

YAVAPAI COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. _____

**A RESOLUTION OF THE YAVAPAI COUNTY BOARD OF SUPERVISORS
AUTHORIZING THE DESIGNATION OF THE NORTHERN ARIZONA COUNCIL OF
GOVERNMENTS AS THE ENTITY RESPONSIBLE FOR THE EXPENDITURE OF
GRANT FUNDS AND PERFORMANCE OF RELATED FUNCTIONS AS NECESSARY
TO CARRY OUT THE REQUIREMENTS OF PUBLIC LAW 113-128 (THE
WORKFORCE INNOVATION AND OPPORTUNITY ACT). (THE ACT)**

WHEREAS, Pursuant to Public Law 113-128 Section 107(4)(C)(A) pursuant to 121d(2)(A) and 12(B)(II) of the Workforce Innovation and Opportunity Act (the "Act"), the Yavapai County Board of Supervisors (the "Board") is designated as the local grant recipient for grant funds allocated for the provision of local services as provided in the Act; and,

WHEREAS, Pursuant to Public Law 113-128 of the Act, the Board is responsible for disbursement of grant funds allocated for workforce development activities to an Program Operator/One Stop Operator (PO/OSO)/Youth Provider to be designated by the Yavapai County Workforce Development Board (the "WDB") with the approval of the Board; and,

WHEREAS, the Board is responsible for certain duties and activities with respect to the provision of local workforce development services pursuant to the Act and to the Intergovernmental Agreement with an effective date of July 1, 2018 between the Board and the Arizona Department of Economic Security (the 2018 DES IGA) and,

WHEREAS, the Board wishes to authorize the WDB to hire an Executive Director as staff to the WDB; and,

WHEREAS the Board authorizes the WDB to designate a PO/OSO to perform the duties and activities for which the Board is responsible pursuant to the Act and the IGA; and,

WHEREAS, the Board has determined the Northern Arizona Council of Governments (NACOG) is qualified to perform the duties and activities as required by the County for the effective and efficient provision of local workforce development services under the direction of WDB per the WDB approved budget; and,

WHEREAS, the Board unanimously voted on November 20, 2018 to approve the designation of NACOG as the PO/OSO for a term of four years;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:



1. The Board hereby authorizes the WDB to designate NACOG as the PO/OSO to provide staff support to the WDB and to provide other resources as necessary for the appropriate expenditure of grant funds allocated for local workforce development activities with WDB oversight and the provision of services relating to local workforce development activities.
2. The term of this agreement to designate NACOG as the PO/OSO began July 1, 2018 and ends June 30, 2022.
3. This authorization is expressly conditioned upon the execution of the Scope of Work memorandum as approved on August 19, 2020, identifying the respective roles, duties and obligations of the parties (Attached hereto as Exhibit A and incorporated by reference herein.) and upon the continued satisfactory performance by NACOG of its duties and activities as specified in the Scope of Work Memorandum and attachments thereto.

Approved and Adopted by the Yavapai County Board of Supervisors this ____ day of _____ 20__.

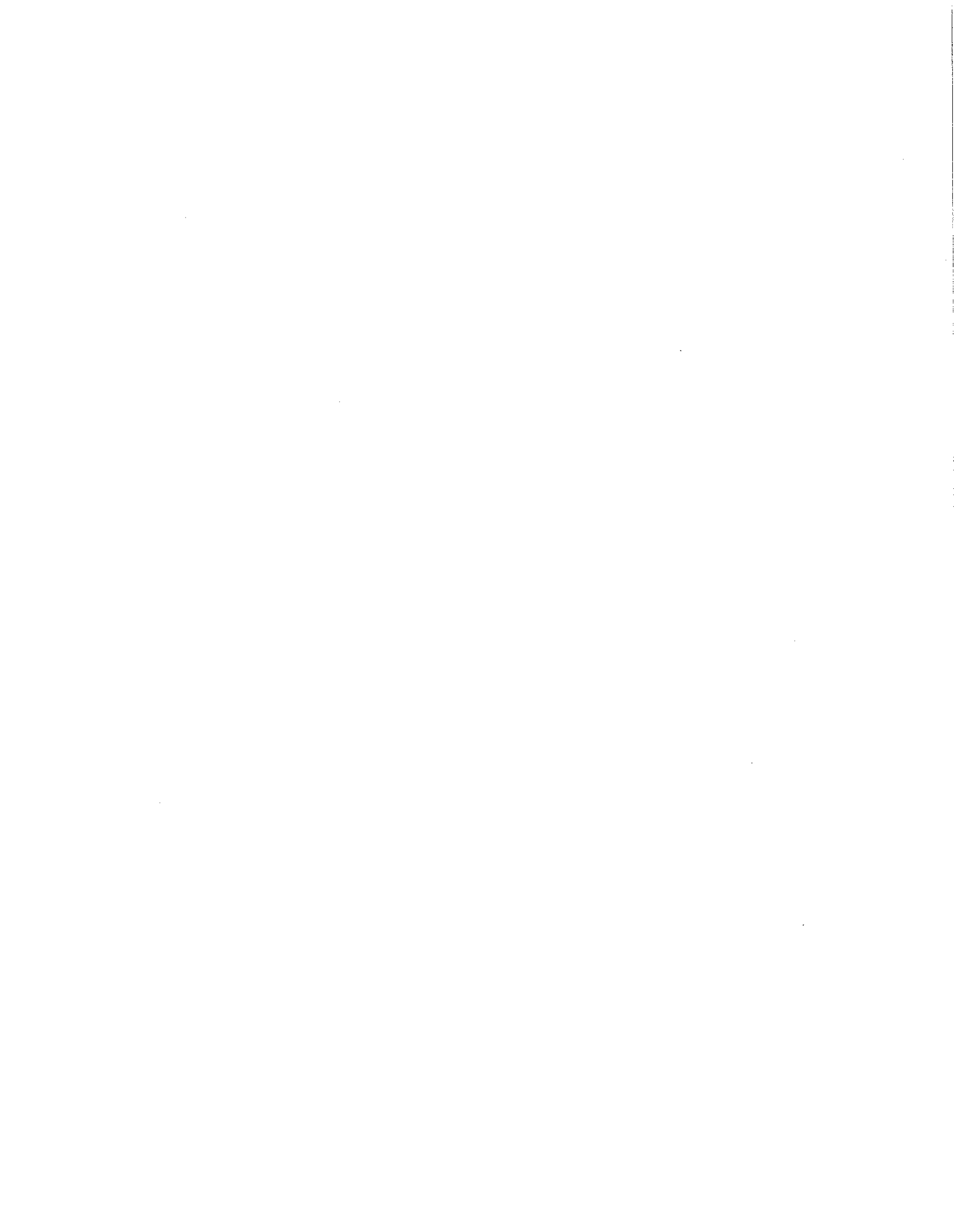
Craig L. Brown, Chairman

ATTEST:

Kim Kapin, Clerk of the Board

APPROVED AS TO FORM AND DETERMINED TO BE WITHIN THE SCOPE OF PERFORMANCE OF DUTY OF THE YAVAPAI COUNTY BOARD OF SUPERVISORS:

Martin Brennan
Deputy County Attorney



CONFLICT OF INTEREST POLICY

INTRODUCTION:

The Yavapai County Workforce Development Board (WDB) recognizes that, by its very composition, conflicts of interest and issues concerning the appearance of fairness may arise. Therefore, it is essential for the WDB to be sensitive and err on the side of caution when potential or real "conflict" or "fairness" matters occur.

The WDB recognizes that many of its members are selected because of their expertise and involvement in training, employment and job creation. They should have maximum freedom to share their talent, knowledge, and experience, but within the scope of fairness.

The WDB also recognizes that its Members may have professional and/or personal associations which could lead to conflicts of interest or appear to lead to unfairness.

STATEMENT OF PURPOSE:

The WDB wishes to guard against problems arising from real, perceived, or potential conflicts of interest and to maintain fairness in action and appearance. To accomplish these purposes, the WDB establishes the following Conflict of Interest Policy.

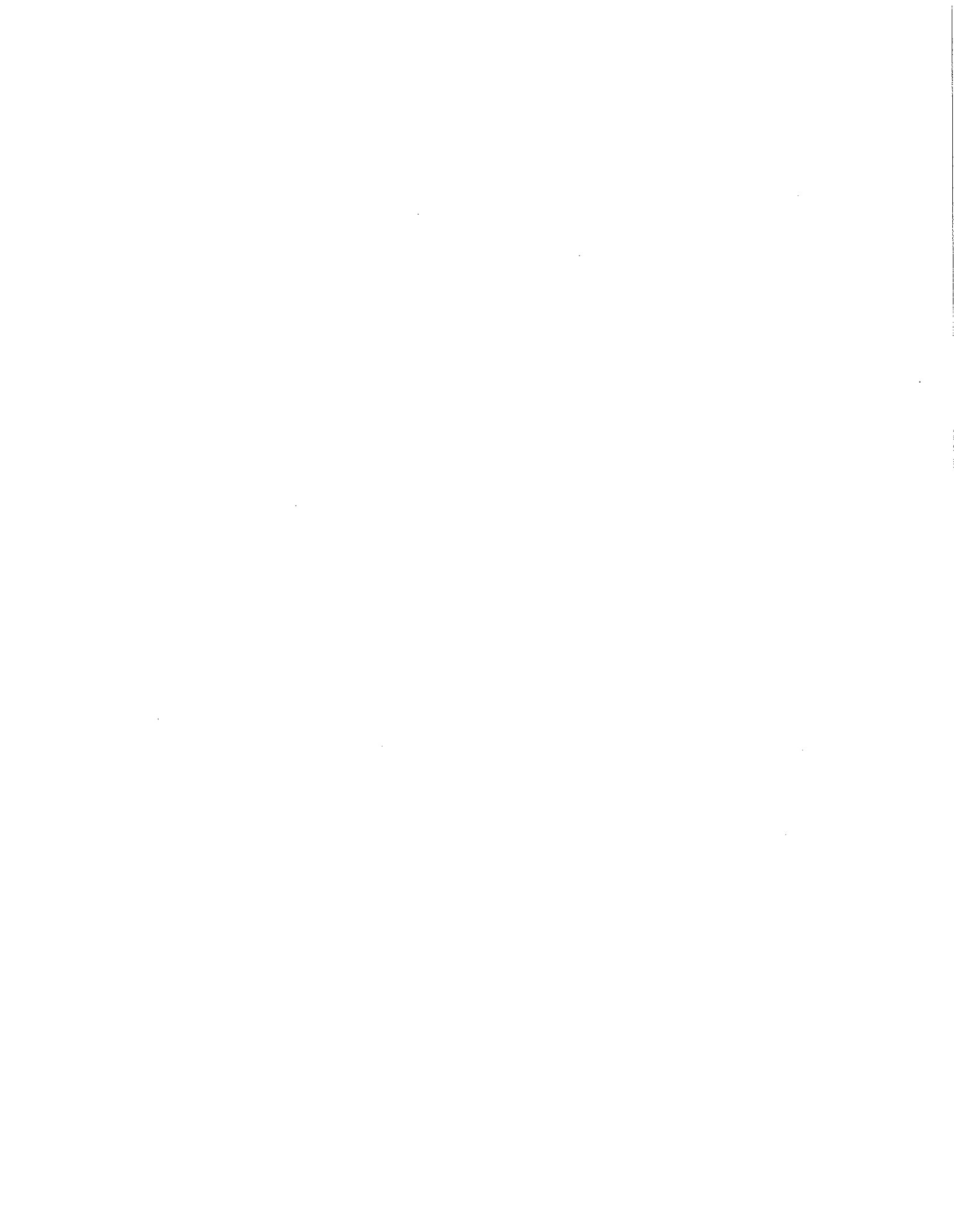
POLICY:

This Policy will provide direction for compliance with Chapter 3, Article 8 of the Arizona Revised Statutes (A.R.S. Section 38-501 et. seq.) with respect to the provision of services through the Yavapai County Workforce Innovation and Opportunity Act (hereafter "WIOA"), and the members, officers, staff, or representatives/agents of the Yavapai County Workforce Development Board (hereafter "WDB"). Members, officers, staff, or representatives/agents, shall abide by all provisions of the above-referenced statutes when acting within the scope of their responsibilities on behalf of the WDB.

