



**TOWN OF HEMPSTEAD/CITY OF LONG BEACH (WDB) PROGRAM YEAR 2022  
REQUEST FOR PROPOSALS FOR  
CAREER SERVICES FOR ADULTS, DISLOCATED WORKERS, AND YOUTH**

**Contract Period: July 1, 2023 through June 30, 2025**

**Essential Information and Dates**

RFP Release Date	March 31, 2023
Deadline for Proposal Submission	April 21, 2023

HempsteadWorks  
[www.hempsteadworks.com](http://www.hempsteadworks.com)

For all questions and inquiries, please email Elizabeth Ajasin at [eajasin@hempsteadworks.com](mailto:eajasin@hempsteadworks.com).

## Table of Contents

1. Introduction
2. Background
3. Scope of Services
4. Participant Eligibility
5. Proposal Instructions
6. Limitations
7. EO and Nondiscrimination Assurance
8. Attachments
  - a. Proposal Summary Form
  - b. Services Checklist
  - c. Proposal Narrative (see Section 5.3)
  - d. Budget Instructions and Forms
  - e. WIOA Services Allocated to the Administration Cost Category
  - f. New York State Department of Labor Technical Advisory #18-6.2 – Primary Indicators of Performance

## 1. INTRODUCTION

This solicitation of proposals is being conducted by the Town of Hempstead Department of Occupational Resources (DOOR) on behalf of the Town of Hempstead Local Workforce Development Board (LWDB) in its capacity as the Grant Subrecipient/Fiscal Agent for the Town of Hempstead/City of Long Beach Local Workforce Development Area under the Workforce Innovation and Opportunity Act (WIOA) of 2014 and all related statutes and regulations. DOOR is requesting proposals from qualified organizations to provide **Career Services for Adults, Dislocated Workers, and Youth.**

To be considered, the applicant must be an incorporated for-profit or non-profit organization, or a public agency, and have successfully provided workforce development services funded under federal or state legislation for a minimum of three (3) years. **Priority will be given to organizations who conduct WIOA program-related services that are allocable to the WIOA Administration Cost Category on an in-kind basis. A list of WIOA services that must be allocated to the Administration Cost Category is included as Attachment E.** The period of performance is May 1, 2023 through June 30, 2025. Contractual agreements negotiated pursuant to this RFP will commence upon execution and end on June 30, 2025, with options for renewal at the discretion of the Town of Hempstead Local Workforce Development Board.

Completed proposals must be received by DOOR no later than 4:30 P.M. on **Friday, April 21, 2023.**

## 2. BACKGROUND

The Town of Hempstead Department of Occupational Resources (DOOR) is the grant subrecipient/fiscal agent for the Town of Hempstead/City of Long Beach Local Workforce Area under the Workforce Innovation and Opportunity Act (WIOA) of 2014. WIOA funding is used to help jobseekers access employment, education, training, and supportive services, as well as match employers with skilled workers to compete in the global economy. HempsteadWorks is the name given to the One-Stop Workforce System, whose mission is to ensure that skilled workers are available to employers, to help jobseekers find work, and to foster economic development.

HempsteadWorks offers employment and training services to thousands of jobseekers and businesses in the Town of Hempstead and City of Long Beach in addition to services supported through competitively procured contracts among community-based, youth-serving organizations. At the HempsteadWorks Career Center, we provide the following services:

- A. Career Planning and Counseling
- B. Occupational Skills Training Programs for Careers in High-Demand Industries
- C. Career and Computer Skills Workshops
- D. Online Job Banks
- E. Referrals to Partner Agencies
- F. Access to Computers, Copiers, and Career Development Literature

We also assist businesses with identifying qualified employees, posting job vacancies, and accessing training funds for professional workforce development. Additional information on programs and services can be found at [www.hempsteadworks.com](http://www.hempsteadworks.com).

### **3. SCOPE OF SERVICES**

The Workforce Innovation and Opportunity Act (2014) was enacted “to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.” Pursuant to WIOA, Subtitle B, Chapter 1, section 121, the LWDB oversees a one-stop delivery system. Under this RFP, the LWDB is soliciting proposals from qualified applicants to provide a scope of services consistent with the “Local Employment and Training Activities” described under Sections 134 (c) (2) and 129 of WIOA. An excerpt of Section 134 (c) (2) is provided in quotations below:

“Funds described in paragraph (1) shall be used to provide career services, which shall be available to individuals who are adults or dislocated workers through the one-stop delivery system and shall, at a minimum, include—

- (i) determinations of whether the individuals are eligible to receive assistance under this subtitle;
- (ii) outreach, intake (which may include worker profiling), and orientation to the information and other services available through the one-stop delivery system;
- (iii) initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs;
- (iv) labor exchange services, including— (I) job search and placement assistance and, in appropriate cases, career counseling, including— (aa) provision of information on in-demand industry sectors and occupations; and (bb) provision of information on nontraditional employment; and (II) appropriate recruitment and other business services on behalf of employers, including small employers, in the local area, which services may include services described in this subsection, such as providing

- information and referral to specialized business services not traditionally offered through the one-stop delivery system;
- (v) provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system and, in appropriate cases, other workforce development programs;
  - (vi) provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including— (I) job vacancy listings in such labor market areas; (II) information on job skills necessary to obtain the jobs described in subclause (I); and (III) information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for such occupations; ...
  - (vii) (I) provision of information, in formats that are usable by and understandable to one-stop center customers, relating to the availability of supportive services or assistance, including child care, child support, medical or child health assistance under title XIX or XXI of the Social Security Act (42 U.S.C. 1396 et seq. and 1397aa et seq.), benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), assistance through the earned income tax credit under section 32 of the Internal Revenue Code of 1986, and assistance under a State program for temporary assistance for needy families funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and other supportive services and transportation provided through funds made available under such part, available in the local area; and (II) referral to the services or assistance described in subclause (I), as appropriate; ...
  - (viii) assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under this Act;
  - (ix) services, if determined to be appropriate in order for an individual to obtain or retain employment, that consist of— (I) comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include— (aa) diagnostic testing and use of other assessment tools; and (bb) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals; (II) development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals, including providing information on eligible providers of training services pursuant to paragraph (3)(F)(ii), and career pathways to attain career objectives; (III) group counseling; (IV) individual counseling; (V) career planning; (VI) short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training; (VII) internships and work

- experiences that are linked to careers; (VIII) workforce preparation activities; (IX) financial literacy services, such as the activities described in section 129(b)(2)(D); (X) out-of-area job search assistance and relocation assistance; or (XI) English language acquisition and integrated education and training programs; and
- (x) follow-up services, including counseling regarding the workplace, for participants in workforce investment activities authorized under this subtitle who are placed in unsubsidized employment, for not less than 12 months after the first day of the employment, as appropriate.”

