

# WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

## Annual Statewide Performance Report Narrative

*Program Year 2019*

**WE ARE YOUR DOL**



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# I. COMBINED PLAN STRATEGIC VISION AND GOALS

## A. WORKFORCE DEVELOPMENT SYSTEM PROGRESS

The New York State (NYS) Combined State Plan for Program Years (PY) 2020-2023 envisions a unified workforce development system (“System”) that aims to ensure every business has access to a skilled labor force and that every New Yorker has access to job training opportunities that lead to high quality employment or career advancement. This vision is supported by goals and strategies that address business engagement, prioritize opportunities for individuals with barriers to employment, improve data integration and performance outcome metrics, support non-traditional education models and career pathways, and align workforce development strategies with regional stakeholders.

No discussion of PY 2019 can take place without discussing the major impact felt by the onset of the COVID-19 pandemic. Beginning in mid-March, NYS was heavily impacted by COVID-19 and as a result, all non-essential business in NYS, and many other states, had to close in order to decrease the spread of the virus. This was done through a series of Executive Orders issued by Governor Andrew M. Cuomo known as NY on PAUSE. This in turn led to the largest numbers of unemployed individuals in NYS’s history, causing NYSDOL to focus on ensuring claimants had access to necessary Unemployment Insurance (UI) benefits and suspend many other functions through the end of the PY.

The COVID-19 pandemic has also caused a major shift in the manner in which customers can be served by the System. Career Centers throughout NYS were closed as part of the effort to decrease the spread of COVID-19 and are only now beginning to open in a limited capacity. In response to this, NYS is exploring virtual platforms that can be used to serve customers. The overarching platform that NYS will develop and implement will be a Virtual Career Center that will integrate with NYS’ case management system to track services provided to business and job seeking customers as well as related outcomes. The Virtual Career Center will be inclusive of the following:

- Virtual Meetings and Events tool: Virtual one-on-one appointments, small-group appointments, and large-scale workshops and presentations will be conducted via video and audio chat providing customers throughout NYS with quality services without the need to come into a career center.
- Virtual Career Fair: Large-scale career fairs will be held entirely online providing business and job seeking customers with the ability to connect via text and video chat, further improving employment outcomes for customers and hiring and retention rates for businesses.
- Comprehensive Online Training Solution: This will provide New Yorkers with the training and tools to up-skill and re-skill in order to find the right job and career pathway in a post-COVID-19 workforce environment.
- Enhanced Job Search: Increase and leverage machine learning and artificial intelligence to provide customers targeted job matches that align with their skills and experience.

To achieve this and the goals identified in the Combined Plan, NYS’s strategy is to build partnerships and strategic alliances, creating a unified System that integrates government, education, and business. Progress has been made toward this goal through Governor Cuomo’s creation of the NYS Office of Workforce Development, based in the Governor’s office, to formalize the coordination of workforce development activities across NYS. This includes coordination with the work of NYS’s Regional Economic Development Councils (REDCs), with membership including local experts and stakeholders from business, education, local government, and non-governmental organizations.

NYS strives to meet the needs of businesses and job seekers through public-private sector partnerships such as education, government, and community organizations, with priority given to individuals in special populations. Various solicitations were released or re-released across core programs in PY 2019, including the Hurricane Maria National Dislocated Worker Grant (NWDG) and the Apprenticeship Expansion Grant (AEG), which both provide priority in scoring to applicants planning to serve individuals with barriers to employment. Likewise, at the end of PY 2018, the Consolidated Funding Application Workforce Development Initiative (CFA WDI) was launched,

providing up to \$175M in additional funding for workforce investments supporting efforts to meet businesses' short-term workforce needs and long-term industry needs, improve regional talent pipelines, enhance the flexibility and adaptability of local workforce entities, and expand workplace learning opportunities. The CFA WDI is one of the most important pieces of the System and is discussed in more detail in later sections of this report.

Efforts continue to integrate information technology across programs and pursue new technologies. System partners will continue to meet throughout PY 2020 to develop a statewide unique identifier and determine a method to best share and combine agency data.