Pursuant to A.R.S. Subsection 38-503, members, officers, staff, or representatives/agents, who wish to enter into contracts for the provision of services, must not participate in the selection of vendors and must make the interest in the proposed contract known in the official records of the WDB. Any member, officer, staff, or representative/agent wishing to competitively bid on contracts for the procurement of goods and services, of any monetary amount, must annually sign a copy of the affidavit attached hereto as **Exhibit 1**. The signed affidavit will be filed in the official records of the WDB and shall be available for public inspection.

In addition, any member, officer, staff, or representative/agent of the WDB who participates in the expenditure of WIOA funds shall perform his/her duties in a manner consistent with their obligations to the WDB and in accordance with sound business practices. In complying with these requirements, members, officers, staff or representatives/agents shall refrain from:

1. Solicitation or acceptance of gratuities, favors, or anything of monetary value, from contractors, potential contractors, or parties to sub-agreements.
2. Participation in awards or administration of contracts to firms in which the member, officer, staff or representative/agent or his/her immediate family has a financial or other interest.



3. No officer or employee of the WDB shall supply to the WDB any equipment, material, supplies or services, unless pursuant to an award or contract let after public competitive bidding.

In addition, any member, officer, staff, representative/agent who is a paid consultant, or who has a relative who is a paid consultant (as defined in A.R.S. 38-502) for any provider which currently transacts business with the WDB, or which may bid on a future contract for provision of services with the WDB is prohibited from participating in a decision process which may lead to the award of a contract involving such firm.

A copy of this Policy can be found on the NACOG website (www.nacog.org). Each board member shall acknowledge receipt of the Policy by executing a copy of the affidavit below. The signed affidavits shall be retained in the official records of the WDB and shall be available for public inspection.

Any person violating this Policy may be subject to termination, removal or other disciplinary action, including sanctions by the WDB, and may be subject to additional penalties as provided by statute.

AMENDED AND APPROVED BY THE YAVAPAI COUNTY WORKFORCE DEVELOPMENT BOARD AT THEIR MEETING OF AUGUST 11, 2015.

ACKNOWLEDGEMENT OF RECEIPT OF CONFLICT OF INTEREST POLICY

(To be executed by all members, officers, staff, representatives/agents of the Yavapai County Workforce Development Board)

My signature acknowledges that I have received, reviewed and understand the provisions of the Workforce Development Board Conflict of Interest Policy and that I am aware that it contains important information regarding legal obligations arising from my activities of the WDB.

I further understand that any violations of Policy may prohibit my organization access to Yavapai County WIOA service provision.

- I do not have any conflicts of interest to declare
 I do have conflicts of interest to declare (See Exhibit 1)

Printed Name

Date

Signature



**EXHIBIT 1
CONFLICT OF INTEREST**

**AFFIDAVIT REGARDING PROVISION OF SERVICES TO THE YAVAPAI COUNTY
WORKFORCE DEVELOPMENT BOARD VIA THE WORKFORCE INNOVATION AND
OPPORTUNITY ACT OR WORKFORCE INVESTMENT ACT**

I, _____ am currently a member, officer, staff, representative/agent of the Yavapai County Workforce Development Board. During the 2020-2021 fiscal year, I intend to provide program services under the Workforce Innovation and Opportunity Act or Workforce Investment Act. I have read the Workforce Development Board's Conflict of Interest Policy and am familiar with its provisions.

I certify that I am not involved, and have not been nor will be involved, in any discussion, participation of vote that would influence the decision regarding the provision of any goods or services that I may furnish to the Workforce Development Board or WIOA Direct Services.

I understand that any false statement on this affidavit or any violation of the WDB's Conflict of Interest Policy may be grounds for termination, removal or other disciplinary action, including sanctions by the WDB, and may also subject me to additional penalties as provided by statute.

Please state conflict below:

Dated this _____ day of _____, 20__

Member Signature



ARIZONA DEPARTMENT OF ECONOMIC SECURITY



WORKFORCE INNOVATION AND
OPPORTUNITY ACT POLICY
MANUAL

CHAPTER 2 - SECTION 400

SUBJECT: Supportive Services

400 BACKGROUND AND PURPOSE

Supportive services, such as transportation, child care, dependent care, housing, and needs-related payments are necessary to enable an individual to participate in Workforce Innovation and Opportunity Act (WIOA) Title I-B Adult, Dislocated Worker, and Youth Programs-authorized career or training services.

WIOA Title I-B requires the Local Workforce Development Board (LWDB) and Service Providers to provide accurate information about the availability of supportive services in the Local Workforce Development Area (LWDA), as well as to provide referrals to such activities as one of the career services for the WIOA Title I-B Adult and Dislocated Worker Programs. The WIOA Title I-B Youth Program also includes supportive services as one of the 14 program elements.

LWDBs may fund supportive services for participants of the WIOA Title I-B Adult, Dislocated Worker, and Youth Programs when the services are necessary to enable an individual, who cannot afford to pay for such services, to participate in WIOA Title I-B career or training services, when the supportive service is not available from other sources.

References: Workforce Innovation and Opportunity Act (WIOA) of 2014 ([P.L. 113-128](#)), 20 CFR § [680.900-970](#), Office of Management and Budget 20 CFR § [200.470](#), [A.R.S 41-1967](#), and Training and Employment Guidance Letter (TEGL) [19-16](#), [21-16](#).

401 SUPPORTIVE SERVICES PROVISION

While LWDBs may define policy for supportive services deemed appropriate to maximize flexibility in the LWDA, supportive services are subject to the conditions prescribed by WIOA Title I-B and detailed in this policy.

.01 LWDB Supportive Service Policy Requirements

LWDBs must work with ARIZONA@WORK Job Center partners and other community partners to establish a policy on supportive services that ensures the highest quality, most comprehensive service provision that

prevents duplication of resources and services in the LWDA. LWDB policies and procedures must include, at a minimum:

- A. Eligibility criteria;
- B. Types of supportive services that will be offered;
- C. Procedures for referral to supportive services, including how services will be funded when they are not available from other sources;
- D. Procedures for authorizing supportive service requests; and
- E. Established limits, including a maximum amount of funding and maximum length of time for supportive services to be available, as well as procedures to grant exceptions to these limits.

.02 Supportive Service Requirements

Supportive services must be made available for participants who may need additional assistance as determined through comprehensive assessments. These assessments, and all supportive services provided, must be documented in the participant's Individual Employment Plan (IEP) or Individual Service Strategy (ISS), as well as appropriately recorded in the Arizona Job Connection (AJC) system. Supportive services must only be provided through WIOA Title I-B Programs when the individual is unable to obtain supportive services through other programs that provide such services.

- A. Supportive services may only be provided to:
 - 1. Adults and dislocated workers who are participating in career or training services and are determined to be in need; and
 - 2. Youth who have been determined in need of such services.
- B. The provision of supportive services must be necessary and reasonable.
 - 1. To be necessary, there must be documentation of the need for the support service to provide and continue with WIOA career and training services.
 - 2. To determine reasonableness, the product or service must be consistent with comparable market prices.

- a. To determine comparable market prices, there must be a comparison of the product or service from at least two or more vendors.
 - b. Costs must be on par with comparable market prices for the service or commodity, both in cost and in the item being purchased, per 2 CFR Part [200.404](#). Fiscal Policy 100, [Allowable Costs](#), must still be followed, except for items with well established prices (e.g. bus passes, gas cards, utility bills).
3. Payments for supportive services may be made directly to the vendor or as a reimbursement to the participant.
- D. Documentation that supports the payment of these services, such as receipts, invoices, and billing statements must be kept in the participant's program file or uploaded to the participant's file in the AJC system.

402 TYPES OF SUPPORTIVE SERVICES

Supportive services, as described in 20 CFR § [680.900](#) for adults and dislocated workers and 20 CFR § [681.570](#) for youth, include, but are not limited to the items listed below. Unless there are specific state requirements as described in this policy, LWDBs may adopt local support services policies for each item. LWDB policies must meet the requirements for necessary and reasonable expenditures as described in Section 401:

- A. Linkages to community services;
- B. Transportation assistance;
- C. Child care and dependent care assistance;
- D. Housing and utility bills assistance;
- E. Lodging;
- F. Needs-related payments;
- G. Educational testing assistance;
- H. Reasonable accommodations for individuals with disabilities;
- I. Referrals to healthcare;

- J. Work-related expenses including uniforms, appropriate work attire, and work-related tools, including eyeglasses and protective eye gear;
- K. Training-related assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes, such as electronic devices; and
- L. Payments and fees for employment and training-related applications, tests, and certifications.
- M. Reimbursement for cellular or internet service needed to create or maintain a wireless connection for distance learning, searching for employment, and job retention, consistent with local policies which include limits on costs and length of such services.
- N. Software as needed for career services, training related activities or job placement.

403 CHILD CARE

Child care payments using WIOA Title I-B funds must be aligned with current State Child care Allowances.

- A. Payment and eligibility for child care services will follow the guidelines set forth by the Department of Economic Security (DES) Child Care Administration. Income eligibility and maximum reimbursement rates can be found in the Document Center at <https://des.az.gov/documents-center> form number CCA-1227A.
- B. The child care provider must be an approved DES contractor. A list of child care providers that contract with DES is available from the [Child Care Resources & Referral Service](#).

404 LODGING

A participant may receive lodging as a supportive service when he or she is attending a short-term training (one month or less) or traveling to take a training-related examination when the training location/testing site is more than 50 miles from the participant's place of residence.

- A. The nightly rate must be less than the limitation set by the General Services Administration for the nightly lodging rate by City and State, <https://www.gsa.gov/travel/plan-book/per-diem-rates>.

- B. The cost of nightly lodging rate must be reasonable, and comparable to other nightly lodging rates within comparable, reasonable distance from the training location or testing site.
- C. Depending on the length of the training, alternative accommodations must be considered, including lodging options that offer weekly rates, or more permanent housing solutions, such as housing options that are rented on a month-to-month basis.

405 TRAINING-RELATED EXPENSES

A participant may receive training-related assistance as a type of supportive service.

- A. Electronic devices, such as computers, laptops, and tablets may be purchased for training participants if needed to successfully complete the program, or if needed for job placement while still receiving career and training services, when not available through other resources, and if permitted by the LWDB's Supportive Services policy.
 - 1. When the LWDB provides electronic devices as a supportive service, the LWDB's Supportive Service policy must include:
 - a. Cost limits for the electronic device which are consistent with market prices for comparable goods.
 - b. Disposition of the electronic device upon completion of the training, specifying whether the participant gets to retain the electronic device; and
 - c. Procedures to determine whether the individual already owns or has access to the required electronic device prior to purchasing a new electronic device.
 - 2. For monitoring purposes, the participant's case notes must indicate that the electronic device is necessary for the participant to successfully participate in the training program.
 - a. If required by a training provider for a training program on the ETPL a copy of the training program description from the ETPL that specifies that device is required may also be printed and uploaded to the participant's file in the AJC system.