An excerpt from Section 129 is provided in quotations below:

“(2) PROGRAM ELEMENTS.—In order to support the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness for participants, the programs described in paragraph (1) shall provide elements consisting of—

(A) tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential;

(B) alternative secondary school services, or dropout recovery services, as appropriate;

(C) paid and unpaid work experiences that have as a component academic and occupational education, which may include— (i) summer employment opportunities and other employment opportunities available throughout the school year; (ii) pre-apprenticeship programs; (iii) internships and job shadowing; and (iv) on-the-job training opportunities;

(D) occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with indemand industry sectors or occupations in the local area involved, if the local board determines that the programs meet the quality criteria described in section 123;

(E) education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;

(F) leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate;

(G) supportive services;

(H) adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;

(I) followup services for not less than 12 months after the completion of participation, as appropriate;

(J) comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate;

(K) financial literacy education;

(L) entrepreneurial skills training; H. R. 803—86

(M) services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services; and  
(N) activities that help youth prepare for and transition to postsecondary education and training.”

#### **4. PARTICIPANT ELIGIBILITY**

##### **a) Adults and Dislocated Worker**

According to WIOA Section 3 (2), “the term “adult” means an individual who is age 18 or older.”

According to WIOA Section 3 (15), “the term “dislocated worker” means an individual who—

(A)(i) has been terminated or laid off, or who has received a notice of termination or layoff, from employment; H. R. 803—8 (ii)(I) is eligible for or has exhausted entitlement to unemployment compensation; or (II) has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center referred to in section 121(e), attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and (iii) is unlikely to return to a previous industry or occupation; (B)(i) has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise; (ii) is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or (iii) for purposes of eligibility to receive services other than training services described in section 134(c)(3), career services described in section 134(c)(2)(A)(xii), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close; (C) was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters; (D) is a displaced homemaker; or (E)(i) is the spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code), and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or (ii) is the spouse of a member of the Armed Forces on active duty and who meets the criteria described in paragraph (16)(B). (16) DISPLACED HOME MAKER.—The term “displaced homemaker” means an individual who has been providing unpaid services to family members in the home and who— (A)(i) has been dependent on the income of another family member but is no longer supported by that income; or (ii) is the dependent spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code) and whose family income is significantly reduced because of a deployment (as defined in

section 991(b) of title 10, United States Code, or pursuant to paragraph (4) of such section), a call or order to active duty pursuant to a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, a permanent change of station, or the service-connected (as defined in section 101(16) of title 38, United States Code) death or disability of the member; and (B) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.”

## **b) In-School Youth**

Youth who participate in the program must meet WIOA eligibility. WIOA Section 129 (a)(1)(C) defines eligible youth as follows:

- (a) Resident of the Town of Hempstead/City of Long Beach
- (b) Age 14 through 21;
- (c) Low income, as defined in WIOA Sec. 129 (a)(1)(C); and
- (d) Within one or more of the following categories:
  - 1. Basic skills deficient.
  - 2. An English language learner.
  - 3. An offender.
  - 4. A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.
  - 5. Pregnant or parenting.
  - 6. A youth who is an individual with a disability.
  - 7. An individual who requires additional assistance to complete an educational program or to secure or hold employment.\*

**\*Determination of an individual who requires additional assistance to complete an educational program, or to secure and hold employment will be made by the DOOR based documentation provided from the contractor on behalf of the youth in accordance with Town of Hempstead LWDB policies stated below:**

### **Youth Who Requires Assistance to Complete an Educational Program Policy**

The term "**requires assistance to complete an educational program**" means that a youth is either a dropout or at risk of dropping out of high school, an alternative school, an alternative program, or a post-secondary program, based upon an assessment of the participant’s academic records, transcript and/or teacher/ educational institution evaluation, etc. and in consideration of serious barriers faced by the participant, such as: failing a core subject; a victim of abuse; suffering from

substance or medical issues; an expectant father; and/or the child of an incarcerated parent, truancy; disability; poor academic record; aged out of foster care; limited English proficiency; chronic behavioral problems; offender status, etc.

### **Youth Who Requires Assistance to Secure and Hold Employment Policy**

The term "requires assistance to Secure and hold employment" means that a WIOA participant is unable to secure permanent unsubsidized employment that offers a reasonable expectation for long-term employment and career growth based upon an assessment of the participant's education and skills in the context of local labor market information and in consideration of serious barriers faced by the participant, such as substance abuse; disability; poor work history; aged out of foster care; limited English proficiency; chronic behavioral problems; offender status, lack of job readiness skills; etc.

### **Serious Barriers for Youth Policy**

Serious barriers for youth include the following: truancy; substance abuse; disability; poor work history; aged out of foster care; limited English proficiency; chronic behavioral problems; offender status; lack of job readiness skills; etc. In accordance with WIOA Sec. (a)(3)(A) and (B), the enrollment of covered individuals who are not low income may not exceed five (5) percent (%) and may not be enrolled without the approval of the DOOR Commissioner/WDB Director.

