

BUFFALO & ERIE County
Workforce Investment Board, Inc.

Local Plan

July 1, 2021 – June 30, 2025

PY2023-2024 Modifications are
highlighted in yellow.

Public comments to the
PY2023-2024 modifications must be
emailed by the close of business on
June 1, 2023 to info@becwib.org
with the subject line 2023 Local Plan
Modification.

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Strategic Planning Elements

Local Workforce Development Areas (LWDAs) and Regional Demand Lists are now maintained [online](#). Changes to the Demand Lists can be made by following the directions on the webpage.

I attest that the priority ranked list of the LWDA's demand occupations was last updated on [specify date in the text box below].

May 11, 2021

How is this information shared with the Local Workforce Development Board (LWDB)? What was the last date on which it was shared?

The priority ranked list is shared with the Board through emails and at meetings of the Executive Committee and the Full Workforce Development Board. It was last shared on June 8, 2021. It is also posted on our website located at workforcebuffalo.org.

a. Provide an analysis of regional economic conditions, including:

i. Existing and emerging in-demand sectors and occupations; and

The LWDB, in conjunction with the WNY Regional Economic Development Council, the NY State Department of Labor and Empire State Development, is currently targeting the following sectors: Advanced Manufacturing, Agriculture, Construction/Building Trades, Health and Life Sciences, Hospitality/Tourism and Technology. The LWDB will continue identifying and filling positions in demand in these sectors. The Pandemic affected all these sectors to some degree. Even if a company was operating during the Pandemic, it was working at a reduced capacity. As we move forward, the LWDB will continue to assist employers, in these sectors, to expand their workforces with the appropriate talent pool.

ii. The employment needs of businesses in those sectors and occupations.

Employers, Pre-Pandemic and presently, in these sectors, continue to have difficulty finding qualified candidates to fill job openings. The cause is two-fold: a generation of skilled workers who are retiring, and a local labor market without individuals with the skills to fill these openings. Employers need qualified workers for entry-level positions, and incumbent workers to be trained so they can move into advanced positions within the company. Working with the employers, the goal in the LWDA is to expand training programs in these high growth sectors, thus assisting employers in fulfilling their hiring needs.

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- b. Describe the knowledge, skills, and abilities needed to meet the employment needs of businesses, including those in in-demand sectors and employing individuals in demand occupations.

For entry-level positions, businesses need individuals with both soft-skills (i.e. time management, problem solving, effective communication, adaptability, work ethic, etc.) and basic technical skills. For incumbent workers, business require more specialized training so advancement can occur along career pathways within the sector industry.

- c. Provide an analysis of the regional workforce, including:

- i. Current labor force employment and unemployment numbers;

PY2023-2024 Modification:
 The unemployment rate in the Western New York (WNY) Region was 3.7% in March 2023, down from 4.0% in March 2022. The labor force rose from 649,900 in March 2022 to 651,000 in March 2023, up only 1,100 over-the-year. The number of employed in WNY was 626,900 and the number of unemployed was 24,100.
 The unemployment rate in The Western New York (WNY) Region was 7.2% in March 2021, down from a series-high of 20.4% in April 2020, when most business shutdown due to the pandemic. The labor force fell from 643,400 in March 2020 to 639,100 in March 2021, down only 4,300 over the year. The number of employed in WNY was 592,900 and the number of unemployed was 46,200.

- ii. Information on any trends in the labor market; and

PY2023-2024 Modification:
 Private sector jobs in the Western New York Region increased by 8,800, or 1.7 percent, to 526,000 in March 2023. Job growth was centered in professional and business services (+2,600), leisure and hospitality (+2,100), natural resources, mining and construction (+1,700), educational and health services (+1,500), manufacturing (+1,500) and other services (+800). Losses were greatest in financial activities (-800), trade, transportation and utilities (-400) and information (-200). Government sector jobs increased by (+1,800) over the year.
 The US Bureau of Labor Statistics reports the unemployment rate for Buffalo and Erie County has decreased from our Annual Plan's inception in November 2019 to 3.7% in November 2021. The unemployment rate for blacks and Hispanics within the County of Erie remains significantly higher. Estimates range from 12-14% based on locally completed studies.
 Private sector jobs in the Western New York Region declined by 39,800 or 7.5 percent, to 493,300 over the year in March 2021. Employment losses were greatest in leisure and hospitality (-12,400), educational and health services (-10,300), trade, transportation and utilities (-4,100), other services (-4,000), professional and business services (-3,800), manufacturing (-2,700), financial activities (-1,000), information (-900), natural resources, mining and construction (-600). Government sector jobs decreased by (-5,500) over the year.

- iii. Educational and skill levels of the workforce in the region, including individuals with barriers to employment.

Of the adult population (25+) over 91.0% have a high school diploma or higher. However, the almost 9.0 percent that do not have a high school diploma represents an estimated 84,888 residents in the region. For population for whom poverty status is determined in the five counties that make up the Western New York Region, 14.7% are below the poverty level.

- d. Provide an analysis of workforce development activities, including education and training, in the region.

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- i. Identify strengths and weaknesses of these workforce development activities.

Workforce development activities initiated and facilitated by our LWDB include sector partnership programming in Advanced Manufacturing, Healthcare, Hospitality and Tourism, Customer Service, Building Trades and Construction, and Technology. Our strengths include developing strong relationships with businesses and training providers, which allows us to create successful programs that respond quickly to business needs with real-time curriculum development and industry recognized credentials. We also support the efforts of other stakeholders in developing workforce initiatives and cross-collaborations, such as the Center for Employment Opportunities and their work with the justice involved population.

The new landscape created by COVID required additional analysis and planning in the development of training programs. Because of our strong sector partnerships, we were able to identify sectors where hiring and career building opportunities were adaptable. This allowed us to pivot to remote outreach strategies and virtual learning platforms. As a result, we continue to adapt our training programs, navigate the digital landscape more heavily, and take advantage of digital outreach as much as possible.

- ii. Does the local area have the capacity to address the education and skill needs of the local workforce, including individuals with barriers to employment, and the employment needs of businesses? Please explain.

We continue to address and facilitated development of Sector Partnerships and Career Pathways training in priority industries, designed to addresses real-time business needs for a skilled workforce and leading to self-sustaining wages.

In tandem with our partners, we provide comprehensive services to out-of-school youth and adults who have low literacy skills, are English Language Learners, or lack a high school diploma or equivalent This includes community and workforce literacy (ESL), English as a Second Language classes, High School Equivalency (HSE), and the opportunity to attend low cost vocational and post-secondary programs that mirror the needs of the Western NY community. With ACCES-VR and other local community agencies, we identify those with disabilities who seek gainful employment and help provide them with programs that build on their strengths for future employment opportunities.

Our comprehensive Career Center also provides targeted assistance to the re-entry population. The unique barriers that justice-involved individuals face in securing employment and the resources needed to support gainful employment opportunities are addressed through case management and job readiness, while helping participants build and restore self-respect, confidence, and the ability to recognize and act upon opportunities leading to long-term success.

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- e. Describe the LWDB’s strategic vision and goals for preparing an educated and skilled workforce, including youth and individuals with barriers to employment.

The LWDB recognizes that a high quality workforce is critical to attracting and retaining business in Erie County. We are committed to creating and promoting a workforce development system that is user friendly and responsive to the needs of both the individual trainee/job applicant and the business organization seeking our assistance. Our overall goal is to develop and sustain a unified, cost effective, industry-driven system that addresses the barriers faced by our targeted populations, and facilitates economic development and business growth in our community. To that end, we continue to expand our Career Pathways programing to include trainings with work experience; virtual classrooms; partnerships with local businesses to address transportation issues and other barriers to employment; On-the-Job training; cooperation with NYSDOL to expand community outreach through virtual platforms; and targeting emails to customers referring them to career centers services and appropriate system partner agencies.

- i. How do the local area’s workforce development programs, including programs provided by partner agencies, support this strategic vision?

All programs within the LWDA are designed proactively, with input from the business sector and other key workforce stakeholders, including economic development intermediaries, such as local chambers of commerce and IDAs.

- ii. How will the local area, working with the entities that carry out the core programs, align available resources to achieve the strategic vision and goals?

Our One-Stop System Coordinator will continue convene and facilitate partner meetings to address partner/program responsibilities, system coordination, customer referrals and engagement, and system performance. Through periodic assessment and analysis, the Coordinator develops and implements the best practices to improve program effectiveness and ensures strategic alignment, including the sharing of services, resources and technologies among partners.

- f. Describe the LWDB’s goals relating to performance accountabilities measures. How do these measures support regional economic growth and self-sufficiency?

Our local board’s overall goal of sustaining an industry-driven workforce preparation system is evaluated through performance accountability benchmarks designed to measure the effectiveness to that end. Measures related to short-term and long-term employment rates, median earnings, credential attainment, measurable skill gains and effectiveness in serving employers provide critical data as to how well we are addressing educational and/or employment challenges and skill gaps in our local workforce. Success

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in these areas align with increased self-sufficiency and supports regional economic growth.

Local Workforce Development System

a. Identify the programs, whether provided by the Career Center or any partners, that are a part of the local area's workforce development system, including:

i. Core programs;

Our Core Programs include the following: Adult, Dislocated Workers and Youth programs; Job Corps; YouthBuild; Indian and Native American programs; Adult Education and Literacy programs; Wagner-Peyser programs; Trade Adjustment Assistance programs; Jobs for Veterans State Grants programs; State Unemployment Insurance programs; Vocational Rehabilitation- Adult Career and Continuing Education Services (ACCES-VR); Vocational Rehabilitation- New York State Commission of the Blind; Senior Community Service Employment Programs; Career and Technical Education programs at the postsecondary level; Community Services Block Grants employment & training; Housing and Urban Development employment and training; and Temporary Assistance to Needy Families.

ii. Programs that support alignment under the Carl D. Perkins Career and Technical Education Act of 2006; and

The LWDB continues to work closely with Title II partners and industry leaders to design entry level post-secondary and vocational training that is an extension of students' completion of basic educational components. Our Title II partners align with these programs by concurrently offering educational and workforce-training programs to facilitate employment faster than if these programs ran consecutively. In addition, they offer ESL students opportunities to learn workplace language and training skills that will allow them to use their past workforce and training experience in a local business and industry setting. Other programs that support alignment include Computer Literacy, High School Equivalency, and Career & Technical Education programs that are eligible for national certifications and state licensure.

iii. Other workforce development programs, if applicable.

The LWDA has developed and facilitated Sector Partnerships in six key priority industries: Advanced Manufacturing, Hospitality & Tourism, Building Trades and Construction, Health and Live Sciences, Technology, and Agriculture. These partnerships design and create occupational training programs that identify and address the skills-gap in the local workforce, and provide participants with transferable skills and industry recognized credentials that are stackable along career pathways.

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- b. Describe how the local area will ensure continuous improvement of services and service providers.

The One-Stop System Coordinator continues to coordinate partner responsibilities under the LWDA's 2020-2023 Memorandum of Understanding (MOU) and convene mandated partner meetings to discuss system coordination, customer engagement and system performance. The System Coordinator meets with the Executive Director on a regular basis to report on the assessment, analysis and evaluation of the LWDA's One-Stop Delivery System, its partners and service providers. The System Coordinator also makes recommendations to improve program effectiveness through the sharing of services, resources and technologies among partners. With Executive Director review and input, the System Coordinator implements corrective action required for improvements. A mid-cycle status report and a final program report are provided to the Executive Director and to the Board. In addition, services by training providers are reviewed annually for program effectiveness and adjustments to programs are made when necessary.

