offers a wide range of AJCC-based services for employers, including referral of qualified candidates, on-site recruitment, pre-employment testing, skill verification, and hiring and training subsidies.
- The AJCC consistently seeks feedback and satisfaction data from businesses on the delivery of business services and applies it for continuous improvement.

AJCC Certification Indicators #5: The AJCC actively engages industry and labor and supports regional sector strategies through an integrated business service strategy that focuses on quality jobs.

Assessment of the AJCC's Strengths and Continuous Improvement Opportunities:

Business, labor, and economic development representatives on the board promote strong connections to the business community. Staff utilizes a variety of strategies to engage companies within targeted industries regarding their hiring needs and skills required for both new employees and their current workforce.

Areas of strength include:

1. Staff Has Adequate Knowledge of the Regional Economy and the Local Labor Market

   The Kings County's Job Training Office, which operates the One-Stop Job Center, and the Kings County Economic Development Corporation are a single organization that operates with a dual focus. Agency management and those working specifically in economic development have a strong understanding of the economy and the labor market.

   Front line staff working in the OSJC has received training on the use of labor market information. However, these staff could benefit from additional training on topics dealing with the economy, the labor market, and key industries.

   This information is repeated from the response to Certification Indicator 4.

2. System Staff Are Focused on Quality Jobs

   Agency leadership and Center staff recognize the value of quality jobs in terms of preparing job seekers to achieve self-sufficiency and earn a self- or family-sustaining wage. Features of job quality include, but are not limited to, good wages, stability, promotional opportunities, benefits, and predictable work schedules. While the California Workforce Development Board, the U.S. Department of Labor, and other public and private organizations have developed definitions for and established criteria denoting job quality, staff and system partners acknowledge that factors reflecting quality can vary among workers and across areas. Given the unique characteristics of Kings County and the local workforce, the WDB should consider adopting a local definition of job quality.

3. Staff and Partners Engage with Local Business Leaders to Secure Input on the Workforce Needs of Businesses

   One-Stop Job Center staff connects to business through collaboration with a wide range of business-serving organizations, including the Economic Development Corporation, South Valley Industrial Collaborative, the Tulare-Kings Healthcare Partnership, the Farm Bureau, chambers of commerce, and adult school and college advisory committees.

4. The Partners Utilize an Integrated Business Services Strategy

   Center and partner staff participated in "talent pipeline management" training that included information on working to promote coordination of services among organizations that provide various workforce development services to businesses. A clear example of coordination among partners in serving businesses is a collaborative effort among local agencies to organize and conduct job fairs. Participants include representatives from Kings County OSJC, the County Human Services Agency, Kings County Action Organization, Owens Valley Career Development Center, and EDD, among others.

5. A Variety of Services is Available to Business Customers

   In addition to all of the traditional workforce development services that AJCCs typically offer to businesses (e.g. recruitment, hiring and screening assistance, training), the Kings County's One-Stop Job Center provides a much broader range of services to businesses though its connection to the Economic Development Corporation (EDC), which is part of the same agency. The EDC provides support for businesses seeking to start-up in or re-locate to Kings County; existing companies that are looking to expand operations; and entrepreneurial start-ups. The EDC connects businesses to a wide range of services and support including the human resources-related services of the AJCC/One-Stop Job Center.

6. A Process to Survey Business Satisfaction Is in Place

   The Center has utilized surveys on many occasions to assess the needs of businesses and their satisfaction with services that they have received. More recently such surveys have been used in connection with companies that participate in job fairs. Information sought through surveys and the distribution of such surveys to business customers could be expanded.

<u>Improvement</u> could be realized in the following areas:

1. Identify Opportunities to Design and Implement a Structured Labor Market Information Training Program for All Staff

   To strengthen knowledge of the labor market among direct services staff, leadership should procure or develop a training program addressing basic economics; local labor market information and how to use it in service planning; the region's target industries; regional and local sector strategies; career pathways and industry-specific training programs; and quality jobs. This training would support staff's ability to effectively support job seekers in making decisions about training and preparation for jobs and careers.

   This recommendation is repeated from Certification Indicator 4.

2. Lead the WDB in Developing a Local Definition of Job Quality

Kings County WDB leadership should examine how developing or adopting a definition of job quality may benefit its work and AJCC customers by creating a common understanding of opportunities that are targeted by the local workforce system. With the increasing focus by federal and state workforce program administrators on job quality, adopting a local definition would enable the WDB to establish performance targets against metrics it identifies in connection with the definition.

3. Implement Sector Partnerships to Expand Business Engagement

   Over the last two decades, local workforce development programs have developed sector partnerships with companies in key industries as a means of intensive business engagement. Through information provided by business leaders, sector partnerships provide unique opportunities for local workforce development systems to learn about the current hiring and skills needs of business and about their projections concerning future needs.

   Kings County WDB should examine opportunities to launch one or more sector partnerships.

4. Expand the Content and Use of Surveys for Business Customers

   As the AJCCs provide a variety of services to business customers ranging from those that represent a single service (e.g., participation in a WDB-sponsored job fair, a rapid response orientation) to others that represent a series of services provided over sustained periods (e.g., on-the-job training programs), capturing feedback on these services is critical to assessing their value. Kings County WDB should develop and implement one or more survey instruments to secure feedback from business customers on the content and quality of every type of service they receive.

AJCC Certification Indicator #6: The AJCC has high-quality, well-informed, and cross-trained staffing.

U.S. Department of Labor Characteristics of a High Quality AJCC

A. Train and equip AJCC staff in an ongoing learning process with the knowledge, skills, and motivation to provide superior service to all job seekers, including those with disabilities and businesses, in an integrated, regionally focused framework of service delivery. AJCC staff are cross-trained, as appropriate, to increase staff capacity, expertise, and efficiency. Cross-training allows staff from differing programs to understand every program and to share their expertise about the needs of specific populations so that all staff can better serve all customers. AJCC staff are routinely trained and are keenly aware of how their particular function supports and contributes to the overall vision of the local board.
B. The AJCC center is staffed with highly trained career counselors, skilled in advising job seekers of their options, knowledgeable about local labor market dynamics, and aware of available services inside and outside the AJCC.

California State Plan Vision and Strategies

Certification criteria will include an assessment of professional development and staff capacity building.

AJCC Certification Workgroup's Vision

- The AJCC has regular staff meetings with all AJCC staff (i.e., the staff of all co-located partners regardless of program) to build relationships, provide updates on center activities, and discuss strategies for AJCC improvement.
- Partners have agreed to provide training to all AJCC staff on a regular basis.
- There is a capacity building and/or professional development plan for staff and partners.
- All AJCC staff has received training on the services of One-Stop partners, eligibility for those services, and the process for referring customers to partners.
- All AJCC staff has received training on how to use labor market information to help customers identify career pathways, develop in-demand skills and credentials, and find jobs.
- All AJCC staff has received training to effectively assist customers in registering with CalJOBS and match customers to available jobs.
- All AJCC staff has received training on serving individuals with barriers to employment, including customers with disabilities.
- All AJCC staff has received training on providing excellent customer service and customer-centered design.
- All AJCC staff has received training on sector strategies, career pathways, job quality, and high road training partnerships.

AJCC Certification Indicator #6: The AJCC has high-quality, well-informed, and cross-trained staffing.

Assessment of the AJCC's Strengths and Continuous Improvement Opportunities:

Individuals that staff the Kings County WDB's OSJC are experienced workforce development professionals. In addition, staff have been trained in a wide range of topics that improve their ability to provide effective services for job seekers and businesses.

Areas of strength include:

1. Management and Staff Meet Regularly

   Center management and staff meeting no less than monthly and meet more often depending on topics to be addressed. Again, given the focus of meetings, representatives of organizations with an on-site presence may participate in staff meetings.

   As stated in response to Certification Indicator 2, the partner agencies that are party to the MOU meet quarterly in sessions led by the AJCC Operator.

2. Staff has a Working Knowledge of How to Apply Labor Market Information to Their Work

   The Kings County's Job Training Office, which operates the One-Stop Job Center, and the Kings County Economic Development Corporation are a single organization that operates with a dual focus. Agency management and those working specifically in economic development have a strong understanding of the economy and the labor market.

   Front line staff working in the OSJC has received training on the use of labor market information. However, these staff could benefit from additional training on topics dealing with the economy, the labor market, and key industries.

   This information is repeated from the response to Certification Indicator 4 and 5.

3. Staff Has Participated in Regionally Sponsored Training

   Under the state-funded Regional Planning Implementation (RPI) 5.0 grant, Kings County One-Stop Job Center representatives participated in a series of training session that focused on topics that must be addressed in regional and local plans. These included, but were not limited to, sessions focusing on: trauma, self-care, resilience, self-advocacy, conducting virtual meeting and workshops, the hybrid workplace, remote work, cultural intelligence, managing conflict, and communicating with data.