### **Youth Who Is Deficient in Basic Literacy Skills Policy**

#### **A. Definition**

The term "**basic skills deficient**" means—

(A) that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or

(B) that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

**\*Presently enrolled in school can include youth who are out-of-school, those enrolled in college but are on summer vacation (as long as a certain age) and those who graduated this year and are enrolled in college or a trade/proprietary school in the fall.**

#### **c) Out-of-School Youth**

Youth who participate in the program must meet WIOA eligibility. WIOA Section 129 (a)(1)(B) defines eligible youth as follows:

(e) Resident of the Town of Hempstead/City of Long Beach

(f) Not attending any school (as defined under State law);

(g) Not younger than age 16 or older than age 24; and one or more of the following:

- (i) A school dropout.
- (ii) A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter.
- (iii) A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is:
  - (aa) basic skills deficient; or
  - (bb) an English language learner.
- (iv) An individual who is subject to the juvenile or adult justice system.
- (v) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.
- (vi) An individual who is pregnant or parenting.
- (vii) A youth who is an individual with a disability.
- (viii) A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.\*

**\*Determination of an individual who requires additional assistance to complete an educational program, or to secure and hold employment will be made by the DOOR based documentation provided from the contractor on behalf of the youth in accordance with Town of Hempstead LWDB policies stated below:**

**Youth Who Requires Assistance to Complete an Educational Program Policy**

The term "**requires assistance to complete an educational program**" means that a youth is either a dropout or at risk of dropping out of high school, an alternative school, an alternative program, or a post-secondary program, based upon an assessment of the participant's academic records, transcript and/or teacher/ educational institution evaluation, etc. and in consideration of serious barriers faced by the participant, such as: failing a core subject; a victim of abuse; suffering from substance or medical issues; an expectant father; and/or the child of an incarcerated parent, truancy; disability; poor academic record; aged out of foster care; limited English proficiency; chronic behavioral problems; offender status, etc.

**Youth Who Requires Assistance to Secure and Hold Employment Policy**

The term "requires assistance to Secure and hold employment" means that a WIOA participant is unable to secure permanent unsubsidized employment that offers a reasonable expectation for long-term employment and career growth based upon an assessment of the participant's education and skills in the context of local labor market information and in consideration of serious barriers faced by the participant,

such as substance abuse; disability; poor work history; aged out of foster care; limited English proficiency; chronic behavioral problems; offender status, lack of job readiness skills; etc.

### **Serious Barriers for Youth Policy**

Serious barriers for youth include the following: truancy; substance abuse; disability; poor work history; aged out of foster care; limited English proficiency; chronic behavioral problems; offender status; lack of job readiness skills; etc. In accordance with WIOA Sec. (a)(3)(A) and (B), the enrollment of covered individuals who are not low income may not exceed five (5) percent (%) and may not be enrolled without the approval of the DOOR Commissioner/WDB Director.

### **Youth Who Is Deficient in Basic Literacy Skills Policy**

#### **A. Definition**

The term “**basic skills deficient**” means—

(A) that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or

(B) that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society.

## **5. PROPOSAL INSTRUCTIONS**

### **5.1 Deadline**

Proposals submitted in response to the RFP must be received later than COB on Friday, April 21, 2023. Proposals can be submitted by mail or email to:

ATTN: Elizabeth Ajasin  
Town of Hempstead Department of Occupational Resources  
50 Clinton Street, Suite 400  
Hempstead, NY 11550  
[eajasin@hempsteadworks.com](mailto:eajasin@hempsteadworks.com)

### **5.2 Evaluation Criteria**

HempsteadWorks staff will review all proposals to ensure compliance with the requirement of the RFP. Proposal meeting requirements will be evaluated by a review team of HempsteadWorks staff and the WDB or their designees. Applicants will be rated on a 100-point rating system, and evaluation is based on, but not limited to:

- Demonstrated Capability (50 Points)

- If previous contractor, past performance, and experience conducting career services
- Record of achievement in program management and operations
- High level of professional and technical skills/knowledge including experienced staff with adequate support
- Timeliness of billing
- Proposed Staff (20 Points)
  - Experience of staff in performing career services
- Cost Efficiency (30 Points)
  - Clarity and completeness of budget detail
  - Reasonableness of costs
  - Level of investment in relation to proposed outcomes

To be eligible to receive an award, a proposal must be fully completed, contain all required documentation, and achieve a minimum score of 70 points. Failure to meet the minimum requirements will result in an automatic rejection of the application.

### 5.3 Format and Content

Organizations with interest in providing the requested services should submit a proposal narrative that includes the following information exactly as labelled (**in bold**) and as ordered below:

1. Completed **Proposal Summary Form** (see Attachment A).
2. Completed **Services Checklist** (see Attachment B).
3. Include as Attachment C, a narrative explaining the following:
  - a. The **Nature and Mission** of your organization.
  - b. **Evidence** that your organization possesses the necessary organization, experience, accounting, and operational controls as well as technical skills to perform the work
  - c. Provide the name(s) and resume(s) of key **Staff** that will coordinate an awarded contract and/or oversee the program.
4. Completed **Budget Instructions and Forms** (Attachment D). Preference will be given to applicants that request program expenses only. Administrative expenses should not exceed 10% of total costs. Proposed in-kind administrative services must be identified in the budget.

## 6. LIMITATIONS

The Hempstead/Long Beach WDB reserves the right to accept or reject any or all proposals received as a result of this request; to negotiate all qualified sources; or to cancel in part or in its entirety this RFP if found not in the best interest of the WDB. This RFP does not commit the WDB to award a contract, to pay costs incurred for

preparation of proposals, to pay for legal liability in refusing to award a contract, or to procure or contract for services. Vendors funded under WIOA must adhere to EEO laws and standards. Funding for any project will be dependent upon availability of WIOA funds. Demonstration of past performance and cooperation of the organization awarded in past contract years will be taken into consideration in review of proposals. Poor past or current contract performance with HempsteadWorks or other funding source may affect recommendations for awards. HempsteadWorks reserves the right to stipulate special terms regarding the area of concern that will become part of the final contract.  
All decisions of the WDB are final.