The Workforce Innovation and Opportunity Act (WIOA) Interagency Team, consisting of staff from the NYS Department of Labor (NYSDOL), the NYS Education Department (NYSED), the NYS Office of Children and Family Services/NYS Commission for the Blind (OCFS/NYSCB), the NYS Office for the Aging (NYSOFA), the NYS Office of Temporary and Disability Assistance (OTDA), and the NYS Department of State (DOS) will continue to meet throughout PY 2020 to further the progress made in PY 2019 as it relates to the development of NYS's workforce.

The WIOA Interagency Team has several workgroups, including:

- Accessibility Workgroup, which collaborates with the NYS Career Centers to make the centers and workforce development services accessible to all New Yorkers through the distribution and training of assistive technology;
- Business Engagement Workgroup, which focuses on the development of a common system for agencies to track their engagement of businesses and new statewide policy across agencies;
- Combined Plan Workgroup, which developed the PY 2020-2023 NYS Combined Plan;
- Data Integration Workgroup, which is tasked with determining how NYS can best comply with WIOA's requirement for integrated data reporting;
- Referral and Release Workgroup, which created a confidential release of information form for use by all partners, furthers the development of a seamless referral process among system partners, and will explore best practices for referring customers to the virtual services provided by partners;
- MOU Workgroup, which develops the guidance and template for the WIOA-required Memorandum of Understanding (MOU);
- Training and Assistance Workgroup (TAG), which focuses on identifying important training for staff across all partner programs and helping to identify opportunities for skills building; and
- Youth Collaborative, which works collectively to support the development of youth and young adults.

## **B. MEETING BUSINESS NEEDS TO SUPPORT ECONOMIC GROWTH AND SELF-SUFFICIENCY**

Functioning as the One-Stop Career Center System's conduit to the business community and supporting WIOA's principles for a demand driven system, NYSDOL's Business Engagement team (the NYSDOL Business Services and NYSDOL Rapid Response Units) directly engages new and repeat business customers to offer targeted programs, services, and job development. Integral to these efforts is strategic business outreach, which is built around an understanding of the unique needs of individual businesses, and a tailored service strategy to meet those needs.

## **II. SECTOR STRATEGIES AND CAREER PATHWAYS**

### **A. BUSINESS ENGAGEMENT STRATEGIES**

#### **NYSDOL UNEMPLOYMENT STRIKEFORCE**

NYSDOL's Unemployment Strikeforce (the Strikeforce) employs a sector-based model that relies on a network of partnerships among business intermediaries, government, educational institutions, training providers, economic developers, and labor and community organizations. This type of model requires active staff engagement in job development (business demand) and customer case management (worker supply) with intensive referral and job brokering.

NYSDOL considers the Strikeforce model to be the gold standard of service delivery, providing intensive placement services in specific areas of NYS suffering high unemployment or high poverty. Key aspects of the initiative include stationing Career Center staff in convenient community locations to:

- Provide case management of customers, which includes ensuring each customer has a quality resume prepared, providing appropriate job leads and referrals, assisting with interview preparation, and following-up with continued assistance; and
- Engage and provide services to local businesses in convenient locations, including developing job openings, matching job posting orders to Strikeforce customers, referring qualified candidates and advocating to businesses on their behalf, developing customized recruitments and career fair events to facilitate hiring, and following-up to ensure business customer satisfaction.

The Strikeforce was first piloted in the Bronx in 2014 and subsequently rolled out to the following 14 areas across NYS: Bronx, Queens, Lewis, Kings (Brooklyn), Jefferson, Franklin, Montgomery, Orleans, Oswego, St. Lawrence, Steuben, Niagara, Buffalo, and Lackawanna. In June 2019, plans were implemented to further expand the Strikeforce into Syracuse, Binghamton and Elmira.

The Strikeforce has proven to be a successful model with 219,343 individuals enrolled in the Strikeforce returning to work by the close of PY 2019.

#### **REGIONAL BUSINESS SERVICES TEAMS (RBSTs) AND ALIGNMENT WITH REGIONAL ECONOMIC DEVELOPMENT**

NYSDOL's regional Business Services staff collaborate with Local Workforce Development Boards (LWDBs), WIOA partners, and Career Center staff to develop sector strategies and to align service to businesses in concert with regional industry cluster/sector strategies and the goals of the REDCs. RBSTs are established throughout NYS to support alignment of Career Center services to sector initiatives/strategies in the region. This structure brings Career Center Staff and NYSDOL Business Services and Local Business Services staff together to discuss common challenges and share promising practices. It also allows staff to share workforce intelligence and strategies for marketing services, as well as hiring and training incentives for businesses.