- c. Describe how eligible providers will meet the employment needs of local businesses, workers, and jobseekers.

Eligible training providers offer training programs that result in jobs. These programs must prepare individuals for employment that is included on the local area's demand occupation list. The local demand list has input from the local labor market analyst, local businesses, local career centers, the economic development community and the Western New York Regional Economic Development Council (REDC).

- d. Describe the roles and resource contributions of the Career Center partners.

The roles and resource contributions of the Career Center partners are best expressed in the LWDA's 2020-2023 Memorandum of Understanding (MOU) specifically Tables 2, 3 and 4. We have attached that MOU to the Local Plan.

Workforce Development and Career Pathways

- a. Describe how the LWDB will facilitate the development of career pathways, including co-enrollment in core programs when appropriate.

Since 2014 the LWDB has convened stakeholders to develop successful career pathways programs in demand industries. We have worked collaboratively with our partners, industry representatives, employers, and other workforce stakeholders to create relevant programming leading to entry-level and secondary-level employment in Advanced Manufacturing, Hospitality and Tourism, Building Trades and Construction, Healthcare, and Technology. We continue to develop pathways programming within these priority sector industries.

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b. Describe how the LWDB will improve access to activities leading to recognized postsecondary credentials.

All programming supported by the LWDA leads to stackable credentials accepted by post-secondary institutions. In collaboration with SUNY Erie, which is our community college partner, the University at Buffalo, and other local post-secondary institutions, job seekers are made aware of opportunities to attain a post-secondary degree.

We continue to interface with school districts within the LWDA through presentations, field trips to our sites, direct mailings to the community, and an improved digital presence in the community. Employment specialists and advisors within Career One-Stop Centers collaborate with Title II partners to create job fairs, host business and industry meet-and-greets, and be a direct link to dropout youth and adults who seek training and employment opportunities. A pre-literacy training program for ESOL students is offered with counselling in career pathways and occupational skills training leading to post-secondary credential.

i. Are these credentials transferable to other occupations or industries (“portable”)? If yes, please explain.

Curriculum development through our LWDA's Industry Sector Partnerships, which includes industry leaders, community organizations, and education and training providers, ensures transferable skills-training within priority industries and across sectors. For example, our Customer Service training in Hospitality provides participants with a skill-set transferable to targeted jobs within Hospitality (i.e. lodging, food service, or visitors' bureaus) as well as across other priority industries, such as healthcare, financial services, and advanced manufacturing. In addition, our Technology training programs provide skills training in Full Stack Web Development, Software Development, Amazon Web Services, and Cloud Computing, which is adaptable across industry sectors.

ii. Are these credentials part of a sequence of credentials that can be accumulated over time (“stackable”)? If yes, please explain.

Through partnership collaborations, our focus in curriculum development continues to be on stackable career pathways in priority industries that ensures on and off ramps in occupations leading to self-sustaining wages

Access to Employment and Services

- a. Describe how the LWDB and its partners will expand access to employment, training, education, and supportive services for eligible individuals, particularly individuals with barriers to employment.

The LWDB is committed to expanding access to employment, training, education, and supportive services to eligible individuals, particularly those with barriers to employment. To that end, the LWDA modified its ITA, Supportive Services, and OJT Policies & Protocols to expand access to training and education. Changes streamlined the training processes and created effective synergies with other funding streams. Emphasis is on supportive services, career pathways with contextualized training, work experience, and a priority of service to low-income and basic skills-deficient Adults. Through regional sector partnerships, which include priority industries, training and education providers, and community organizations, resources are leveraged for greater individual access and employment outcomes.

Upon enrollment into the WIOA workforce system, staff meet with each jobseeker for a confidential individualized Initial Assessment to identify the customer's needs. Information is provided, in usable and understandable formats and languages, relating to the availability of training, education, and supportive services for in-demand occupations, and encourages participants who qualify for those services and assistance offered, such as:

WIOA childcare, lunch and transportation assistance;

New York State Health Plan Marketplace and tax credits;

Information on <https://mybenefits.ny.gov> to access the Supplemental Nutrition Assistance Program (SNAP) and the Home Energy Assistance Program (HEAP);

Virtual services are available through video modules and include synchronous Intake and assessment appointments, career coaching, comprehensive assessment, resume writing and more, with enhanced accessibility options for individuals with disabilities, allowing visual, auditory, and interactive participation through screen sharing and captioned conversations. The Centers' flexibility extends to using various platforms to meet customer needs.

Assistance under a state program for Temporary Assistance for Needy Families (TANF), as well as other support services and transportation provided through that program; and

Other supportive services available.

Reentry Assistance:

Finding employment is an extremely important step for all individuals on parole or probation, yet participants with criminal histories face additional systematic barriers to securing good paying jobs. To address this the LWDB and key Administrative staff of the Buffalo Employment and Training Career Center (BETC), forged critical partnerships with the City of Buffalo, Department of Corrections, and hiring business through its Academy of Empowerment to aid reentry customers. The reentry program, based at BETC, provides

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preparatory steps empowering customers to leave with letters of achievement for parole and probation officers, an updated resume, certificates of completion of various workshops, and direct access to a dedicated job referral bank and network opportunities. Additionally, local employers are assisted with accessing incentive programs to encourage the hiring of societal reentry customers. These include the Federal Bonding Program, the Work Opportunity Tax Credit, and On The-Job-Training opportunities.

Providing Industry with Talent Pipelines through the Buffalo & Erie County Health Profession Opportunity Grant:

Robust workforce programming requires strong partnerships from committed nonprofit agencies and hiring employers. The LWDB received a Health Profession Opportunity Grant (HPOG) from the U.S. Department of Health and Human Services (HHS) allowing it to create a successful public-private partnership with key educational providers, businesses, and other government agencies to update the region's workforce and Adult Educational System. The five-year grant focuses on training Temporary Assistance for Needy Families (TANF) and other low-income individuals for healthcare jobs that are in demand. HPOG Buffalo is one of only 32 grantees across the nation approved for this funding. The result has been a job-driven approach to skills-upgrading by building closer ties among key partners, major employers, educational institutions and nonprofits, which has improved the quality of the Western New York workforce while providing economic self-sufficiency for individuals.

Eligible jobseekers can access postsecondary education and recognized credentials for occupations such as: Licensed Practical Nurse, Registered Nurse, Medical Secretary, Phlebotomist, Pharmacy Technician, and Certified Nurse's Aide/Home Health Aide.

These programs and industry credentials lead to recognized postsecondary credentials that align with in-demand industry sectors and occupations, equipping individuals to enter the workforce upon the completion of training, and accelerates individuals' educational and employment advancement in career pathways. Note: Current Funding for the HPOG program expires on September 29, 2021. Funding for the year, beginning September 30, 2021 will not be available. Future funding beyond this remains a possibility. Until then, as much training as possible in the outlined health related fields, will be offered through the normal WIOA funded channels.

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The HPOG training program, which expired in September of 2021, was timely succeeded by \$4,648,970 of grant funding from the County of Erie. This program, known as the Erie County Healthcare Careers (ECHC) training program has allowed us to continue our career pathway training in healthcare occupations into subsequent program years.

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- b. Describe how the local area will facilitate access to services through the One-Stop delivery system, including remote areas, through the use of technology.

The Buffalo and Erie County area has 5 locations for jobseekers to access basic and individualized career services:

Buffalo Employment & Training Center
77 Goodell Street, Buffalo 14203

SUNY ERIE North Campus Career Center
6265 Main Street, Williamsville 14221

SUNY ERIE South Campus Career Center
4041 Southwestern Blvd., Orchard Park 14127

NYSDOL Career Center
4175 Transit Road, Williamsville 14221

NYSDOL Career Center
284 Main Street, Buffalo 14202

One of the centers, the SUNY Erie South Campus Career Center, is located in the southern tier of the County to serve residents from nearby communities, which includes rural areas. The office provides recruitment opportunities for hiring employers and jobseekers, and has two partners co-located onsite, Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR), and the New York State Department of Labor (NYSDOL).

Technology-Based Services:

The LWDA has implemented a robust new webpage and branding initiative to improve real-time information to jobseekers, including workshop registration. Jobseekers are able to research high demand occupations, Labor Market Information, information on training grants, resume resources, career-coaching services, orientation services, and other resources. Additionally, the pandemic created new opportunities to serve jobseekers through remote access. Career Center staff routinely use technology to engage customers, offer individuals appointments through WebEx, Teams, Zoom, FaceTime and chat sessions, as well as email and telephone service. All of these options are particularly helpful during the winter months when travel can be difficult, or when a mobility disability

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or childcare is a barrier. Video-based appointments are now the preferred method of individual appointments and group-based activities in at least two of the affiliate One-Stops, allowing customers more personal autonomy and flexibility.

New Mobile Services through the Western New York Employment Strike Force:

In May 2016, Governor Andrew M. Cuomo introduced the Western New York Employment Strike Force spearheaded by the New York State Department of Labor. This initiative targets communities struggling with high unemployment rates in the cities of Buffalo, Lackawanna, and Niagara Falls in partnership with local leadership and community organizations. The model is a multi-pronged campaign and employs an intensive, on-the-ground approach. Strike Force teams work with local businesses to identify openings, match likely candidates with those positions and, when necessary, leverage relationships with local training partners in order to fill any skill gaps that may serve as a barrier to employment. Since 2017, thousands of individuals in the target areas have found work through the Strike Force program. In addition, Strike Force staff operating within the New York State Department of Labor have facilitated dozens of career fairs and hundreds of customized recruitments in the region since that time, providing a myriad of career and employment services during the evenings and weekends. While Strike Forces services have been hampered during the 2000 – 2021 year due to COVID restrictions, focused activities are currently being undertaken to renew and re-energize these activities.

- c. Describe how Career Centers are implementing and transitioning to an integrated technology-enabled intake care management information system.

Erie County Career Center staff use America’s One-Stop Operating System (OSOS) to manage customer information. It is the sole case management system used for all WIOA enrollees and allows One-Stop managers to run reports to assist staff in their routine follow-up activities. One-Stop staff participate in all required OSOS training, including the implementation of Technical Advisories and Directives issued by the New York State Department of Labor and the United States Department of Labor.

- d. Provide a description and assessment of the type and availability of programs and services provided to adults and dislocated workers in the local area.

Basic, individualized, and follow-up services are available within all Buffalo and Erie County Career Centers to assist Adult and Dislocated Workers with reemployment.

Basic career services triggering participation in WIOA:

Basic career services requires staff assistance and enrolls participants into WIOA performance. Adult and Dislocated Worker basic career services include the following:

1. Eligibility assessment to determine Adult and Dislocated Worker eligibility.

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2. Initial assessment of skill levels, including literacy, numeracy, and English language proficiency, as well as aptitudes and abilities (including skills gaps);
3. Job vacancy announcements and Labor Market Information (LMI);
4. Supportive service needs assessment;
5. Staff-Assisted job search assistance;
6. Placement assistance (includes job matching, job referrals, and job development);
7. Staff-led resume writing services, creating attractive, story-based accomplishments in Applicant Tracking System (ATS) friendly formats;
8. Staff-led LinkedIn assistance, writing LinkedIn profiles with specific competencies and/or values that customers want to convey;
9. Career counseling, including staff-assisted career guidance, including assistance with local, LMI industry trends for salary negotiations;
10. Provision of information and assistance regarding filing claims for Unemployment Insurance compensation, through a dedicated telephone number and email;
11. Assistance with the UI 599 Training Program, through interview, assessment, career guidance and follow-up;
12. Information relating to state and Erie County in-demand occupations and the earnings, skill requirements, and opportunities for advancement in such occupations;
13. Assistance in establishing eligibility for training; &
14. Provision of job club activities at the local One-Stop Career Centers.