## **7. EO AND NONDISCRIMINATION ASSURANCE**

- A. As a condition to the award of financial assistance from NYSDOL under Title I of WIOA, the grant applicant assures that it will comply fully with the EO and nondiscrimination provisions of the following laws:
  - a. WIOA [Section 188](#) which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency (LEP) individuals), age disability, or political affiliation or belief, or against beneficiaries on the basis of either citizenship status or participation in any WIOA Title I-financially assisted program or activity;
  - b. Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, and national origin;
  - c. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
  - d. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
  - e. Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.
- B. The grant applicant also assures that it will comply with 29 CFR Part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

## **8. ATTACHMENTS**

**PROPOSAL SUMMARY FORM –  
CAREER SERVICES FOR ADULTS, DISLOCATED WORKERS AND YOUTH**  
*(This form must appear as cover and first pages of proposal submission)*

Proposing Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Primary Contact: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Organization:  Private-for-profit  Not-for-profit  Government Agency  Other

**Proposed Budget:** \_\_\_\_\_

\_\_\_\_\_  
Print Name of Staff Submitting this Proposal

\_\_\_\_\_  
Signature

## Services Checklist

### A. Performance Benchmark Payments

Contracts executed pursuant to this RFP will include performance benchmarks for payments, based on achievement of service goals. Eighty percent (80%) of contractor costs will be paid by DOOR to the contractor on a cost reimbursement basis for claims and accompanying documentation deemed acceptable by DOOR. The balance of twenty percent (20%) of contractor costs will be paid upon DOOR's approval.

#### Instructions:

Place an "X" below to confirm whether your organization will comply with the combination cost reimbursement/benchmark contract terms described above:

Will comply: \_\_\_\_\_ Will not comply: \_\_\_\_\_

### B. Primary Indicators of Performance

Contractors selected pursuant to this RFP will be required to attain the performance goals established for adults, dislocated workers, and youth under the Primary Indicators of Performance negotiated by the LWDB with the New York State Department of Labor (NYSDOL) for the Program Year corresponding to the period of performance. Primary Indicators of Performance outcomes will be calculated according to the criteria established by **New York State Department of Labor Workforce Development System Technical Advisory Number 16.2**, which is included as **Attachment F**.

### C. Place an "x" next to any services listed below which your agency plans to provide:

#### 1. WIOA Career Services (Adults and Dislocated Workers)

PLAN TO PROVIDE	SERVICE
	Determinations of whether the individuals are eligible to receive assistance under WIOA;
	Outreach, intake (which may include worker profiling), and orientation to the information and other services available through the one-stop delivery system
	Initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs

	<p>Labor exchange services, including job search and placement assistance and in appropriate cases, career counseling, including—</p> <p>Provision of information on in-demand industry sectors and occupations.</p> <p>Provision of information on nontraditional employment; and</p> <p>Appropriate recruitment and other business services on behalf of employers, including small employers, in the local area, which services may include services such as providing information and referral to specialized business services not traditionally offered through the one-stop delivery system;</p>
	<p>Provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system and, in appropriate cases, other workforce development programs</p>
	<p>Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including—</p> <p>Job vacancy listings in such labor market areas.</p> <p>Information on job skills necessary to obtain the jobs in demand; and</p> <p>information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for such occupations</p>
	<p>Provision of information, in formats that are usable by and understandable to one-stop center customers, relating to the availability of supportive services or assistance, including child care, child support, medical or child health assistance under title XIX or XXI of the Social Security Act (42 U.S.C. 1396 et seq. and 1397aa et seq.), benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), assistance through the earned income tax credit under section 32 of the Internal Revenue Code of 1986, and assistance under a State program for temporary assistance for needy families funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and other supportive services and transportation provided through funds made available under such part, available in the local area;</p>
	<p>Referral to the services or assistance, as appropriate;</p>

	Assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under this Act
	<p>Services, if determined to be appropriate in order for an individual to obtain or retain employment, that consist of—</p> <ul style="list-style-type: none"> <li>i. Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include— <ul style="list-style-type: none"> <li>(aa) Diagnostic testing and use of other assessment tools; and</li> <li>(bb) In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.</li> </ul> </li> <li>ii. Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals, including providing information on eligible providers of training services pursuant to WIOA section paragraph (3)(F)(ii), and career pathways to attain career objectives;</li> </ul>
	Group counseling;
	Individual counseling;
	Career planning;
	Short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training
	Workforce preparation activities;
	Financial literacy services, such as the activities described in WIOA section 129(b)(2)(D);
	Follow-up services, including counseling regarding the workplace, for participants in Workforce Innovation and Opportunity Activities authorized under WIOA who are placed in unsubsidized employment, for not less than 12 months after the first day of the employment, as appropriate.

## 2. Youth Services (Ages 14-24)

PLAN TO PROVIDE	SERVICE
	<p>Provide an objective assessment of the academic levels, skill levels, and service needs of each participant, which assessment shall include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes (including interests and aptitudes for nontraditional jobs), supportive service needs, and developmental needs of such participant, for the purpose of identifying appropriate services and career pathways for participants, except that a new assessment of a participant is not required if the provider carrying out such a program determines it is appropriate to use a recent assessment of the participant conducted pursuant to another education or training program;</p>
	<p>Develop service strategies for each participant that are directly linked to 1 or more of the indicators of performance described in section 116(b)(2)(A)(ii), and that shall identify career pathways that include education and employment goals (including, in appropriate circumstances, nontraditional employment), appropriate achievement objectives, and appropriate services for the participant taking into account the assessment conducted, except that a new service strategy for a participant is not required if the provider carrying out such a program determines it is appropriate to use a recent service strategy developed for the participant under another education or training program</p>
	<p>Provide—</p> <p>(i) activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized postsecondary credential; (ii) preparation for postsecondary educational and training opportunities; (iii) strong linkages between academic instruction (based on State academic content and student academic achievement standards established under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311)) and occupational education that lead to the attainment of recognized postsecondary credentials; (iv) preparation for unsubsidized employment opportunities, in appropriate cases; and (v) effective connections to employers, including small employers, in in-demand industry sectors and occupations of the local and regional labor markets</p>
	<p>Facilitate or directly provide the program elements bulleted below:</p>