#### **STRATEGIC BUSINESS ENGAGEMENT**

NYSDOL Business Engagement works closely with many high-profile businesses on projects with significant job creation and sector impacts. These include coordinating with businesses to create a customized recruitment plan and application process, followed by matching, referring, and assessing qualified candidates in NYSDOL's talent bank along with the job seeking public.

#### **CUSTOMIZED RECRUITMENTS AND CAREER FAIRS**

Customized recruitments are no-cost, targeted hiring events built around the specific needs of each business. NYSDOL Business Services staff work directly with business customers to develop job specifics, search the talent bank for qualified candidates, and set up a hiring event where the business can interview these candidates.

Career Fairs provide businesses with the opportunity to interact one-on-one with job seekers. NYSDOL Business Services staff organize and participate in numerous career fairs around NYS each year at no cost to participating businesses.

In PY 2019, 343 recruitment events and 426 career fairs were conducted by NYSDOL Business Services. Some examples include:

- New York City Region (Bronx, NY) – NYSDOL worked closely with Krispy Kreme Doughnuts to support their need to hire and onboard 130 new employees for their new 26,000-square-foot production and distribution center. This new location supports product in regional retail outlets including a new strategically located Times Square retail location. Staff worked closely with company representatives to formulate a customized recruitment assistance plan which included a targeted hiring event at the Bronx County Courthouse that saw 390 individuals in January 2020, followed by use of NYSDOL's Harlem Offices for new employee training while the facility was being completed.
- United States (US) Census Bureau (Statewide) – As part of statewide efforts to support the hiring needs of the US Census Bureau, staff engaged with the US Census in all ten regions of NYS, posting and matching jobs and including them at hiring events where possible. Since the beginning of PY 2018, the US Census participated in more than 200 hiring events. As a workforce partner, NYSDOL provides extensive recruitment assistance and supportive services to hiring businesses in sectors with large impacts (for example, emerging industry sectors or sectors that remain constant and critical (in-demand) in a region or the state as a whole), connecting individuals to employment. Examples of services and initiative provided include:
  - Jobs Express – An online database for businesses to post available jobs sorted by region and occupational category. Local workforce areas use Jobs Express as a lead-generation source to grow NYS's database of business customers. Since December 2012, staff has engaged and provided services to 199,953 businesses using Jobs Express as a lead source.
  - Immediate Hiring Opportunities Microsite (Statewide) – The microsite NYHireNow was launched in Spring 2020 to highlight immediate job openings available in industries that are expanding during the COVID-19 pandemic. The site is a subset of the NYS Job Bank and lists immediate hiring opportunities with essential industries during the pandemic. The site currently has over 50,000 immediate jobs available.
- On-The-Job Training (OJT) – In PY 2019 NYS worked closely with the New York State Energy Research and Development Authority (NYSERDA) to operate the Energy Efficiency and Clean Technology OJT, to provide businesses with incentives to hire target populations, such as the long-term unemployed. Not only has the program enabled New Yorkers to get back to work, it provided businesses with the opportunity to invest in their workforce and remain competitive while supporting clean energy. OJT programs are proving to be successful vehicles for workforce development and the response from the business community continues to be very positive. During PY 2019, NYSDOL provided due diligence on 76 businesses applying to the NYSERDA OJT program and assisted 36 businesses hire and train 188 individuals under the program.
- Human Resources (HR) Consultation Services – NYSDOL Business Engagement provides no cost technical assistance to businesses with a variety of HR issues. These services include job analysis and descriptions, application processes, skills gap analysis, turnover analysis, employee handbooks, and help navigating rules and regulations.
- Hiring and Training Incentives – NYSDOL Business Engagement provides businesses with technical assistance to help them understand available employment-based tax credits and training incentives. By taking advantage of these incentives, businesses can save money by reducing tax liability or by using grant funds to offset the costs of training.



## **ADDITIONAL BUSINESS ENGAGEMENT ACTIVITIES AND COMMUNICATION**

NYSDOL's Business Engagement staff engages approximately 550 unique businesses each week with services. In PY 2019, staff provided services to 17,938 unique businesses.

