



PY 2016 Transitional Local Plan

Local Workforce Development Area 13



Open for Public Comment April 3, 2017 – May 3, 2017

Submit comments or questions in writing to:

LWDA 13 Workforce Board

Attn: Ernestine Smith

480 Beale Street

Memphis, Tennessee 38103

Ernestine.smith@workforceinvestmentnetwork.com

Any comments received in relation to the content of the draft transitional local plan will be addressed within the plan prior to submission to the TN Department of Labor and Workforce Development (TDLWD).

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Appendices: Compliance Components/Documents

- Exhibit 1 - Consortium of Local Elected Officials
 - Fiscal Agent Designation
- Exhibit 2 - Partnership Agreement Between Local Elected Officials and Local Workforce Development Board
- Exhibit 3 - AJC Partner Service Agreement
- Exhibit 4 - Resource Sharing Agreement and MOU
 - Resource Sharing Agreement Budget
- Exhibit 5 - Local Workforce Development Board Bylaws
 - Nomination, appointment and removal of board members; resolutions; Bylaws; Code of Conduct; and Conflict of Interest
- Exhibit 6 - Financial Management Policy and Process
 - Cost Allocation Plan; Internal Controls; Cash Management; Receipts of goods; Cost Reimbursement; Inventory and Equipment; program Income; Travel Reimbursement; Audit Requirements and Resolution; Annual Report; Property Management; Debt Collection; and Allowable Costs
- Exhibit 7 - Local Procurement Policy
 - Procurement Policy (less than \$5,000)
 - City of Memphis Purchasing Policies and Procedures Manual
- Exhibit 8 - Program Management Policy and Process
 - Equal Opportunity for Customers; supportive services; needs-related payments; file management; eligibility; self-sufficiency criteria; individual training accounts; layoff assistance; priority of services; grievance for eligible training providers list; transitional jobs; stipends; and training verification/refunds
- Exhibit 9 – Comments that Represent disagreement with the proposed Local Plan (*if applicable*)

ORGANIZATION PROFILE/BACKGROUND

Local Workforce Development Area (“LWDA 13” or “Area 13”), doing business as the Workforce Investment Network (WIN), was created under Workforce Innovation Opportunity Act (WIOA) and the governing regulations. LWDA 13’s service delivery area comprises two counties located in southwest Tennessee: Shelby County, including the City of Memphis, and Fayette County. LWDA 13 delivers services to jobseekers and employers via the American Job Centers. Area 13 serves 3 distinct groups of individuals: adults (over age 18), dislocated workers (those who have lost employment through no fault of their own), and youth (ages 16-24). In addition, WIN assists local employers address their unique hiring needs. WIN serves our two primary customers through the one-stop system, where multiple partners are required to contribute to workforce development services and infrastructure operations.

The Local Chief Elected Official (LCEO) appoints a Local Workforce Development Board (LWDB), who must be approved by the Governor, to oversee the workforce system and activities in the local area. The LWDB is responsible for meeting performance goals that are established by the U.S. Department of Labor and negotiated with the Tennessee Department of Labor and Workforce Development (TDLWD).

LWDA 13 operates two comprehensive one-stop centers, two affiliate centers, one prison-based access point and a mobile coach. LWDA 13’s Career Centers are located at:

480 Beale Street (Affiliate)
Memphis, Tennessee 38103

3040 Walnut Grove (Comprehensive)
Memphis, Tennessee 38111

4240 Hickory Hill Rd (Comprehensive)
Memphis, Tennessee 38141

121 West Court Square (Affiliate)
Somerville, Tennessee 38068

1045 Mullins Station Rd (Access Point)
Memphis, Tennessee 38134

This transitional local plan represents the efforts of WIN to implement the Workforce Innovation and Opportunity Act throughout Area 13.

Describe the consortium agreements, as defined by WIOA 107(d)(11), in place between the local board and the TN Dept. of Human Services, Office of Rehab. Services with respect to efforts that will enhance the provision of services to individuals with disabilities and to other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination (WIOA 108(b)(14)

A Memorandum of Understanding (MOU) has been entered into between Area 13 and the local office of the State of Tennessee Division of Vocational Rehabilitation (VR) as relates to cooperation, collaboration and coordination efforts to enhance the provision of services to individuals with disabilities. The MOU addresses cross-training of staff, the provision of technical assistance, the use and sharing of information, cooperative efforts with employers.

Moreover, VR is a partnering organization under the current MOU between the varied partners in Area 13. Such MOU will comply with guidance from the State of Tennessee Department of Labor and Workforce Development (TDLWD). Upon receipt of guidance from the State, the current Resource Sharing Agreement will be revised to address the fiscal responsibilities of each party as relates to paying for necessary shared services and infrastructure costs with regard to the local workforce development system.