	<p>(A) Tutoring, study skills training, instruction, and evidence-based dropout</p> <p>(B) alternative secondary school services, or dropout recovery services, as appropriate;</p> <p>(C) paid and unpaid work experiences that have as a component academic and occupational education, which may include—</p> <p>(i) summer employment opportunities and other employment opportunities available throughout the school year;</p> <p>(ii) pre-apprenticeship programs;</p> <p>(iii) internships and job shadowing; and</p> <p>(iv) on-the-job training opportunities;</p> <p>(D) occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in demand industry sectors or occupations in the local area involved, if the local board determines that the programs meet the quality criteria described in section 123;</p> <p>(E) education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;</p> <p>(F) leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and</p> <p>civic behaviors, as appropriate;</p> <p>(G) supportive services;</p> <p>(H) adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;</p> <p>(I) follow-up services for not less than 12 months after the completion of participation, as appropriate;</p> <p>(J) comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate;</p> <p>(K) financial literacy education;</p> <p>(L) entrepreneurial skills training;</p>
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	<p>(M) services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services; and</p> <p>(N) activities that help youth prepare for and transition to postsecondary education and training.</p>
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### 3. New York Systems Change and Inclusive Opportunities Network (NY SCION)

PLAN TO PROVIDE	SERVICE
	<p>Work in cooperation with the NYS State-level DEI Project Lead to carry out the goals of the NY SCION proposal which identified the following Service Delivery Components for each area:</p> <ul style="list-style-type: none"> <li>• Integrated Resource Teams</li> <li>• Blending, Braiding &amp; Leveraging Resources, Funds and Services</li> <li>• Asset Development</li> <li>• Partnership &amp; Collaboration</li> </ul>
	<p>Conduct outreach to the disability community and the organizations that serve individuals with disabilities to market workforce services and promote interagency collaboration;</p>
	<p>Assist job seekers with disabilities, including SSA beneficiaries, to navigate and use the One-Stop Career Center system and other mandated/non-mandated partners that provide services and supports needed to obtain/maintain employment (e.g. housing, transportation, health care, etc);</p>
	<p>Effectively present information to the public (business groups, disability groups, other community-based agencies, local government) on employment services, work incentives, job accommodations, and benefits of employment of persons with disabilities;</p>
	<p>Serve as a point of expertise on programs and services that impact the employment or employability of people with disabilities such as health care options, transportation and housing supports;</p>
	<p>Serve as a resource to Workforce Center staff and the business sector on issues and programs related to people with disabilities such as universal design and accessibility, availability of assistive technologies, tax incentives and reasonable accommodations</p>

	Work to build the capacity of One-Stop Career Centers to more effectively serve job seekers with disabilities.
	Other – please list

#### 4. Business Services

PLAN TO PROVIDE	SERVICE
	Coordinate with employers to host hiring/recruitment events and job fairs
	Assist employers in completing job order forms, developing job description and training plans, and promoting their open positions
	Develop internships, transitional job, and on-the-job training opportunities
	Acquire new business members for the Hempstead/Long Beach Local Workforce Development Board (LWDB)

#### 5. Customized Employment

PLAN TO PROVIDE	SERVICE
	Development/use of a customized support team
	Assessment/ Discovery of an individual's needs, skills and interests.
	Customized employment planning or advice
	Development of an individual's portfolio/representational materials
	Job Development /Negotiations
	Individual Participant Budget/resource development and coordination
	Training – Basic Education
	Training – Specific Vocational Skills
	On-the-Job Training and supports
	Post Employment Follow-up/Job Retention Services (includes Job Coaching, natural supports, ongoing supports)
	Supportive Services and accommodations**

	Supported entrepreneurship services, including micro-enterprise, cooperative, small business, etc. (Include such services as business plan development; marketing research; and negotiation assistance for financing, purchases, etc.)
	Other – please list

## 6. Administrative Services

PLAN TO PROVIDE	SERVICE
	Accounting, budgeting, financial and cash management functions;
	Payroll functions;
	General ledger services functions;
	Oversight and monitoring responsibilities related to WIOA administrative functions.

### **Budget Instructions and Forms**

- Proposals must include all completed Budget Forms below. **Budgets submitted in any other format will not be accepted.**
- Details must be provided in the Budget Narrative/Justification for each item requested by itemizing the cost that comprises each total cost. Costs which are prorated must be supported by a cost allocation plan showing requested funds paying only its share of the costs for that item. Administrative costs are allowable up to 10% of entire budget and needs detailed support of costs. (See **Attachment E**)
- A copy of any agreement (i.e. audit, accounting fees, etc.) that substantiates contracted items may be requested by DOOR.
- Justification and reasonableness of costs will be considered when evaluating proposals.
- Matching funds and/or In-Kind\* contributions are looked upon favorably; please note such funds where designated on Budget Forms.
- Contracts will be held to the most current approved budget and cannot exceed the award amount. Budget amendments may be allowed. All requests for amendments must be submitted for approval to DOOR prior to expenditure. All requests will require a written, detailed explanation and DOOR will provide a written approval before action can be taken. The amendments can be done only among the original line items of the budget. New line items cannot be added. Failure to follow these guidelines may result in disallowed costs. **Last budget amendment request date is June 1, 2025.**
- DOOR utilizes cash basis accounting; therefore all expenses should be paid before asking for reimbursement.
- Claim vouchers must be submitted within 30 days of the end of the previous month. **All vouchering must be completed by September 30, 2025 to avoid expenses being disallowed.**

## Budget Categories

**Staff Costs:** Include requested staff salaries and related fringe benefits.

**Operating Costs:** Include requested costs associated with the day to day provision of WIOA youth services. *Many of the operating expenses are encouraged to be included as part of partnerships and/or collaborative arrangements and can be demonstrated as matching funds and/or in-kind contributions.*

**Example of line-item inclusion** with determination/explanation (*these are examples only*):

**Staff Salaries:** Salaries of key **Staff** that will oversee the program

**Staff Fringe Benefits:** 19.5% of salary includes FICA and medical

**Rent, Utilities, Telephone:** Co-location, may be listed as match/in-kind

**Supplies:** Non-consumable only; may be listed as match/in-kind

**Contracted Services- WIOA (Less than 100%):** Audit or accounting fees - 5% of annual audit and accounting based upon estimated costs and percentage of WIOA funds as compared to whole

**Mileage:** Staff travel to include visits to worksites, homes, schools and training sites will be reimbursed at current IRS rate.