Individualized career services:

Individualized career services are available to Adults and Dislocated Workers, if determined to be appropriate, in order to obtain or retain employment. Individualized Career Services entail significant staff time and customization to each individual's need. They include:

1. A comprehensive assessment of the skill levels and service needs of Adults and Dislocated Workers, which may include diagnostic testing and use of other assessment tools;

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2. In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;
3. Counseling and career planning;
4. Development of an Individual Employment Plan (IEP) to identify employment goals and appropriate achievement objectives;
5. Short-term pre-vocational training;
6. If appropriate, providing assistance with the Ability to Benefit (ATB) test, a New York State requirement for individuals without a U.S. high school diploma who are seeking New York State financial aid, by enrolling and case managing eligible customers pursuing in-demand studies.

Dislocated workers in Erie County receive offsite and extended re-employment services in collaboration with the New York State Department of Labor and local employers:

Rapid Response for Laid-off Workers:

Working with the New York State Department of Labor Rapid Response Team and employers, Career Center representatives deliver early intervention and immediate assistance with layoffs and plant closures at local and regional businesses. Staff provide information about the availability of Career Center resources and general information such as filing for Unemployment Insurance, health insurance options, resume assistance, access to skills upgrading and training resources, and more.

Trade Adjustment Assistance (TAA):

The federal government provides extensive resources to eligible workers whose jobs are lost due to foreign trade or shifts in production out of the United States. While not all job loss due to foreign competition meets the requirements of the Trade Act Program, the Erie County workforce system has qualified Counselors who work with impacted workers and companies to help Dislocated Workers file Trade Act petitions, and provide eligible individuals information on the TAA Program and the benefits it provides. Individuals enrolled in the TAA Program typically receive one or more years of service from staff, depending upon the customers' needs and their individual training plans.

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- e. Describe how workforce activities will be coordinated with the provision of transportation, including public transportation, and appropriate supportive services in the local area.

Our local supportive services policy provides eligible participants enrolled in ITAs with supportive services for child care, transportation, and needs related payments. (\$10.00 for each day the participant is in an ITA).

- f. Describe the replicated cooperative agreements in place to enhance the quality and availability of services to people with disabilities, such as cross training to staff, technical assistance, or methods of sharing information.

Our local Memo of Understanding (attached), endorsed and executed by our LWIB and our Partners, is structured to enhance the quality and availability of services to all those we serve. Service to those with disabilities is a high priority at the Career Center level. Our Career Center System Coordinator, in collaboration with our program Partners, work diligently to develop and implement cultural competency training that maximizes our service to special populations. Program Partners serving individuals with disabilities are regularly invited to Career Center staff meetings to present information concerning the individuals they serve, the unique issues these individuals face, and their agency's application and referral process. In addition, a partner-liaison contact list has been developed for direct agency referrals that provide efficient and meaningful assistance to customers.

Our System Coordinator has developed and implemented an electronic referral program that allows our System Partners to work seamlessly in directing customers to agencies that specifically target a customer's needs. In addition, outreach emails were sent to unemployment claimants to advise them of the resources available at our one-stop centers, as well as those through System Partners addressing targeted populations.

All Career Centers are handicapped accessible. Auxiliary aids and services are available upon request to individuals with disabilities.

- g. Describe the direction given to the One-Stop System Operator to ensure priority for adult career and training services is given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient.

The LWDB is committed to providing a Priority of Service to eligible Adults, and Veterans and their Eligible Spouses for individualized career services and training services. In January 2018, the LWDB issued Local Policy Bulletin #1-18 to One-Stop Career Center staff that outlined the priority of service requirements under WIOA Section 134 (c) (3) (E) to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient seeking Adult-funded career and training services. This LWDB also includes priority of service guidance for Veterans and Eligible Spouses who receive services under

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any qualified job-training program funded by the U.S. Department of Labor (20 CFR 680.650).

In November of 2020, USDOL issued TEGL-720, which expanded on the effective implementation of priority of service for populations most in need. To meet ETA goals, the LWDB continues to review, and update as necessary, any service priority criteria to ensure that it is meeting ETA's vision for providing priority of service to recipients of public assistance, low-income individuals, and individuals who are basic skills deficient, in addition to veterans' priority of service.

h. Describe how One-Stop System Operators and One-Stop partners will comply with the nondiscrimination requirements of the Workforce Innovation and Opportunity Act (WIOA) (section 188), and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding:

i. The physical and programmatic accessibility of facilities, programs, and services;

The One-Stop System Coordinator will communicate and convene with One-Stop partners to ensure nondiscrimination compliance under WIOA and the ADA.

Our local policy bulletin requires one-stop system partners receiving Title I funds to comply with Section 188 of WIOA and its regulations to ensure non-discrimination and equal opportunity to participation and activities under Title I.

Under the LWDA's 2020-2023 Memorandum of Understanding (MOU), program partners have committed to serving the needs of all workers, especially youth and individuals with barriers to employment. They acknowledge adherence to the Americans with Disability Act, and to provide individuals with disabilities with physical and programmatic accessibility to facilities, programs, services, technology and materials, including appropriate staff training and support. Partners also acknowledge compliance with the NYS Human Rights Law, which prohibits discrimination or harassment against any employee, applicant for employment or customer due to age, race, creed, color national origin, sexual orientation, military status, sex, disability, predisposing genetic characters, familial status, marital status or domestic violence victim status of any individual. This also affords protection from employment discrimination for persons with prior convictions records or prior arrests, youthful offender adjudications, or sealed records.

ii. Technology and materials for individuals with disabilities; and

Staff at the Comprehensive One-Stop Center will provide, at minimum, direct linkages by phone or real-time web-based technology to the appropriate program-partner staff that can provide the required services or information requested by the customer.

iii. Providing staff training and support for addressing the needs of individuals with disabilities.

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Working through our One-Stop System Coordinator and in collaboration with our program partners, the LWDB continues to develop cultural competency training to better serve special populations. Program partners serving individuals with disabilities will be invited to one-stop-center staff meetings to present information concerning the individuals they serve, the unique issues these individuals face, and their agency's application process. In addition, we will develop a partner-liaison contact list for direct agency referrals that provide efficient and meaningful assistance to customers.

- iv. Describe the roles and resource contributions of the One-Stop partners related to the nondiscrimination requirements of WIOA (section 188), and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

In accordance with the non-discrimination requirements of WIOA and the applicable provisions of the Americans with Disabilities Act of 1990, the One-Stop system partners agree to provide individuals with disabilities with physical and programmatic accessibility to facilities, program services, technology and materials, including appropriate staff training and support. Working with our System Coordinator, the partners will periodically reassess program accessibility and adjust strategies to improve access as needed. In addition, they will develop/facilitate electronic program applications and identify resources to provide seamless and efficient access to all program and services under WIOA.

Business Engagement

- a. What strategies and programs, including training programs, will be used to facilitate engagement of businesses, including small businesses and businesses in in-demand sectors and occupations?

The LWDB utilizes a number of programs and strategies targeted toward the engagement and active participation of businesses throughout Buffalo and Erie County. See additional details below:

Business Outreach - cold calls, on-site visits, email distribution, outreach through business associations, information sessions, job clubs and additional business focused programs and events.

Industry Sub-Committees - Allow for active engagement of the local business community to identify industry specific needs and participation in the initiation of workforce enhancement programming. This is delivered through regular monthly interactions with local business leaders and hiring managers.

Pathways Programming - Post secondary education and training that is organized as a series of manageable steps leading to successively high credential and employment opportunities. This creates a prime opportunity for business engagement and sub-committee engagement in the creation and execution of stackable credential training.

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On-The-Job Training - Provides a unique opportunity for both job seekers and businesses in target industry sectors. Creates a training opportunity for the customer to learn on the job and the business benefits from wage reimbursement while receiving support of full-time talent.

Industry Involvement - We serve as experts in industry and hold strong relationships with local industry focused associations. The team participates regularly in industry related meetings and events in addition to outside initiatives.

NYS DOL - Cross agency collaboration to provide onsite services to businesses who have recently filed WARN Notices. Business Services Specialists work closely with NYS DOL RR coordination of job seekers who can be referred for employment to other similar functioning employers.

ECIDA Referral Program - Cross agency referrals and engagement of new businesses to the area and introduction to workforce services. The program functions to not only provide information about our current menu of services but also provides an opportunity for Business Services Specialists to examine and consider the needs of incoming employers.

ESD Business Referral - Cross agency referrals and engagement with local area businesses. Similar to the ECIDA Referral Program, it creates an opportunity for the LWDB to examine and consider the needs of the Erie County business community and industry workforce

i. If applicable, describe the local area's use of business intermediaries.

We currently align efforts with the local business councils, business chambers, industry and trade associations, as well as local Economic Development Agencies. We work to engage business with program building, mentoring, resource sharing and overall operations and outreach improvement. Our partners include:

- Local and State Chambers of Commerce
- Buffalo Niagara Manufacturing Alliance
- Construction Exchange WNY
- Women in Construction
- Visit Buffalo Niagara
- Tech Buffalo
- Buffalo Niagara Hotel and Lodging Association
- Empire State Development
- ECIDA

b. What strategies or services are used to support a local workforce development system that meets the needs of businesses in the local area?

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We actively work to engage local business and provide services that meet the growing needs of industry. In house strategies and services intended to endorse industry engagement, while supporting the workforce system include:

- Pathways Programming
- Industry Committees
- Access to grant funding for workforce training: OJTs, ITAs, TAAs, NYS DOL OJT, NYS DOL Grant funding for underserved populations and grants available through the Workforce Development Institute
- Inter-agency referrals
- Cross agency referrals
- System Service Engagement: Rapid Response, Job Postings, March and Refer Services

- c. Describe how the local area’s workforce development programs and strategies will be coordinated with economic development activities.

The LWDB continues its collaborative efforts with the local area IDAs, local Chambers of Commerce, Empire State Development and the Regional Economic Development Councils to address local area workforce development needs. We will continue working closely with our partners to establish programming that directly targets and impacts demand occupation needs in target industry sectors. We will continue our efforts to address issues that affect all industries such as transportation and childcare. Our active participation and advocacy on behalf of business continues in the new program year.

- i. Describe how these programs will promote entrepreneurial skills training and microenterprise services.

The LWDB continues its focus on raising our profile with starts-ups and local small businesses by working closely with organization such as 43 North, The Buffalo Niagara Medical Campus, Tech Buffalo and Local Chambers of Commerce with direct access to these businesses. Efforts to grow our engagement and program building in this area remain on-going.

- d. Describe how the LWDB will coordinate its workforce investment activities with statewide rapid response activities.

We coordinate regularly with the NYS DOL Rapid Response Team. We meet consistently to discuss current WARN applications and strategies to approach businesses. We will continue to conduct business outreach to businesses who issue WARN notices in addition to regular rapid response coordination, training regarding transferrable skills and access to career exploration / opportunities and additional support services. We will also continue to identify businesses that may be able to absorb or retain displaced workers.

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Program Coordination

- a. How do the local area's programs and strategies strengthen the linkages between the One-Stop delivery system and unemployment insurance programs?