- b. If the LWDB decides not to upload documents into the AJC system, the document must be kept in the participant's paper file.
3. The LWDB must adhere to the following requirements:
- a. Follow their procurement standards for the purchase of any electronic device under this provision.
 - b. Devices may be purchased in bulk, with written justification to document how the purchase in bulk is more cost efficient.
 - c. Maintain an inventory to track each device provided to a participant.
 - d. The maximum cost of each device must not exceed the average fair market price for the device. Guidance on how to determine the average fair market price is found at [2 CFR § 200.404\(c\)](#).
 - e. Pre-approval from DES is required for all capital equipment if the purchase is over \$5,000.
 - f. The LWDB must establish and maintain security standards for any equipment for which the LWDB or fiscal agent retains ownership. LWDBs must also follow their established policies and procedures to ensure sensitive or personal identifiable information is not retained on equipment.

- B. Licenses, certifications, and testing fees may be paid when the license, certification, or the successful completion of the test:
- 1. Is required to legally work in the occupation;
 - 2. Is required by a specific employer for the individual to obtain employment, or
 - 3. Will result in an industry-recognized credential.

406 NEEDS-RELATED PAYMENTS

Needs-related payments, as described in 20 CFR § [680.930-970](#), provide payments to adults, dislocated workers, and youth for the purpose of enabling

individuals to participate in training activities. Unlike other supportive services, in order to qualify for needs-related payments a participant must be enrolled in training. However, payments may be provided if the participant has been accepted in a training program that will begin within 30 calendar days.

LWDBs may approve the use of needs-related payments, and must ensure that needs related payments are made consistent with 20 CFR § [680.930-970](#).

.01 WIOA Title I-B Adult Program Participants

In order to receive needs-related payments, as described in [20 CFR § 680.940](#), participants in the WIOA Title I-B Adult program must:

- A. Be unemployed;
- B. Not qualify for, or have ceased qualifying for, unemployment insurance compensation; and
- C. Be enrolled in training services.

.02 WIOA Title I-B Dislocated Worker Program Participants

In order to receive needs-related payments, as described in [20 CFR § 680.950](#), participants in the WIOA Title I-B Dislocated Worker Program must:

- A. Be unemployed, and:
 1. Have ceased to qualify for unemployment insurance compensation or Trade Readjustment Allowance (TRA) under Trade Adjustment Assistance (TAA); and
 2. Be enrolled in a training service by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility as a dislocated worker, or, if later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed six months; or
- B. Be unemployed and not qualify for unemployment insurance compensation or TRA under TAA and be enrolled in training services.

.03 WIOA Title I-B Youth Program Participants

Youth must be enrolled in the WIOA Title I-B Youth Program. Youth concurrently enrolled in the WIOA Title I-B Adult Program and the WIOA

Title I-B Youth Program must be eligible under criteria applicable to the respective program and the services received.

.04 LWDB Needs-Related Payments Local Policy Requirements

- A. LWDBs policies must establish the levels of needs-related payments for eligible adults, dislocated workers, and youth.
- B. For eligible dislocated workers, established levels of needs-related payments must not exceed the greater of either the following levels:
 - 1. For participants who were eligible for unemployment compensation as a result of a qualifying dislocation, the payment may not exceed the applicable weekly level of the unemployment insurance compensation benefit;
 - 2. For participants who did not qualify for unemployment insurance compensation as a result of a qualifying layoff, the weekly payment may not exceed the Federal poverty level for an equivalent period. The weekly payment level must be adjusted to reflect changes in total family income as determined by the LWDB; or
 - 3. For State-funded projects, the payment level for needs-related payments must be established by the Workforce Arizona Council.

407 SUPPORTIVE SERVICE PROHIBITIONS

Per [2 CFR § 200](#), unallowable costs which do not meet the conditions of supportive services include, but are not limited to:

- A. Payment toward goods or services incurred or received prior to the participant's enrollment in a WIOA Title I-B program;
- B. Fines and penalties, such as for parking tickets, moving violations and fines for late utility payments;
- C. Taxes, except for sales taxes and gasoline taxes, such as income taxes, and business/ payroll taxes (for employers);
- D. Child support;
- E. Legal fees, such as bail and restitution;
- F. Debts that have been turned over to a collection agency;

- G. The purchase of goods or services that are illegal under any federal, state, local, or municipal law or statute;
- H. The purchase of cigarettes, alcoholic beverages or firearms;
- I. Union dues; and
- J. Other career services and training services.
 - 1. Service provider staff must not provide career and training services as supportive services, when the actual service provided meets the definition of another career or training service on the [AJC Service Dictionary](#).
 - 2. All WIOA Title I-B Adult, Dislocated Worker and Youth Services are defined in the [AJC Service Dictionary](#).

408 FOLLOW-UP SERVICES

01. Youth Program

- A. The WIOA Title I-B Youth Program allows the provision of supportive services as a follow-up service to ensure the youth is successful in employment and/ or post-secondary and training.
- B. For more information on follow-up services, see the WIOA Title I-B [Youth Program Policy](#) Section 211.

02. Adult and Dislocated Worker Programs

- A. The WIOA Title I-B Adult and Dislocated Worker Programs do not allow the provision of supportive services after the completion of participation as supportive services are provided to enable adults and dislocated workers to participate in career and training services.
- B. For information on Follow-up Services that may be provided to Adults and Dislocated Workers, see the WIOA Title I-B Adult and Dislocated Worker Programs [Policy Section 108](#).



ARIZONA DEPARTMENT OF ECONOMIC SECURITY



WORKFORCE INNOVATION AND
OPPORTUNITY ACT POLICY
MANUAL

CHAPTER 2 – SECTION 1100

SUBJECT: Veterans' Priority of Service

1100 VETERANS' PRIORITY OF SERVICE

This section contains Veterans' Priority of Service (VPOS) requirements for the Workforce Innovation and Opportunity Act (WIOA) Title I-B Adult, Dislocated Worker, and Youth Programs.

References: WIOA of 2014 ([P.113-128](#)), WIOA Final Rules, 20 Code of Federal Regulations (CFR) [652.100](#), [20 CFR 651.10](#), [20 CFR 1010](#), U.S. Department of Labor Training and Employment Guidance Letter (TEGL) [19-13 \(Change 1 and 2\)](#), [TEGL 10-09](#), [TEGL 19-16](#) and Veteran's Program Letter (VPL) No. [07-09](#).

1101 DEFINITIONS

For VPOS, "covered person" includes a veteran and eligible spouse. Definitions for terms in this policy include the following:

- A. *Veteran* means a person who served in active military, naval or air service, and who was discharged or released under conditions other than dishonorable as specified in 38 U.S.C. 101(2).
- B. *Active Service* includes full-time duty in the National Guard or a Reserve component. Active service does not include full-time duty for training programs.
- C. *Eligible Spouse* as described in section 2(a) of the Jobs for Veterans Act (JVA) (38 U.S.C. 4215(a)), is a spouse of any of the following individuals:
 - 1. Any veteran who died of a service-connected disability;
 - 2. Any member of the armed forces serving on active duty who, at the time of application for priority of service, is listed in one or more of the following categories and has been listed as such for a total of more than 90 days:
 - a. Missing in action;

- b. Captured in line of duty by a hostile force; or
 - c. Forcibly detained or interned in the line of duty by a foreign government or power.
 - 3. Any veteran who has a total disability (100 percent) resulting from a service-connected disability, as determined by the Department of Veteran Affairs; or
 - 4. Any veteran who died while a disability was in existence.
- D. *Non-covered* means any individual who does not meet the definition of a veteran in A, or an eligible spouse in C of this section.
- 1. A spouse whose eligibility is derived from a living veteran or service member (i.e., categories b. or c. above) would lose their eligibility if the veteran or service member were to lose the status that is the basis for the eligibility (e.g. if a veteran with total service-connected disability were to receive a revised disability rating at a lower level).
 - 2. A spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member.

1102 INDIVIDUALS COVERED BY VETERANS' PRIORITY OF SERVICE

- A. Staff must provide qualified veterans or eligible spouses with VPOS for the WIOA Title I-B Adult, Dislocated Worker, and Youth Programs. VPOS includes:
 - 1. The covered person receives access to the service or resource before a non-covered person; and
 - 2. If the service or resource is limited, the covered person receives access to the service or resource instead of or before the non-covered person.
- B. Covered persons must meet all statutory eligibility and program requirements for participation in order to receive priority for a program or service.

1103 IMPLEMENTATION OF VETERANS' PRIORITY OF SERVICE POLICY

The Local Workforce Development Boards (LWDBs) must address VPOS in their local plans and develop policies and procedures for the implementation of VPOS for employment and training services.

- A. The policies must include processes in place to ensure that covered persons are identified at the point of entry. Points of entry may include:
 - 1. Intake via an ARIZONA@WORK Job Center, as part of the application process for the WIOA Title I-B Adult, Dislocated Worker or Youth Programs, or
 - 2. Any other method in which covered persons announce their interest in receiving services either in-person or virtually at ARIZONA@WORK Job Centers.
- B. The process for identifying covered persons at the point of entry must:
 - 1. Permit the individuals to make known their covered person status; and
 - 2. Permit the WIOA Title I-B Adult, Dislocated Worker, and Youth Programs to initiate data collection for covered persons at the ARIZONA@WORK Job Center point of entry or virtually through the Arizona Job Connection (AJC) webpage.
- C. The policies and procedures must ensure that covered persons are made aware of:
 - 1. Their entitlement to VPOS;
 - 2. The full array of employment, training, and placement services available under VPOS; and
 - 3. Any applicable eligibility requirements for the WIOA Title I-B Adult, Dislocated Worker, and Youth Programs.

1104 VETERANS' PRIORITY OF SERVICE AND WIOA TITLE I-B PROGRAMS

- A. For the WIOA Title I-B Adult and Dislocated Worker Program, covered persons receive the highest priority of service for the provision of basic

career services *as described in Section 1104 B*. The collection of documentation is not required for a covered person to receive VPOS prior to the provision of basic career services. However, documentation for VPOS must be collected prior to providing the individual with individualized career or training services.

- B. For the WIOA Title I-B Adult Program, in addition to VPOS, WIOA establishes priority of service for individuals who are public assistance recipients, low income, or basic skills deficient to receive individualized career and training services. The WIOA Title I-B Adult and Dislocated Worker policy, Section 102, describes the priority of service order that must be followed. Covered persons who are low income, recipients of public assistance, or basic skills deficient receive the highest level of priority of service. [WIOA sec. 3\(36\)](#) defines “low-income individuals” and [WIOA sec. 3\(5\)](#) defines “basic skill deficient.”

Priority must be provided in the following order:

1. First, to veterans and eligible spouses who are also included in the groups given statutory priority for WIOA Adult formula funding. This means that veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient would receive first priority for services with WIOA Adult formula funds for individualized career services and training services.
2. Second, to non-covered persons (that is, individuals who are not veterans or eligible spouses) who are included in the groups given priority for WIOA adult formula funds.
3. Third, to veterans and eligible spouses who are not included in WIOA’s priority groups.
4. Fourth, priority populations established by the Governor and/or Local WDB.
5. Last, to non-covered persons outside the groups given priority under WIOA.