4. Staff is Trained in the Use of CalJOBS

   The ability to register clients into CalJOBS, utilize its job matching functions, and take advantage of its full range of features is central to the One-Stop Job Center's ability to effectively serve job seekers and operate programs. All staff has received training in CalJOBS. As training is needed for new staff, it is scheduled.

5. Staff Has Received Training on Serving Individuals with Disabilities and Other Vulnerable Job Seekers

   California Department of Rehabilitation (DOR) representatives have provided Center staff training from the Windmills series, which provides crucial information on various types of disabilities, workforce and labor market challenges faced by individuals with disabilities, and effective approaches to assisting workforce and employment preparation services to individuals within this priority population. Some staff have also participated in specialized training, including sessions at conferences, that addressed serving individuals from other key target populations.

6. Staff Has Received Training on Customer-Centered Design and Customer Service

   As stated in response to Certification Indicator 3, in the past, staff have received training on both customer-centered design principles and strategies and on customer service. However, given changes in staff, many individuals now working at the Center have not received training on these topics and would benefit from this information. Partner staff also need training on these subjects.

7. Staff Has Received Training in Various Topics Pertaining to Sector Strategies, Career Pathways, and Related Matters

   One-Stop Career Center staff have participated in meetings and training sessions in which they have acquired knowledge about the region's priority sectors and sector pathways. However, as stated above, these staff could benefit from additional structured training on topics dealing with the economy, the labor market, key sectors, sector strategies, and associated career pathways.

Improvement could be realized in the following areas:

1. Develop an Annual Professional Development Plan for the Workforce System

   Agency leadership should examine opportunities to develop an annual professional development plan, which would include training on key topics for staff, including those who deliver services directly to job seekers. Training on core topics such as customer-centered design, customer service, and using labor market information in career planning could be incorporated into such a plan.

2. Identify Opportunities to Design and Implement a Structured Labor Market Information Training Program for All Staff

To strengthen knowledge of the labor market among direct services staff, leadership should procure or develop a training program addressing basic economics; local labor market information and how to use it in service planning; the region's target industries; regional and local sector strategies; career pathways and industry-specific training programs; and quality jobs. This training would support staff's ability to effectively support job seekers in making decisions about training and preparation for jobs and careers.

This is repeated from the recommendation under Certification Indicators 4 and 5.

3. Provide Customer-Centered Design and Customer Service Training

Use of customer-centered design positively impacts service content and quality. Training on this important topic would ensure that customer-centered design is at the forefront of strategies used to develop and support workforce development services in Kings County.

This is repeated from the recommendation under Certification Indicator 3.

4. Revive Partner Cross Training

WIOA envisions a local workforce development system in which all partners, including frontline staff, have been trained in and understand the features, processes, and benefits of all partner programs and services. The MOU executed among the Kings County workforce system partners describes the partners' commitment to providing such training, and, during the early implementation and operation of WIOA, such training regularly occurred. The whole workforce system would benefit from the process being reimplemented at quarterly partner meetings or in another format.

This is repeated from the recommendation under Certification Indicator 2.

5. Examine Opportunities to Reengineer Staff Meetings

While meetings among staff take place regularly, opportunities may exist to redesign the structure, content, and frequency of such meeting so that they are more efficient and focus on key issues contributing to the quality of services and service delivery, meeting program outcomes, and fulfilling other program requirements.

AJCC Certification Indicator #7: The AJCC achieves business results through data-driven continuous improvement.

U.S. Department of Labor Characteristics of a High Quality AJCC

A. Use common performance indicators to ensure that federal investments in employment and training programs are evidence-based, labor market-driven, and accountable to participants and taxpayers. Center performance is transparent and accountable to the communities and regions served; data entry staff are trained and understand the importance of data validation, data collection processes, and the importance of accurate reporting.
B. Develop and implement operational policies that reflect an integrated performance, communication, and case management system, and use technology to achieve integration and expanded service offerings.

California State Plan Vision and Strategies

Certification criteria will include an assessment of the way the AJCC will use data for continuous improvement.

AJCC Certification Workgroup's Vision

- The AJCC contributes to the achievement of WIOA performance indicators for all core program partners.
- The AJCC reports to the Local Board on an ongoing basis the number of customers served, the types of services provided, and the outcomes of those services.
- The AJCC operates in a cost-efficient manner, and the results justify the resources invested.
- The AJCC has a system in place to collect satisfaction data from individuals and employers using the AJCC's services.
- The AJCC has a system in place to capture and respond to specific customer feedback, complaints, and compliments.
- The AJCC regularly reviews and analyzes performance, customer satisfaction, and service data and develops specific plans for AJCC service improvements.
- The AJCC regularly identifies areas of needed technical assistance to improve business results and taps available resources to obtain needed assistance.

AJCC Certification Indicator #7: The AJCC achieves business results through data-driven continuous improvement.

Assessment of the AJCC's Strengths and Continuous Improvement Opportunities:

The use of data to record and track results is critical to the operation of successful workforce development programs and to determining how well programs and services meet the needs of both job seeker and business customers. Data informs every aspect of local workforce programs from design to delivery to evaluation. Data used for these purposes may be either quantitative or qualitative in nature. Labor market information (LMI) and analysis from public sources, such as the U.S. Department of Labor's Bureau of Labor Statistics and California EDD's Labor Market Information Division, as well as proprietary data bases, are commonly used to identify industry and occupational targets for participant training and job placement. Regional and local LMI supplements such data. Information from business leaders, economic development professionals, industry associations, and others with an intimate knowledge of the local labor market serves to provide both real time insights and forecasts on business needs, which are essential to developing and implementing program and process improvements.

WIOA's performance indicators provide a means of measuring program effectiveness with respect to job placement, wages, job retention, credential attainment, and more. Kings County OSJC managers and staff regularly review program performance on these indicators, which provides a clear picture of how well services are translating into results.

Areas of strength include:

1. WDB Performance Supports Performance of Core Partners

   Kings County WDB is responsible for achieving goals leading to attainment of the measures under the WIOA Title I Adult and Dislocated Worker programs that they operate. WIOA Title I program goals are also supported by the center. While the WDB has not established a structured plan to support all core partners or others in their achievement WIOA performance measures, there are many ways in which the WDB and the OSJC contribute to the capacity of core partner programs to meet these measures. Among these are the following:

   - The extensive business outreach efforts of the WIOA Title I-funded system create relationships with companies across the county that lead to job opportunities for customers of all system partners;
   - Job orders identified by Center staff are made available to partner staff, thereby becoming accessible to a much larger pool of candidates, including potentially, customers of all core partners;
   - The system partner's sharing of strategies, including those pertaining to services and performance, which can be applied to all partner programs; and
   - Co-enrollment of participants across multiple programs and funds streams lead to performance outcomes that can be claimed by all partners providing services.

2. Program Performance is Regularly Reported to the Board

   At quarterly meetings of the Kings County Workforce Development Board, Center management and staff provide information to the board on customer traffic at the OSJC and other activities. This information could be expanded to provide a broader picture of all customers served, the services that they receive, and the outcomes achieved by participants as a result of these services.

3. Programs Are Operated with Cost Efficiency

   Given limited funding available through WIOA Title I formula-funded grant programs, Kings County WDB leadership is strategic in the development and oversight of the agency budget, including OSJC operations. A strategy used by the WDB to stretch limited WIOA formula resources is to leverage funds from other programs where possible. Periodically, the WDB secures specialized funding, from federal and state programs, which supplements core resources and further promotes cost effective service delivery.

4. Kings County WDB Collects Customer Satisfaction Data

   Customers at Kings County's OSJC are encouraged to provide comments and share their opinions on services that are available. A customer satisfaction survey has been developed, but is not utilized as frequently as in the past.

5. Kings County WDB Pursues Technical Assistance and Support as Needs are Identified

   Kings County WDB seeks assistance, where needed, to ensure that One-Stop Job Center operations remain effective. Depending on specific needs for technical assistance, WDB leadership may reach out to the Regional Organizer for the San Joaquin Valley and Associated Counties Regional Planning Unit, the EDD Regional Advisor or agency other representatives, the California Workforce Development Board, the California Workforce Association, or other sources, such as firms or individuals with unique knowledge, skills, or capabilities. The WDB may also request technical assistance from partner organizations or Kings County agencies.

<u>Improvement</u> could be realized in the following areas:

1. Expand the Content and Use of Surveys for Job Seekers

   Among the most valuable sets of data for local boards is feedback from customers on the services that they have received and their satisfaction with these services. Kings County WDB leadership should examine opportunities to improve its processes for securing customer feedback and to expand the points at which customers are surveyed.