The LWDB Career Center system (American Career Centers) works collaboratively with the NYSDOL Special Programs Unit for Trade Act and the 599 Programs, which assists UI claimants with their unique training needs. Career Center staff at all locations submit 599 applications to the Department of Labor on behalf of customers, and when appropriate, recommend the approval of training while customers are receiving UI. Follow-up appointments are also provided during the initial meeting to assist customers with their 599 applications. Access to Unemployment Insurance staff via direct phone lines help jobseekers access staff assistance when they have unusual or urgent needs.

- b. Describe how education and workforce investment activities will be coordinated in the local area. This must include:

- i. Coordination of relevant secondary and postsecondary education programs;

The LWDB is partnering with Erie 1 BOCES, SUNY Erie Community College and Erie 2 BOCES to provide training in the following high demand areas: CNC Maching, truck driving, welding, heating and air conditioning, Licensed Practical Nurse, Medical Secretary, Medical Coder, Pharmacy Technician, and Certified Nursing Assistant/Home Health Aide. Individual Training Accounts (ITAs) are also available to cover training and related expenses associated with health-related demand occupations, such as, Registered Nurse, Physical Therapist Assistant, Surgical Technologist, and Dental Assistant. Other educational partners include Trocaire College, D'Youville College, Villa Maria College and the University at Buffalo's EOC Program.

- ii. Activities with education and workforce investment activities to coordinate strategies and enhance services; and

The LWDB is actively engaged in workforce efforts led by community stakeholders such as the Buffalo Promise Neighborhood Two-Generation Program and SUNY Erie Community College. Efforts are intended to elevate educational and employment opportunities in high-needs and marginalized communities, such as low-income, minority, single parent, and refuge populations, and address issues related to financial hardship. For example, the LWDB helps organize and staff offsite job fairs and events in high-need communities, bringing hiring employers into Buffalo's East Side.

The LWDB also actively collaborates with SUNY Erie Community College on the Ability-to-Benefit (ATB) provision of Title IV of the Higher Education Act through the case management of co-enrolled individuals. The ATB provision allows low-skilled individuals to access necessary workforce training and education that can help lift them out of poverty

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by allowing customers without a high school diploma or HSE to qualify for federal financial aid for postsecondary education as long as they work with an LWDB Career Center and participate in an eligible career pathway. Current high demand areas include advanced manufacturing, nursing, automotive technicians, health information technicians, chefs, medical secretaries, clinical laboratory technicians, accounting professionals, human resources specialists, dental assisting, mental health, social and human service professionals, substance abuse counselors, and more.

The LWDB leads Regional Sector Partnership efforts, in collaboration with other boards in the region. In this role, the LWDB assists other local areas with exploration of career pathways options, and development of similar strategies in their communities.

In addition, local Trade Organizations, Chambers of Commerce and organizations serving specialized segments of the community help provide data, information and intelligence that assists with the development and implementation of strategic initiatives/programs.

ii . A description of how the LWDB will avoid duplication of services.

Local Career Centers and Partner organizations utilize the One Stop Operating System (OSOS) to case manage enrolled customers and hiring businesses. Staff share responsibility for the care of individuals and businesses through job referrals, appointments, workshop facilitation, and other workforce activities. Good communication and timely customer data entry in OSOS allow Center staff to stay informed and avoid the duplication of services. Additionally, Career Center staff often attend other Centers and Partner staff meetings, allowing staff to stay informed and work as a cohesive team, not as disparate units.

In addition, To prevent the duplication of services and enhance the area's ability to coordinate strategies and enhance services, the LWDA System Coordinator convenes on a regular basis meetings with Partners. The System Coordinator is tasked with periodically assessing and analyzing system performance and developing best practices to improve program effectiveness, including the sharing of services, resources and technologies among Partners. These activities will serve to highlight performance issues, sharing of best practices and developing innovative approaches for premier workforce services in our LWDA.

c. Describe plans, strategies, and assurances concerning the coordination of services provided by the State employment service under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), to improve service delivery and avoid duplication of services.

Wagner-Peyser staff are co-located in our Career Centers and work closely with WIOA funded staff and our system Partners to coordinate services for customers. Staff work cooperatively and conduct Initial assessments on every participant to determine the customer's needs and who will most likely need additional training and supportive services. Data entered in our confidential shared system, One Stop Operating System

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(OSOS), avoids the duplication of services when customers visit multiple centers and/or Partner organizations.

WIOA and Wagner-Peyser staff share the responsibility for conducting orientations and other career development and job search workshops. Workshops are conducted in either a group setting (depending on the size of the group) or on an individualized basis. Workshops consist of information on networking, interview techniques, writing resumes and cover letters, completing a job application, securing references, use of social media for outreach, and general elements of a job search. As a result of Career Center closures, due to the COVID epidemic, many programs are now conducted virtually via the internet and are recorded and made available for future viewing on our local workforcebuffalo.org web site.

Wagner Peyser staff work collaboratively with WIOA staff to providing follow-up services to Reemployment Services and Eligibility Assessment (RESEA) program participants, who have not re-engaged in services to ensure that they have the support needed to find gainful employment.

Wagner Peyser staff also provide services to businesses in collaboration with the Buffalo & Erie County Workforce Development Business Services team. The team works as a cohesive unit to engage businesses in key industry sectors identified in state and local plans to help address local workforce needs.

- d. Provide a list of executed cooperative agreements that define how all local service providers, including additional providers, will carry out the requirements for integration of and access to the entire set of services available in the local Career Center System. This includes agreements between the LWDB and entities that serve individuals eligible under the Rehabilitation Act. If no such agreements exist, provide an explanation why this is the case and/or progress towards executing such agreements.

The LWDA's 2020-2023 Memorandum of Understanding (MOU) outlines the roles and responsibilities of each partner within the Local Workforce Development System, including how individuals eligible under the Rehabilitation Act will be served. The MOU is attached to the Local Plan.

Title II Program Coordination

- a. Provide a description of the LWDB's strategic vision and goals for preparing an educated and skilled workforce, specifically addressing how to improve access to activities leading to a recognized post-

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secondary credential, as well as other strategies for serving out-of-school youth (OSY) and adults who have low literacy skills, are English Language Learners, or lack a high school diploma or the equivalent.

The LWDB's strategic vision and goals are to offer Adult Education and skills development programs that accelerate achievement of diplomas and credentials among workers, including immigrants and individuals with limited English language skills. Local programs assist eligible adults/youth (16 years and older) with obtaining postsecondary education, training, or employment. These programs serve people with barriers to employment, including English language learners, low-income individuals, and immigrants. The local board funds programs with long and successful histories of serving out-of-school youth and adults facing various challenges to achieving outcomes such as recognized post-secondary credential. Local providers, with vast experience serving this population, continuously strive to improve access to their programs through various forms of information and recruitment, including social media outlets. Established partnerships have advanced access in our ongoing efforts to address basic skill deficiencies, language difficulties and school dropout obstacles to advanced credentials and unsubsidized employment.

- b. Provide a description of how the LWDB will expand access to employment, training, education, and supportive services provided through the NYS Career Center System for Title II participants with barriers to employment.

The LWDB will reach out to its Title II partners, who offer secondary and post-secondary programs, to make them aware of the services being offered through the NYS Career Center System. This would be the logical step for those individuals aspiring to future careers. The LWIB, currently, also works with Title II providers making sure their programs align with workforce skills required by their industry sector/partners.

- c. Identify how the LWDB will facilitate the development of a career pathways and co-enrollment in academic training programs.

The local LWDB will facilitate the development of career pathways by promoting secondary education and training that are organized as a series of manageable steps leading to successively high credential and employment opportunities. This creates a prime opportunity for business engagement and sub-committee engagement in the creation and execution of stackable credential training. Co-enrolling in academic programs will be key to the success of these pathways. Many employers have found that basic educational skills have been lacking in their new employees. Having a person enrolled in both secondary education/training and basic skills education will create a learning experience favored by employers.

- d. Provide a description of how the LWDB will support the strategy identified in the State Plan and work with the entities carrying out core programs and other workforce development programs,

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including those authorized under the Carl D. Perkins Career and Technical Education Act to support service alignment.

The LWDB will work closely with the core program partners, including those authorized under the Carl D. Perkins Career and Technical Education Act, to make certain that entry level training programs are designed to include the student’s completion of basic educational components. This philosophy of combining basic skills with workplace skills seems to produce a more attractive candidate for employers. ESL can also be offered to those non English speaking individuals, thus, making the learning experience more beneficial.

Youth Activities

- a. Provide contact details of Youth Point(s) of Contact for your local area including: Name of organization, name(s) of Youth Point(s) of Contact, title, address, phone number, and email address. Youth Point(s) of Contact details are primarily used to refer young adults, parents, and partners about youth programs and posted on the [NYS DOL webpage](#).

Anthony T. Scello, Senior Planner, 726 Exchange St., Suite 630, Buffalo, NY, 716-504-1480 Ext. 1280, scello@becwib.org.

- b. Provide the number of planned enrollments in PY 2021 for new Out-of-School Youth (OSY), carry-over OSY, new In-School Youth (ISY), carry-over ISY, and work experience. *

- i. New OSY

150

- ii. Carry-over OSY

150

- iii. New ISY

50

- iv. Carry-over ISY

60

- v. Work experiences

50

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*Please note that PY 2021 enrollments will provide the baseline estimate for the remaining three years of the Plan.

c. In Attachment F, Youth Services, located on the New York State Department of Labor (NYS DOL) [website](#) under the Local Planning section, identify the organization providing the Design Framework which includes: Intake & Eligibility, Objective Assessments, and Individual Services Strategies (ISS), and 14 Youth Program Elements and whether the provision of each element is contractual, with a Memorandum of Agreement (MOA), or provided by the LWDB.

d. Explain how providers and LWDB staff ensure the WIOA elements:

i. Connect back to the WIOA Youth Program Design Framework, particularly the Objective Assessments and ISS; and

The LWDB ensure youth service providers offer access to all WIOA elements through a contractual arrangement. Service providers make all elements accessible directly or through formalized agreements with program partners. These contractual arrangements also include the provision of WIOA youth program design framework activities. This includes an objective assessment leading to the development of an Individual Service Strategy (ISS) outlining specific educational and employment goals for each youth. It also includes ongoing case management and follow-up services. These design framework activities determine the need for specific WIOA program elements designed to achieve individual goals and successful WIOA performance outcomes.

ii. Are made available to youth with disabilities by describing specific program practices, tools, and services that are tailored to serve youth with disabilities.

Contracted youth service providers serve the needs of the disabled (including learning disabled) population in our local area. Screening/evaluation, or records thereof, is a key first step in identifying a specific learning disability. Once identified, specific learning approaches are employed that are tailored to the youth's unique learning style. Some learning disabled youth achieve best results through visual learning while others respond best to auditory or kinesthetic learning. Necessary accommodations and technology are used to promote the most effective learning style. Based on individual needs, disabled youth are served through the array of WIOA service elements. Additional vocational rehabilitation services for disabled youth are available through partnerships with ACCESS-VR (NYS Education Department). ACCESS-VR provides an in-depth assessment to identify youth with learning or other disabilities who require special educational or vocational assistance. Each youth's ISS documents the coordination of services with any outside providers in the community.

e. Describe successful models for youth services from your local area, including but not limited to virtual work experiences, OSY recruitment, and engagement strategies.