- C. Both WIOA Title I-B Adult and Dislocated Worker programs focus on serving individuals with barriers to employment, as defined in [WIOA sec. 3\(24\)](#). Covered persons who have at least one barrier to employment must receive a higher priority of service than non-covered individuals who have at least one barrier to employment. For the WIOA Title I-B Youth Program, the highest priority of service will be provided to covered persons who meet the definition of out-of-school youth, as defined in the WIOA Title I-B Youth Program policy, Section 205.01.



ARIZONA DEPARTMENT OF ECONOMIC SECURITY



**WORKFORCE INNOVATION AND
OPPORTUNITY ACT POLICY
MANUAL**

CHAPTER 2 – SECTION 1200

**SUBJECT: Local Workforce Development Board Recertification
Requirements**

1200 BACKGROUND AND PURPOSE

This policy provides requirements for the Local Workforce Development Boards (LWDBs) and Chief Elected Officials (CEOs) for the submission of LWDB recertification materials. The Workforce Innovation and Opportunity Act (WIOA) requires the state to review LWDBs for recertification every two years.

References: Workforce Innovation and Opportunity Act (WIOA) of 2014 ([P.L. 113-128](#)), 20 CFR [§ 679 Subpart C](#) (679.300-430), 20 CFR [§ 679.350](#), and Training and Employment Guidance Letter (TEGL)[16-16](#). State Workforce Board's [Local Governance Policy](#), ARIZONA@WORK Job Center [One Stop Operator and Service Provider Selection Policy](#), State Workforce Board's [Conflict of Interest Policy](#).

1201 SUBMISSION OF RECERTIFICATION MATERIALS

LWDBs will receive instructions before each recertification cycle (which occurs every two years) providing details of the items listed below to be submitted for the specific cycle to be considered for recertification:

.01 LWDB Membership Roster

- A. The LWDB must provide a roster that shows all current LWDB members. The roster must show that at least 51% of members represent private and for-profit businesses. The roster must be compliant with the State Workforce Board's [Local Governance Policy](#) Section VIII, in accordance with WIOA 107 b(2)(A). The roster must clearly identify:
1. The Chair of the LWDB and the business the chair is representing;
 2. Members that represent businesses; at a minimum, two members must represent small business as defined by the U.S. Small Business Administration. (See the [Small Business Administration](#)

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website for the definition) The roster must indicate which two business representatives represent small businesses.

3. Information for business representatives including the following:

- a. The name of the business;
- b. Size of business;
- c. Their position at the business and a description of the business members hiring authority or optimum policy making authority;
- d. Name of nominating business organization; and
- e. The in-demand industry sectors or occupation that each business member represents.

B. The roster must show that no less than 20 percent of the members of each LWDB are workforce representatives.

1. The roster must identify:

- a. Two or more representatives of labor organizations who have been nominated by local labor federations, or other representatives of employees (for areas where labor organizations do not exist); and
- b. One or more representatives (must be a training director or a member of a labor organization) of a joint labor-management, or union affiliated, registered apprenticeship program within the area.

2. The roster must include the:

- a. Names of the LWDB members representing workforce;
- b. Titles of the LWDB members representing workforce;

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- c. Name of nominating local labor federation, if applicable; and
 - d. Name of joint labor-management, or union affiliated registered apprenticeship, if applicable.
- C. The roster must also include:
 - 1. At least one eligible training provider administering adult education and literacy activities under WIOA Title II;
 - 2. At least one representative from an institution of higher education providing WIOA activities including community colleges; and
 - 3. At least one representative from each of the following governmental and economic and community development entities:
 - a. Economic and community development entities;
 - b. Employment Services under Wagner-Peyser Act (29 U.S. C. 49 et seq.) serving the local area; and
 - c. The programs were carried out under WIOA Title I of Rehabilitation Act of 1973.
 - 4. The LWDB member's names, titles, and the name of the governmental, economic, or community development entity they represent.
 - 5. The names, titles, organizational of members who represent optional entities that may be LWDB member as listed in the State Workforce Board [Local Governance Policy](#) Section X.D, including:
 - a. Entities administering education and training activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the education or training needs for individuals with barriers to employment;

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- b. Governmental and economic and community development entities who represent transportation, housing, and public assistance programs;
 - c. Philanthropic organizations serving the LWDA; and
 - d. Other appropriate individuals as determined by the CEO, provided the individuals meet all other board member eligibility requirements established in this policy.
- D. The roster must not include members who are staff to the LWDB, the one stop operator, and/or WIOA Title IB adult, dislocated worker, and youth providers, or staff of the grant recipient/administrative entity or fiscal agent.
- E. The roster must note any vacancies on the LWDB.
- a. The roster must also include the date the position became vacant.
 - b. If the position has been vacant for more than 120 days, the roster must indicate if a waiver has been approved by the Workforce Arizona Board, pursuant to Section IV.A.1.g of their [Local Governance Policy](#), and the expiration date of the waiver.

.02 List of Standing Committees and Committee Members

The LWDB may establish and direct the activities of standing committees to provide information and assist the LWDB in carrying out its responsibilities ([20 § CFR 679.360](#)).

- A. If applicable, LWDBs must submit a list of standing committees, that identifies the following:
- 1. Type and purpose of each standing committee;
 - 2. Chair each committee;

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3. Names of committee members, and
 4. Entity represented by each committee member.
- B. The list of standing committees and committee members will be reviewed for the following requirements listed in State Workforce Board's, [Local Governance Policy](#), Section XI.H, including:
1. The chair of each committee must be a member of the LWDB; and
 2. The standing committee must include individuals who are not LWDB members, but appointed by the LWDB, and who the LWDB determines to have appropriate experience and expertise.

.03 Bylaws

The LWDB must submit a copy of link to the LWDB's Bylaws for review that include:

- A. A statement that the LWDB is established in accordance with WIOA Section 107;
- B. The name of the LWDB;
- C. The vision and purpose for the establishment of the LWDB, consistent with [20 CFR § 679.300 \(a\) and \(b\)](#);
- D. Acknowledgement of the duties and responsibilities as outlined in WIOA 107 (d), [20 CFR § 679.370](#), the Workforce Arizona Council Local Governance [Local Governance Policy](#), and in the shared governance agreement between the CEO and the LWDB.
- E. A description of the process to ensure LWDB members actively participate in convening the workforce development system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities ([20 CFR § 679.310\(g\)\(6\)](#)).

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- F. A description of membership as outlined in WIOA 107(b) and in the Shared Governance Agreement (SGA) between the CEOs and the LWDB. The description must also include:
1. The term limitations and how the term appointments will be staggered to ensure only a portion of the membership expires in a given year ([20 CFR § 679.310\(g\)\(2\)](#)).
 2. The process to notify the CEO of a LWDB member vacancy to ensure a prompt replacement nominee ([20 CFR § 679.310\(g\)\(3\)](#)).
- G. A description of the process used to elect a LWDB Chair, including term details.
- H. A description of the process used to elect officers, officer positions, terms, removal of officers, and specific officer roles and responsibilities.
- I. Information on meetings, including:
1. How often LWDB and committee meetings will be held;
 2. Acknowledgement of open meeting requirements and compliance;
 3. A description of the process of announcing regular and special meetings;
 4. Acknowledgement that a quorum must consist of at least a simple majority of the currently appointed membership; and
 5. Clarification as to whether phone and web-based meetings will be permitted.
- J. Acknowledgement that LWDB members will not be permitted to delegate any LWDB duties to proxies or alternates.
- K. Committees. A list of standing committees including the descriptions for each and composition, and description of the process for creating ad hoc committees.

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- L. Acknowledgement that LWDB members must adhere to the following rules regarding conflict of interest:
1. A LWDB member may not vote on any matter that would provide direct financial benefit to the member or the member's immediate family, or on matters of the provision of services by the member or the entity the member represents.
 2. A LWDB member must avoid even the appearance of a conflict of interest. Prior to taking office, LWDB members must provide to the LWDB Chair a written declaration of all substantial business interests or relationships they, or their immediate families, have with all businesses or organizations that have received, currently receive, or are likely to receive contracts or funding from the LWDB.
 - a. Such declarations must be updated annually or within 30 days to reflect any changes in such business interests or relationships.
 - b. The LWDB must appoint an individual to review the disclosure information in a timely manner and advise the LWDB chair and appropriate members of potential conflicts.
 3. Prior to a discussion, vote, or decision on any matter before a LWDB, if a member, or a person in the immediate family of such member, has a substantial interest in or relationship to a business entity, organization, or property that would be affected by any official LWDB action, the member must:
 - a. Disclose the nature and extent of the interest or relationship; and
 - b. Abstain from discussion and voting on or in any other way participating in the decision on the matter.

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4. Statement of responsibility of the LWDB members to monitor potential conflict of interest and bring it to the LWDB's attention in the event a member does not make a self declaration.
 5. Assurance that the LWDB's workforce service providers for WIOA Title I-B Adult, Dislocated Worker, and Youth Programs must not employ or otherwise compensate a current LWDB member or LWDB employee who is employed or compensated by the LWDB or its administrative entity, fiscal agent, or grant recipient to support the LWDB in carrying out its duties.
- M. A detailed procedure for the LWDB to follow in regards to conflict that may arise among, but not limited to:
1. LWDB members;
 2. Service delivery partners; and
 3. Consortium partners.
- N. A description of the policy on compensating LWDB members and reimbursing expenses.
- O. A description of the process for amending the Bylaws.
- P. Acknowledgement stating, in execution of its business, the LWDB must comply with the WIOA and regulations as well as policies and directives from the Arizona Department of Economic Security and the State Workforce Board.

.04 Consortium Agreement

Pursuant to WIOA 107 (c)(1)(B)(i and ii), if the LWDA includes more than one unit of general local government, the CEOs of such units must execute a written consortia agreement that specifies the respective roles of the individual CEOs in the appointment of the members of the local workforce development board (LWDB) from the individuals nominated or recommended to be such members in

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accordance with eligible criteria, and in carrying out any other responsibilities assigned to CEOs under WIOA. The LWDB must provide a copy or link of the signed Consortia Agreement that is compliant with the State Workforce Board's [Local Governance Policy](#), Section III. The consortium agreement must:

- A. Identify that the CEOs are the grant recipient for the grant funds allocated to the LWDA under youth workforce investment activities (WIOA section 128) and adult and dislocated worker employment and training activities (WIOA section 133) or designate an entity to serve as a local grant subrecipient for such funds or as a local fiscal agent (WIOA 107(d)(12)(B)(i)(II));
- B. Outline the process the CEOs will use to sign contracts and enter into agreements related to the WIOA, if the CEOs will serve as the Fiscal Agent;
- C. Acknowledge financial liability for any misuse of WIOA funds and outline the process for determining each CEOs' share of responsibility;
- D. Clearly define roles and responsibilities of the fiscal agent;
- E. Describe the process for reviewing and recommending the annual budget;
- F. Outline the process that will be used for amendments or changes to the consortia agreement including a description of how an election may or may not impact an existing agreement;
- G. Outline how CEOs will ensure LWDB representation is fair and equitable across the LWDA;
- H. Contain the name, title, area represented, contact information, and signature of the participating CEOs in the LWDA as defined in the LWDA; and
- I. Describe how CEOs will communicate with each other regarding LWDA activities and how many times the CEOs will meet each year.