2. Expand the Content and Use of Surveys for Business Customers

As the AJCCs provide a variety of services to business customers ranging from those that represent a single service (e.g., participation in a WDB-sponsored job fair, a rapid response orientation) to others that represent a series of services provided over sustained periods (e.g., on-the-job training programs), capturing feedback on these services is critical to assessing their value. Kings County WDB should develop and implement one or more survey instruments to secure feedback from business customers on the content and quality of every type of service they receive.

3. Identify and Address Needs for Technical Assistance

   Kings County WDB leadership should examine areas where it could benefit from technical assistance and develop a plan for securing such support. The plan should identify the benefits and outcomes the WDB hopes to derive from such technical assistance.

4. Adopt a Structured Process for Transforming Customer Feedback into Quality Improvement

   While it is clear that the Center receives input from customers and responds to such input by making changes, leadership should consider adopting a continuous quality improvement model such the Plan-Do-Check-Act (PDCA) cycle for this purpose

By signing below, the Local Board Chair agrees with the **AJCC's Certification Indicator Assessment** and attests to develop a continuous improvement plan with target dates.

_____

Signature

_____

Name

_____

Title

_____

Date

ATTACHMENT 1

Comprehensive AJCC Baseline Certification Matrix

The baseline criteria to certify an America's Job Center of California[SM] (AJCC) are intended to ensure that every comprehensive AJCC is in compliance with key *Workforce Innovation and Opportunity Act* (WIOA) statutory and regulatory requirements.

Local Workforce Development Boards (Local Board) must submit a completed matrix to their Regional Advisor for each comprehensive AJCC by **November 1, 2024**.

Name of Local Board Kings County Workforce Development Board
Name of AJCC Kings County – One-Stop Jobs Center

Implements the signed Memorandums of Understanding (MOU)	**Yes**	**No**
An MOU (meeting the requirements in Workforce Services Directive WSD18-12) has been signed by all the required AJCC partners.	☒	☐
The signed MOU identifies the AJCC as a comprehensive.	☒	☐
The AJCC is implementing the MOU specifications applicable to comprehensive centers.	☒	☐

Implements the Local Board defined roles and responsibilities of the AJCC Operator and Career Services Provider	**Yes**	**No**
The AJCC Operator selected is in compliance with WSD22-13, *Selection of AJCC Operators and Career Services Providers*.	☒	☐
The roles and responsibilities of the AJCC Operator are clearly identified.	☒	☐
The Career Services Provider selected is in compliance with WSD22-13.	☒	☐
The roles and responsibilities of the AJCC Career Services Provider are clearly identified.	☒	☐

Meets all regulatory requirements to be a comprehensive AJCC (WIOA Joint Final Rule Section 678.305)	Yes	No
The AJCC has at least one Title I staff person physically present. (Note: Consideration may be given to remote/virtual services implemented due to the COVID-19 pandemic.)	☒	☐
The AJCC provides access to all basic and individualized career services identified in WIOA Joint Final Rule Section 678.430.	☒	☐
The AJCC provides access to training services for adult and dislocated workers identified in WIOA Joint Final Rule Section 680.200	☒	☐
The AJCC provides access to any employment and training activities carried out under WIOA Section 134(d).	☒	☐
The AJCC provides access to programs, services, and activities of all required AJCC partners by having partner staff physically co-located at the AJCC, having a staff person at the AJCC who has been cross trained to provide information about partner programs, or having direct linkage through technology to staff who can provide meaningful information or services.	☒	☐
The AJCC provides workforce and labor market information.	☒	☐
The AJCC provides customers with access to programs, services, and activities during regular business hours.	☒	☐

Ensures Equal Opportunity for Individuals With Disabilities	Yes	No
The AJCC is physically and programmatically accessible to individuals with disabilities, as described in WIOA Section 188 and Title 29 *Code of Federal Regulations* Part 38. The *Americans with Disabilities Act* (ADA) Title V provides that state requirements may supersede the ADA when state requirements provide greater or equal protection for the rights of individuals with disabilities. Therefore, the AJCC must also be in compliance with the following California guidance related to equal access for individuals with disabilities: • *Fair Employment and Housing Act* (California Government Code Section 12900-12996) • *Unruh Civil Rights Act* (California Civil Code Section 51) • *Disabled Persons Act* (California Civil Code Section 54) • *California Building Code* Title 24 Chapter 11B • *California Government Code* 7405 • *California Government Code* 11135-11139	☒	☐

Ensures Equal Opportunity for Individuals With Disabilities	Yes	No
Such requirements include, but are limited to, the following: • Providing reasonable accommodations for individuals with disabilities. • Making reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination against persons with disabilities. • Allow service animals to be permitted, even if there is a "no pets" policy. • Administering programs in the most integrated setting appropriate. • Communicating with persons with disabilities as effectively as with others. • Providing appropriate auxiliary aids and services, including assistive technology devices and services, where necessary to afford individuals with disabilities an equal opportunity to participate in and enjoy the benefits of the program or activity. • Providing physical accessibility of the AJCC to individuals with disabilities.		
Was WIOA Section 188 compliance monitoring completed for PY 2021-22?	☒	☐
Did the AJCCs have any findings when WIOA Section 188 compliance monitoring was completed? If yes, briefly describe the findings.	☐	☒
Was a corrective action plan submitted? **--- Not Applicable**	☐	☒
Is the status of the findings open? **--- Not Applicable**	☐	☒
Is the status of the finding closed? **--- Not Applicable** If closed, as of what date? Click here to enter text.	☐	☒
The AJCC meets all Baseline Criteria for Baseline AJCC Certification	Yes ☒	No ☐

The Local Board Chair must attest to the Local Board's certification decision by signing below.

_____

Signature

_____

Name

_____

Title

_____

Date

Policy Number: 2004-02
Rev. 3: January 12, 2012
Rev.4: March 7, 2019
Rev. 5: May 2, 2024

GRIEVANCE AND COMPLAINT PROCEDURES POLICY

Purpose:

This policy addresses the development, maintenance, and implementation of the local grievance and complaint procedures for complaints and alleged noncriminal violation in the operation of Workforce Innovation and Opportunity Act (WIOA) programs and activities provided by the Kings County Workforce Development Board.

Scope:

This policy incorporates The Workforce Innovation and Opportunity Act Directive WSD 18-05 into the local compliance policy governing the grievance and complaint provisions of WIOA. The Directive and local policy applies to programmatic grievances and complaints pursuant to Title Code of Federal Regulations (CFR) 20 Section 683.600~~WIOA Section 181 (c)~~ and does not address the procedures for processing complaints alleging discrimination under WIOA Section 188 and/or Title 29 Code of Federal Regulations (CFR) Part 38. Information and complaints involving allegations of fraud, abuse, or other criminal activity must be reported directly to the Department of Labor's (DOL) Office of Inspector General and the Employment Development Department's (EDD) Compliance Review Division (CRD) through the procedures for reporting incidents described in WSD17-05.

References:

- Workforce Services Directive (WSD) 18-05, WIOA Grievance and Complaint Resolution Procedures, September 4, 2018
- Title 20 Code of Federal Regulations (CFR), Sections 683.600 and 683.610
- Title 29, CFR, Sections 38.9
- Title 22, California Code of Regulations (CCR) Division 1, Subdivision 2, Chapter 2, Sections 5050-5070
- Workforce Services Directive (WSD) 17-05, Oversight and Monitoring of Nondiscrimination and Equal Opportunity Procedures, August 29, 2018

Background:

Under Title Code of Federal Regulations (CFR) 20 Section 683.600~~WIOA Section 181(c)~~, each state, Local Workforce Development Area (~~Local Area~~Subrecipient), and direct recipient of Title I funding is required to establish and maintain procedures for participants and other interested parties to file grievances and complaints alleging violations of WIOA Title I requirements. These procedures must be made available to all relevant parties within the ~~Local Area~~subrecipient's local area, including America's Job Center of California (AJCC) partners, service providers, and program participants.

Grievances or complaints must be filed within one year of the alleged violation. All grievances and ~~,~~ complaints against the state, amendments, and withdrawals ~~must~~ be in writing. All persons filing grievances or complaints shall be free from restraint, coercion, reprisal, and discrimination.

Furthermore, all recipients and subrecipients of WIOA Title I funds must make reasonable efforts to ensure their policies and corresponding information will be understood by affected participants and individuals, including youth and individuals with limited English proficiency. These efforts must comply with the language requirements of Title 29 CFR Section 38.9.

WIOA Title I Governor's Discretionary and Rapid Response subrecipients ~~(except Local Areas)~~ are ~~not~~ required to develop procedures for responding to grievances and complaints from participants and interested parties. ~~Rather,~~ T~~t~~hese subrecipients must adhere to ~~adopt~~ the Employment Development Department's (EDD) grievances and complaints filed against the state~~state level grievance and complaint~~ procedures~~.~~ ~~and~~ must designate an individual who will be responsible for publishing the procedures.