Successful models for the provision of youth services are incorporating into the different program designs offered locally. This starts with various recruitment methods, including the increasing use of social media platforms frequently used by youth. They include meeting the needs of the youth through a comprehensive array of education,

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occupational skills training, work experience opportunities and career development services. They also include an increasing use of virtual and distant learning tools to address academic and social needs. The models employ teaching modalities that are self-paced and mastery-based. Instruction is intensive and personalized either in small group or individualized tutorial settings, including virtual, leading to maximum effectiveness and desired outcomes.

f. Does your local area plan to serve ISY and/or OSY using the “Needs Additional Assistance” qualifying barrier for eligibility?

Yes (Attach a Needs Additional Assistance policy that defines reasonable, quantifiable, evidence-based, and specific characteristics of ISY and OSY as described in Technical Advisory (TA) #19-2.

No (Not required to attach a policy)

g. Attach a Basic Skills Deficiency policy of youth program as described in the in TA#19-2.

Administration

a. Identify the entity responsible for the disbursement of grant funds as determined by the Chief Elected Official(s) (CEOs) or Governor.

Erie County

b. Describe the competitive process to be used to award subgrants and contracts for WIOA Title I activities in the local area.

Request for Proposal

c. Provide the local levels of performance negotiated with the Governor and CEO(s) to be used to measure the performance of the local area and to be used by the LWDB for measuring the performance of the local fiscal agent (when applicable), eligible providers, and the One-Stop delivery system, in the local area.

PY2023-2024 Modification:

Program Year 2022 is the most current year being used to measure the performance goals of the local workforce area. Negotiated local goals are currently as follows: Employment Rate 2nd Quarter (Qtr.) after Exit...60.5% Adult, 56.5% Dislocated Worker (DW), 60.0% Youth...Employment Rate 4th Qtr. after Exit...61.5% Adult, 58.5% DW, 59.0% Youth...Median Earnings 2nd Qtr. after Exit...\$6,000 Adult, \$7,000 DW, \$3,100 Youth...Credential Attainment...50.5% Adult, 47.5% DW, 53.0% Youth...Measurable Skill Gains...45.0% Adult, 51.0% DW, 51.0% Youth. The statewide local goal for adult Priority of Service is 75.0%. These types of measures are also used to evaluate eligible training provider and One-Stop delivery system effectiveness.

d. Describe the actions taken toward becoming or remaining a high-performing LWDB, consistent with factors developed by the State Workforce Investment Board (SWIB). The LWDB will be defined as high performing if it meets the following criteria:

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- i. It is certified and in membership compliance;
- ii. All necessary governance actions and items have been accomplished, including executing a local Memorandum of Understanding (MOU), selecting a One-Stop System Operator, and implementing all required local policies, etc.;
- iii. All One-Stop Career Centers in the LWDA have achieved at least an 80% score in the Career Center Certification process; and
- iv. The LWDA meets or exceeds all performance goals.

The LWDA meets all certification and compliance requirements under WIOA. The MOU for service delivery is complete and has been approved by NYSDOL. All Career Centers within the LWIB have achieved at least 80% score in the Career Center Certification process; we have met or exceeded all non-benchmark performance goals for Program Year 2019 (the last complete program year for which data is available). Though local programs were quick to adapt to new/different modes of training/learning/instruction (i.e., virtual or distant learning modes), it is anticipated that the COVID-19 pandemic and related challenges will likely have a negative effect on Program Year 2020 performance. Local programs are employing new initiatives for recruitment and training that, over time, should be reflected in improved performance in the future.

Training Services

- a. Describe how training services will be provided in the local area. This may include incumbent worker, on-the-job, and customized training programs.

Training services will be provided mainly through individual training accounts (ITAs). These training services can be found on Erie County’s Eligible Training Provider List. The local area provides high quality programs that are in great demand. Informed choice is always at the forefront before individuals are enrolled into programs. Training services are also offered through: programs offering job readiness through the training curriculum, OJT, and customized training through the local area’s pathway model (developed with input from employers and training providers).

- b. Describe how contracts will be coordinated with the use of Individual Training Accounts (ITAs).

Buffalo and Erie will do the majority of their contracting for training through ITAs. ITAs are contracted directly with the training provider, for an amount not to exceed to local area’s cap for ITAs.

- c. Describe how the LWDB will ensure informed customer choice in the selection of training programs regardless of how training services are provided.

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The LWDB will make certain that: all training programs are on Erie’s Eligible Training Provider List, the occupation being trained for is on Erie’s list of Demand Occupations, and the customer is aware of the program’s performance through annual report cards.

Public Comment

- a. Describe the process used by the LWDB to provide a period of no more than 30 days for public comment and input into development of the plan by representatives of business, labor organizations, and education prior to submission.

The New York State Department of Labor was consulted several times during plan development for guidance. In addition, staff participated on a state-wide Zoom conference call on Wednesday, May 12, 2021 regarding completion of the plan.

A draft copy of the plan will be developed by Buffalo and Erie County Workforce Investment Board Administrative, Policy and Planning staff with direct input from the Buffalo and Erie County Workforce Development Consortium. This includes - but is not limited to - Business Services, Career Center Administration, Fiscal Management and System Partners.

The draft copy of the LWDB’s Local Plan will be posted for 14 days on our organization's web site, located at workforcebuffalo.org. At the time of posting, the draft plan will be submitted to our NYSDOL State Representative and to NYDOL’s Local Plan Coordinating Office in Albany, New York.

Prior to the posting date, a notice of availability and a request seeking input will be sent electronically to Chief Local Elected Officials, Buffalo and Erie County Workforce Investment Board members, System Partners and other workforce stakeholders.

Upon completion of the public comment period, the draft plan will be updated as necessary and submitted to NYSDOL as a completed document. The finalized Local Plan will be posted on our organization web site.

List of Attachments

Please complete all attachments listed below.

Attachment A – Units of Local Government

Attachment B – Fiscal Agent

Attachment C – Signature of Local Board Chair

Attachment D – Signature of Chief Elected Official(s)

Attachment E – Federal and State Certifications

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Attachment F – Youth Services Chart

Original signature pages for Attachments C, D and E, must be delivered to NYSDOL in one of the following two ways:

- Electronic signature (if the LWDB has the capability for it) – Note that electronic signatures must follow the requirements and guidelines of the Electronic Signature and Records Act ([ESRA](#)). LWDBs choosing to submit signature pages via electronic signature may submit these pages via email with the Local Plan.
- Mail original versions – Hard copies of traditional signature pages may be sent to:

Attn: Local Plan
New York State Department of Labor
Division of Employment and Workforce Solutions
Building 12 – Room 440
W. Averell Harriman Office Building Campus
Albany, NY 12240

All other attachments must be submitted via email with the LWDB Local Plan Template.

In addition to these attachments, LWDBs must provide copies of the agreements listed in the Program Coordination section of this template under [\(d\)](#). If possible, it is preferable to provide a list of hyperlinks to these agreements available on the LWDB website.

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Attachment A: Units of Local Government

Please list the unit or units (multiple counties or jurisdictional areas) of local government included in the local area. If the CEO Grant Recipient has designated a local grant subrecipient to administer WIOA pursuant to WIOA § 107, please indicate the unit of local government that is the grant subrecipient. However, if instead, the CEO Grant Recipient has designated a fiscal agent, please indicate this on Attachment B.

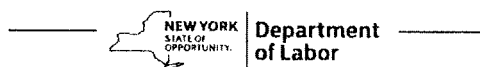
Unit of Local Government	Grant Subrecipient
	Yes
City of Buffalo	<input type="checkbox"/>
Erie County	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

§107(6)(B)(i) - When a local workforce area is composed of more than one unit of general local government, the chief elected officials of such units may execute an agreement that specifies the respective roles of the individual chief elected officials.

If your local workforce area is composed of more than one unit of general local government, is there a written agreement between local officials that details the liability of the individual jurisdictions?

Yes No

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Attachment B: Fiscal Agent

WIOA §117(d)(3)(B)(i)(II) indicates that the chief elected official Grant Recipient may designate a local fiscal agent as an alternative to a local grant subrecipient. Such designation to a grant subrecipient or fiscal agent shall not relieve the chief elected official or the Governor of the liability for any misuse of grant funds. If the CEO identified a fiscal agent to assist in the administration of grant funds, please provide the name of the agent.

Fiscal Agent

Buffalo & Erie County Workforce Development Consortium, Inc.

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Department
of Labor

ATTACHMENT C: SIGNATURE OF LOCAL BOARD CHAIR

**Workforce Innovation and Opportunity Act (WIOA) Local Plan for
Program Year 2021-2024, for WIOA Title 1-B
and Wagner-Peyser Programs**

In compliance with the provisions of the Workforce Innovation and Opportunity Act of 2014, the Final Rule, and Planning guidelines and instructions developed by the Governor, this Plan is being submitted jointly by the Local Board and the respective Chief Elected Official(s).

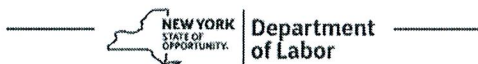
By virtue of my signature, I:

- Agree to comply with all statutory and regulatory requirements of the Act as well as other applicable State and federal laws, regulations, and policies;
- Affirm that the composition of the Local Board is either in compliance with the law, rules, and regulations and is approved by the State or, will be in compliance within 90 days of Local Plan submission;
- Affirm that this Plan was developed in collaboration with the Local Board and is jointly submitted with the Chief Elected Official(s) on behalf of the Local Board; and
- Affirm that the board, including any staff to the board, will not directly provide any career services unless approved to do so by the Chief Elected Official and the Governor.

Date:	9/10/21	Signature of Local Board Chair:	
Mr. <input checked="" type="checkbox"/>		Typed Name of Local Board Chair:	
Ms. <input type="checkbox"/>		Charles G. Jones Jr.	
Other <input type="checkbox"/>			
Name of Board:	Buffalo & Erie County Workforce Investment Board		
Address 1:	726 Exchange St Suite 630		
Address 2:			
City:	Buffalo		
State:	NY	Zip:	14210
Phone:	716-5041480	E-mail:	cjones@wittburn.com

Submission directions: Complete this attachment as part of the Plan development process and submit it, with original signatures, as described in the Local Plan Template.

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ATTACHMENT D: SIGNATURE OF CHIEF ELECTED OFFICIAL(S)

**Workforce Innovation and Opportunity Act (WIOA) Local Plan for
Program Year 2021-2024, for WIOA Title 1-B
and Wagner-Peyser Programs**

In compliance with the provisions of the Workforce Innovation and Opportunity Act of 2014, the Final Rule, and Planning guidelines and instructions developed by the Governor, this Plan is being submitted jointly by the Local Board and the respective Chief Elected Official(s).

By virtue of my signature, I:

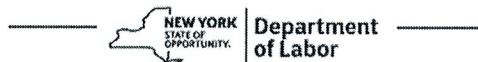
- Agree to comply with all statutory and regulatory requirements of the Act as well as other applicable State and Federal laws, regulations, and policies;
- Affirm that the Grant recipient possesses the capacity to fulfill all responsibilities and assume liability for funds received, as stipulated in §679.420 of the rules and regulations;
- Affirm that the composition of the Local Board is either in compliance with the law, rules, and regulations and is approved by the State or, will be in compliance within 90 days of Local Plan submission;
- Affirm that the Chair of the Local Board was duly elected by that board; and
- Affirm that the board, including any staff to the board, will not directly provide any career services unless approved to do so by the Chief Elected Official and the Governor.

Note: A separate signature sheet is required for each local Chief Elected Official (CEO). If additional pages are necessary, please replicate this document for each CEO.

