

Tompkins County Workforce Development Board

DRAFT MINUTES

Tuesday, April 25, 2023 | 121 E. Seneca Street, Ithaca, NY 14850

Present: S. Pronti, K. Babuka, K. Cerasaro, J. Cometti, K. Franzese, K. Kersey, C. Malcolm, J. Matteson, H. McDaniel, S. Pennell, K. Shanks-Booth, T. Tarshus, J. Tavares, A. Tunison, D. Vreeland, C. Whitmore, B. Nugent, M. Caci

Excused: T. Bruer, S. Cerquone, D. Harrington, K. Kephart, P. Levesque, R. Olson

Staff: C. Sponn, D. Achilles

Guest: S. Paczkowski, New York State Department of Labor; C. Harris, New York State Department of Labor; J. Palladino, TST BOCES; S. Waight, Cayuga Medical Center of Ithaca

Call to Order

Mr. Pronti, Board Chair called the meeting to order at 8:33 a.m.

Board Action Items

Approval of Minutes - March 28, 2022

It was moved by Ms. Shanks-Booth, seconded by Ms. Pennell, and unanimously adopted by voice vote of members present to approve the minutes of March 28, 2023, as written.

Ratification of the Executive Committee approval of Individual Training Account (ITA) Policy

It was moved by Ms. Tarshus, seconded by Ms. Tavares, and unanimously adopted by voice vote of members present to approve the Individual Training Account (ITA) Policy as written.

WDB Transparency and Integrity Policy, Transparency and Integrity Policy Acknowledgment Form, and Conflict of Interest Disclosure Statement - Review and Sign

Mr. Pronti reminded Board members to complete the Transparency and Integrity Acknowledgment form and Conflict of Interest Disclosure Statement and please return to Ms. Achilles.

Presentation

Restructuring of Tompkins County Workforce Development Board and the Office of Employment and Training. - Presentation attached

Presentation and Discussion

NAWB and NYATEP Workforce Updates and group discussion on Tompkins County Workforce Strategy. - Presentation attached

Mr. Malcolm left meeting at 9:29 am

Ms. McDaniel left meeting at 9:36 am

WDB Director Update

Mr. Sponn reported he will be attending the Micron Future-Ready Workforce Innovation Consortium meeting in Syracuse on Wednesday, April 26, 2023.

Mr. Sponn is in discussion with Mr. Stitley, Director of Emergency Response, about EMS Certification Training and creating a program to support city and rural residents due to the demand in Tompkins County.

Mr. Sponn reported to the Board that we will be updating the Tompkins County Workforce Board Strategy guide from 2018 and the group discussion will help develop the path to developing it.

Ms. Tavares left meeting at 9:44 am

Career Center Update

Ms. Caci reported she has hired a Transitional Workforce Specialist that works with Youth and will start on May 1, 2023.

Ms. Caci reported that she is in the process of filling the Youth Workforce Development Coordinator position.

Mr. Cerasaro reported that Southern Tier has received the VR headsets and is waiting for information on the process of how the Career Center will receive them for the Tompkins County Career Center.

Committee Reports

Executive Committee

Mr. Pronti reported the Committee has been discussing the restructure of WDB/OET.

One Stop Operations and Oversight Committee

Ms. Franzese reported the Committee will be touring the Career Center at their next meeting on Tuesday, May 9, 2023.

Youth Oversight Committee

Ms. Shanks-Booth reported the Committee has two new members.

Governance and Membership Committee

Ms. Babuka reported the Governance and Membership Committee is discussing the Board 2023 Retreat.

Ms. Babuka reported reaching out to Board members whose terms will be expiring in June and Mr. Tunison's appointment to the Board.

Services to Individuals with Disabilities

Mr. Matteson reported the Committee had a guest speaker - Mr. Seekins, Director of Employment & Vocational Services, at Challenge. Mr. Seekins presented on the services that Challenge provides to individuals in the Tompkins County community.

The meeting adjourned at 10:02 a.m.