Definitions:

Complainant – any participant or other interested or personally affected party alleging a noncriminal violation of WIOA Title I requirements.

Complaint file – a file that is maintained in a central location within each office, which includes a copy of each complaint filed along with pertinent documentation.

Compliance Review Office – the organization within the EDD that oversees the administrative resolution of WIOA programmatic complaints.

Days – consecutive calendar days, including weekends and holidays.

Grievance or complaint – a written expression by a party alleging a violation of WIOA Title I, regulations promulgated under WIOA, recipient grants, subgrants, or other specific agreements under WIOA.

Hearing Officer – an impartial person or group of persons that shall preside at a hearing on a grievance or complaint.

~~*Local Area* – the Local Area administrative entity and its subrecipients to whom the administrative entity has delegated the grievance and complaint resolution process.~~

Participant – an individual who has been determined to be eligible to participate in and who is receiving services under a program authorized under WIOA.

Participant case file – either a hard copy or an electronic file.

Recipient – an entity to which a WIOA grant is awarded directly from the U.S. Department of Labor (DOL) to carry out a program under WIOA Title I.

Service Provider – a public agency, private nonprofit organization, or private-for-profit entity that delivers educational, training, employment, or supportive services to WIOA participants.

State Review Panel – an entity within the EDD composed of representatives from EDD~~'~~'s Compliance Review Office, Legal Office, and Director~~'~~'s Office. This panel shall review and approve or disapprove decisions and recommendations regarding grievances or complaints.

Subrecipient – an entity to which a recipient awards funds and is accountable to the recipient (or higher tier subrecipient) for the use of the funds provided.

Policy:

It is the policy of the Kings County Workforce Development Board that:

- The principles and procedures set forth in this policy shall be identical to those established by WSD 18-05; and
- The principles and procedures set forth in this policy shall govern the treatment and handling of all grievances and ~~or~~ complaints against the state in connection with all WIOA Title I grant programs and activities conducted by the State, ~~local area~~subrecipient, or pursuant (directly or indirectly) to subgrants from the State.
- This policy incorporates all WIOA funding sources including the Governor's 15 and 25 percent programs and projects.
- The Job Training Program Manager is the individual designated to publish the EDD grievance and complaint procedures.

Procedures:

I. GENERAL PRINCIPLES AND REQUIREMENTS

These procedures will guide the receipt, hearing, and resolution of noncriminal grievances and complaints relating to WIOA Title I grant programs and activities that are funded with

WIOA Title I grant monies provided to the ~~local area~~subrecipient through the State of California by the DOL. These procedures will be available for use by all individuals and entities, including WIOA Title I grant participants. The Kings County procedures include the opportunity for an individual alleging a labor standards violation to submit the grievance to a binding arbitration procedure, if a collective bargaining agreement covering the parties so provides~~.~~ [Title 20 CFR Section 667.600(c)(3)]. Additionally, the Kings County Workforce Development Area, including subrecipients of WIOA Title I grant funds will make reasonable efforts to assure that information about the content of the grievance and complaint procedures is understood by affected participants and individuals, including youth and those who are limited English-speaking individuals. Although a significant proportion of limited English-speaking individuals of the total eligible population has not been demonstrated, such efforts will comply with the language requirements of Title 29 CFR Section 38.9.

At all levels of the grievance or complaint process, complainants have the right to be represented, at their own expense, by a person(s) of their choosing.

Grievances or complaints must be filed within ***one year*** of the alleged violation. All grievances and~~or~~ complaints against the state, amendments, and withdrawals must be in writing. All persons filing ~~a~~ grievances or complaints shall be free from restraint, coercion, reprisal, or discrimination.

II. KINGS COUNTY GRIEVANCE AND COMPLAINT PROCEDURES

Pursuant to Title 20 CFR Sections 683.600 and 683.610, the Kings County Workforce Development Board has established these procedures for resolving grievances and complaints alleging a violation of Title I, regulations, grants, or other agreements under WIOA. The following outlines the procedures for resolving issues arising in connection with WIOA Title I grant programs operated by the Kings County Workforce Development Board or its subrecipients. Any participant or other interested party adversely affected by a decision or action by the Kings County system, including decisions by One-Stop partners and service providers, has the right to file a grievance or complaint with the Kings County Job Training Office Program Manager, Director or another designated WIOA staff member.

A. Notice to Affected Parties

Initial and continuing notice of the local grievance and complaint procedures and instructions on how to file a complaint is as follows:

1. Posted in a public location and will be made available to any interested parties and members of the public.

2. Made available to each participant. A copy of a written description of Kings County grievance and complaint procedure shall include:

    a. Notification that the participant has the right to file a grievance or complaint at any time within one year of the alleged violation;

b. Timelines for filing a grievance or complaint; and
c. Notification that the participant has the right to receive technical assistance from Kings County in filing the grievance or complaint.
d. Notification that the participant may file an appeal or request a separate review by EDD if they experience an incident or restraint, coercion, or reprisal as a result of filing a complaint.

Such information shall be modified, as needed, whenever the Procedures are changed.

3. Included in each participant's file. A copy of acknowledgement or receipt shall be signed by the participant. If~~-~~ an electronic case file is maintained, staff must either: (1) enter a case note indicating that this notification did occur, the date of the notification, and the name of the staff person who provided it, or (2) scan a signed copy of an acknowledgement of receipt of the local grievance and complaint procedures and attach it to the participant's case file.

Staff of the Kings County Workforce Development Area will provide technical assistance to the complainants, including grievances or complaints against the ~~local area~~subrecipient. Such technical assistance includes providing instructions on how to file a grievance or complaint, providing relevant copies of documents such as the Workforce Innovation and Opportunity Act, regulations, local rules, contracts, etc.; and providing clarifications and interpretations of relevant provisions. This requirement shall not be interpreted as requiring the Kings County Workforce Development Board or the One-Stop staff to violate ~~rules~~the rules of confidentiality.

B. Form and Filing of Grievance or Complaint

The official filing date of the grievance or complaint is the date the written grievance or complaint is received by the Kings County One-Stop staff, the Kings County service providers, One-Stop partners, or subrecipients in a form which satisfies all major items listed in B 1-6 below. The filing of the grievance or complaint will be considered a request for a hearing, and the Kings County One-Stop Staff will issue a written decision within 60 days of the filing of the grievance or complaint.

The grievance or complaint must be in writing, signed, and dated. For resolution purposes, Kings County One-Stop Staff will obtain the following information for all complaints:

1. Full name, telephone number, and mailing address of the complainant;
2. Full name, telephone number, and mailing address of the respondent;
3. A clear and concise statement of the facts and dates describing the alleged violation;

4. The provisions of the Workforce Innovation and Opportunity Act, the WIOA regulations, grant, or other agreements under the WIOA, believed to have been violated;
5. Grievances or complaints against individuals, including staff or participants, shall indicate how those individuals did not comply with the WIOA law, regulation, or contract; and
6. The remedy sought by the complainant.

The absence of any of the requested information shall not be a basis for dismissing the grievance or complaint.

A grievance or complaint may be amended to correct technical deficiencies at any time up to the time of the hearing. Grievances or complaints may not be amended to add new issues. The one-year time period in which a grievance or complaint may be filed is not extended for grievances or complaints that are refiled with amendments. Grievances or complaints may be withdrawn at any time prior to the issuance of the hearing officer's decision. The Kings County One-Stop Staff will send a copy of the grievance or complaint and any decision to the respondent.

C. Informal Resolution

The Kings County One-Stop will notify the complainant and the respondent of the opportunity for an informal resolution. Respondents must make good faith efforts to resolve all grievances and~~or~~ complaints against the state prior to the scheduled hearing. Failure on the part of the either party in the grievance or complaint to exert good faith efforts shall not constitute a basis for dismissing a grievance or complaint, nor shall this be considered to be a part of the facts to be judged in the resolution process. Where a complaint alleges a violation of WIOA Title I, grant or any agreements under WIOA, the Kings County One-Stop Staff will assure that every grievance or complaint not resolved informally or not withdrawn is given a hearing, regardless of the grievance or complaint's apparent merit or lack of merit.

If a complainant and Kings County are able to reach an informal resolution, Kings County One-Stop staff will send a a notice of resolution to the complainant and enter it into the complaint file. If the informal resolution leads to an impasse between the complainant and Kings County, the complainant may choose to not proceed to a hearing. If this occurs, a notice of impasse will be sent by Kings County to the complainant and entered into the complaint file. In the event of resolution or impasse, Kings County will request the complainant to provide a written withdrawal of the complaint within 10 days of receipt of the notice of resolution or impasse.