Date:	Signature of Local Chief Elected Official (CEO):	
Sept. 8, 2021	Mark C. Poloncarz	
Mr. <input checked="" type="checkbox"/>	Typed Name of Local CEO:	
Ms. <input type="checkbox"/>	Mark C. Poloncarz	
Other <input type="checkbox"/>		
Title of Local CEO:	Erie County Executive	
Address 1:	Edward A. Rath County Office Building	
Address 2:	95 Franklin Street, 16th Floor	
City:	Buffalo	
State:	NY	Zip: 14202
Phone:	716-858-8500	E-mail: County.executive@erie.gov
Are you the Grant Recipient CEO? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

Submission directions: Complete this attachment as part of the Plan development process and submit it, with original signatures, as described in the Local Plan Template.

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ATTACHMENT D: SIGNATURE OF CHIEF ELECTED OFFICIAL(S)

**Workforce Innovation and Opportunity Act (WIOA) Local Plan for
Program Year 2021-2024, for WIOA Title 1-B
and Wagner-Peyser Programs**

In compliance with the provisions of the Workforce Innovation and Opportunity Act of 2014, the Final Rule, and Planning guidelines and instructions developed by the Governor, this Plan is being submitted jointly by the Local Board and the respective Chief Elected Official(s).

By virtue of my signature, I:

- Agree to comply with all statutory and regulatory requirements of the Act as well as other applicable State and Federal laws, regulations, and policies;
- Affirm that the Grant recipient possesses the capacity to fulfill all responsibilities and assume liability for funds received, as stipulated in §679.420 of the rules and regulations;
- Affirm that the composition of the Local Board is either in compliance with the law, rules, and regulations and is approved by the State or, will be in compliance within 90 days of Local Plan submission;
- Affirm that the Chair of the Local Board was duly elected by that board; and
- Affirm that the board, including any staff to the board, will not directly provide any career services unless approved to do so by the Chief Elected Official and the Governor.

Note: A separate signature sheet is required for each local Chief Elected Official (CEO). If additional pages are necessary, please replicate this document for each CEO.

Date: 1/06/21	Signature of Local Chief Elected Official (CEO): <i>Byron W. Brown</i>	
Mr. <input checked="" type="checkbox"/>	Typed Name of Local CEO: Byron W. Brown	
Ms. <input type="checkbox"/>		
Other <input type="checkbox"/>		
Title of Local CEO:	Mayor of the City of Buffalo	
Address 1:	Buffalo City Hall	
Address 2:	65 Niagara Square, Rm 201	
City:	Buffalo	
State:	NY	Zip: 14202
Phone:	716-851-4841	E-mail: bbrown@city-buffalo.com
Are you the Grant Recipient CEO? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Submission directions: Complete this attachment as part of the Plan development process and submit it, with original signatures, as described in the Local Plan Template.

WE ARE YOUR DOL



Bidder Organization Name: **Buffalo & Erie County Workforce Development Consortium, Inc**

ATTACHMENT E: FEDERAL AND STATE CERTIFICATIONS

The funding for the awards granted under this contract is provided by the United States Department of Labor which requires the following certifications:

A. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION-LOWER TIER COVERED TRANSACTIONS

1. By signing this Contract, the prospective lower tier participant certifies, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statement in this certification, such prospective participant shall provide an explanation.
3. The prospective lower tier participant shall pass the requirements of A.1. and A.2., above, to each person or entity with whom the participant enters into a covered transaction at the next lower tier.

B. CERTIFICATION REGARDING LOBBYING - Certification for Contracts, Grants, Loans, and Cooperative Agreements

By signing this Contract, the Contractor hereby certifies, to the best of his or her knowledge and belief, that :

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the Contractor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the Contractor shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The Contractor shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of facts upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

C. DRUG FREE WORKPLACE

By signing this Contract, the Contractor certifies that it will provide a Drug Free Workplace by implementing the provisions at 29 CFR 94, pertaining to the Drug Free Workplace. In accordance with these provisions, a list of places where performance of work is done in connection with this specific grant will take place must be maintained at the Contractor's office and available for Federal inspection.

D. NONDISCRIMINATION & EQUAL OPPORTUNITY ASSURANCE

As a condition to the award of financial assistance from the Department of Labor under Title I of the Workforce Innovation and Opportunity Act (WIOA), the Contractor assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

(1) Section 188 of the WIOA, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age disability, political affiliation, or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in a program or activity that receives financial assistance under Title I of WIOA;

(2) Title VI of the Civil Rights Act of 1964, as amended which prohibits discrimination on the basis of race, color, and national origin;

(3) Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;

(4) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and

(5) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The Contractor also assures that it will comply with 29 CFR Part 38 and all other regulations implementing the laws listed above. This assurance applies to the Contractor's operation of the WIOA Title I – financially assisted program or activity, and to all agreements the Contractor makes to carry out the WIOA Title I – financially assisted program or activity. The Contractor understands that the United States has the right to seek judicial enforcement of this assurance.

E. BUY AMERICAN NOTICE REQUIREMENT

In accordance with Section 502 of the WIOA, none of the funds made available under the WIOA may be expended by an entity unless the entity agrees that in expending the funds it will comply with sections 8301 through 8303 of title 41, United States Code (commonly known as the "Buy American Act").

F. SALARY AND BONUS LIMITATIONS

No federal funds appropriated annually under the heading 'Employment and Training' shall be used by a subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in 2 CFR 200.330. See Training and Employment Guidance Letter number 5-06 for further clarification. Where applicable, the Contractor agrees to comply with the Salary and Bonus Limitations.

G. VETERANS' PRIORITY PROVISIONS

Federal grants for qualified job training programs funded, in whole or in part, by the U.S. Department of Labor are subject to the provisions of the "Jobs for Veterans Act" (JVA), Public Law 107-288 (38 USC 4215). The JVA provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services. Please note that to obtain priority service, a person must meet the program's eligibility requirements. Training and Employment Guidance Letter (TEGL) No. 5-03 (September 16, 2003) and Section 20 of the Code of Federal Regulations (CFR) Part 1010 (effective January 19, 2009) provide general guidance on the scope of the veterans priority statute and its effect on current employment and training programs. Where applicable, the Contractor agrees to comply with the Veteran's Priority Provisions.

STATE CERTIFICATIONS**H. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND OUTSTANDING DEBTS**

By signing this Contract, the Contractor, as a duly sworn representative of the contractor/vendor, hereby attests and certifies that:

- a) No principal or executive officer of the Contractor's company, its subcontractor(s) and/or successor(s) is presently suspended or debarred; and
- b) The Contractor, its subcontractor(s) and/or its successor(s) is not ineligible to submit a bid on, or be awarded, any public work contract or sub-contract with the State, any municipal corporation or public body for reason of debarment for failure to pay the prevailing rate of wages, or to provide supplements, in accordance with Article 8 of the New York State Labor Law.
- c) The Contractor, its subcontractor(s) and/or its successor do not have any outstanding debts owed to the Department, including but not limited to, contractual obligations, fines related to Safety and Health violations, payments owed to workers for public works projects or the general provisions of the labor Law, unemployment insurance contributions or other related assessments, penalties or charges.

I. CERTIFICATION REGARDING "NONDISCRIMINATION IN EMPLOYMENT IN NORTHERN IRELAND: MacBRIDE FAIR EMPLOYMENT PRINCIPLES"

By signing this Contract, the Contractor stipulates that in accordance with the MacBride Fair Employment Principles (Chapter 807 of the laws of 1992), the Contractor, or any individual or legal entity in which the contractor holds a 10% or greater ownership interest, or any individual or legal entity that holds a 10% or greater ownership interest in the contractor, either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

J. NON-COLLUSIVE BIDDING CERTIFICATION

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his or her knowledge and belief:

(1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

(3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit to bid for the purpose of restricting competition.

K. IRAN DIVESTMENT ACT

By signing this Contract, the Contractor certifies in accordance with State Finance Law §165-a that it is not on the "Entities Determined to be Non-Responsive Bidder/Offerers pursuant to the New York State Iran Divestment Act of 2012" ("Prohibited Entities List") posted at:


<http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>.

The Contractor further certifies that it will not utilize on this contract any subcontractor that is identified on the Prohibited Entities List. The Contractor agrees that should it seek to renew or extend this Contract, it must provide the same certification at the time the Contract is renewed or extended.

During the term of the Contract, should the state agency receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certification, the state agency will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then the state agency shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The state agency reserves the right to reject any request for renewal, extension, or assignment for an entity that appears on the Prohibited Entities List prior to the renewal, extension, or assignment of the Agreement, and to pursue a responsibility review with the Contractor should it appear on the Prohibited Entities List hereafter..

I, the undersigned, attest under penalty of perjury that I am an authorized representative of the Bidder/Contractor and that the foregoing statements are true and accurate.

Signature of Authorized Representative:	
Title:	Executive Director, Buffalo & Erie County Workforce Investment Board
Date:	14/Sept/21

Youth Services

Name of Local Area: Erie *(Type the name of local area here)*

Name of Organization Providing Youth Services <i>(Provide name of organization)</i>	Phone Number	Type of Agreement <i>(Select from the 3 options in the drop-down menu)</i>	Youth & Young Adult Recruitment	Case Management/Pathways Coaching	Intake & Eligibility	Data Entry in Case Management System	Objective Assessments	Individual Service Strategy	Tutoring/ Study Skills	Alternative Sec. School	Occupational Skills Training	Work Experience	Edu. Offered Concurrently	Leadership Development	Supportive Services	Adult Mentoring	Comp. Guidance/Counseling	Financial Literacy	Entrepreneurial Skills	Labor Market Information	Postsecondary prep./transition	Follow-Up	
<i>Please review the program elements listed above and mark "O" for Out-of-School Youth (OSY), "I" for In-School Youth (ISY) or "Both" for both ISY and OSY for all program elements provided by the organization(s).</i>																							
Buffalo Urban League, Inc.	716-250-2400	Contract	Both	Both	Both	Both	Both	Both	I	O	O	Both	Both	Both	Both	Both	Both	Both	Both	Both	Both	Both	
Catholic Charities of Buffalo	716-856-4494	Contract	O	O	O	O	O	O	-	O	O	O	O	O	O	O	O	O	O	O	O	O	
The Service Collaborative of WNY	716-418-8500	Contract	O	O	O	O	O	O	-	O	O	O	O	O	O	O	O	O	O	O	O	O	



**BUFFALO AND ERIE COUNTY
WORKFORCE INVESTMENT BOARD, INC.**

LOCAL POLICY BULLETIN

BECWIB BULLETIN # 02-20 DATE: 1/28/2020

TO: Lavon Stephens, Administrative Director, WDC, Inc.
FROM: Geoffrey Szymanski, Executive Director, WIB, Inc.
SUBJECT: Basic Skills Deficiency Policy

EFFECTIVE DATE: IMMEDIATELY

Purpose

Low educational functioning levels can be a significant barrier to educational and/or employment success. WIOA requires, as part of the objective assessment, that all youth are assessed to determine their basic skills and to learn of any basic skills deficiencies. This policy provides guidance whereby the Local Workforce Development Board (WDB) establishes local criteria for defining a youth that is “basic skills deficient”.

Background

Local Workforce Development Boards (WDB) are required to assess the basic skills of workforce applicants for Youth eligibility and for an objective assessment of academic levels, skill levels, and service needs of each participant, which includes a review of basic skills.