**Admin Costs capped at 10%:** Indirect costs of running the program such as finance, HR, payroll services and IT services. If the organization has an indirect cost agreement rate from a cognizant agency, please provide that as backup with each claim voucher.

*\*Matching Funds and In-Kind contributions are considered non-requested funds, resources, services or product used to support program activities. All sources and amounts must be referenced.*

**Budget Form**

Organization Name: \_\_\_\_\_

	Requested Funds	Matching Funds/In-kind Contributions
Staff Costs		
Operating Costs		
Total		

Source and detail for any matching funds and in-kind contributions claimed under Staff and Operating Costs above.

## Budget Form

Organization Name: \_\_\_\_\_

**Requested Funds**  
(do not include  
matching or in-kind  
funds here)

Staff Salaries	
Staff Fringes	
<b>Total Staff Costs</b>	
Rent	
Utilities	
Supplies- (none consumable only)	
Telephone	
Insurance	
Postage	
Copy/Printing	
Contracted Services - WIOA (Less than 100%)	
Mileage- @ current IRS rate	
Staff Training/Development	
Equipment	
Supportive Services	
Admin Costs- capped at 10%	
<b>Total Operating Costs</b>	
<b>Total Funds Requested</b>	

**Proposed Staff Costs**

Organization Name:

Proposed Staff	# Positions	Salary per Week	# of Weeks	% of Time Dedicated	Total Salary Requested
<b>Total:</b>					

**Staff Fringe Benefits**

	Rate		Base		Amount
F.I.C.A.	%	x		=	\$
Worker's Compensation	%	x		=	\$
Health Insurance	%	x		=	\$
Retirement	%	x		=	\$
Disability Insurance	%	x		=	\$
Unemployment Insurance	%	x		=	\$
Other:			%	x	=
	\$				
Other:			%	x	=
	\$				

**Total Fringe Benefits: \$**

**Total Staff Costs Requested: \$**

**Contract Budget Narrative/Justification**

For each line item in the Budget Forms (staff and operating), provide a narrative description of all costs requested in sufficient detail, at what rates and for what activities (include any non-requested funds as “match/in-kind” to demonstrate as a contribution). Provide a cost allocation plan for expenses that are charged to more than one funding source.

**STAFF SALARIES:** *Provide an explanation of salaries that are tied to staff that will support this project.*

**STAFF FRINGE BENEFITS:** *Fringe benefits should be budgeted with the organization’s standard fringe benefit policy. If budgeted fringe benefits represent an exception to standard policy, please explain.*

**RENT:** *Provide an explanation of costs needed to support this project.*

**UTILITIES:** *Provide an explanation of costs needed to support this project.*

**SUPPLIES: NON-CONSUMABLE ONLY.** *Provide information on the type of supplies with an explanation of costs needed to support this project.*

**TELEPHONE:** *Provide an explanation of costs needed to support this project.*

**INSURANCE:** *Provide an explanation of costs needed to support this project.*

**POSTAGE:** *Provide information on the type of supplies with an explanation of costs needed to support this project.*

**COPYING/PRINTING:** *Provide information on the type and amount of copying/printing with an explanation of costs needed to support this project.*

**CONTRACTED SERVICES- WIOA (Less than 100%):** *When subcontracting details are not known include a brief narrative of each service to be subcontracted, with whom subcontracting will be implemented, the anticipated outcomes and the projected budget.*

**MILEAGE:** *Provide information on the reasons for travel and mileage reimbursement. No out of state travel costs are allowed unless specifically detailed and approved below. (Please use current IRS rate for mileage reimbursements)*

**STAFF TRAINING/DEVELOPMENT:** *Provide information on the training and development activities with an explanation of costs needed to support this project.*

**SUPPORTIVE SERVICES:** *Please indicate total dollar amount that will be utilized for items not limited to: uniform, educational testing, necessary items for education and/or payment fees related to employment and training application, test and certification.*

**EQUIPMENT:** *Please provide a justification for all equipment purchases. There is a \$1,000 limit per unit on the total purchase of any equipment. If per unit price is more than \$1,000, please contact DOOR for prior approval.*

**ADMIN COSTS- CAPPED @ 10%:** *Please provide a detailed list of what is included in the admin cost and how they relate to program activities. If the organization has an indirect cost rate agreement letter, please provide for review.*

### **WIOA Services Allocated to the Administration Cost Category**

Below are the activities that must be charged to the Administrative Costs Category, as required by Sec. 683.215 of the WIOA Final regulations:

**(a)** The costs of administration are expenditures incurred by State and Local WDBs, Regions, direct grant recipients, including State grant recipients under subtitle B of title I of WIOA, and recipients of awards under subtitle D of title I, as well as local grant recipients, local grant subrecipients, local fiscal agents and one-stop operators that are associated with those specific functions identified in paragraph (b) of this section and which are not related to the direct provision of workforce investment services, including services to participants and employers. These costs can be both personnel and non-personnel and both direct and indirect.

**(b)** The costs of administration are the costs associated with performing the following functions:

**(1)** Performing the following overall general administrative functions and coordination of those functions under title I of WIOA:

**(i)** Accounting, budgeting, financial and cash management functions;

**(ii)** Procurement and purchasing functions;

**(iii)** Property management functions;

**(iv)** Personnel management functions;

**(v)** Payroll functions;

**(vi)** Coordinating the resolution of findings arising from audits, reviews, investigations and incident reports;

**(vii)** Audit functions;

**(viii)** General legal services functions;

**(ix)** Developing systems and procedures, including information systems, required for these administrative functions; and

**(x)** Fiscal agent responsibilities;

**(2)** Performing oversight and monitoring responsibilities related to WIOA administrative functions;

**(3)** Costs of goods and services required for administrative functions of the program, including goods and services such as rental or purchase of equipment, utilities, office supplies, postage, and rental and maintenance of office space;

**(4)** Travel costs incurred for official business in carrying out administrative activities; and

**(5)** Costs of information systems related to administrative functions (for example, personnel, procurement, purchasing, property management, accounting, and payroll

systems) including the purchase, systems development and operating costs of such systems.