D. Notice of Hearing

Hearings on any grievance or complaint will be conducted within 30 days of filing of a grievance or complaint. The complainant and the respondent must be notified in writing of the hearing ten (10) days prior to the date of the hearing. The ten-day notice may be shortened with the written consent of both parties. The hearing notice will be in writing and contain the following information:

1. The date of the notice, name of the complainant, and the name of the party against whom the grievance or complaint is filed.
2. The date, time, and place of the hearing before an impartial hearing officer.
3. A statement of the alleged violations. These statements must accurately reflect the content of the grievance or complaint as submitted by the complainant. Clarifying notes, however, may be added to assure that the grievance or complaint is addressed accurately.
4. The name, address, and telephone number of the contact person issuing the notice.

E. Conduct of Hearings

An impartial hearing officer shall conduct the hearing. All members of the Local Workforce Development Board and the local Chief Elected Official(s) are considered interested parties and cannot conduct an impartial hearing. The Kings County One-Stop will secure impartial hearing officers from among the staff of legal offices or personnel departments of municipalities or counties that will not be directly affected by, or will not implement the final resolution of, a specific grievance or complaint.

The hearing will be conducted in an informal manner with strict rules of evidence not being applicable and according to the procedures established through this procedure. Both parties will have the right to present written and/or oral testimony and arguments; the right to call and question witnesses in support of their position; the right to examine records and documents relevant to the issues; and the right to be represented. The hearing will be recorded electronically or by a court reporter.

F. Decision

Not later than 60 days after the filing of the grievance or complaint, the hearing officer shall mail a written decision to both parties by first class mail. The hearing officer's decision shall contain the following information:

1. The names of the parties involved;
2. A statement of the alleged violations(s) and issues related to the alleged violation;
3. A statement of facts;
4. The hearing officer's decision and the reasons for the decision;
5. A statement of corrective action or remedies for violation, if any, to be taken; and
6. Notice of the right of either party to request a review of the decision by the State Review Panel within thirty (10) days of the receipt of the decision.

G. Appeal

If a complainant does not receive a decision from the Kings County One-Stop within 60 days of the filing of the grievance or complaint, or receives an adverse decision, the complainant then has the right to file an appeal with the State.

The complainant may request a State hearing by submitting a written notice of appeal to:

Chief, Compliance Review Division, MIC 22-M
Employment Development Department
P.O. Box 826880
Sacramento, CA 94280-0001

III. STATE-LEVEL GRIEVANCE AND COMPLAINT RESOLUTION PROCEDURES

Title 20 CFR Section 683.600(d) requires the State to provide procedures for resolving appeals of decisions issued at the local level, grievances or complaints regarding statewide workforce programs, and grievances or complaints alleging state violations of WIOA Title I requirements.

A. Appeals of Local Level Decisions or Requests for EDD Review

1. If Kings County has issued an adverse decision or failed to follow the procedures in this Directive, the complainant may file an appeal with the state. Additionally, if Kings County has not issued a decision within the 60--day time limit, or if there has been any incident(s) of restraint, coercion, or reprisal at the local level as a result of filing a grievance or complaint, the complainant may file a request for EDD review.

2. The appeal or request for EDD review must be in writing, signed, and dated by the complainant. The state will attempt to obtain the following information. However, the absence of any of the requested information will not be used as a basis for dismissing the appeal or request for EDD review. The appeal or request for EDD review must include the following:

a. The full name, telephone number, and mailing address of the complainant;
b. The Kings County Workforce Development Area's full name, telephone number and mailing address;
c. A statement of the basis of the appeal or request for EDD review;
d. Copies of relevant documents, such as the complaint filed with Kings County and their decision, if any was received.

3. Appeals must be filed or postmarked within 10 days from the date on which the complainant received an adverse decision from Kings County. Requests for EDD review must be filed or postmarked within 15 days from either of the following:

    a. The date on which a complainant should have received a decision regarding a locally filed complainant, which is defined as five days from the date the decision was due.
    b. The date on which an instance of restraint, coercion, or reprisal was alleged to have occurred as a result of filing the complaint.

    Complainants must submit appeals or requests for EDD review to the following address:

    By mail: Chief, Compliance Review Office, MIC 22-M
    Employment Development Department
    P.O. Box 826880
    Sacramento, CA 94280-0001
    By email: PACBCROIncidentReports@edd.ca.gov

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4. If an evidentiary hearing was held by Kings County, the Compliance Review Office shall request the record of the hearing from Kings County and the State Review Panel shall review the record without scheduling an additional hearing. Kings County will -provide written transcripts of any audio or visual recordings of the hearings via overnight mail. Within 10 days of receipt of the grievance or complaint, the Compliance Review Office shall notify the complainant and respondent of the opportunity for an informal resolution and proceed with the informal resolution process.

5. If an evidentiary hearing was not held by Kings County, the Compliance Review Office shall instruct Kings County to hold a hearing within 30 days of receipt of the appeal or request for EDD review. If Kings County refuses to hold a hearing within the required timeframe, the EDD shall schedule an evidentiary hearing before an impartial hearing officer within the ~~30-day~~30-day timeframe.

~~State Level Grievances and Complaints~~ Grievances and Complaints Filed Against the State

B.

1. All grievances and~~or~~ complaints against the state alleging noncriminal, state violations of WIOA Title I requirements, or grievances or complaints by individuals or interested parties affected by statewide workforce programs shall be filed in writing with the Chief of the Compliance Review Office. The official filing date of the grievance or complaint is the date it is received by the Compliance Review Office. The filing shall be considered a request for a hearing and the State Review Panel shall issue a written decision within 60 days of the official filing date. The Compliance Review Office shall send a copy of the grievance or complaint to the respondent.

2. The grievance or complaint must be in writing, dated, and signed by the complainant. ~~he~~The state will attempt to obtain the following information for all complaints. However, the absence of any of the requested information will not be used as a basis for dismissing the grievance or complaint. The grievance or complaint must include the following:

    a. Full name, telephone number, and mailing address of the complainant and respondent.
    b. A clear and concise statement of the facts and dates describing the alleged violation.
    c. The provision(s) of WIOA, federal regulations, state laws or regulations, grant, or other agreements under WIOA believed to have been violated.
    d. Grievances or complaints against individuals, including staff or participants, shall indicate how those individuals did not comply with WIOA law, regulation, or contract.
    e. The remedy sought by the complainant.

3. The Chief of the Compliance Review Office or their designee shall review the grievance or complaint and notify the complainant and respondent of the opportunity for an informal resolution within 10 days of receipt. If the state cannot resolve the grievance or complaint informally, a hearing will be held.

C. EDD Hearing

1. Hearings on any grievance or complaint shall be conducted within 30 days of the filing of the grievance or complaint. The complainant, respondent, and Kings County (in cases of local level appeals and requests for EDD review) shall be notified in writing of the hearing at least 10 days prior to

the hearing. The hearing shall be conducted by an impartial officer. The hearing notice shall contain the following information:

~~1.~~

a. The date of the notice, name of complainant, and the name of the party against whom the grievance is filed.
b. The date, time, and location of the hearing.
c. A statement of the alleged violations. These statements must accurately reflect the content of the grievance or complaint as submitted by the complainant. ~~However~~However, clarifying notes may be added to assure that the grievance or complaint is addressed accurately.
d. The name, address, and telephone number of the contact person issuing the notice.

2. The EDD hearing shall be conducted in an informal manner without the application of strict rules of evidence. Both parties shall have the right to be represented, present written and/or oral testimony under oath and arguments, call and question witnesses, and request and examine records and documents relevant to the issues. The hearing shall be recorded either electronically or by a court reporter.

3. Title 22 CCR regulates the responsibilities and processes of EDD administrative law judges and hearings and as such, applies to the EDD hearings and hearing officers described in this Directive. Title 22 CCR Sections 5050 through 5070 outline all applicable state laws and must be adhered to by the EDD hearing officers. Examples of subjects addressed include special hearing accommodation, electronic hearings, ex parte communications, and consolidation of similar cases. All references to "administrative law judge" hold the same meaning as "hearing officer" in regard to these regulations.

D. EDD State Review Panel

~~1. Following completion of the EDD hearing, the EDD hearing officer shall make a written recommendation to the State Review Panel. The hearing officer's recommendation shall contain the following information:~~

~~a. The names of the parties involved;~~
~~b. A statement of the alleged violation(s) and issues related to the alleged violation;~~
~~c. A statement of facts;~~
~~d. The EDD hearing officer's decision and the reasons for the decision; and~~
~~e. A statement of the corrective action, if any, to be taken.~~

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~~1. 2.~~ When an appeal of a local level decision is accepted, t~~T~~he State Review Panel shall not conduct a new evidentiary hearing, but shall review the record established by either the local hearing or the EDD hearing. The State Review Panel shall issue a decision on the basis of the information contained in the record. The State Review Panel may accept, reject, or modify the EDD hearing officer's recommendation or the decision of the ~~local area~~subrecipient, and shall issue a written decision to the concerned parties within 60 days of receipt by the EDD of the request for hearing or review.