Identify the entity responsible for the disbursal of grant funds. (WIOA 108(b)(10))

The Governor of Tennessee designated the Counties of Shelby (including the City of Memphis) and Fayette as Local Workforce Development Area 13 (LWDA 13). The Chief Elected Officials for LWDA 13 (“the Consortium”) are:

Jim Strickland, Mayor
City of Memphis
125 N. Main St
Memphis, Tennessee 38103

Mark Luttrell, Mayor
Shelby County Government
170 N. Main
Memphis, Tennessee 38103

Rhea Taylor, Mayor
Fayette County
13095 N. Main St.
Somerville, Tennessee 38068

The Consortium designated the Mayor of the City of Memphis as the Lead Chief Elected Official (LCEO) to serve as the local grant recipient/administrative entity and local fiscal agent for WIOA-funded workforce development programs operating within the LWDA. The City of Memphis, by and through the Workforce Investment Network or its successor, is responsible for the administration of all WIOA funds and activities. WIOA funds are allocated to Area 13 by means of contracts entered into between the Tennessee Department of Labor and Workforce Development and the City of Memphis, as the fiscal agent. The Memphis City Council accepts and appropriates the grant funds into the City’s operating budget for use by WIN.

See Exhibit 1 - Consortium of Local Elected Officials

Describe the competitive and non-competitive processes, as well as the process for sole-sourcing, used for procuring goods and services within the local area. This includes, but is not limited to, the process used to award funds to a regional operator and other sub-recipients/contractors of WIOA Title adult, dislocated worker and youth services (WIOA 108(b)(16))

LWDA 13 procures necessary goods and services in a manner that provides “full and open competition” consistent with the standards specified in Title 29 CFR Section 97.36 and the Uniform Guidance in 2 CFR Parts 200 and 2900. WIN Policy 2013:06 provides standards for the informal procurement of small purchases that cost up to \$5,000 within a twelve-month period and are needed to carry out activities pursuant to the Workforce Innovation and Opportunity Act of 2014 for Local Workforce Development Area 13. Such purchases cannot be broken down to change the dollar range and avoid competition. At minimum, three price comparisons should be obtained from qualified sources. Documentation may be current catalogs with price lists or informal quotes. The procurement shall be awarded to the responsible bidder whose bid is the **lowest** in price and confirms with all the material terms and conditions of the request. If the lowest bidder is not selected, a written explanation must be provided explaining the rationale for the selection.

An acquisition that exceeds \$5,000 during a fiscal year is purchased utilizing the City of Memphis’ competitive procurement process, which is defined in the City of Memphis Purchasing Policies and Procedures Manual. Methods of competitive procurements used are:

A. Request for Quotes (RFQ). This process is used when (i) the goods/services desired to be purchased can be completely and accurately described; and (ii) price and other price-related factors are the primary evaluation criteria.

B. Competitive Proposals/Request for Proposal (RFP). If the nature of the purchase is more complex and factors other than price are most important in the selection process, the RFP method is typically used, e.g., when WIN seeks a variety of methods that may be employed to achieve the results sought. The RFP method should be utilized even if the purchase price is less than five thousand dollars (\$5,000). The Contracts Manager will assist with competitive proposal procurements pursuant to the then City of Memphis Purchasing Policies and Procedures manual. Since the RFP process is very time consuming, staff must anticipate their needs to allow sufficient time for the RFP process, which includes advertising, response submission, evaluation, etc.

The permissible methods for procuring the One-Stop Operator and other sub-recipients/contractors of WIOA Title adult, dislocated worker and youth services are through the competitive sealed bid (RFQ) and Request for Proposal (RFP) procurement process.

Noncompetitive/sole-source procurements are authorized when goods and services are unique and possess specific characteristics that can be only filled by one source. Factors to be considered in sole-source purchases include, but are not limited to: 1) Whether the vendor possesses exclusive and/or predominant capabilities or the items contain a patented feature providing superior utility not obtainable from similar products; and 2) Whether the product or service is unique and easily established as one of a kind.

The Division Director must submit a written request to the City's Purchasing Agent, justifying (i) the division's need(s); and (ii) why the vendor is the only source who can provide the necessary goods and/or services. In addition, the division's justification shall be accompanied by a letter from the vendor certifying the vendor is the sole-source provider of such goods or service.