**(c)**

**(1)** Awards to subrecipients or contractors that are solely for the performance of administrative functions are classified as administrative costs.

**(2)** Personnel and related non-personnel costs of staff that perform both administrative functions specified in paragraph (b) of this section and programmatic services or activities must be allocated as administrative or program costs to the benefitting cost objectives/categories.

**(3)** Specific costs charged to an overhead or indirect cost pool that can be identified directly as a program cost are to be charged as a program cost. Documentation of such charges must be maintained.

**(4)** Except as provided at paragraph (c)(1) of this section, all costs incurred for functions and activities of subrecipients, other than those subrecipients listed in paragraph (a) of this section, and contractors are program costs.

**(5)** Continuous improvement activities are charged to administration or program category based on the purpose or nature of the activity to be improved. Documentation of such charges must be maintained.

**(6)** Costs of the following information systems including the purchase, systems development, and operational costs (e.g., data entry) are charged to the program category:

**(i)** Tracking or monitoring of participant and performance information;

**(ii)** Employment statistics information, including job listing information, job skills information, and demand occupation information;

**(iii)** Performance and program cost information on eligible training providers, youth activities, and appropriate education activities;

**(iv)** Local area performance information; and

**(v)** Information relating to supportive services and unemployment insurance claims for program participants.

**Workforce Development System  
Technical Advisory # 18-6.2  
September 17, 2018**

**To:** Workforce Development Community

**SUBJECT:** Primary Indicators of Performance for Titles I and III under the Workforce Innovation and Opportunity Act (WIOA)

**PURPOSE**

Identify the WIOA Primary Indicators of Performance and how they apply to the programs delivered under Titles I and III of WIOA.

Establish policy on performance goals and the assessment of performance for the Primary Indicators of Performance under WIOA for Title I Adult, Dislocated Worker (DW) and Youth programs, and Title III Wagner-Peyser Act (W-P) program.

Establish procedures for Local Workforce Development Boards (LWDBs) to negotiate and reach agreement with the State on Local Workforce Development Area (LWDA) goals for the Primary Indicators of Performance for Titles I and III.

Rescind and replace Workforce Development System Technical Advisory (WDS-TA) #17-5 – Primary Indicators of Performance: Local Workforce Development Area Goals and Negotiations for Workforce Innovation and Opportunity Act Program Years 2016 and 2017, Titles I and III. (May 31, 2017)

**POLICY**

**WIOA Primary Indicators of Performance**

States and LWDBs are held to six (6) Primary Indicators of Performance established by WIOA for the Title I – Adult, DW and Youth, and Title III Wagner-Peyser programs. Note that the indicators are not applied uniformly across each program; some indicators are not applicable to specific programs, and others have different definitions for certain programs.

Table 1 identifies each indicator and the programs it applies to.

**Table 1. WIOA Primary Indicators of Performance**

	Adult/Dislocated Worker	Youth	Wagner-Peyser
Second Quarter Employment Rate	✓	✓	✓
Fourth Quarter Employment Rate	✓	✓	✓
Median Earnings	✓	✓	✓
Credential Attainment	✓	✓	
Measurable Skills Gains	✓	✓	
Business Indicators	✓	✓	✓

Note that in New York State, participants of the Trade Adjustment Assistance (TAA) program are co-enrolled in the DW program. Therefore, TAA participants are included in the Primary Indicators of Performance as DW's.

The six Primary Indicators of Performance are defined as:

1. Second Quarter Employment Rate – The percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program.
  - Note that for Title I Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the second quarter after exit;
2. Fourth Quarter Employment Rate – The percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program.
  - Note that for Title I Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the fourth quarter after exit;
3. Median Earnings – The statistical median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program;
4. Credential Attainment – The percentage of participants enrolled in an education or training program (excluding those in on-the-job training and customized training) who attained an industry recognized postsecondary credential, or

certificate of completion of an apprenticeship, or certificate approved by the New York State Education Department (NYSED) or another State agency, or a secondary school diploma. A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a postsecondary credential approved by NYSED or another State agency within one year after exit from the program;

5. Measurable Skill Gains – The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment. Measurable skill gains are defined as documented academic, technical, occupational, or other forms of progress toward a postsecondary credential or employment; and
6. Business Indicators – Effectiveness in serving businesses.
  - a. Repeat Business Customers (percentage of repeat businesses using services within the previous three years); and
  - b. Business Penetration Rate (percentage of businesses using services out of all businesses in the State).

## **Performance Goals**

Performance goals will be established at both the State and Local level through a negotiation process. WIOA identifies three types of performance goals:

1. Proposed goals (referred to as “expected goals” in Training and Employment Guidance Letter (TEGL) No. 9-17) – performance goals established prior to the negotiation process that act as the starting point of the negotiation. The New York State Department of Labor (NYSDOL) will develop Proposed goals for LWDBs and the State.
2. Negotiated goals – performance goals that are agreed upon by the parties involved in the negotiation process.
3. Adjusted goals – Negotiated goals are recalculated after the end of the program year using the Statistical Adjustment Model to account for circumstances that take place during the program year that could not be anticipated during the negotiation process. Additional information on the Statistical Adjustment Model is provided in the next part of this WDS TA.

The determination of proposed and negotiated goals must be based primarily on the following four (4) factors:

1. The Statistical Adjustment Model;
  - a. WIOA requires the use of a Statistical Adjustment Model that factors in actual economic conditions (unemployment rates, job losses or gains in specific industries, etc.), and characteristics of participants served (lack of

or poor work history, lack of educational or occupational skills, lack of literacy or English proficiency, homelessness, ex-offender status, etc.).

The United States Departments of Labor and Education (USDOL/USDOE) developed a model for use in State Performance negotiations, and additional information on the model can be found in TEGL 9-17. Similarly, NYSDOL has developed a model for Local negotiations.

2. The promotion of Continuous Improvement;
3. The Government Performance and Results Act (GPRA) of 1993; and
4. Performance of similar States or LWDAs.

As noted previously, the Statistical Adjustment Model will be reapplied to the Negotiated goals after the end of the Program year, resulting in the Adjusted goals.