1.

2. ~~3.~~ The State Review Panel shall mail a written decision to both the c ~~c~~omplainant and the respondent ~~by certified mail~~. The decision shall contain the following information:

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a. The names of the parties involved;
b. A statement of the alleged violation(s) and issues related to the alleged violation;
c. A statement of facts;
d. The State Review Panel's decision and the reasons for the decision;
e. A statement of the corrective action, if any, to be taken; and
f. A notice of the right of either party to file an appeal to the U.S. Secretary of Labor.

E. Remanded Local Grievance or Complaints

Grievances or complaints filed directly with the State related to the Kings County Workforce Development Area programs will be remanded to the Kings County grievance process in accordance with the local Grievance and Complaint Procedures. Reviews that reveal a trial issue, such as the hearing officer being an interested party, will be remanded to Kings County for a retrial of the grievance or complaint.

F. Remedies

1. Remedies that may be imposed for a violation of any requirement under WIOA Title I shall be limited to:

a. Suspension or termination of payments under WIOA Title I;
b. Prohibition of placement of a participant with an employer that has violated any requirement under WIOA Title I;
c. Reinstatement, where applicable, of an employee, payment of lost wages and benefits, and reestablishment of other relevant terms, conditions, and privileges of employment; and
d. Where appropriate, to other equitable relief.

2. Nothing in paragraph one shall be construed to prohibit a complainant from pursuing a remedy authorized under another federal, state, or local law for a violation of WIOA Title I.

G. Federal-Level Appeal Process

1. If the State Review Panel or EDD Hearing Officer has issued an adverse decision ~~regarding a grievance or has not issued~~ regarding a grievance or complaint or if a decision has not been issued ~~a decision~~ within 60 days of receipt of a Kings County appeal, request for EDD review, or grievance or complaint, the complainant may file an appeal with the Secretary. This appeal process applies to grievances and complaints that originated at Kings County or state level.

2. Appeals of an adverse decision must be filed within 60 days of receipt of the adverse decision from the State Review Panel. In cases where the State Review Panel did not issue a decision, the complainant must file an appeal within 120 days of either of the following:

   a. The date on which the complainant filed the appeal of Kings County's decision or request for EDD review with the state.
   b. The date on which the complainant filed the grievance or complaint with the state.

3. All appeals to the Secretary must be sent to the DOL National Office via certified mail with return receipts requested. Copies of the appeal must simultaneously be provided to the DOL Employment and Training Administration (ETA) Regional Administrator and the respondent. Mailing addresses for the DOL National Office and ETA Regional Administrator are included below:

   DOL National Office - Secretary of Labor
   Attn: Assistant Secretary of ETA
   U.S. Department of Labor
   200 Constitution Avenue, NW
   Washington, DC 20210

   ETA Regional Administrator - Office of Regional Administrator
   U.S. Department of Labor
   P.O. Box 193767
   San Francisco, CA 94119-3767

4. Grievances or complaints filed directly with the Secretary that were not previously filed with Kings County and/or state will be remanded to the ~~Local Area~~subrecipient or state, as appropriate.

5. The Secretary shall issue a final determination no later than 120 days after receiving the appeal.

With the incorporation of this policy, the Kings County Workforce Development area ensures that the local policies are procedures are in accordance with the requirements disseminated in WSD18-05.

WIOA GRIEVANCE AND COMPLAINT RESOLUTION PROCEDURES

Executive Summary

This policy provides the guidance and establishes the procedures regarding grievances and complaints alleging noncriminal violations of *Workforce Innovation and Opportunity Act* (WIOA) Title I requirements. This policy applies to all WIOA Title I recipients and subrecipients and is effective immediately.

This policy contains some state-imposed requirements. All state-imposed requirements are indicated by ***bold, italic*** type.

This Directive finalizes Workforce Services Draft Directive *WIOA Grievance and Complaint Resolution Procedures* (WSDD-176), issued for comment on February 14, 2018. The Workforce Development Community submitted 10 comments during the draft comment period. A summary of comments, including all changes, is provided as attachment to the Directive.

This policy supersedes Workforce Services Directive *Grievance and Complaint Procedures* (WSD08-4), dated September 3, 2008. Retain this Directive until further notice.

References

- WIOA (Public Law 113-128)
- Title 20 *Code of Federal Regulations* (CFR) : Administrative Provisions Under Title I of the Workforce Innovation and Opportunity Act, Sections 683.600 and 683.610
- Title 29 CFR Part 38: Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act, Section 38.9
- Title 22 *California Code of Regulations* (CCR) Sections 5050 – 5070
- Workforce Services Directive WSD17-01, *Nondiscrimination and Equal Opportunity Procedures* (August 1, 2017)
- WSD22-06, *Audit Resolution* (November 14, 2022)
- WSD20-12 *Incident Reporting* (May 11, 2021)

Background

Under Title 20 Section 683.600, each state, Local Workforce Development Area (Local Area), and direct recipient of Title I funding is required to establish and maintain procedures for participants and other interested parties to file grievances and complaints alleging violations of WIOA Title I requirements. These procedures must be made available to all relevant parties within the Local Area, including America's Job Center of California[SM] (AJCC) partners, service providers, and program participants.

This Directive contains guidance regarding the receipt, hearing, resolution, and appeals process of WIOA Title I grievances and complaints at the local, state, and federal level in accordance with Title 20 CFR Sections 683.600 and 683.610. These procedures apply only to programmatic complaints alleging violations of WIOA Title I requirements in the operation/administration of WIOA programs and activities. For information on complaints alleging discrimination under WIOA Section 188 and Title 29 CFR Part 38, see Workforce Services Directive *Nondiscrimination and Equal Opportunity Procedures* (WSD17-01). For information on complaints alleging criminal fraud, waste, abuse, or other criminal activity, see Workforce Services Directive *Incident Reporting* (WSD20-12). Lastly, for appeals of administrative or financial sanction(s) on a Local Area resulting from monitoring, investigations, or audits, see Workforce Services Directive *Audit Resolution* (WSD22-06).

Policy and Procedures

General Requirements

The procedures set forth in this Directive must be used by all Local Areas in the development of their local grievance, complaint, and hearing procedures, and govern the treatment and handling of all grievances or complaints connected with WIOA Title I grant recipients and subrecipients.

Grievances or complaints must be filed within one-year of the alleged violation. All grievances, complaints, amendments, and withdrawals must be in writing. All persons filing grievances or complaints shall be free from restraint, coercion, reprisal, and discrimination.

Furthermore, all recipients and subrecipients of WIOA Title I funds must make reasonable efforts to ensure their policies and corresponding information will be understood by affected participants and individuals, including youth and individuals with limited English proficiency. These efforts must comply with the language requirements of Title 29 CFR Section 38.9.

WIOA Title I Governor's Discretionary and Rapid Response subrecipients (except Local Areas) are not required to develop procedures for responding to grievances and complaints from participants and interested parties. Rather, these subrecipients must adopt this Directive in its

entirety and must designate an individual who will be responsible for publishing the procedures.

Definitions

Complainant – any participant or other interested or personally affected party alleging a noncriminal violation of WIOA Title I requirements.

Complaint file – a file that is maintained in a central location within each office, which includes a copy of each complaint filed along with pertinent documentation.

Compliance Review Office – the organization within the EDD that oversees the administrative resolution of WIOA programmatic complaints.

Days – consecutive calendar days, including weekends and holidays.

Grievance or complaint – a written expression by a party alleging a violation of WIOA Title I, regulations promulgated under WIOA, recipient grants, subgrants, or other specific agreements under WIOA.

Hearing Officer – an impartial person or group of persons that shall preside at a hearing on a grievance or complaint.

Local Area – the Local Area administrative entity and its subrecipients to whom the administrative entity has delegated the grievance and complaint resolution process.

Participant – an individual who has been determined to be eligible to participate in and who is receiving services under a program authorized under WIOA.

Participant case file – either a hard copy or an electronic file.

Recipient – an entity to which a WIOA grant is awarded directly from the U.S. Department of Labor (DOL) to carry out a program under WIOA Title I.

Service Provider – a public agency, private nonprofit organization, or private-for-profit entity that delivers educational, training, employment, or supportive services to WIOA participants.

State Review Panel – an entity within the EDD composed of representatives from EDD's Compliance Review Office, Legal Office, and Director's Office. This panel shall review and approve or disapprove decisions and recommendations regarding grievances or complaints.

Subrecipient – an entity to which a recipient awards funds and is accountable to the recipient (or higher tier subrecipient) for the use of the funds provided.