All documentation detailing the historical process of a procurement action will be maintained and retained for the required length of time specified in the City of Memphis Purchasing Policies and Procedures Manual. Procurement files will contain, at a minimum, the following for each procurement:

- Copy of public notice announcing solicitation
- The solicitation
- Copies of responses received
- Response evaluation/ratings
- Record of formal approval/disapproval of responses
- Record of written communications between proposers and staff during the procurement process

See Exhibit 7a - WIN Procurement Policy (up to \$5,000)

See Exhibit 7b- City of Memphis Purchasing Policies and Procedures Manual

Describe the local area's negotiated local levels of performance for the federal measures and their implications upon the local workforce system, to include attaching the completed Performance Targets Table. (WIOA 108(b)(17))

LWDA 13's success in providing workforce development services is measured by performance targets developed by the U.S. Department of Labor for the Adult, Dislocated Worker, and Youth funding streams. After targets were negotiated for the State of Tennessee, the TDLWD then negotiated targets with Area 13. To determine its proposed targets, LWDA 13 considered its past WIA performance, WIOA guidelines and mandates as well as current and expected economic conditions for Shelby and Fayette Counties. Area 13 also used a USDOL-issued tool that helped estimate targets after taking into account the differences in economies and demographics for the local area. Area 13's "hardest to serve" populations were also considered. For example, key challenges for LWDA 13 include low educational attainment, ex-offender status and high poverty rates. Combined with the area's relatively flat population growth and labor market trends, the local workforce system strategically engages the local population to obtain the most desirable performance outcomes.

Performance levels are measured in the categories of employment rates for 2nd and 4th quarters after exit and credential attainment within four quarters after exit for all programs, as well as median earnings for 2nd quarter after exit for the Adult and Dislocated Worker programs. The performance metrics established for Area 13 are:

WIOA Performance Metric	Agreed Target PY 2016	Agreed Target PY 2017
Adult Measures		
<i>Employment Rate 2nd Quarter after Exit</i>	78%	78.5%
<i>Employment Rate 4th Quarter after Exit</i>	75%	75.5%
<i>Median Earnings 2nd Quarter after Exit</i>	\$6,600	\$6,650
<i>Credential Attainment within 4 Quarters after Exit</i>	72.5%	73%
Dislocated Worker Measures		
<i>Employment Rate 2nd Quarter after Exit</i>	84%	85%
<i>Employment Rate 4th Quarter after Exit</i>	79%	80%
<i>Median Earnings 2nd Quarter after Exit</i>	\$7,200	\$7,250
<i>Credential Attainment within 4 Quarters after Exit</i>	76.5%	77%
Youth Measures		
<i>Employment Rate 2nd Quarter after Exit</i>	75%	76%
<i>Employment Rate 4th Quarter after Exit</i>	77%	78%
<i>Credential Attainment within 4 Quarters after Exit</i>	78.5%	79%

Describe the indicators used by the local board to measure performance and effectiveness of the local fiscal agent, eligible providers and the AJC delivery system, in the local area. (WIOA 108(b)(17). Include how and by whom the indicators are being deployed; and if the measured performance and effectiveness are used in the continuous improvement process

The local board relies on data to measure performance, make decisions that will improve performance and allow continuous improvement through reporting and monitoring. To measure performance and effectiveness, LWDA 13 uses key performance indicators, such as the number of WIOA participants enrolled, the number of participants exited, the number of participants obtaining a credential and the number of participants placed in employment in a given time period. On a more granular level, management and staff regularly look at participants' employment status, credential status, program withdrawals, internal job orders, case management efforts, follow-up, etc. This information helps ensure LWDA 13 remains on track to meet or exceed negotiated targets. Staff of the local workforce area use the state's electronic management system to deploy reports that show progress. The system captures customer data and aligns and integrates such data for reporting. Targeted follow-up and outreach efforts are employed to individual participants as needed. With continuous tracking and monitoring, Area 13 develops trainings and provides staff support to ensure the established goals are met. Corrective action plans are also used to avoid repeated issues.

In addition to meeting or exceeding the negotiated performance targets, financial performance and outcomes are top priorities for WIN. Effectiveness of the local fiscal agent is evaluated by a multi-tiered approach. The City of Memphis' Finance Division has implemented improved fiscal processes and systems to assure Area 13's compliance and fiscal integrity. Monthly financial reports are sent to the Board and selected managers. The fiscal reports are reviewed to monitor financial performance and identify variances against the budget. Area 13 submits to the State monthly financial reports for each grant received. In addition, drawdowns are submitted on a monthly basis so that the City of Memphis is reimbursed in a timely manner. The financial information reported to the State reconciles with information in the City's Oracle system. This reconciliation provides for accurate and verifiable data being reported to the State.

In addition to tracking performance by assessing attainment of the negotiated performance measures, the TDLWD performs annual Performance Accountability Review (PAR) audits, which monitor local areas for program and fiscal compliance and check VOS for data validation purposes. Errors are noted in a formal report, and Area 13 is required to respond with its corrective action plan.