Tompkins County Workforce Development Board Individual Training Account Policy

I. Training Services

A. Overview

Section 134(c)3 of the Workforce Innovation and Opportunity Act identifies training services that can be provided to adults and dislocated workers who:

1. Have been provided an initial assessment and have been found to be in need of Career Development Services.
2. After a comprehensive assessment, including Barriers to Employment (e.g., Language, Transportation, Child Care, Elder Care, Mental, Physical and Developmental Disabilities, Work Place Accommodations, etc.), have been determined to:
 - i. be unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through the career services described in Section 134(c)(2)(A)(xii) of the Workforce Innovation and Opportunity Act (see attachment A)
 - ii. be in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment
 - iii. have the skills and qualifications to participate in the selected program of training services
3. Select programs that are directly linked to employment opportunities and the local demand occupations list.
4. Are unable to obtain other grant assistance for such services, including Federal Pell Grants or require assistance beyond the assistance made available under other grant assistance programs, including Federal Pell Grants. Training Services may be provided to an individual who otherwise meets the requirements of this policy while an application for a Federal Pell Grant is pending (NYS TAP, if awarded to participant, shall be used to pay training cost prior to WIOA funding),

except that if such individual is subsequently awarded a Federal Pell Grant, appropriate reimbursement shall be made from the Federal Pell Grant to the Tompkins Workforce Development Board.

B. Types of Training Services [Section 134(b)(3)D]

1. Occupational skills training, including training for nontraditional employment
2. On-the-job training (OJT)
3. Incumbent worker training in accordance with subsection (d)(4)
4. Programs that combine workplace training with related instruction
5. Training programs provided by the private sector
6. Skill upgrading and retraining
7. Entrepreneurial training
8. Job readiness training provided in combination with other services
9. Transitional jobs in accordance with subsection (d)(5)
10. Adult education and literacy activities provided in combination with other services
11. Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training

C. Individual Training Accounts (ITAs)

Training services offered through eligible providers must be offered through the use of individual training accounts or vouchers provided to eligible individuals through the Tompkins Workforce New York Career Center.

II. Local Policy

- A. The Tompkins County Workforce Development Board has established the following limits for funding.

<p>Training Costs include:</p> <ul style="list-style-type: none">• Tuition• Fees• Required Training Expenses• Supportive Services• Types of Training Services, including On-the-Job Training (OJT) <p>Maximum funding cap for <u>Fees & Required Training Expenses</u> is \$2,000 of the total \$5,000 funding cap. These expenses include:</p> <ul style="list-style-type: none">• Miscellaneous Fees (Including immunizations)• Required Equipment	<p>Funding cap not to exceed \$5,000</p>
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<ul style="list-style-type: none">• Required Supplies• Certification Testing	
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*To support participants in training, supportive services are provided. These supportive services include transportation, mileage reimbursement, bus pass or childcare. Please refer to *Supportive Services Policy* for provisions of these services.

** Maximum amount cannot exceed over participants lifetime.

Note: This policy will be reviewed on an annual basis and is subject to change.

- B. Training may not exceed two years in length.
- C. The Tompkins Workforce New York Career Center must ensure that training services provided with funding available for adults and dislocated workers are directly linked to occupations in demand in the local area. The Board may also approve training services for occupations determined to be in sections of the economy that have a high potential for sustained demand or growth in the local area. Any exceptions to this policy must be well documented and approved by the Director of the Tompkins County Workforce Development Board. Potential trainees should **not** contact the WDB for the approval of individual requests. It is the responsibility of the board to approve providers and course offerings in demand occupations, not individual participants; that is the responsibility of the Career Center staff.
- D. The Board encourages consumer choice with the understanding that the training is in a demand occupation, the provider must be on the approved list, the training is within the cap allocated or the customer has identified additional funding. It is the responsibility of the Career Center staff to assist the customer with seeking other funding sources (Pell, TAP, loans) to meet their needs. Loans should only be for ITA costs that exceed the policy limit.

III. Customer Approval Procedures

- A. Upon completion of assessment, registration, Individual Employment Plan, elements of Section I (A) 1-4 of this policy, priority of service has been determined and funding is available training can be initiated.
- B. Staff person reviews “Training Account Plan” which forms the basis for customer request for training.
- C. Staff and customer review the eligible provider list to assure provider and offering are approved. If customer chooses a provider not yet approved, see procedure explained in Section IV of this policy.
- D. Once training and provider are selected, staff person reviews demand occupation list for appropriateness of approval.

Board Approved: Ratification Pending

- E. Staff reviews Training Contract and creates Training Plan with customer.
- F. Staff completes Authorization for Training and Supportive Services and requests review from OET Director.
- G. After Director signs, staff reserve funds by placing amount, authorization #, name of trainee, name of provider, customer eligibility for DW or Adult funding, on WIOA Authorization spreadsheet located in Workforce folder on network or provides signed authorization to Employment and Training Clerk.