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.05 Shared Governance Agreement

The LWDB and the CEO must enter into a written standalone agreement that describes how the parties will carry out requirements as outlined in the State Workforce Board's [Local Governance Policy](#). The LWDB must submit a copy or link of the Shared Governance Agreement for compliance review that includes:

- A. Roles and responsibilities of the LWDB and CEO, as described in sections IV.A.2 and VI of the State Workforce Board's [Local Governance Policy](#) and descriptions of how each role will be performed.
- B. Description of required firewalls, as described in the State Workforce Council [Conflict of Interest Policy](#):
 1. Required firewalls must be identified in the SGA to address any conflict of interest when one entity is responsible for performing two or more of the following roles to ensure the entity's role in performing one role does not impede or supersede its ability to fulfill its responsibilities in performing other required functions:
 - a. LWDB Staff;
 - b. Service Provider staff;
 - c. Fiscal agent;
 - d. Administrative Entity;
 - e. Procurement;
 - f. Program Oversight;

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- g. Fiscal Oversight; and
 - h. One-Stop Operator.
- C. Organization Charts to document reporting structures which reflect the following firewalls:
- 1. Between the CEO and LWDB;
 - 2. Between the fiscal agent and service provider staff;
 - 3. Between LWDB staff and service provider staff; and
 - 4. Between LWDB staff and the One-Stop Operator.

.06 Service Provider Agreements

The LWDB must submit all service provider agreement(s) that are compliant with Section IX of the State Workforce Board's [One Stop Operator and Service Provider Selection Policy](#). The service provider agreements, at minimum, must contain the following:

- A. Scope of Work;
- B. Period of Performance;
- C. Details regarding mechanism and conditions of payment; and
- D. Signature and date of all applicable (or required) signatories.

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.07 Local Plan

The local plan must meet requirements in [Exhibit 1000 A Required Elements of Submission of Local Plans](#) during the local plan review and approved by the State Workforce Board.

.08 One-Stop Operator Procurement

Provide copies of a fully executed One-stop Operator Contract, based on the State Workforce Board's [One Stop Operator and Service Provider Selection Policy](#).

.09 Memorandum of Understanding/ Infrastructure Funding Agreements.

Memorandum of Understanding/ Infrastructure Funding Agreements must be determined to meet requirements in Fiscal Broadcast (FB) [20-001 ARIZONA@WORK Job Center MOU/IFA Submission Requirements and IFA Review Checklist](#) during the MOU/IFA compliance review.

.10 Policy Development

Provide copies of the following LWDB policies and minutes from LWDB meeting showing approval of these policies and consistent with State Workforce Board and DES policies:

- A. Conflict of Interest; and
- B. Training Services, including requirements for work-based training.

.11 LWDB Oversight

WIOA assigns responsibility and decision-making authority to the LWDB for numerous duties that create an actual or perceived conflict of interest when the LWDB or fiscal agent are part of an entity that serves multiple roles. Therefore,

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firewalls are needed to ensure that their role performing one function does not impact its ability to perform other required functions.

- A. The LWDB must provide items used to provide a description of the monitoring process in the SGA and examples of the tools used to monitor, including latest report findings, dates of last monitor, and any findings, for the following:
 - 1. WIOA Title I-B Adult Program;
 - 2. Title I-B Dislocated Worker Program;
 - 3. WIOA Title I-B Youth Program; and
 - 4. The One-stop Operator.
- B. The tools may be an addendum to the SGA.
- C. When the LWDB is the OSO, the monitoring of the One-Stop must be conducted by an entity other than the LWDB or LWDB staff and report the monitoring to the CEO.

.12 LWDB Management of Funds

The LWDB must provide a copy of the most recent budget(s), including:

- A. WIOA Title I-B Adult Program;
- B. WIOA Title I-B Dislocated Worker;
- C. WIOA Title I-B Youth Program;
- D. Administrative budget (defined in 20 CFR [683.215](#)); and
- E. Minutes from the most recent LWDB meeting where budgets were approved.

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1202 SUBMISSION PACKETS

Each LWDB must provide required documents listed in Section 1201 and complete the following self assessment checklists to ensure they meet requirements prior to submitting the required documents and checklists to DES for review.

A. Self-Assessment Checklists:

1. The checklists must identify page numbers where requirements language is included in the required documents.
2. Local Workforce Development Board Certification Checklists include:
 - a. LWDB Membership Checklist
 - b. Standing Committee Checklist
 - c. Bylaws Checklist;
 - d. Shared Governance Checklist which includes the Conflict of Interest and Firewall Checklist;
 - e. Consortia Agreement Checklist.
 - f. Service Provider Agreement
3. LWDB Recertification submission packets must be submitted every two years. Packages may be submitted on or before December 1 and must be submitted by January 2. If January 2nd falls on the weekend, the submission packets are due the following business day. Extension requests will be considered on a case-by-case basis.

- C. All required documents and checklists must be submitted via electronic submission in a single correspondence. Documents must not be sent in**

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for review until all required documents are available, and meet requirements in the self-assessments checklist.

- D. Incomplete submission packets will not be reviewed.
- E. Failure to submit a recertification package in accordance with the instructions provided by DES and the State Workforce Board will be considered a sanctionable act, and the LWDB may be subject to a determination of a substantial violation, as provided in [WIOA Policy and Procedure Section 1300, Substantial Violation, Sanctions, Decertification, and Reorganization Guidance](#).

1203 COMPLIANCE REVIEW OF LWDB RECERTIFICATION MATERIAL

- A. Upon receipt of the complete submission packet, DES will review and provide written feedback to LWDBs, to include any deficiencies that must be resolved prior to determination and recommendation for recertification.
- B. The same checklists will be used to review required documents, as those used by LWDBs in the self-assessment.

1204 RECOMMENDATION OF LWDB RECERTIFICATION

- A. Once it has been determined that the LWDB meets all requirements for LWDB recertification, DES will recommend approval to the Performance Excellence Committee of the State Workforce Board.
- B. DES will not review submission packets or recommend LWDB recertification until receipt of all fully executed Shared Governance Agreements, Consortium agreement, MOU/IFA and the One-Stop operator contract.

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- C. DES will provide regular updates on LWDBs recertification status at State Workforce Board and committee meetings.
- D. Failure to meet recertification may result in a finding of a substantial violation with required corrective action, pursuant to [WIOA Policy and Procedure Section 1300, Substantial Violation, Sanctions, Decertification, and Reorganization Guidance](#).
- E. The LWDB may submit an appeal to DES pursuant to [Section 1400 of the Policy and Procedure Manual, Grievances, Complaints, and Appeals](#).

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1300 BACKGROUND AND PURPOSE

This policy provides definitions and examples of a substantial violations under Title I of the Workforce Innovation and Opportunity Act and the actions and process which may be taken by the Department of Economic Security (DES) to address substantial violations by Local Workforce Development Boards (LWDBs), local subrecipients, fiscal agents, or contractors of a LWDB or local subrecipient/fiscal agent.

References: Workforce Innovation and Opportunity Act (WIOA) of 2014 ([P.L. 113-128](#)), [2 CFR part 200](#), 20 CFR [677.220](#), 20 CFR [677.225](#), 20 CFR [679.230](#), 20 CFR [679.240](#), 20 CFR [part 683](#), 20 CFR [683.410](#) and [683.650](#). [Title 6, Chapter 11 of the Arizona Administrative Code](#), State Workforce Board, [Local Governance Policy \(#1\)](#).

1301 INFORMAL RESOLUTION

Prior to issuing a formal notice of substantial violation, DES may work with the LWDB, the Chief Elected Official (CEO, hereinafter referred to as the local subrecipient) and/or fiscal agent (designated by the CEO), or contractor of the LWDB or local subrecipient and/or fiscal agent to resolve issues informally using one or more actions for informal resolution. Examples of such informal resolutions efforts includes:

- A. Training and technical assistance from DES for the LWDB, local grant subrecipient/fiscal agent, or contractor of the LWDB or local grant subrecipient/fiscal agent to resolve the violation.
- B. In matters regarding disallowed expenditures, agreement by the local grant subrecipient/fiscal to repay those expenditures found to be disallowed.
- C. Additional oversight by DES or the LWDB, local grant subrecipient, and/or fiscal agent to resolve the issue

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- D. Other mitigation efforts agreed upon between DES and the LWDB, local grant subrecipient and/or fiscal agent.

1302 DEFINITION OF A SUBSTANTIAL VIOLATION

A determination of a substantial violation occurs after a sanctionable act. A sanctionable act is a violation of federal, state, and local laws, regulations, contract provisions, grant agreements, or policies by a LWDB, local subrecipient and/or fiscal agent, or a contractor of the LWDB or local subrecipient and/or fiscal agent as determined by the United States Department of Labor (DOL) or any other federal agency on behalf of DOL, or from the Governor, DES, or any state agency on behalf of the Governor or DES. This policy applies only to LWDBs, local subrecipient and/or fiscal agents or their contractors under Title I of WIOA. Such failures may occur during or after the program, grant, fiscal, contract, or calendar year. Routine findings identified and requiring action as a result of the regular monitoring process are not considered to be substantial violations. To the extent allowable, DES will not proceed to make a determination of a substantial violation until the routine monitoring process has been exhausted. The following are examples of sanctionable acts which may lead to a determination of a substantial violation by DOL, the Governor, and/or DES:

- A. Failure of the LWDB to meet agreed upon adjusted levels of performance for two consecutive program years, using a consistent definition for performance failure applied to states by DOL:
1. If any single individual indicator score falls below 50 percent;
 2. If any overall local Title I program score falls below 90% for that single core program; and
 3. In any overall local Title I indicator score falls below 90% for that single measure.
 4. For these three calculations, the results will not be rounded.

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- B. Failure by the LWDB to submit a local plan or local plan modification as required by DES.
- C. Failure by the local subrecipient and/or grant recipient to comply with the Uniform Administrative Guidance, found at 2 CFR part 200.
- D. Failure of the LWDB to carry out functions required in Section 107(d) of WIOA.
- E. Failure by the LWDB, local subrecipient and/or fiscal agent, or contractor of the LWDB or local subrecipient and/or fiscal agent, to address findings of noncompliance of applicable federal, state, or local laws, or contractor of the LWDB or local subrecipient and/or fiscal agent to resolve monitoring findings identified by DOL or DES.
- F. Incidents of fraud, misfeasance, nonfeasance, malfeasance, misapplication of funds, or other similar violations.

1303 REQUIRED CORRECTIVE ACTION

DES will require prompt corrective action, as determined by DES as provided in the written notice, to be taken for any determination of a substantial violation to ensure LWDB, local grant subrecipient, local fiscal agent, and contractor compliance with Title I of WIOA, Uniform Administrative Guidance, or state, and/or local laws, regulations, and policies.

.01 Notice of Required Corrective Action

- A. Upon a determination of a substantial violation, DES will issue a formal notice of required corrective action to the Chief Elected Official (CEO) of

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the Local Workforce Development Area (LWDA) with a copy to the Chair of the LWDB and the State Workforce Board.

- B. The notice will include the following information:
1. Substantial Violation - The specific provision(s) of Title I of WIOA, Uniform Administrative Guidance, or federal, state, and/or local laws, regulations, and policies that the LWDB, local subrecipient and/or fiscal agent, and/or a contractor of the LWDB or local subrecipient and/or fiscal agent, determined to be out of compliance.
 2. Required Corrective Action - The specific corrective action requested, timeline for completing the corrective action, and timeframe for submission of corrective action plan, taking under advisement schedules for both LWDBs and CEOs if formal action from either is required.
 3. Possible Sanctions for Noncompliance - A statement that failure to come into compliance may result in the imposition of sanctions as found in Section 1304 of this policy.