### **Assessment of Performance**

WIOA establishes three scores for the assessment of performance:

1. Individual indicator score – the actual outcomes for each of the primary indicators of performance are compared to the Adjusted goals within each program.
2. Program score – the actual outcomes of a core program across all indicators are compared to the Adjusted goals for that program. The percentages are then averaged, resulting in the overall State program score for each core program (i.e. Title I Adult, DW, and Youth, Title II Adult Ed, Title III Wagner-Peyser, and Title IV Vocational Rehabilitation).
3. State Indicator score – the individual indicator score for each of the primary indicators of performance across all programs (i.e. Title I Adult, DW, and Youth, Title II Adult Ed, Title III Wagner-Peyser, and Title IV Vocational Rehabilitation) are averaged to calculate the State Indicator score. Note that the individual indicator score must be calculated first.

These scores are applied differently at the State and Local level as follows:

#### **State Level Performance**

State level performance is assessed by USDOL's Employment & Training Administration (ETA) based on all three scores: Individual Indicator score; Program score; and State Indicator score.

State performance is considered unsatisfactory when any of the following occur:

- Any of the Individual Indicator scores fall below 50% for the program year.
- Any Program score falls below 90% for the program year.
- Any State Indicator score falls below 90% for the program year.

If the State receives an unsatisfactory performance rating, then the State will receive technical assistance and assistance in the development of a Performance Improvement

Plan (PIP) provided by the USDOL/ETA. Furthermore, fiscal sanctions will be applied if the State receives an unsatisfactory performance rating on the same measure for two consecutive years.

### **Local Level Performance**

Local performance is assessed by NYSDOL on the Individual Indicator score only. It is limited to performance of the Title I (Adult, DW, and Youth) programs. Actual performance outcomes will be compared to the LWDB's Adjusted goals after the close of the program year to determine if Local performance goals were achieved.

WIOA allows the State flexibility in defining unsatisfactory performance at the Local level. As such, the unsatisfactory performance threshold is an outcome-to-goal ratio of less than 80% per indicator for a program year.

The LWDB must develop a PIP for unsatisfactory performance of an indicator in a program year. NYSDOL will also provide technical assistance, which may include assistance in the development of the PIP and/or other actions designed to assist the local area in improving performance.

If a local area receives unsatisfactory performance for the same indicator for three consecutive program years, the Governor must take corrective action which includes development of a reorganization plan. The Governor will:

- Require the appointment and certification of a new LWDB; or
- Prohibit the use of eligible providers and one-stop partners that have been identified as achieving poor levels of performance; or
- Take other significant actions as deemed appropriate.

Note that Local Performance impacts State Performance. Therefore, unsatisfactory performance on the Local level can lead to fiscal sanctions at the State level.

## **ACTION**

Local Workforce Development Boards must:

1. Ensure all NYS Career Center staff understand the Primary Indicators of Performance, Local goals, and the operational procedures to achieve the goals.
2. Negotiate Local Primary Indicators of Performance goals.

At the beginning of each negotiation cycle, NYSDOL will calculate Proposed goals for each LWDA based primarily on the Statistical Adjustment Model and provide them on the NYSDOL website at <https://www.labor.ny.gov/workforcenypartners/wioa/wioa-performance.shtm>.

NYSDOL will notify LWDB Directors via email when the Proposed goals for the program years being negotiated are ready. The notification will contain deadlines related to the process and any necessary additional instructions.

LWDBs must review Proposed goals for their LWDA in collaboration with One-Stop Career Center Managers and determine if the Proposed goals are acceptable or need to be negotiated further.

Each LWDB must provide its determination to NYSDOL via email to: [DEWS.Performance@labor.ny.gov](mailto:DEWS.Performance@labor.ny.gov), with a copy to the State Representative, and with the subject line "{LWDA Name} Performance Goal Negotiation."

The body of the email must demonstrate collaboration with Career Center Managers in the LWDA, and contain:

- a. The program year(s) the LWDB wishes to negotiate;
- b. The indicator(s) the LWDB wishes to negotiate and the desired goal for each indicator;
- c. Justification of the level of desired goal; and
- d. The indicators which the LWDB accepts from the Proposed goals provided by NYSDOL, thereby making them Negotiated goals.

Upon receipt of this email from an LWDB, NYSDOL will coordinate with the LWDB to negotiate agreement on the goals for the identified indicator(s) as necessary. The negotiation process will be conducted via email. If NYSDOL and the LWDB are unable to reach agreement via email, NYSDOL will schedule a conference call to complete the negotiation process.

Once negotiations are complete, the Negotiated goals will be posted on the NYSDOL website at <https://www.labor.ny.gov/workforcenypartners/wioa/wioa-performance.shtm>.

Negotiated goals are revised after the end of the program year using the Statistical Adjustment Model, resulting in Adjusted goals. Adjusted goals will be posted on the NYSDOL website at <https://www.labor.ny.gov/workforcenypartners/wioa/wioa-performance.shtm> and will be used to determine Local Performance as noted in the Policy section of this WDS TA.

## REFERENCES

Workforce Innovation and Opportunity Act §463.155, §677.155, §677.190, §677.200, and §677.220 issued August 19, 2016, Primary Indicators of Performance and State Indicators of Performance for Core Programs, Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions, Final Rule. Vol. 81, No. 161, Part V.

[Training and Employment Guidance Letter \(TEGL\) No. 10-16, Change 1](#) (August 23, 2017), Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III and Title IV Core Programs.

[TEGL No.9-17](#) (February 16, 2018), Negotiating Performance Goals for the Workforce Innovation and Opportunity Act (WIOA) Title I Programs and the Wagner-Peyser Employment Service as amended by Title III of WIOA, for Program Year (PYs) 2018 and PY 2019.

WDS-TA #17-5 – Primary Indicators of Performance: Local Workforce Development Area Goals and Negotiations for Workforce Innovation and Opportunity Act Program Years 2016 and 2017, Titles I and III. (May 31, 2017)

## **INQUIRIES**

Questions regarding this TA may be directed to [DEWS.Performance@labor.ny.gov](mailto:DEWS.Performance@labor.ny.gov)