IV. Training Provider Approval

- A. In order to be eligible for approval by the Tompkins County Workforce Development Board, the provider must be registered on the NYS Provider Network at <https://applications.labor.ny.gov/ETPL/> and follow directions for “Eligible Training Providers.”
- B. Once entered, Tompkins County Workforce Development Board will receive notification of request for approval. Staff will review for completeness and relevance to demand occupations list.

V. Demand Occupations

- A. Demand Occupations approved for Tompkins County can be found at <https://dol.ny.gov/lmi-workforce-planning>

Demand Occupations are updated yearly.

VI. Priority for Training Services

- A. Priority for training services is identified in attached Priority of Service Policy.

VII. Self Sufficiency

- A. The WIOA Adult self-sufficiency definition is individual earnings of 250% of the poverty level. Updated Poverty Guidelines can be found at <https://dol.ny.gov/system/files/documents/2021/03/poverty-guidelines.pdf>

ATTACHMENT A

PUBLIC LAW 113-128-JULY 22, 2014

128 STAT. 1527

(xi) assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under this Act;

(xii) 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

Board Approved: Ratification Pending

(xiii) Follow up services, including counseling Time period. 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.

(B) USE OF PREVIOUS ASSESSMENTS.-A one-stop operator or one-stop partner shall not be required to conduct a new interview, evaluation, or assessment of a participant under subparagraph (A)(xii) if the one-stop operator or one-stop partner determines that it is appropriate to use a recent interview, evaluation, or assessment of the participant conducted pursuant to another education or training program.

(C) DELIVERY OF SERVICES.- The career services described in subparagraph (A) shall be provided through the one-stop delivery system-

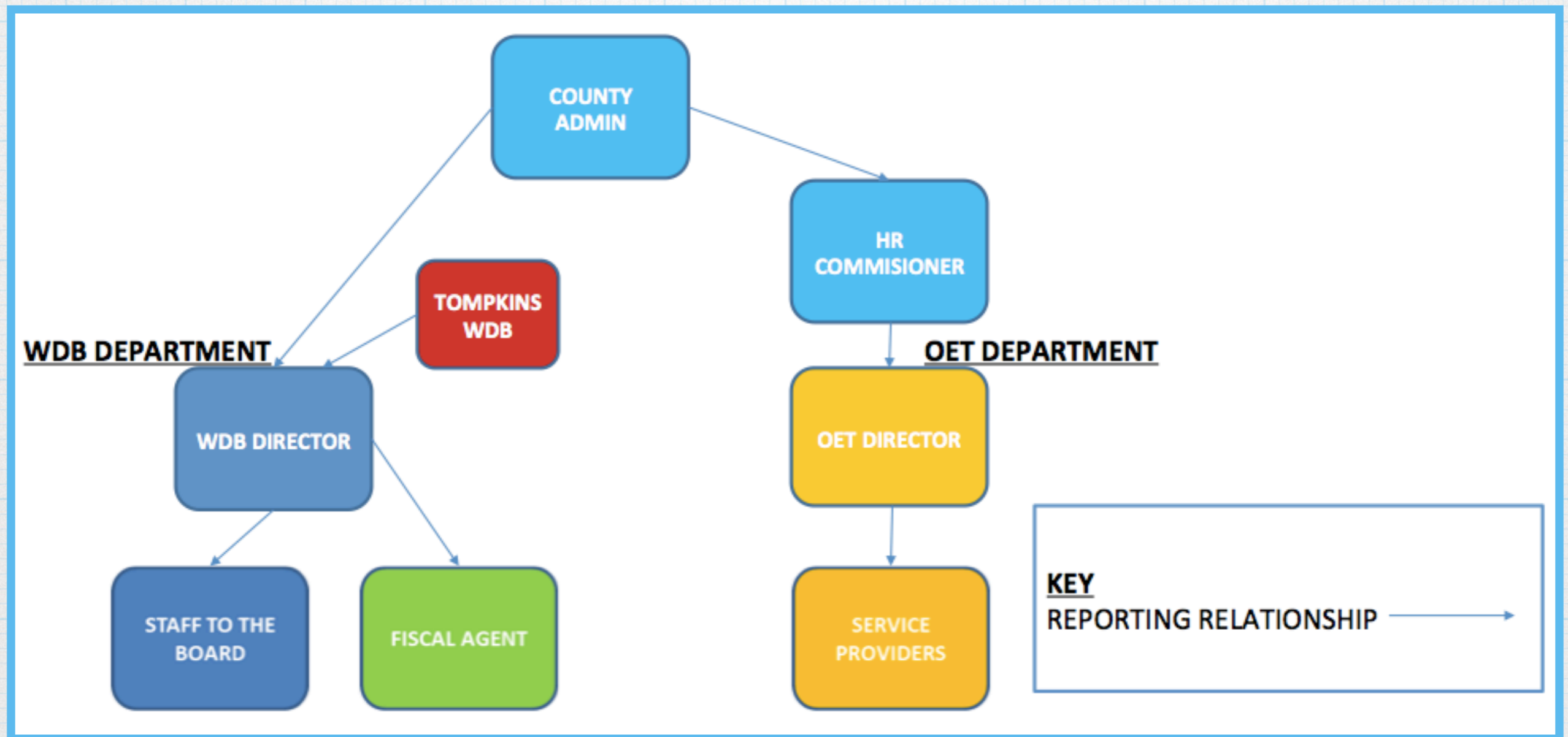
Tompkins County Workforce Development Board Meeting