LWDA 13 uses its negotiated performance targets as a base for negotiating performance metrics with subcontractors and providers and as a basis to measure the effectiveness of same. Area 13 holds subcontractors and providers to the same or higher negotiated performance levels. Youth subcontracts require WIN to retain one-third (1/3) of the contract amount and tie that sum to the achievement of performance deliverables and follow-up. WIN continually provides technical assistance to subcontractors and providers to reiterate contract requirements and provide any needed assistance. These sessions strengthen partnerships with subcontractors and demonstrate the importance for quality service. Local training providers also regularly share outcomes, and staff within WIN's Performance Department conducts periodic monitoring reviews of providers and contractors' work and operations. With this information, Area 13 can ensure providers meet the terms of their contract and reengage participants as necessary. This negotiation process, provision of technical assistance and continuous monitoring enhances the subcontractors' ability to meet or exceed established goals, thereby ensuring that LWDA 13 meets or exceeds its negotiated performance measures.

To assess the effectiveness of the local workforce development system, Area 13 also solicits input from customers (jobseekers and employers) via surveys. The feedback provides key insights into the organization and helps ensure we meet the needs of clients. In addition, LWDA 13 has a documented grievance process in which customer concerns are tracked, reviewed and resolved. Complaints are viewed as an opportunity for constructive feedback and to examine whether current processes serve their intended purpose. Survey and complaint data is shared with management and used to improve processes to better serve our clients.

Describe the process used by the local board for the receipt and consideration of input into the development of the local plan in compliance with WIOA 108(d). Describe the process to provide an opportunity for public comment prior to the submission of the local plan. Be sure to address how members of the public, including representatives of business, labor

organizations and education were given an opportunity to provide comments on the local plan. WIOA 108(b)(20)

Areas 11, 12 and 13 engaged in regional planning and developed a Regional Planning Council for West Tennessee. The Council is comprised of representatives of the core partners of the WIOA, including Wagner Peyser (WP), Temporary Assistance for Needy Families (TANF), Vocational Rehabilitation (VR) and Adult Education (AE), as well as representatives from the LWDBs, career and technical education, and economic development. Each local area conducted a local planning session. After each local session, the 3 LWDBs participated in a regional planning session. Local elected officials, LWDB members, core and required partner programs, private business, postsecondary institutions, and economic development agencies were invited to participate in the meetings. The transitional regional planning process resulted in the development of the Transitional Regional Plan for West Tennessee. Such regional plan serves as a guide for local planning.

WIN's Executive Director regularly engages with local board members via individual discussions, monthly Executive Committee meetings and bi-monthly board meetings. In addition, he regularly meets with the area Mayors to understand their vision as relates to workforce development. Such vision is incorporated into the programs and initiatives developed to serve customers throughout Area 13. The organization's approach to completing the local plan is one that encourages and requires the formal input of board members in all phases of the plan's development. A draft document is prepared by staff, which provides the framework and structure by which board members can provide their input. The draft local plan is also sent to the three (3) area mayors for review and comment.

Prior to the date on which the local board submits a proposed local plan, the proposed local plan must be made available to members of the public through electronic and other means.

- ***Describe how the local board made the proposed local plan available for public comment (WIOA 108(d)(1))***
- ***Describe how the local board collected and considered public comments for inclusion in the proposed local plan***
- ***If any comments were received that represent disagreement with the proposed local plan, include such comments within the local plan's attachments. WIOA 108(d)(3)***

The public is invited to comment on the proposed local plan at least thirty (30) days prior to the plan being submitted to the State for review and approval. Copies of the proposed local plan is made available to the public through electronic and other means, such as WIN's website. Notice soliciting public comment is published in the local newspapers. In addition, the draft local plan is sent to the regional stakeholders for review and comment during the comment period. Comments are remitted to a designated individual;

and to the extent possible, comments are addressed in the draft local plan prior to submission to the State.

List the name, organization, and contact information of the designated EO officer for each AJC partner in the AJC within the local area.

Area 13 has designated the following individual to serve as the Equal Opportunity (EO) Officer:

Melanie Winfield
Workforce Investment Network
480 Beale Street
Memphis, Tennessee 38103
(901) 636-6813
Melanie.winfield@workforceinvestmentnetwork.com

The EO Officer's contact information is included on Area 13's website and in documentation regarding the Local Area's grievance process and equal opportunity provisions. (e.g., Grievance policy and Equal Opportunity and Nondiscrimination Complaint policy). In addition to designating an EO Officer, Area 13 has a designated Disability Coordinator who assists individuals with disabilities and partners with various organizations to coordinate services and programs for such individuals.