.02 Appeal of Notice of Corrective Action

- A. Any party who has received a notice of corrective action may submit an appeal to DES for a hearing within ten (10) days of the date of the notice of corrective action, pursuant to the Grievance, Complaint, and Appeal process found in [Section 1400 of the Policy and Procedure Manual](#).
- B. The DES Director must make a decision within 60 days of the date of the filing of the appeal of the notice of the corrective action.
- C. No action will be taken regarding the imposition of sanctions while the appeal is pending.

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- D. During the time of the appeal, DES may continue to work with the LWDB, subrecipient, fiscal agent and/or contractor of the LWDB, grant recipient or fiscal agent to resolve the issues identified in the notice of corrective action.

.03 Compliance with Corrective Action

- A. The process leading to a sanction will stop if a party complies with all required actions within the time frames specified in the corrective action plan.
- B. DES will provide written notification to Chief Elected Official (CEO) of the Local Workforce Development Area (LWDA) with a copy to the Chair of the LWDB and the State Workforce Board indicating resolution of the findings that were the subject of the corrective action plan.

.04 Non-Compliance with Corrective Action

- A. DES will provide written notification to the Chief Elected Official (CEO) of the LWDA, with a copy to the Chair of the LWDB and the State Workforce Board, if there is a failure to comply with the requirements of the corrective action plan.
- B. DES and/or the State Workforce Board may recommend the Governor impose a sanction as listed in Section 1304.
- C. If there is partial compliance, DES may recommend extending the time frame for completing the corrective action plan as an alternative to recommending the imposition of sanctions.

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1304 SANCTIONS IMPOSITION

.01 Types of Sanctions

The following non-exhaustive examples may be imposed, but do not supplant applicable civil and criminal actions under other pertinent federal, state, or local laws, regulations, policies, or terms and conditions of applicable awards and contracts.

- A. Requiring repayment of disallowed costs.
- B. Withholding requests for reimbursements to DES for any and all WIOA Title I funds requested.
- C. Terminating the Intergovernmental Agreement between DES and the local grant subrecipient or fiscal agent.
- D. Recapturing and reallocating WIOA Title I funds.
- E. Determining the LWDB or local grant subrecipient or fiscal agent is not eligible for discretionary funds or receipt of a voluntary reallocation.
- F. Requiring submission of additional or more detailed financial or performance reports.
- G. Providing targeted technical assistance through virtual and/or on-site visits to the LWDB, and/or the subrecipient/fiscal agent, and/or the contractor of the LWDB or the subrecipient/fiscal agent.
- H. Requiring participation in technical and quality assurance activities.
- I. Revoking approval of all or part of the local plan impacted.

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- J. Imposing a reorganization plan, which may include:
 - 1. Decertifying the LWDB;
 - 2. Prohibiting the use of eligible providers;
 - 3. Selecting an alternative entity to administer the program in the LWDA. The alternative entity may be any entity who demonstrates capability of complying with federal and state laws, regulations, policies and guidance.
 - 4. Designation of a new fiscal agent.
- K. Recommending the initiation of suspension or debarment proceedings.
- L. Imposing other remedies that may be legally available.

.02 Level of Sanctions

DES may recommend sanctions based on the following criteria as determined by DES given the totality of the circumstances surrounding the substantial violation and sanctionable act or acts:

- A. Severity, nature, duration, and extent;
- B. Previous occurrences of substantial violations and sanctionable acts;
- C. Efforts by the LWDB and/or subrecipient/fiscal agent, and/or contractor of the LWDB and or subrecipient/fiscal agent to prevent the occurrence of the sanctionable act, including efforts to:
 - 1. Obtain technical assistance, training, or other assistance from DES;
 - 2. Resolve monitoring findings; and
 - 3. Prevent potential substantial violations and sanctionable acts.

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1305 SANCTIONS PROCESS

.01 Determination of Sanction

The Governor determines the sanction(s), after recommendation from DES, in consultation with the State Workforce Board. The State Workforce Board may also recommend imposition of a sanction based on State Workforce Board policies.

.02 Notice of Sanction - DES

DES will issue a notice of the sanction to the CEO of the LWDA with a copy to the Chair of the LWDB and the LWDB Director. The notice will include the following:

- A. The substantial violation which prompted the sanction process.
- B. Any requirements for corrective action imposed by DES (including any efforts by DES to informally resolve the finding) and details of how the LWDB and/or local grant subrecipient/fiscal agent failed to comply with the corrective action plan.
- C. The specific sanction or sanctions imposed.
- D. The process to appeal the imposition of the sanction.

1306 APPEAL OF SANCTION

.01 Appeal of Reorganization Plan Due to Failure to Meet Performance Levels

- A. Appeal to the Governor:

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1. Any LWDB and CEO which is subject to a reorganization plan due to failure to meet local performance accountability measures may appeal to the Governor to rescind or revise the reorganization plan not later than 30 days after receiving such notice.

2. Appeals to the Governor must be submitted to the Governor at the following address:

1700 Washington St.
Phoenix, Arizona 85007

The appeal may also be sent via email to engage@az.gov.

A copy may also be submitted to the Chair of the State Workforce Board at the following address:

Office of Economic Opportunity
100 North 7th Ave. Suite 400
Phoenix, AZ 85007

3. The Governor must make a final decision within 30 days after receipt of the appeal.

B. Appeal to the Secretary of Labor:

1. The LWDB and CEO may appeal the decision of the Governor to the Secretary of the U.S. Dept. of Labor.

2. The LWDB and CEO must jointly submit the appeal to the Secretary.

3. Appeals must be submitted to the Secretary by certified mail, return receipt requested, and addressed as follows:

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Secretary, U.S. Department of Labor
200 Constitution Ave. NW
Washington, DC 20210
ATTN: ASET

4. A copy of the appeal must be simultaneously provided to the Governor and the Director of the Department of Economic Security.
- C. The sanction becomes effective at the time the Governor issues a decision and remains effective unless the Secretary rescinds or revises the reorganization plan.

.02 Appeal of Sanction to Revoke all or Part of Local Plan or to Impose Reorganization Plan

- A. If the LWDA has been found to be in substantial violation of Title I and has received notice from DES, on behalf of the Governor that either all or part of the local plan will be revoked or that a reorganization will occur, the LWDB, local subrecipient/fiscal agent, and/or a contractor of the LWDB or subrecipient or fiscal agent may appeal the imposition of a sanction to the Secretary of the U.S. Department of Labor
- B. The appeal must be filed no later than 30 days after receipt of written notification of the intent to impose the sanction.
1. Appeals must be submitted to the Secretary by certified mail, return receipt requested, and addressed as follows:

Secretary, U.S. Department of Labor
200 Constitution Ave. NW
Washington, DC 20210
ATTN: ASET

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2. A copy of the appeal must be simultaneously provided to the Governor and the Director of the Department of Economic Security.
- C. The Secretary will issue a decision within 45 days after receipt of the appeal and notify the State and the appellant in writing of the decision.
- D. Effective Date of Sanction:
 1. If there is no appeal, the sanction will be imposed 30 days after receipt of written notification of intent to impose the sanction.
 2. If the Secretary confirms the decision to impose the sanction, the sanction will be imposed on the date of the decision by the Secretary.

03. Appeal of Other Sanctions

If the LWDBs, and/or subrecipients/fiscal agents, and/or contractors of subrecipients/fiscal agents are subject to a sanction which is not a revocation of the all part of the local plan or a reorganization, the LWDBs, and/or subrecipients/fiscal agents, and/or contractors of subrecipients/fiscal agents may submit an appeal to DES, pursuant to the Grievance, Complaint, and Appeal process found in [Section 1400 of the Policy and Procedure Manual](#).

1307 CONTINUITY OF SERVICES AFTER DECERTIFICATION

- A. After imposition of the sanction to decertify the LWDB, DES may terminate the Intergovernmental Agreement with the subrecipient or fiscal agent if actions by the subrecipient/fiscal agent resulted in the substantial violation determination which led to the sanction.

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- B. If DES terminates the Intergovernmental Agreement with the subrecipient or fiscal agent, the following may occur to ensure continuity of services in the impacted area:
1. DES may require the CEO to designate a new fiscal agent; or
 2. DES may serve as the fiscal agent until a new grant recipient or fiscal agent is designated.
- C. DES, after consultation with the State Workforce Board, will appoint an entity to act as the LWDB for the impacted geographic area until a new LWDB is formed by the CEO and certified by the Governor.

1308 REORGANIZATION AND REDESIGNATION

.01 Reorganization Options

- A. If the imposed sanction is decertification of the LWDB, the Governor must certify a new LWDB.
- B. DES, in consultation with the State Workforce Board, will make reorganization recommendations to Governor, which may include one of the following scenarios:
1. The geographic area of the LWDA will remain as is, but require the CEO(s) to appoint a new LWDB;
 2. Create multiple LWDA's of one or more units of general of government from the area that is the subject of decertification; and
 3. Reconfiguring the LWDA by merging the general units of local government into other LWDA's, creating one of more new LWDA's.

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.02 **Redesignation Requirements**

- A. The process for redesignation of any LWDA requires consultation with the following stakeholders:
 - 1. The State Workforce Board;
 - 2. The CEO(s) in the impacted geographic area(s); and
 - 3. Representatives from LWDB(s) in the impacted geographic area(s).

- B. There must be an opportunity for public comment by all stakeholders, which include representatives from the following:
 - 1. The CEO(s) in the impacted geographic area(s);
 - 2. LWDB(s) in the impacted geographic area(s);
 - 3. Institutions of higher education;
 - 4. Labor organizations;
 - 5. Other primary stakeholders; and
 - 6. The general public.

- C. A new LWDA must request in writing, to the Governor, designation as a LWDA, pursuant to the State Workforce Board's [Local Governance Policy \(#1\)](#), which includes the signatures of CEOs from the petitioning counties.

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- D. DES, in consultation with the State Workforce Board, will recommend redesignation of LWDA's, which includes at a minimum, consideration of the following:
1. Consistency with local labor market areas;
 2. Common economic development areas; and
 3. The availability of Federal and non-Federal resources, including appropriate training institutions, to administer activities under Title I, subtitle B of WIOA.

.03 Requirements for Newly Designated Local Workforce Development Areas

- A. Upon notice of designation by the Governor, the CEO(s) are required to establish the following agreements in accordance with State Workforce Board's [Local Governance Policy \(#1\)](#):
1. A CEO consortium agreement if there are multiple units of government.
 2. Bylaws for the new LWDB.
- B. Upon appointment of the new LWDB, the following is required by the CEO(s) and the LWDB:
1. Develop and execute a Shared Governance Agreement, in accordance with State Workforce Board's [Local Governance Policy \(#1\)](#); and
 2. Development of a Local Workforce Plan.

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- C. The Governor, after consultation with DES and the State Workforce Board, must certify the new LWDB, in accordance with State Workforce Board's [Local Governance Policy \(#1\)](#).



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1400 BACKGROUND AND PURPOSE

This policy applies to general grievances, complaints, and appeals alleging violations of Title I of WIOA and is issued pursuant to the Department of Economic Security's (DES) responsibilities as the state grant recipient of Title I funds from the U.S. Department of Labor (DOL). The policy does not apply to grievances or complaints alleging violation of the nondiscriminatory provisions of WIOA sec. 188 which are addressed in [Chapter 700 of the Policy and Procedures Manual](#). The policy also does not apply to appeals filed by training providers regarding the Eligible Training Provider List (ETPL) which are addressed in [Chapter 600 of the Policy and Procedures Manual](#).