April 25, 2023

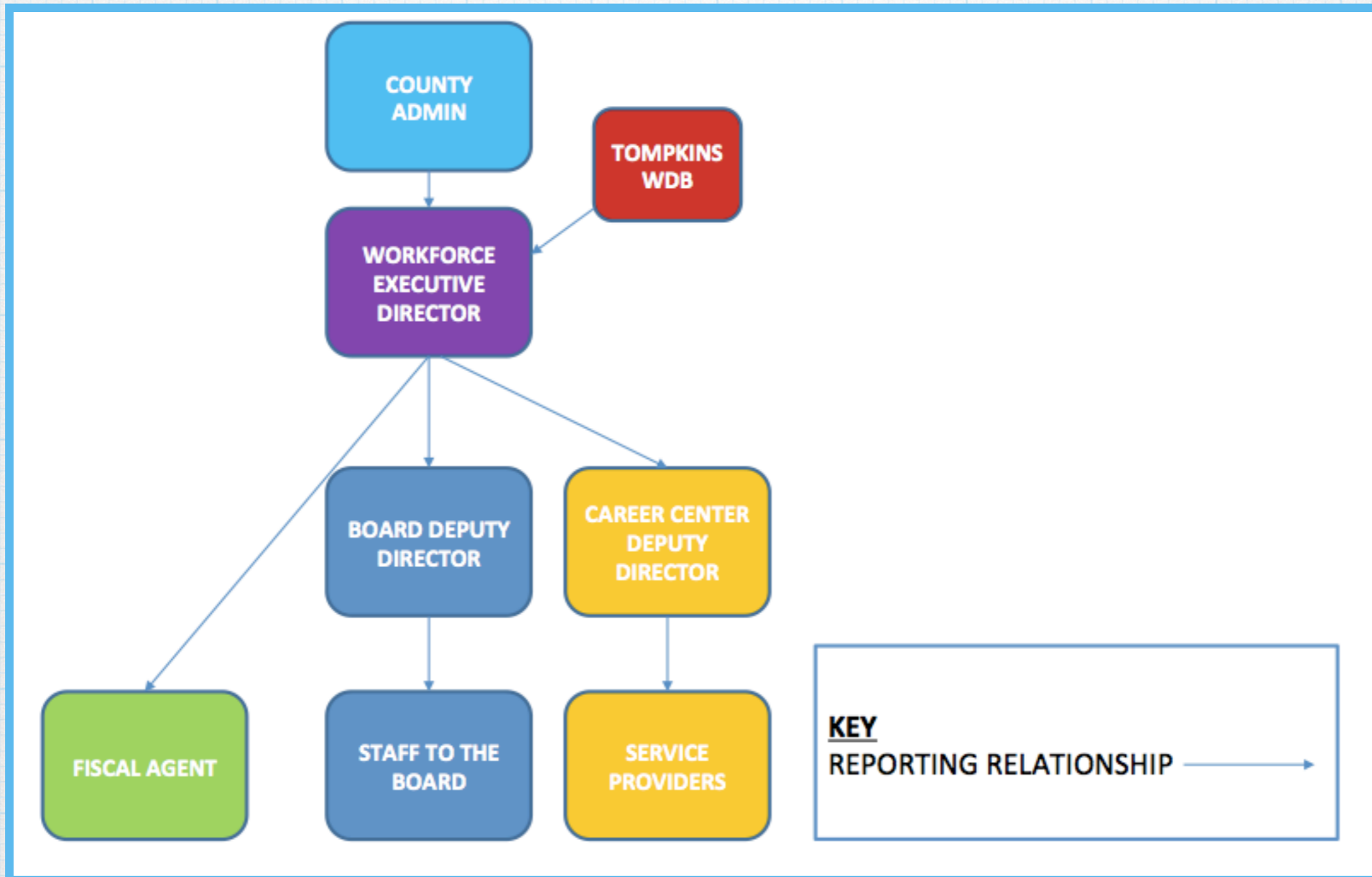


*Workforce
Development
Board*

Current Structure



New Structure



NAWB Conference

- * **The Value of Apprenticeships to Meet Local Workforce Needs**
- * **RAP Sheet: A Step-By-Step Blueprint for a Successful Registered Apprenticeship Program**
- * **The Role of Workforce Boards in High School Internships**
- * **Local Workforce Development Board 101**
- * **Hospitality Career Pathways - A Multi-Agency Approach that Worked Big Time in Alaska!**



Tompkins WDB Retreat

Areas of Focus

K-12 Focus on Career Awareness

Focus on Electrical Career Pathways

Expansion of Youth Programming

Cannabis

Engage Underutilized Labor

Semiconductor and Nanoscale

Small Business Engagement

Hospitality and New Conference Center

Prompt #1

What has been some of the biggest challenges to recruitment, retention, and training the workforce?

Prompt #2

Workforce Development Board:

- * Strengths

- * Weaknesses

- * Opportunities

- * Threats

Prompt #3

Who else should the Board staff be engaging to help achieve our goals? What could be done better?



Workforce Development Board Transparency and Integrity Policy

The purpose of the policy is to prevent the personal interest of board and committee members from interfering with their duties, or result in personal financial, professional, or political gain on the part of such persons at the expense of other stakeholders. It is also in place to prevent board and committee members from using confidential information to their (or an affiliated party's or relative's) advantage. Workforce boards must also provide a level of stewardship and oversight with respect to the use of federal workforce system funds in a manner that preserves public trust.

CONFIDENTIALITY

In order to protect confidential information to be disclosed during a meeting, board and committee members agree to:

1. Hold the confidential information received in strict confidence and to exercise a reasonable degree of care to prevent disclosure to others.
2. Not disclose either directly or indirectly the confidential information to others.

CONFLICT OF INTEREST

Board and committee members also should not take any official action if the following applies:

- Their own financial interests, or the financial interests of immediate family members, business partners, private employers, or organizations for which they serve as an officer, director, partner, or trustee conflicts.
- Any other circumstance, or in appearance, make it difficult to exercise independent, objective judgment, or perform effectively.
- Their organization stands to benefit from a contract, transaction, or situation.