To help coordinate services across NYS, NYSDOL Business Engagement staff from the ten regions and central office communicate on a regular basis. Examples include:

- Weekly productivity report sharing;
- Ongoing quality assurance focusing on service to businesses and customers, providing real-time suggestions culminating in quarterly regional conference calls;
- Weekly calls with the teams to understand the current clientele, review time management practices, and uncover promising practices for statewide sharing;
- Bi-weekly statewide Rapid Response scrums with Associate Business Services Representatives and Regional Rapid Response Coordinators; and
- Ongoing conference calls involving the statewide Rapid Response Coordinator and key Regional Rapid Response coordinators for specific Worker Adjustment and Retraining Notification (WARN) Act accounts involving multiple regions.

## **B. WORK-BASED LEARNING (INCLUDING APPRENTICESHIP)**

### **NYSERDA ENERGY EFFICIENCY AND CLEAN TECHNOLOGY TRAINING FUNDING OPPORTUNITIES**

As first mentioned in Section II. A., NYSERDA released \$10M in funding for OJT for new hires at energy efficiency and clean technology businesses in October 2018. NYSDOL Business Services promotes NYSERDA funding opportunities to businesses in the energy sector and works closely with NYSERDA to provide technical assistance to businesses with the application process, hiring eligible candidates, skills gap analyses, and development of training plans. During PY 2019, NYSDOL helped 36 businesses hire and train 153 individuals.

### **CONSOLIDATED FUNDING APPLICATION WORKFORCE DEVELOPMENT INITIATIVE**

As noted in Section I.A., PY 2018 saw the release of the new CFA WDI on May 8, 2019, with the initiative continuing throughout the entirety of PY 2019 and early PY 2020. The application deadline was May 29, 2020.

This program is funded using state-level WIOA funds to support three training programs:

1. Existing Employee Training (EET) – Trains incumbent workers in specific occupational skills that lead to job retention and/or advancement in middle-skills occupations;
2. New Hire Training (NHT) – Provides on-the-job occupational skills training commensurate with REDC priorities to newly hired employees; and
3. Unemployed/Underemployed Worker Training (UWT) – Trains un- and/or underemployed individuals in occupational skills to prepare them for full or part-time jobs needed by businesses in the region, and to offer career development and supportive services to individuals with additional barriers to employment.

Businesses were eligible to apply for one or more of these programs, depending upon their needs. Through September 30, 2020, NYSDOL has made 112 CFA WDI awards totaling more than \$15.6M.

### **REGISTERED APPRENTICESHIP**

NYS's economic well-being is developed and sustained with a highly skilled workforce and Registered Apprenticeship plays a leading role in ensuring a reliable and constant source of skilled workers for in-demand industries. NYSDOL has received the following five apprenticeship-related grant awards since 2016.



Grant Award	Value
1. Accelerator Grant	\$ 200,000
2. ApprenticeshipUSA State Expansion Grant	\$ 1,500,000
3. Expansion Grant Continuation Funding Staffing Grant	\$ 1,816,650
4. State Apprenticeship Expansion Grant	\$ 4,445,188
5. State Capacity to Expand Apprenticeship	\$ 450,000

The first of these was a \$200,000 Accelerator Grant in June 2016 that served as a steppingstone toward the goal of apprenticeship expansion.

Additionally, in 2016, NYSDOL received a \$1.5M ApprenticeshipUSA State Expansion Grant from the United States Department of Labor (USDOL). NYSDOL received \$1.8M in additional funds in March 2018 through the Expansion Grant Continuation Funding Staffing Grant. These grant funds continue until October 2021 (NYSDOL recently received an extension due to the COVID-19 pandemic) and will provide more opportunity for NYSDOL to market and expand Registered Apprenticeship in all regions of NYS.

NYSDOL has seen early success with these grants, funded in part with funds awarded to NYSDOL under USDOL's apprenticeship expansion initiatives. A total of 15 programs received funding under NYSDOL's initial AEG program, including some large group programs such as The Manufacturers Association of Central New York (MACNY) and 1199SEIU League Training and Upgrading Fund. The application period for the initial grant funding opportunity expired March 29, 2019, but NYSDOL has made an additional \$3.7M in WIOA Discretionary funding available in a second round of funding. Sponsors and signatories of NYS Registered Apprenticeship programs can apply for up to \$300,000 in funds (up to \$10,000 per apprentice) to cover costs associated with training such as OJT, related instruction, books, and tools. The grant targets industries such as Information Technology, Health Care, Advanced Manufacturing, and other in-demand occupations. The application deadline for this funding has recently been extended to March 26, 2021.