References: Workforce Innovation and Opportunity Act (WIOA) of 2014 ([P.L. 113-128](#)), Section 181(c), [Title 20, Chapter V, Part 683, Subpart F of the Code of Federal Regulations](#), [Title 6, Chapter 11 of the Arizona Administrative Code](#), [29 CFR 37.35](#)

1401 COMPLAINTS AND GRIEVANCES IN GENERAL

An interested party affected by individuals or entities representing the state or local workforce development system, including one-stop partners and service providers, shall have the right to file a grievance or complaint alleging violations of the requirements of Title I of WIOA, pursuant to 20 CFR § 683.600(b).

1402 COMPLAINTS AND GRIEVANCES AT THE TITLE I SUBRECIPIENT LEVEL

- A. Local Workforce Development Boards (LWDBs) and subrecipients/fiscal agents of Title I WIOA funds are required to have a policy and procedures in compliance with 20 CFR § 683.600(c) to address complaints and grievances from participants and other interested parties affected by the local workforce development system, including one-stop partners and

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service providers. There may be one policy procedure between the LWDB and subrecipient/fiscal agent, or each may have their own policy and procedures.

- B. LWDBs and subrecipients/fiscal agents of Title I WIOA funds are required to maintain all records related to grievances and complaints received from participants and designate a grievance officer that would be responsible for receiving and processing claims.
- C. Upon request, LWDBs and subrecipients/fiscal agents shall provide participants and other interested parties a written explanation on complaint procedures, a reminder of the participants right to file a grievance, and instruction on how to file a claim. Reasonable efforts must be made to ensure that the information will be understood by participants and others who are limited-English speaking individuals. These efforts are to comply with the language requirements pursuant to 29 CFR § 37.35.
- D. Complaints are to be submitted in writing, which may be submitted and processed electronically, and the process shall require the following:
 - 1. The name and address of the organization or person that is the focus of the complaint;
 - 2. The name, address and signature of the person filing the complaint;
 - 3. The date and signature by the official agent receiving the complaint;
 - 4. LWDBs and subrecipients/fiscal agent must provide written notice of a complaint hearing with details of the containing the date, time, location and a statement affirming the opportunity to provide evidence;

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5. Official hearings are to be conducted within 30 business days upon receipt of the complaint and a written decision provided within 60 calendar days upon receipt of the complaint; and
 6. Decisions are to include a notice of the right to appeal to the Department.
- E. Parties may file complaints directly to the DES and must receive information on how to contact the nearest office and appropriate ARIZONA@WORK office.
1. DES will post a notice on its website on how to file a grievance or complaint alleging a violation of Title I.
 2. In general, DES shall refer grievances and complaints alleging violations of Title I by a LWDB or subrecipient/fiscal agent or their contractor to the LWDB or subrecipient/fiscal agent for handling, but DES reserves the right to address the grievance or complaint following the procedures outlined in Section 1304.
- F. The LWDB and subrecipient/fiscal agent policy must also include the following:
1. Notice to DES and the State Workforce Board when a grievance or complaint has been filed, and outcome of the complaint or grievance upon completion of the process.
 2. An opportunity for informal resolution and completion of the hearing process within 60 days of the filing of the grievance or complaint;
 3. A process which allows an individual alleging a labor standards violation to submit the grievance to a binding arbitration procedure,

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if a collective bargaining agreement covering the parties to the grievance so provides; and

4. An opportunity for a State level appeal when:
 - a. No decision is reached at the local level within 60 days; or
 - b. Either party is dissatisfied with the local hearing decision.

1403 APPEALS, COMPLAINTS, GRIEVANCES FILED AT THE STATE LEVEL

- A. Right to Appeal. Any interested party shall have the right to appeal a determination, decision, order, or other action or inaction of either the LWDB or subrecipient/fiscal agent, pursuant to 20 CFR 683.600(c)(4).
 1. Interested parties are encouraged to pursue any informal resolution remedies available such as arbitration and mediation with the LWDB or subrecipient/fiscal agent prior to submitting a formal appeal.
 2. If the interested party is appealing a determination, order, or other action or inaction of a LWDB or subrecipient/fiscal agent, the interested party is encouraged to first pursue the local area process and procedures as required pursuant to 20 CFR 683.600(c)(1).
- B. Hearing Request. Any interested party shall have the right to request a hearing by DES to appeal a determination, decision, order, or other action or inaction of the Department, a LWDB, or subrecipient/fiscal agent.
 1. A request may be oral or written. If oral, DES shall prepare a written request on behalf of the individual and obtain the individual's signature on the request.

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2. The request shall include the following information:
 - a. The name, address, and signature of the complainant;
 - b. The name, address, and organization or individual who made the determination, decision, order or action, or who failed to provide required action, which is the basis of the appeal;
 - c. The determination, decision, order, or other action or inaction which is the basis of the appeal and the date of the occurrence; and
 - d. The alleged violation of WIOA Title I which is the basis of the appeal.

3. The request for hearing shall be filed with the Department's designated grievance officer within the following time limits:
 - a. Within ten business days of the date of the adverse decision when the request is an appeal of an adverse decision resulting from the LWDB or subrecipient/fiscal agent grievance procedure;
 - b. Within ten business days of the date of that the subrecipient failed to hold a hearing or issue a decision within the required time limit; or
 - c. In all other cases, within one year (calendar days) of the date of the alleged adverse occurrence.

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- C. DES will provide notice to the State Workforce Board when a grievance or complaint has been filed and the outcome of the complaint upon completion.

1404 HEARINGS AT THE STATE LEVEL

- A. The following applies to the hearing notice:
1. The Department will provide notice to all interested parties at least 10 business days prior to the hearing date. The notice will include:
 - a. The time, date, and location of the hearing;
 - b. The name, mailing address, email address, and telephone number of the person to notify in the event of a change in the time, date, and location of the hearing;
 - c. The hearing procedures, a statement of issues, and any other information regarding the actions which is the basis of the appeal; and
 - d. An explanation that the parties or their legal counsel may examine the case file prior to the hearing.
 2. Any interested party may waive, in writing, the right to notice.
- B. Hearing officers will be a state employee, with experience serving as a hearing officer, who is an impartial official with no personal involvement in the case and has not been involved in the initial determination of the action which is the subject of the appeal.
1. The hearing officer will conduct the hearing as follows:

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- a. Administer oaths or affirmations;
 - b. Regulate and conduct the course of the hearing consistent with due process;
 - c. Request, receive and make part of the record all evidence determined necessary to decide the issues raised in the appeal;
 - d. Ensure all relevant issues are considered, and evidence not related to the issues are not permitted to become part of the record;
 - e. Take notice of judicially cognizable facts or generally recognized technical or scientific facts within the agency's specialized knowledge; and
 - f. Make a recommendation to the Director pursuant to A.R.S. § 41-1992(C).
2. Challenges to the interest of any hearing officer may be heard and decided by that hearing officer, or upon written request, referred to the hearing officer's immediate supervisor.
- a. Not later than five business days prior to the date set for the hearing, any interested party may file a written request for a change of hearing officer.
 - b. If the request for a change of hearing officer is granted, the hearing officer shall immediately transfer the matter to another hearing officer to conduct the hearing.

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- c. No more than one change of hearing officer shall be granted to any one party.
- C. All interested parties shall be ready and present with all witnesses and documents at the time and place specified in the hearing notice and shall be prepared at such time to dispose of all issues and questions involved in the appeal or petition.
 1. All hearings shall be open to the public, but the hearing officer may close the hearing to other than the interested parties to the extent necessary where confidential information which is protected by statute or court order is offered into evidence.
 2. Hearings may be conducted via electronic means.
 3. Interested parties shall arrange for the presence of witnesses to provide testimony relevant to all issues and questions involved in to support their position in the appeal or petition.
 4. An interested party may submit an application to the hearing officer to issue a subpoena requiring the attendance of a witness and/or to compel the production of documents.
 - a. The application shall include the name of the individual and/or the documents desired, the address at which the subpoena may be served, and a brief statement of the facts which the applicant seeks to prove by the individual and/or the documents requested.
 - b. The application shall be submitted to DES in sufficient time prior to the hearing to permit preparation and service of the subpoena before the hearing.

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- c. A subpoena may be issued by the hearing officer on their own motion.
 - d. Witnesses subpoenaed who attend hearings shall be allowed fees at the same rate as paid by the superior court located in the county at the site of the hearing.
 5. An interested party and/or its legal counsel must be given adequate opportunity to examine all documents and records to be used during the course of the hearing.
 - a. Upon request, all interested parties must receive a copy of relevant portions of the case file, without charge.
 - b. Documents and records must be available at a reasonable time and date before the hearing.
 6. All interested parties will be provided the opportunity to present the case or have it presented by legal counsel, and:
 - a. Present witnesses;
 - b. Advance arguments without undue influence;
 - c. Question or refute any testimony or evidence, including an opportunity to confront and cross-examine adverse witnesses; and
 - d. Submit evidence to establish all pertinent facts and circumstances in the case.

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7. The LWDB or subrecipient/fiscal agent which issued the adverse action shall proceed initially and have the burden of proof in presenting the case before the hearing officer.
 8. A full and complete record shall be kept of all proceedings, including properly identified exhibits, in connection with an appeal or petition.
 - a. Such record shall be open for inspection by any interested party.
 - b. When a transcript is made for the Department's use or for further proceedings, a copy may, upon request, be furnished to interested parties who shall be charged therefor, or the charge may be waived if evidence of inability to pay is presented.
 - c. When the same or similar evidence is relevant and material to the issues in more than one case, the proceedings may be conducted jointly, with one single record, unless the hearing officer determines that such consolidation would be prejudicial to the interests or rights of any interested parties.
- D. At the request of a party or on the initiative of the hearing officer, the hearing officer may order, orally or in writing, a hearing postponement. A requested postponement must be granted if:
1. The request is promptly made after the party received the notice of a hearing, or after the circumstance requiring the postponement arises; and
 2. The party has good cause for not attending the hearing at the time and date set.

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- a. Good cause exists when the circumstances causing the request are beyond the reasonable control of the requesting party; and
- b. Failure to grant the postponement would result in hardship for the requesting party.

1405 DECISION OF THE DEPARTMENT

- A. The hearing officer shall issue a recommendation in accordance with A.R.S. § 41-1992.
 1. All evidence which the hearing officer makes a part of the record shall be considered in the determination of the case.
 2. Every recommendation shall be in writing or stated in the record and shall be accompanied by findings of fact and conclusions of law.
 3. The hearing officer's recommendation shall be issued no later than 50 calendar days after the filing of the request for a hearing unless the time limit is waived by all interested parties, in writing and on the record.
 4. A copy of the recommendation shall be delivered or mailed to each interested party or it's attorney of record. The notice must include the following:
 - a. A statement that the recommendation of the hearing officer will become the approved decision of the Department within 10 calendar days of the date of the notice.