- The subject of discussion is a contract, transaction, or situation in which there may be a perceived or actual conflict of interest. However, they may be present to provide clarifying information in such a discussion or debate unless objected to by any present board or committee member.
- In a position to make decisions about spending resources– who also stands to benefit from that decision – has a duty to disclose

If one of these matters comes up for consideration at a committee meeting, the member should leave the room during the discussion, and make sure the minutes of the meeting reflect their recusal.

TEGL No. 35-10, TRANSPARENCY AND INTEGRITY IN WORKFORCE INVESTMENT BOARD DECISIONS

The intent of TEGl No. 35-10 was to communicate ETA's expectation that state and local workforce boards and officials will make decisions with transparency and integrity and in a manner consistent with all conflict of interest requirements. Members are required to abide by following Federal laws and regulations:

- *"Sunshine provision" regulations* (20 CFR 661.307) require local boards to conduct business in an open manner and, upon request, to make board activities available to the public, including the development of specific policies and minutes of formal board meetings.
- *Uniform Administration Requirements* for procurement (29 CFR 97.36 and 29 CFR 95.42) set the standards, including those for conflict of interest that all Federal grantees (both government and non-government) must follow. These requirements, codified in the Code of Federal Regulations, describe specific instances that constitute a conflict of interest, characteristics to be considered when making awards to contractors, and the procedural requirements for procurement protests.
- *Conflict of interest regulations* for those entities receiving WIA Title I funds [20 CFR 667.200(a)(4)] specifically mandate that a LWIB member or Youth Council member must neither cast a vote, nor participate in decision-making, on the provision of services by that member or any organization which that member directly represents. The LWIB member or Youth Council member also must not cast a vote, nor participate in decision-making, on any matter that would provide direct financial benefit to that member or a member of his/her immediate family.
- *The Hatch Act and its regulations* (5 CFR 151) restricts political activity of individuals principally employed by state and local executive agencies and who work in connection with programs financed in whole or in part by Federal grants or loans. Among other things, covered state and local employees may not use their official authority or influence to interfere with or affect the results of an election or nomination; or directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