WIOA Section 3(5) defines a participant who is “basic skills deficient:”

(5) BASIC SKILLS DEFICIENT.—The term “basic skills deficient” means, with respect to an individual—

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

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

Definitions/Requirements

Section I: Demonstrating Basic Skills Deficiency as evidenced by a youth functioning at or below the 8th Grade Level

The Buffalo and Erie County Workforce Investment Board (WIB), as the local WDB, will determine basic skills levels, as per WIOA Section 3(5)(A), by utilizing the following guidelines:

- Utilize a standardized assessment tool (TABE, WorkKeys, CASAS, GAIN, BEST Plus/BEST Literacy, etc.) to determine the skill levels of each youth in need of training or career services under WIOA (see chart).
- Use assessment instruments that are valid and appropriate for the target population; and
- Provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities

Note: Previous basic skills assessment results are allowable if the assessment was conducted within the six (6) months prior to enrollment.

Scale Score Conversions to Educational Functioning Levels								
EDUCATIONAL FUNCTIONING LEVEL	Basic Skills Deficient	Grade Level	Test Benchmarks					
			TABE 9-10 and TABE 11-12			CASAS	GAIN	
			Reading	Math	Language	Reading/Math	English	Math
Beginning ABE Literacy	Basic Skills Deficient	0-1.9	9-10: <368 11-12: 300-441	9-10: <314 11-12: 300-448	9-10: <390 11-12: 300-457	<201	200-406	200-314
Beginning Basic Education		2.0-3.9	9-10: 368-460 11-12: 442-500	9-10: 314-441 11-12: 449-495	9-10: 390-490 11-12: 458-510	201-210	407-525	315-522
Low Intermediate Basic Education		4.0 - 5.9	9-10: 461-517 11-12: 501-535	9-10: 442-505 11-12: 496-536	9-10: 491-523 11-12: 511-546	211-220	526-661	523-669
High Intermediate Basic Education		6.0-8.9	9-10: 518-566 11-12: 536-575	9-10: 506-565 11-12: 537-595	9-10: 524-559 11-12: 547-583	221-235	662-746	670-775

Note: WorkKeys cannot be used to measure educational functioning level, but can be used to determine basic skills deficiency. A level score of four (4) or less on any of the WorkKeys Curriculum Placement Quiz or WorkKeys Assessment indicates basic skills deficiency. BEST Plus or BEST Literacy assessments should be used only for English Language Learners. For these assessments, scores at or below 575 in reading, 595 in mathematics, and 583 in language indicate basic skills deficiency.

For purposes of the basic skills assessment portion of the objective assessment, local programs are not required to use assessments approved for use in the Department of Education's National Reporting

System (NRS), nor are they required to determine an individual's grade level equivalent or educational functioning level (EFL), although use of these tools is permitted.

Rather, local programs may use other formalized testing instruments designed to measure skills-related gains. It is important that, in addition to being valid and reliable, any formalized testing used be appropriate, fair, cost effective, well-matched to the test administrator's qualifications, and easy to administer and interpret results.

Alternatively, skills related gains could also be determined through less formal alternative assessment techniques such as observation, folder reviews, or interviews. The latter may be particularly appropriate for youth with disabilities given accessibility issues related to formalized instruments.

Section II: Determining Basic Skills Deficiency as evidenced by a youth that is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

Examples of less formal screening tools for determining basic skills deficiency under WIOA 3(5)(B) may include the following:

- Records from an educational institution indicating below average GPA.
- Qualifies for Special education services or has an Individual Education Program (IEP) plan or 504 Plan.
- Lacks a high school diploma or equivalency and not enrolled in secondary education.
- Is enrolled in a Title II Adult Education and Family Literacy Act program (including enrolled for English as a Second Language (ESL)).
- Determined to be Limited English Skills proficient through staff-documented observations.
- Case Manager/Staff make observations of deficient functioning and records those observations as justification in a case note/comment.

In contrast to the initial assessment described above, if measuring EFL gains after program enrollment under the measurable skill gains indicator, local programs must use an NRS-approved assessment for both the EFL pre- and post-test to determine an individual's educational functioning level.

The WIB will provide reasonable accommodations, if needed, for the assessment of individuals with disabilities.

Documentation of the assessment(s) and results must be maintained in hard copy participant files and properly recorded in the OSOS participant record.

Please share this bulletin with appropriate staff. If you have any questions, please contact Anthony Scello at 504-1480.

Thank you.

ATS

C: Demone Smith, Terry Chatfield, Denise Raymond, Jeff Conrad, Ken Colon, Cynthia Coney-Trowman, Ivy Diggs-Washington, Kate DeCarlo, Katya Kroll-Haeick, Deborah Miller, Karen Simmons and WIB staff.



**BUFFALO AND ERIE COUNTY
WORKFORCE INVESTMENT BOARD, INC.**

LOCAL POLICY BULLETIN

BECWIB BULLETIN # 01-20 DATE: 1/28/2020

TO: Lavon Stephens, Administrative Director, WDC, Inc.
FROM: Geoffrey Szymanski, Executive Director, WIB, Inc.
SUBJECT: Youth who requires additional assistance to enter or complete an educational program or to secure or hold employment under WIOA-Local Definition-REVISED

EFFECTIVE DATE: IMMEDIATELY

Effective immediately, our local workforce area is updating BECWIB Bulletin #5-15 to reflect the latest interpretation of this definition under the Workforce Innovation and Opportunity Act (WIOA).

The purpose of this policy is to update the local definition of a youth who requires additional assistance to enter or complete an educational program or to secure or hold employment as part of youth eligibility under WIOA (WIOA Secs. 3 (27 & 46) and 129 (a) (B & C)).

Under WIOA, the seventh barrier for in-school youth eligibility and the eight barrier for out-of-school youth address this eligibility criteria. In the case of out-of-school youth, the youth must be a low-income individual who requires additional assistance (all in-school youth are required to be a low-income individual under all eligible criteria and circumstances.)

Under this local definition policy, the intent is as follows:

- Out-of-School (OSY) to enter or complete an educational program or to secure or hold employment; and
- In School Youth (ISY) to complete an educational program or to secure and hold employment, if serving ISY.

As per BECWIB Bulletin #10-14 and #5-15, the following instructions and definitions apply:

During the eligibility determination process, identification and verification of the criterion of the “requires additional assistance” barrier that are listed below will be accomplished through initial assessment of individual basic literacy and work readiness skills.

Supportive documentation is required and must include a copy of the results from the individual basic literacy assessment and an objective assessment of the individual’s work readiness skills. Examples of

additional and acceptable documentation verifying a youth requiring additional assistance may include, for example, school records stating that the individual repeated at least one secondary grade level, telephone verification, a written statement from an agency that is aware of the individual's barrier (s), Applicants Statement, case notes of "observable condition" documented in the Comments tab of OSOS, etc.

The following list defines the criterion of the youth barrier where it has been documented that one of the following specific barriers exists:

1. Has repeated at least one secondary grade level;
2. Has a limited English proficiency;
3. Is an emancipated youth;
4. Has aged out of foster care;
5. Has been referred to or is being treated by an agency for a substance abuse related problem;
6. Has experienced recent traumatic events, is a victim of abuse, or resides in an abusive environment as documented by a school official or professional;
7. Has emotional, medical, physical, cognitive or psychological impairment which creates a significant impediment to employment;
8. Has never held a job (youth 18 years or older);
9. Has been fired from a job within the 12 months prior to program application (youth 18 years or older);
10. Has never held a full time job for more than 13 consecutive weeks (youth 18 years or older);
11. Has a family history of chronic unemployment, (27 weeks or more), including long-term public assistance (part of a household that has received public assistance continuously for more than 36 months);
12. Resides in a non-traditional family setting (i.e., single parent, lives with guardian, latchkey, domestic partners, etc.)

Thank you for complying with this policy.

Please direct any questions to Anthony Scello at scello@becwib.org

c: Jeff Conrad, Terry Chatfield, Ivy Diggs-Washington, Kate DeCarlo, Ken Colon, Cynthia Coney-Trowman, Katya Kroll-Haeick, Deborah Miller, Karen Simmons, Demone Smith, and WIB staff



**BUFFALO AND ERIE COUNTY
WORKFORCE INVESTMENT BOARD, INC.**

LOCAL POLICY BULLETIN
BECWIB BULLETIN # 3-22 DATE: March 13, 2023

TO: Lavon Stephens, Administrative Director, WDC, Inc.
FROM: Jaqueline N. Hall, Executive Director, WIB, Inc.
SUBJECT: **Adult Priority of Service under WIOA - REVISED**
REFERENCES: Title 1 of the Workforce Innovation and Opportunity Act, Sections 3(5), 3(24); 3(36); and 134(c)(3)(E); 20 CFR 678.430; 20 CFR 680.200; and 20 CFR 680.600 through 680.660; TEGL 7-20; TEGL 10-09; and WDS TA #23-01 and the references listed therein.

EFFECTIVE DATE: Immediately

Effective immediately, and in accordance with the Workforce Innovation and Opportunity Act, our Local Workforce Development Area (LWDA) adopts the following revised policy concerning Adult Priority of Service.

This Local Policy Bulletin #3-22 revises and replaces Local Policy Bulletin#1-18, dated January 10, 2018.

POLICY STATEMENT

The Buffalo and Erie County Workforce Investment Board is committed to providing a Priority of Service to eligible Adults, and Veterans and their Eligible Spouses for individualized career services and training services, under the directives and guidelines of the Workforce Innovation and Opportunity Act of 2014 and its regulations.

This Priority of Service Policy applies to (1) all WIOA Adult-funded individualized career services and all training services, and (2) Veterans and Eligible Spouses under all qualified job-training programs funded under Title I of WIOA. This Adult Priority of Service policy is to be utilized with all BECWIB training service policies and all individualized Career Services under WIOA.

Please share this information with appropriate staff.

C: Darnel Cummings, Dixie Farr, Demone Smith, Denise Raymond, Sharon Patterson; Bukola Mallia, Kenneth Newsom, Leslie Ayer, Francine Nicholas, Elizabeth Rivera, and Anthony Scello.

726 Exchange Street, Suite 630 – Buffalo, NY 14210 – Ph: (716) 504-1480 – Fax: (716) 504-1483 – www.workforcebuffalo.org

ADULT PRIORITY OF SERVICE UNDER WIOA

OVERVIEW OF PRIORITY OF SERVICE UNDER WIOA

WIOA establishes priority requirements with funds allocated to a local area for *adult employment and training activities* [WIOA Section 134 (c)(3)(E)]. This statutory priority does not apply to employment and training activities using dislocated worker funds. However, WIOA does require a priority of service for Veterans and Eligible Spouses who receive services under *any* qualified job training program funded by the U.S. Department of Labor [20 CFR 680.650; TEGL 10-09; and TA#12-12.5]. Therefore, a priority of service to Veterans and Eligible Spouses must be applied to dislocated worker (DW) funded programs, as well.

SERVING ADULT PRIORITY POPULATIONS

WIOA emphasizes providing services to individuals with barriers to employment, as defined in WIOA Section 3(24), including some of the same populations that are to receive priority in the WIOA Adult program. Recipients of public assistance, individuals who are basic skills deficient (including English Language Learners), or those identified as being low-income represent some of the workforce system's most in need participants. The USDOL, Employment and Training Administration, requires that of all WIOA Adults receiving Individualized Career or Training Services, at least 50.1% must fall within at least one of these mandated priority populations. [TEGL No. 7-20]. All staff must be aware of this requirement, and consider it when providing services.