Local Level Grievance and Complaint Resolution Procedures

Subrecipients must establish procedures for resolving programmatic grievances and complaints alleging violations of WIOA Title I. These local grievance and complaint procedures are intended to resolve issues related to WIOA Title I grant programs operated by the subrecipients. The local grievance and complaint procedures must meet the following criteria:

1. Notice to Affected Parties

   Subrecipients must provide a copy of the local grievance and complaint procedures to each participant. These procedures must include the following:

   - Notification that the participant has the right to file a grievance or complaint at any time within one-year of the alleged violation.
   - Instructions and timelines for filing a grievance or complaint.
   - Notification that the participant has the right to receive technical assistance from the subrecipient in filing the grievance or complaint.
   - Notification that the participant may file an appeal or request a separate review by EDD if they experience an incident of restraint, coercion, or reprisal because of filing a complaint.

   The local grievance and complaint procedures must be posted in a public location and made available to any interested parties or members of the public.

   Where a hard copy case file is maintained, staff must include a signed copy of an acknowledgement of receipt of the local grievance and complaint procedures in each participant's case file. Where an electronic case file is maintained, staff must either: (1) enter a case note indicating that this notification did occur, the date of the notification, and the name of the staff person who provided it, or (2) scan a signed copy of an acknowledgement of receipt of the local grievance and complaint procedures and attach it to the participant's case file.

   Subrecipients have the responsibility to provide technical assistance to complainants, including those filing grievances or complaints against the subrecipient. Technical assistance includes, but is not limited to, providing instructions on how to file a complaint, and providing copies of relevant documents such as the WIOA, federal regulations, state laws and regulations, local policies and procedures, and contracts. This does not require subrecipients to violate any rule of confidentiality or provide legal advice.

2. Filing a Grievance or Complaint

   The official filing date of a grievance or complaint is the date it is received by the Local Area, AJCC partner, service provider, or subrecipient. The filing shall be considered a request for a hearing and the subrecipient shall issue a written decision within 60 days of the official filing date. The subrecipient shall send a copy of the grievance or complaint to the respondent.

The grievance or complaint must be in writing, signed, and dated by the complainant. The subrecipient should obtain the following information for all complaints. However, the absence of any of the requested information shall not be used as a basis for dismissing the grievance or complaint.

- Full name, telephone number, and mailing address of the complainant and respondent.
- A clear and concise statement of the facts and dates describing the alleged violation.
- The provision(s) of WIOA, federal regulations, grant, or other agreements under WIOA believed to have been violated.
- Grievances or complaints against individuals, including staff or participants, shall indicate how those individuals did not comply with WIOA law, regulation, or contract.
- The remedy sought by the complainant.

A grievance or complaint may be amended to correct technical deficiencies at any time up to the start of the hearing. Grievances or complaints may not be amended to add new issues unless the complainant withdraws and resubmits the complaint. However, the one-year period in which a grievance or complaint may be filed is not extended for grievances or complaints refiled with amendments. Grievances or complaints may be withdrawn at any time prior to the issuance of the hearing officer's decision***.***

3. Informal Resolution

The subrecipient shall notify the complainant and respondent of the opportunity for an informal resolution. Respondents must make a good faith effort to resolve all grievances or complaints prior to the scheduled hearing. Failure on the part of either the complainant or respondent to exert a good faith effort shall not constitute a basis for dismissing a grievance or complaint, nor shall this be considered a part of the facts to be judged during the resolution process. The subrecipient must assure that all grievances or complaints not resolved informally or not withdrawn are given a hearing, regardless of the grievance or complaint's apparent merit or lack of merit.

If a complainant and respondent are able to reach an informal resolution, a notice of resolution must be sent to the complainant and entered into the complaint file. If the informal resolution leads to an impasse between the complainant and respondent, the complainant may choose to not proceed to a hearing. If this occurs, a notice of impasse must be sent to the complainant and entered into the complaint file. In the event of resolution or impasse, the subrecipient must request the complainant to provide a written withdrawal of the complaint within 10 days of receipt of the notice of resolution or impasse.

4. Local Level Hearing
   Hearings on any grievance or complaint shall be conducted within 30 days of the filing date of the grievance or complaint:

   a. Notice of Hearing
      The subrecipient must notify the complainant and respondent in writing of the hearing at least 10 days prior to the date of the hearing. The 10-day notice period may be shortened with written consent from both parties. The notice shall be in writing and contain the following information:
      - The date of the notice, name of complainant, and the name of the party against whom the grievance is filed.
      - The date, time, and location of the hearing.
      - A statement of the alleged violation(s). The statement must accurately reflect the content of the grievance or complaint as submitted by the complainant. However, clarifying notes may be added to assure that the grievance or complaint is addressed accurately.
      - The name, address, and telephone number of the contact person issuing the notice.

   b. Conduct of Hearing
      An impartial hearing officer shall conduct the hearing. ***All members of Local Workforce Development Boards and the local Chief Elected Official(s) are considered interested parties and cannot conduct an impartial hearing***. The state suggests the subrecipient seek impartial hearing officers from among the staff of legal offices or personnel departments of local municipalities or counties that will not be directly affected by, or will not implement the final resolution of, a specific grievance or complaint.

      The hearing must be conducted in an informal manner and not be bound by strict rules of evidence. All hearings must follow any applicable procedures established by the subrecipient. Both parties have the right to be represented at their own cost, present written and oral testimony under oath and arguments, call and question witnesses, and request and examine records and documents relevant to the issues. The hearing must be recorded electronically or by a court reporter.

   c. Decision of Hearing
      The hearing officer shall provide a written decision to the subrecipient. The subrecipient shall mail the written decision to both parties by first class mail no later than 60 days after the filing date of the grievance or complaint. The decision shall contain the following information:
      - The names of the parties involved.
      - A statement of the alleged violation(s) and related issues.

- A statement of the facts.
- The hearing officer's decision and reasoning.
- A statement of the corrective action or remedies for violations, if any, to be implemented.
- A notice of the right of either party to request an appeal of the decision by the State Review Panel within 10 days of receipt of the decision.

5. Local Level Appeal
   If a complainant does not receive a decision within 60 days of the filing date of the grievance or complaint, or receives an adverse decision, the complainant has the right to file an appeal with the state. See the subsection below entitled *Appeals of Local Level Decisions or Requests for EDD Review*.

State Level Grievance and Complaint Resolution Procedures
As required under Title 20 CFR Section 683.600(d), the state must establish procedures for resolving appeals of decisions issued at the local level, grievances or complaints regarding statewide workforce programs, and grievances or complaints alleging state violations of WIOA Title I requirements.

Remanded Local Grievances and Complaints
Grievances or complaints filed directly with the state related to the subrecipients programs will be remanded to the subrecipient to follow the local level process. Reviews that reveal a trial issue, such as the hearing officer being an interested party, will be remanded to the subrecipient for a retrial of the grievance or complaint.

Appeals of Local Level Decisions or Requests for EDD Review
If the subrecipient has completed the local level process and an adverse decision was issued, the complainant or subrecipient may file an appeal with the state. Additionally, if the subrecipient has not issued a decision within the 60-day time limit, or if there has been any incident of restraint, coercion, or reprisal at the local level because of filing a grievance or complaint, the complainant may file a request for EDD review.

The appeal or request for EDD review must be in writing, signed, and dated by the complainant or subrecipient. The state will attempt to obtain the following information. However, the absence of any of the requested information will not be used as a basis for dismissing the appeal or request for EDD review.

- The full name, telephone number, and mailing address of the complainant and the subrecipient.
- A statement of the basis of the appeal or request for EDD review.
- Copies of relevant documents, such as the complaint filed with the subrecipient and their decision, if any was received.

Appeals must be filed or postmarked within 10 days from the date on which the complainant or subrecipient received an adverse decision. Requests for EDD review must be filed or postmarked within 15 days from either of the following:

- The date on which a complainant should have received a decision regarding a locally filed complainant, which is defined as five days from the date the decision was due.
- The date on which an instance of restraint, coercion, or reprisal was alleged to have occurred as a result of filing the complaint.

To submit appeals or request for EDD review, complainants or subrecipients must use one of the following methods:

By mail:

Chief, Compliance Review Office, MIC 22-M
Employment Development Department
P.O. Box 826880
Sacramento, CA 94280-0001

By email: PACBCROIncidentReports@edd.ca.gov

If an evidentiary hearing was held by the subrecipient, the Compliance Review Office shall request the record of the hearing from the subrecipient and the State Review Panel shall review the record without scheduling an additional hearing. The subrecipient is to provide written transcripts of any audio or visual recordings of the hearings via overnight mail. Within 10 days of receipt of the grievance or complaint, the Compliance Review Office shall notify the complainant and respondent of the opportunity for an informal resolution and proceed with the informal resolution process.