The full text of TEGl No. 35-10 can be found here:

http://wdr.doleta.gov/directives/attach/TEGL/TEGL_35-10-Acc.pdf

Additionally, local workforce boards are also governed in their decision-making by relevant state and local statutes, regulations and policies that include, but are not limited to:

- New York State General Construction Law (GCL) §41
- Open meetings Law (Public Officers Law (POL), Article 7)

Alleged Violations to the Hatch Act will be recorded by Tompkins County Workforce Investment Board Staff and reported to the Tompkins County Compliance Officer. The Tompkins County Compliance Officer will contact the U.S. Office of Special Counsel to request an Advisory Opinion.

Allegations of violations to the Conflict of Interest regulations will be recorded and referred to the Tompkins County Ethics Advisory Board to investigate and report on the alleged violation. Penalties may include removal from the Board, loss, or disqualification from contracts.



Workforce Development Board

Revised: July 29, 2022
Executive Committee Approval:

Transparency and Integrity Policy Acknowledgement Form

I acknowledge that I have received a copy of the Tompkins County Workforce Development Board's Transparency and Integrity in Workforce Development Board Decisions Policy, which describes confidentiality, conflict of interest, and TEGl No. 35-10. I understand that I should consult the Workforce Development Board if I have questions.

I understand and agree that I will read and comply with the policies contained in this policy and any revisions.

Name (Printed)

Signature

Date



Workforce Development Board

Conflict of Interest Disclosure Statement

I understand that it is the policy of Tompkins County Workforce Development Board (TCWDB) that Officers, Board Members, Committee Members, and other key personnel will annually disclose all potential and actual conflicts of interest even if they are questionable. I hereby state that I, or members of my immediate family*, have the following affiliations or interests and have taken part in the following transactions, that, when considered in conjunction with my position with or relation to TCWDB might possibly constitute a conflict of interest. **(Check "None" where applicable)**

1. Outside Interests: Identify all entities, including corporations, partnerships, companies, and unincorporated business enterprises, with which you or an immediate member of your family hold directly or indirectly, a position as an owner, employee, officer, director or trustee in any outside concern from which the individual has reason to believe TCWDB secures goods or services; or which compete directly or indirectly with TCWDB in the purchase or sale of property or property rights, interests or services.

None

Name of Entity	Position	Percentage of Ownership
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

If a vendor of TCWDB, include disclosure of amount billed to TCWDB over the last two fiscal years.

None

2. Investments: List and describe with respect to yourself or your immediate family, all investments that might be within the category of material financial interest, described as such financial interest which represents in excess of 5% of the total outstanding equity securities of an outside concern.

None

3. Outside Activities: Identify any outside activities of yourself, or your immediate family, which render directive, managerial, or consultative services to any outside concern that does business with, or competes with services of TCWDB.

None

*For purpose of definition: Immediate family means any person related within the first degree of affinity (marriage) or consanguinity (blood) to the person involved.

4. Consultant Services: Identify any relationship (financial or otherwise) with any company or organization which furnishes consulting or professional services to TCWDB.

None

5. Inside Information: By signature below, I certify that neither I nor any member of my immediate family have disclosed or used information relating to TCWDB business for the personal profit or advantage of myself or any member of my immediate family.

6. Gifts and Gratuities: I certify that neither I nor any member of my immediate family has accepted gifts, gratuities, or entertainment that might influence my judgment or actions concerning business of TCWDB, except as listed below. (This does not include the acceptance of items of nominal or minor value that are clearly tokens of respect or friendship and not related to any particular transaction or activity.)

None

I hereby agree to report to the Chairperson of the Board any change in the responses to each of the foregoing statements which may result from changes in circumstances before completion of my next disclosure statement.

_____	_____	_____
Date	Name (Printed)	Signature

Renewal:

_____	_____	_____
Date	Name (Printed)	Signature

_____	_____	_____
Date	Name (Printed)	Signature

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