PRIORITY OF SERVICE APPLICATION

What follows are the rules governing priority of service application to (1) All WIOA Adult funded individual career and training services as outlined in 20 CFR 680.600 through 680.660, and (2) Veterans and Eligible Spouses under all qualified job training programs funded under Title I of WIOA.

A. PRIORITY OF SERVICE FOR WIOA ADULT-FUNDED INDIVIDUALIZED CAREER SERVICES

Priority of service for Individualized Career Services using Adult funds must be provided in the following order:

First Priority, to covered persons (veterans and eligible spouses) who are:

- Recipients of public assistance, or
- Other low income (as defined by WIOA sec. 3(36)), or
- Basic skills deficient, including English Language Learners.

Second Priority, to individuals (non-covered persons, that is, individuals who are not veterans or eligible spouses) who are:

- Recipients of public assistance, or
- Other low income [as defined by WIOA sec. 3(36)], or
- Basic skills deficient, including English Language Learners.

Third Priority, to veterans and eligible spouses that meet Adult program eligibility.

Fourth Priority, to individuals (non-covered persons) who do not meet the above priorities but are

- Individuals with disabilities
- Justice-involved individuals
- Single Parents
- Adults whose current hourly wage is less than the self-sufficiency wage established by the Board. The current self-sufficiency wage is \$25.00 per hour.

Guidance concerning hourly wage verification, as well as all DEV options, may be found in TEGL 23-19 Change 1, Attachment II

B. PRIORITY OF SERVICE FOR WIOA ADULT-FUNDED TRAINING SERVICES.

Priority of service for all WIOA Adult-funded training services including ITA and non-ITA Trainings must be provided in the same order as Adult funded individualized career services. *No other groups will be eligible for an Adult-funded ITA.*

Selection Procedure:

Priority of service means that individuals in priority groups are given priority over individuals not in those groups for the receipt of WIOA Adult-funded career and training services. (WIOA sec. 134 (c) (3) (E); and 20 CFR 680.600 through 680.660).

This means that an individual in a priority group either receives access to a service earlier in time than an individual not in the group or, if the resource is limited, the individual in the priority group receives access to the service instead of or before individuals who are not in the priority group.

If there is a waiting list for the formation of a training class, priority of service requires an individual in a priority group to go to the top of the list. *However*, priority of service for training services applies only up to the point at which an individual is both approved for funding and accepted or enrolled into the training program. Therefore, once an individual who is not in a priority group has been approved for funding and accepted or enrolled into the training program, priority of service is not intended to allow an individual in a priority group who is identified subsequently to “bump” the individual not in the priority group from the training program. See TEGL No.10-09 <https://www.dol.gov/agencies/eta/advisories/training-and-employment-guidance-letter-no-10-09> .

C. Data Entry and DEV Requirements

One-Stop Career Center staff (“Staff”) must follow data entry procedures outlined in the following One-Stop Operating System (OSOS) Guides to ensure Adult priority of service demographic data is recorded consistently and accurately:

- i. Creating a Basic Customer Record;
- ii. Comprehensive Assessment and Supplemental Data;
- iii. L1: Service Definitions OSOS Guide

Staff must follow OSOS Guides to ensure customers are being identified as a member of one or more Adult priority populations at the time of enrollment.

Note: All demographic data must be entered into OSOS prior to recording a staff-assisted service/activity.

In addition, Staff completing data entry must comply with the following advisories:

- WDS TA #17-07: Use of One-Stop Operating System and Re-Employment Operating System (June 28, 2017).
- Training and Employment Guidance Letter (TEGL) No. 23-19, Change 1 until an updated DEV policy is issued by NYSDOL. Staff should utilize the Excel version of Attachment II to TEGL No. 23-19, Change 1 and unhide/expand all rows to view all applicable items.
- Additional information on programmatic criteria for individualized career and/or training services can be found in TEGL No. 10-16 Change 2, Attachment VII, and TEGL No. 19-16, Attachment II.

D. Key Terms and Definitions

This Local Policy Bulletin incorporates the Key Terms and Definitions in Attachment I of WDS TA#23-01 (attached to this LPB for your convenience), as well as the following definitions:

1. Covered Person

Covered person is defined as a veteran or an eligible spouse. Covered persons must meet all statutory eligibility and program requirements for participation in order to receive priority for a program or service.

The status of a veteran or eligible spouse of a veteran may be verified by the documents described in paragraph 1(b) of Attachment A to TEGL10-09 (November 10, 2009). See https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816.

2. Eligible Spouse

WIOA Sec.3 (15) (E); TEGL 10-09
https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816.

An “eligible spouse” means the spouse of any of the following:

- A veteran who died of a service-connected disability;
- Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - Missing in action,
 - Captured in the line of duty by a hostile force, or
 - Forcibly detained or interned in the line of duty by a foreign government or power;
- Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or
- Any veteran who died while a disability was in existence.

3. Veteran

A veteran is a person who served in the active military, naval or air service and who is discharged or released therefrom under conditions other than dishonorable (WIOA Sec. 3(63)(A); 38 USC Sec. 101).

References:

WIOA Section 3(5); 3(24); 3(36); and 134(c)(3)(E)
Workforce Innovative and Opportunity Act

20 CFR §678.430; §680.200; and §680.600-§680.660

Federal Register - 20 CFR Part 680, Subpart E – Priority and Special Populations (Sections 680.600 – 680.660)

<https://www.law.cornell.edu/cfr/text/20/part-680>

TEGL No. 07-20: Effective Implementation of Priority of Service Provisions for Most in Need Individuals in the Workforce Innovation and Opportunity Act (WIOA) Adult Program (November 24, 2020)

TEGL No. 10-09: Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL) (November 10, 2009)

TEGL No. 19-16: Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules (March 1, 2017). ***Special consideration should be given to Attachment II, Participant Level Services Chart.***

TEGL No. 10-16, Change 2: Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Core Programs (September 15, 2022). ***Special consideration should be given to Attachment VII, Participation Level Services Chart.***

TEGL No. 23-19, Change 1: Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor (DOL) Workforce Programs (October 25, 2022). ***Source Documentation/Data Element Validation Requirements can be found in Attachment II; Staff should expand rows in the Excel attachment to view all DEV options for each data element. The definition of terms for Attachment II can be found in the “Instructions” tab of this document***

WDS TA #12-12.5: Implementation of Veterans’ Priority of Service for Covered Persons in Qualified USDOL Job Training Programs (July 25, 2019)

WDS TA #17-07: Use of One-Stop Operating System and Re-Employment Operating System (June 28, 2017)

WDS TA #23-01; Serving Priority Populations and Priority of Service under the Workforce Innovation and Opportunity Act (WIOA) Title I Adult Program (January 20, 2023)
Creating a Basic Customer Record OSOS Guide

Comprehensive Assessment and Supplemental Data OSOS Guide

L1: Service Definitions OSOS Guide

WDS TA#23-01
Attachment A

KEY TERMS AND DEFINITIONS

1. Low-Income Individual (Workforce Innovation and Opportunity Act (WIOA) Sec. 3(36)(A))

(A) IN GENERAL. The term “low-income individual” means an individual who—

(i) receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance;

***Note:** Local income-based public assistance programs may be used to determine whether someone is low-income. Local Workforce Development Boards (LWDBs) must include these local income-based public assistance programs in their local Adult Priority of Service policy.

(ii) is in a family with total family income that does not exceed the higher of—

- (I) the poverty line; or
- (II) 70 percent of the lower living standard income level;

(iii) is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));

(iv) receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

(v) is a foster child on behalf of whom State or local government payments are made; or

(vi) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.

***Note:** Under WIOA, there is no exclusion of payments for unemployment compensation, child support payments, and old-age survivors’ insurance benefits from the income calculations for determining if an individual is low-income. These exclusions that were previously provided under [Workforce Investment Act] WIA sec. 101(25) no longer apply.

2. Basic Skills Deficient (WIOA Sec. 3(5))

(5) BASIC SKILLS DEFICIENT. The term “basic skills deficient” means, with respect to an individual—

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

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

***Note:** Individuals who are English language learners meet the criteria for basic skills deficient and must be included in the priority populations for the Title I Adult Program

3. Individuals with Barriers to Employment (WIOA Sec. 3(24) and TEGL No. 19-16)

The populations included in the "individuals with barriers to employment" in WIOA sec. 3(24) include:

- (a) Displaced homemakers (as defined in WIOA sec. 3(16));
- (b) Low-income individuals (as defined in WIOA sec. 3(36));
- (c) Indians, Alaska Natives, and Native Hawaiians (as defined in WIOA sec. 166(b));
- (d) Individuals with disabilities, including youth who are individuals with disabilities (as defined in WIOA sec. 3(25) (includes individuals who are in receipt of Social Security Disability Insurance);
- (e) Older individuals (age 55 and older) (as defined in WIOA sec. 3(39));
- (f) Ex-offenders ("offender" as defined in WIOA sec. 3(38));
- (g) Homeless individuals or homeless children and youths;
- (h) Youth who are in or have aged out of the foster care system;
- (i) Individuals who are:
 - (1) English language learners (WIOA sec. 203(7)),
 - (2) Individuals who have low levels of literacy (an individual is unable to compute or solve programs, or read, write, or speak English at a level necessary to function on the job, or in the individual's family, or in society); and
 - (3) Individuals facing substantial cultural barriers;

4. Individualized Career Service (§678.430)

Individualized career services must be made available if determined to be appropriate in order for an individual to obtain or retain employment. These services include the following services, as consistent with program requirements and Federal cost principles:

- (1) Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include—
 - (i) Diagnostic testing and use of other assessment tools; and
 - (ii) In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;

- (2) Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve his or her employment goals, including the list of, and information about, the eligible training providers (as described in § 680.180 of this chapter);
- (3) Group counseling;
- (4) Individual counseling;
- (5) Career planning;
- (6) Short-term pre-vocational services including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct services to prepare individuals for unsubsidized employment or training;
- (7) Internships and work experiences that are linked to careers (as described in § 680.170 of this chapter);
- (8) Workforce preparation activities;
- (9) Financial literacy services as described in sec. 129(b)(2)(D) of WIOA and § 681.500 of this chapter;
- (10) Out-of-area job search assistance and relocation assistance; and
- (11) English language acquisition and integrated education and training programs.

5. Training Services (§680.200)

Types of training services are listed in WIOA sec. 134(c)(3)(D) and in paragraphs (a) through (k) of this section. This list is not all-inclusive and additional training services may be provided.

- (a) Occupational skills training, including training for nontraditional employment;
- (b) On-the-job training (OJT) (see §§ 680.700, 680.710, 680.720, and 680.730);
- (c) Incumbent worker training, in accordance with WIOA sec. 134(d)(4) and §§ 680.780, 680.790, 680.800, 680.810, and 680.820;
- (d) Programs that combine workplace training with related instruction, which may include cooperative education programs;
- (e) Training programs operated by the private sector;
- (f) Skills upgrading and retraining;
- (g) Entrepreneurial training;
- (h) Transitional jobs in accordance with WIOA sec 134(d)(5) and §§ 680.190 and 680.195;
- (i) Job readiness training provided in combination with services listed in paragraphs (a) through (h) of this section;

(j) Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with training services listed in paragraphs (a) through (g) of this section; and

(k) Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training (see §§ 680.760 and 680.770).

6. Recipients of Public Assistance

Examples of public assistance include:

- Temporary Assistance for Needy Families (TANF);
- General Assistance (GA) State/Local;
- Refugee Cash Assistance (RCA);
- Supplemental Security Income (SSI);
- Social Security Disability Insurance (SSDI); and
- Exhausting TANF within two years.