If an evidentiary hearing was not held by the subrecipient, the Compliance Review Office shall instruct the subrecipient to hold a hearing within 30 days of receipt of the appeal or request for EDD review. If the subrecipient refuses to hold a hearing within the required timeframe, the EDD shall schedule an evidentiary hearing before an impartial hearing officer within the 30-day timeframe.

State Review Panel

When an appeal of a local level decision is accepted, the State Review Panel shall not conduct a new evidentiary hearing but shall review the record established by the local level hearing. The State Review Panel shall issue a decision on the basis of the information contained within the record. The State Review Panel may accept, reject, or modify the hearing officer's recommendation, and shall issue a written decision to the concerned parties within 60 days of the EDD's receipt of the local level appeal or request for EDD review.

The State Review Panel shall send a written decision to both the complainant and the respondent. The decision shall contain the following information:

- The names of the parties involved.

- A statement of the alleged violation(s) and related issues.
- A statement of the facts.
- The State Review Panel's decision and reasoning.
- A statement of the corrective action or remedies for violations, if any, to be implemented.
- A notice of the right of either party to file an appeal with the U.S. Secretary of Labor (Secretary).

Grievances and Complaints Filed Against the State
All grievances or complaints against the state alleging noncriminal, state violations of WIOA Title I requirements, or grievances or complaints by individuals or interested parties affected by statewide workforce programs shall be filed in writing with the Chief of the Compliance Review Office. The official filing date of the grievance or complaint against the state is the date it is received by the Compliance Review Office. The filing shall be considered a request for a hearing, and a written decision will be issued within 60 days of the official filing date. The Compliance Review Office shall send a copy of the grievance or complaint to the respondent.

The grievance or complaint must be in writing, dated, and signed by the complainant. The state will attempt to obtain the following information for all complaints. However, the absence of any of the requested information will not be used as a basis for dismissing the grievance or complaint.

- Full name, telephone number, and mailing address of the complainant and respondent.
- A clear and concise statement of the facts and dates describing the alleged violation.
- The provision(s) of WIOA, federal regulations, state laws or regulations, grant, or other agreements under WIOA believed to have been violated.
- Grievances or complaints against individuals, including staff or participants, shall indicate how those individuals did not comply with WIOA law, regulation, or contract.
- The remedy sought by the complainant.

The Chief of the Compliance Review Office or their designee shall review the grievance or complaint and notify the complainant of the opportunity for an informal resolution within 10 days of receipt. If the state cannot resolve the grievance or complaint informally, a hearing will be held.

EDD Hearing
Hearings on any grievance or complaint filed against the state shall be conducted within 60 days of the filing of the grievance or complaint. The complainant shall be notified in writing of the hearing at least 10 days prior to the hearing. The hearing shall be conducted by an impartial officer. The hearing notice shall contain the following information:

- The date of the notice, name of complainant, and the name of the party against whom the grievance is filed.
- The date, time, and location of the hearing.

- A statement of the alleged violations. These statements must accurately reflect the content of the grievance or complaint as submitted by the complainant. However, clarifying notes may be added to assure that the grievance or complaint is addressed accurately.
- The name, address, and telephone number of the contact person issuing the notice.

The EDD hearing shall be conducted in an informal manner without the application of strict rules of evidence. The complainant and EDD have the right to be represented at their own cost, present written and/or oral testimony under oath and arguments, call and question witnesses, and request and examine records and documents relevant to the issues. The hearing shall be recorded either electronically or by a court reporter.

Title 22 CCR governs the responsibilities and processes of EDD administrative law judges and hearings and as such, applies to the EDD hearings and hearing officers described in this Directive. Title 22 CCR Sections 5050 through 5070 outline all applicable state laws and must be adhered to by the EDD hearing officers. Examples of subjects addressed include special hearing accommodation, electronic hearings, ex parte communications, and consolidation of similar cases. All references to "administrative law judge" hold the same meaning as "hearing officer" within these regulations.

Federal Level Appeal Process

If the State Review Panel or EDD Hearing Officer has issued an adverse decision regarding a grievance or complaint or if a decision has not been issued within 60 days of receipt of a local level appeal, request for EDD review, or grievance or complaint, the complainant may file an appeal with the Secretary. This appeal process applies to grievances and complaints that originated at the local or state level.

Appeals of an adverse decision must be filed within 60 days of receipt of the adverse decision from the State Review Panel. In cases where the State Review Panel did not issue a decision, the complainant must file an appeal within 120 days of either of the following:

- The date on which the complainant filed the appeal of a local level decision or request for EDD review with the state.
- The date on which the complainant filed the grievance or complaint with the state.

All appeals to the Secretary must be sent to the DOL National Office via certified mail with return receipts requested. A copy of the appeal must simultaneously be provided to the DOL Employment and Training Administration (ETA) Regional Administrator and the respondent. The mailing addresses for the DOL National Office and ETA Regional Administrator are included below:

DOL National Office

Secretary of Labor
Attn: Assistant Secretary of ETA
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

ETA Regional Administrator

Office of Regional Administrator
U.S. Department of Labor
P.O. Box 193767
San Francisco, CA 94119-3767

Grievances or complaints filed directly with the Secretary that were not previously filed with the subrecipient and/or state will be remanded to the subrecipient or state, as appropriate.

The Secretary shall issue a final determination no later than 120 days after receiving the appeal.

Remedies
Remedies that may be imposed for a violation of any requirement under WIOA Title I as outlined in WIOA Section 181(c)(3) shall be limited to the following:

- Suspension or termination of payments under WIOA Title I.
- Prohibition of placement of a participant with an employer that has violated any requirement under WIOA Title I.
- Reinstatement of an employee, where applicable, payment of lost wages and benefits, and reestablishment of other relevant terms, conditions, and privileges of employment.
- Other equitable relief, where appropriate.

None of the above shall be construed to prohibit a complainant from pursuing a remedy authorized under another federal, state, or local law for a violation of WIOA Title I.

Action

Bring this Directive to the attention of all affected parties.

Inquiries

If you have any questions, please contact your Regional Advisor.

/s/JAVIER ROMERO, Deputy Director
Workforce Services Branch

Attachments:
Summary of Comments (DOCX)
Errata Chronology (DOCX)

From: Magana, Laura
To: Velo, Vincent
Subject: FW: Workforce Development Special Notice
Date: Tuesday, February 20, 2024 8:57:18 AM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png

Vince,

Did you receive this? Do we need to update our forms???

-Laura

From: EDD WEB10 <WEB10@EDD.CA.GOV>
Sent: Friday, February 16, 2024 3:23 PM
To: EDDWDEMAIL@LISTSERV.STATE.CA.GOV
Subject: Workforce Development Special Notice

SPECIAL NOTICE from the EDDWDEMAIL List

The Workforce Services Directive *WIOA Grievance and Complaint Resolution Procedures* (WSD18-05) dated September 4, 2018, was revised with the following changes:

- Page 1
  - Updated citation from Workforce Innovation and Opportunity Act (WIOA) Section 181(c) to Title Code of Federal Regulations (CFR) 20 Section 683.600.
- Page 2
  - Updated citations for two outdated Workforce Services Directives (WSD).
  - Updated the state-imposed requirement to clarify that all subrecipients of WIOA Title I Governor's Discretionary and Rapid Response funds must comply with the grievance and complaint procedures within the Directive.
- Pages 4-11
  - Updated the words "Local Area" to "subrecipient," to clarify that the Directive applies to all subrecipients. Additionally revised any related language to agree with the change to "subrecipient."
- Page 7
  - Moved *State Level Grievance and Complaint Resolution Procedures* section from page 8 to page 7.
  - Moved the *Remanded Local Grievances and Complaints* section from page 10 to page 7.
- Page 8
  - Added the option that appeals may be submitted by email to the Compliance Review Office.
  - Moved the *State Review Panel* section from page 10 to page 8. Removed part of the section that stated after an EDD hearing is held a recommendation will be made to the State Review Panel. This was done

to clarify that the state review panel will not make decisions on recommendations from an EDD Hearing Officer. Additionally added the language “When an appeal of a local level decision is accepted” to clarify how the State Review Panel is initiated.
    - Removed “by certified mail” after “respondent.”
- Page 9
    - Updated the title of the section *State Level Grievances and Complaints* section to *Grievances and Complaints Filed Against the State* to reflect the section’s intended purpose more accurately.
    - Added “against the state” after “all grievance and complaints” to provide clarity that the grievances or complaints referenced are those filed specifically against the state.
- Page 10
    - Added “or EDD Hearing Officer” after “if the State Review Panel” and edited the sentence which previously stated “regarding a grievance or complaint, has not issued” to state “regarding a grievance or complaint or if a decision has not issued.”

View this item online on the Workforce Services Directives webpage.

Regards,
Program Communications Team
Central Office Workforce Services Division
Employment Development Department

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