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- i. The decision shall become final unless a request for reconsideration is filed within 10 calendar days after the decision is mailed or otherwise delivered to the interested parties.
 - ii. Prior to approving the recommendation, the Director may remand the case to the hearing officer for review or rehearing.
 - iii. The Director may issue a decision which differs from the hearing officer's recommendation without remanding the case for review or rehearing.
- b. An explanation of the rights of interested parties to request a rehearing and reconsideration by the Director, under State of Arizona rules.
- i. A party may request a rehearing or review by filing a written motion within ten days after the recommendation was mailed or otherwise delivered, specifying the particular grounds for the request.
 - ii. The process for rehearing is outlined in Section 205, subsection C of Title 6, Chapter 11, Article 2 of the Arizona Administrative Code.
- c. An explanation that interested parties may, in addition to a request for a rehearing and reconsideration by the Director, may submit an appeal to the Secretary of Labor pursuant to 20 CFR § 683.610 when:
- i. A final decision on an appeal filed pursuant to Title 6, Chapter 11, Article 2 of the Arizona Administrative

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Code has not been reached within 60 calendar days of the Department's receipt of the appeal.

- ii. A decision on an appeal filed with the Department has been reached and the decision is adverse to the party.

B. Director's Review and Reconsideration.

A party may request a Director's review when a recommendation has not been issued within 50 calendar days of the request for hearing and the time limit has not been waived.

1. A party may request a reconsideration of an adverse decision within 10 calendar days the decision was mailed or delivered.
2. The request for the Director's review or reconsideration must be in writing and include a statement of grounds for review or reconsideration.
3. Any action pursuant to the original decision shall be stayed until the Director's decision upon reconsideration is issued, upon timely filing of such a request, except if the hearing officer makes specific findings that the immediate effectiveness of the recommendation is necessary for the immediate preservation of public peace, health.
4. After receipt of a request, the Director will:
 - a. Remand the case for rehearing, specifying the nature of any additional evidence required and/or issues to be considered;
or

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- b. Decide the appeal on the record.
5. A copy of the decision of the Director will be distributed to each interested party by regular mail.
- C. Informal dispositions. An appeal of a determination, decision, order, or other action or inaction of either the Department or a LWDB or subrecipient/fiscal agent may be informally disposed of without further review on the merits, under the following circumstances:
1. By withdrawal, if the appellant withdraws the appeal, in writing or on the record at any time before the hearing officer's recommendation is issued; or
 2. By dismissal, if the appellant fails to file an appeal a determination, decision, order, or other action or inaction of either the Department, LWDB, or subrecipient/fiscal agent, within one year (calendar days) of the date of the alleged adverse occurrence; or
 3. By stipulation, if the parties agree on the record or in writing at any time before the hearing officer's recommendation is issued, subject to approval by the hearing officer; or
 4. By default, if the appellant fails to appear or waives appearances at the scheduled hearing. The hearing officer may enter a default disposition without further a right to appeal except as provided in Section 206, Title 6, Chapter 11, Article 2 of the Arizona Administrative Code.

Yavapai County Workforce Development Board ETPL Update January 14, 2021

Subsequent Pending Approvals

School	Course	Duration	Tuition/Other Fees	Credential	Grants/Scholarships	Available	In Demand
Arizona School of Integrative Studies - Prescott	Massage Therapy Training	26 weeks	\$13,800 tuition \$50.00 registration \$195.00 exam fees	Industry Certification/State License	FASFA eligible	Onsite daytime, evening hours	21% growth
Rogers Academy of Beauty	Aesthetics Course	26 weeks	\$12,850.00 tuition \$100.00 registration \$170.00 exam fee	Industry Certification/State License	N/A	Onsite daytime, weekend hours	15% growth
Rogers Academy of Beauty	Cosmetology	52 weeks	\$16,850.00 tuition \$100.00 registration \$170 exam fee	Industry Certification/State License	N/A	Onsite daytime, weekend hours	9% growth

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Meadows of Northern Arizona	Advanced Placement (Caregiver to C.N.A)	1 week	\$695.00 tuition \$100.00 books \$118.00 exam fee	Industry Certification/State License	N/A	Onsite daytime, evening hours	22% growth
Meadows of Northern Arizona	Certified Nursing Assistant	3 weeks	\$1,195.00 tuition \$170.00 books \$50.00 mock test \$118.00 exam fee	Industry Certification/State License	N/A	Onsite daytime hours	22% growth
VACTE	Heavy Equipment Operations	18 weeks	\$3,500.00 tuition \$100.00 registration \$200.00 books \$100.00 supplies \$175.00 exam fee	Industry Certification/State License	N/A	Onsite daytime, evening and weekend hours	20% growth

Yavapai County Workforce Development Board ETPL Update January 14, 2021

Yavapai College	3D Modeling and Animation Certificate	6 weeks	\$570.00 tuition \$100.00 books	Industry Certification	N/A	Onsite daytime, evening hours	2% growth
Yavapai College	Accounting Assistant Certificate	36 credit hours	\$3,420 tuition \$700 books	Industry Certification	FASFA eligible	Online, onsite daytime and evening hours	8% growth
Yavapai College	Accounting, AAS	61 credit hours	\$5,795 tuition \$3,500 books	AAS	FASFA eligible	Online, onsite daytime and evening hours	8% growth
Yavapai College	Additive Manufacturing AAS	62 credit hours	\$9,664 tuition \$2,100 books	AAS	FASFA eligible	Onsite daytime hours	14% growth

Yavapai County Workforce Development Board ETPL Update January 14, 2021

Yavapai College	Administration of Justice, AAS	61 credit hours	\$5,551 tuition \$3,500 books	AAS	FASFA eligible	Online, onsite daytime and evening hours	4% growth
Yavapai College	Advanced Bookkeeping Certificate	21 credit hours	\$1,995 tuition \$800 books	Industry Certification	FASFA eligible	Online, onsite daytime and evening hours	5% growth
Yavapai College	Agriculture Technology Management AAS	60 credit hours	\$6,960 tuition \$3,550 books	AAS	FASFA eligible	Online, onsite daytime and evening hours	16% growth
Yavapai College	Animal Care Management Certificate	30 credit hours	\$3,480 tuition \$1,700 books	Industry Certification	FASFA eligible	Onsite, daytime and evening hours	20% growth
Yavapai College	Applied Pre-engineering AAS	62 credit hours	\$6,084 tuition \$4,000 books \$500 supplies	AAS	FASFA eligible	Onsite daytime hours	11% growth

Yavapai County Workforce Development Board ETPL Update January 14, 2021

Yavapai College	Athletic Coaching Certificate	17 credit hours	\$1,615 tuition \$1,450 books	Industry Certification	FASFA eligible	Onsite daytime and evening hours	15% growth
Yavapai College	Auto Body Paint and Collision Technology Certificate	21 credit hours	\$2,434 tuition	Industry Certification	FASFA eligible	Onsite daytime and evening hours	8% growth
Yavapai College	Automotive Master Technician Certificate	45 credit hours	\$5,220 tuition \$3,000 books \$200 supplies	Industry Certification	FASFA eligible	Onsite daytime and evening hours	3% growth
Yavapai College	Automotive Technician Certificate	18 credit hours	\$2,196 tuition \$1,600 books \$200 supplies	Industry Certification	FASFA eligible	Onsite and online daytime hours	3% growth

Yavapai County Workforce Development Board ETPL Update January 14, 2021

Yavapai College	Automotive Technology AAS	61 credit hours	\$7,076 tuition \$3,450 books \$200 supplies	AAS	FASFA eligible	Onsite daytime and evening hours	3% growth
Yavapai College	Basic Tax Certificate	18 credit hours	\$1,638 tuition \$2,400 books	Industry Certification	FASFA eligible	Online and onsite daytime and evening hours	5% growth
Yavapai College	Bookkeeping Certificate	9 credit hours	\$855 tuition \$700 books	Industry Certification	N/A	online and onsite daytime and evening hours	5% growth
Yavapai College	Business Office Advanced Certificate	25 credit hours	\$2,375 tuition \$800 books	Industry Certification	FASFA eligible	Online and onsite daytime and evening hours	2% growth

Yavapai County Workforce Development Board ETPL Update January 14, 2021

Yavapai College	Business Office Basic Certificate	7 credit hours	\$665 tuition \$500 books	Industry Certification	N/A	Online and onsite daytime and evening hours	2% growth
Yavapai College	Canine Care and Handling Certificate	16 credit hours	\$1,856 tuition \$1,600 books	Industry Certification	FASFA eligible	Onsite daytime and evening hours	18% growth



WIOA One Stop Partners Update

Quarter 2 of PY 20-21

October 1, 2020-December 31, 2020

By: Leah Cickavage, Operations Manager, NACOG-EWD

NACOG Title I Update for Prescott and Cottonwood Office:

<i>Prescott office</i>	'19-'20	'20-'21	Increase/Decrease
Orientation	391	156	-235
Career Services	191	584	+393
Eligibility Determination	271	152	-119
Case Management	689	877	+188
Training Contracts	32	36	+4
Assessments	132	163	+31
Referrals (made/received)	64	102	+38
Totals	1,770	2,070	+300
<i>Cottonwood office</i>			
Orientation	53	27	-26
Career Services	216	223	+7
Eligibility Determination	47	27	-20
Case Management	345	388	+43
Training Contracts	10	4	-6
Assessments	40	42	+2
Referrals (made/received)	22	87	+65
Totals	733	798	+65
Contact Tracing (Prescott/Cottonwood)		284	284 (contacts since 11/24/2020)

Satisfaction Surveys/BAC:

Surveys	'19-'20	'20-21	Increase/Decrease
Extremely Satisfied	98%	99%	+1%
Very Satisfied	2%	1%	-1%
BAC			
Clients	'19-'20	'20-21	Increase/Decrease
Clients	167	223	+56 (job fair)
Agencies	11	1	-10
Job Placements	83	62+	Pending final hires with employer of job fair

DES Reemployment Assistance Administration Title III Update:

<i>Prescott Office</i>	'19-'20	'20-21	Increase/Decrease
Customer Served	0	0	n/a
Workshops	0	0	n/a
Obtain & Placements	0	0	n/a

Employer Contacts	0	0	n/a
JI Assistance	0	0	n/a
Veterans Served	0	0	n/a
Job Orders Written	0	0	n/a

Cottonwood Office	'19-'20	'20-21	Increase/Decrease
Customers Served	781	332	-449
Workshops	11	0	-11
Obtains & Placements	34	82	+48
Employer Contacts	34	-	-34
UI Assistance	525	332	-193
Veterans Served	11	65	+54
Job Orders Written	22	-	-22
Totals	1,418	811	-607
Prescott Valley	'19-'20	'20-21	Increase/Decrease
Customers Served	1,020	2,048	+1,028
Workshops	8	0	-8
Obtains & Placements	100	116	+16
Employer Contacts	56	-	-56
UI Assistance	796	2,048	+1,252
Veterans Served	64	97	-33
Job Orders Written	40	-	-40
Totals	2,084	4,309	+2,225

DES Vocational Rehabilitation Title IV Update Report

Services	'19-20 (data wasn't available)	'20-21 (data wasn't available)	Increase/Decrease
Clients Served	n/a	n/a	
VR Waitlist	n/a	n/a	
Exited with Employment	n/a	n/a	
Job Placements	n/a	n/a	
Average wage at closure	n/a	n/a	

Yavapai College Title II Update Report

Services	'19-'20	'20-21	Increase/decrease
Number of participants with 12 or more hours of attendance	241	193	-48
Number of Instructional Hours	11,657	4,927	-6,730

Percentage of Progress Tested Participants with Measurable Skills Gain	41.1%	36%	-5.1%
Number of Participants in Integrated Education and Training Program	8	5	-3
Number of Participants in Integrated English Literacy and Civics Education	80	69	-11

Top Job Trainings/Job Placements by Industry