In 2019, NYSDOL applied for and received approximately \$4.4M under the State Apprenticeship Expansion Grant (continuing through June 30, 2022). Through these funds, NYSDOL plans to release a Request for Applications (RFA) to support industry intermediaries in sponsoring Registered Apprenticeship programs in high growth industries such as Advanced Manufacturing, Healthcare, Information Technology, Hospitality, Transportation & Logistics, and other high-demand industries. This RFA had a projected release of March 2020; however, this was delayed due to the ongoing COVID-19 pandemic. NYSDOL is anticipating a release date in the near future. Most recently, NYSDOL was awarded a \$450,000 State Capacity to Expand Apprenticeship base grant (continuing through June 30, 2023) to support new staff and marketing efforts; both grants will allow NYSDOL to sustain the goal of apprenticeship expansion within NYS.

In addition to these grants, NYSDOL continues to develop new trades and move more trades into alternative training approaches, allowing for further diversity and expansion into new and emerging industries. This includes a recent increase in the number of new programs in non-traditional trades. During the reporting period, NYSDOL approved 86 new programs and of those programs, 53 were in trades outside of building and construction. These numbers continue to rise and NYSDOL anticipates continuing this trend by further expanding apprenticeship beyond the traditional construction trades.

NYS has also developed the Empire State Apprenticeship Tax Credit (ESATC), which created an annual state budget allocation of \$10M to provide tax credits beginning at \$2,000 for each qualified apprentice. Initial ESATC credits are available for apprentices who are hired and remain in a Registered Apprenticeship program for six months. Additional or enhanced ESATC credits are available for each year the apprentice remains in the program, as well as for businesses that hire disadvantaged youth as apprentices or provide the apprentices with the support of a mentor. The ESATC focuses on encouraging new apprenticeship opportunities in in-demand occupations throughout NYS, and as such most construction trade Registered Apprenticeship programs are excluded from the ESATC.

During the reporting period, NYSDOL worked closely with our business and educational partners, specifically the REDCs, NYSED, and the State University of New York (SUNY) and City University of New York (CUNY) systems, to connect with prospective businesses and apprentices, and market to new and emerging industries. Our partnerships have helped increase awareness of Registered Apprenticeship and support expansion efforts. Beginning in July as businesses resumed activity following NY on PAUSE, NYSDOL (in conjunction with SUNY) started to once again hold statewide apprenticeship roundtable events for prospective sponsors and stakeholders in workforce development. The events have shifted to a virtual format to safely promote Registered Apprenticeship during the on-going pandemic. Additionally, NYSDOL is exploring ways to connect and market Registered Apprenticeship virtually to potential program sponsors.

### **C. WORK EXPERIENCES FOR YOUTH AND ADULTS**

As described in Section VIII.E., NYSDOL currently operates a Disability Employment Initiative (DEI) systems change grant funded by USDOL. A key component of this opportunity is the provision of work experience to youth, ages 14-24. DEI project staff work with businesses and community partners to develop these work experiences that include, but are not limited to, paid or unpaid internships, job shadowing, pre-apprenticeship, OJT, career-focused mentoring, and transitional jobs. These types of work experiences have been incorporated in the program to meet the diverse learning needs of youth.

NYS is on track for spending 20% of local Title I Youth program funds on work experience. Most LWDBs have developed local work experience policies to assist providers in the implementation of work experience, including the educational components. NYS continues to provide reporting, programmatic, and fiscal guidance regarding work experiences. This year, some Local Workforce Development Areas (Local Areas) have explored virtual work experiences for youth.

NYS used statewide activities funds to support work experiences of youth in different parts of NYS through two Requests for Proposals (RFP): Opportunity Youth Career Exploration and Access (OYCEA) and Help Obtaining and Maintaining Employment and Education (HOME2). NYS continues to support 22 OYCEA and one HOME2 grantees to offer quality work experiences to youth and build strong partnerships with businesses. These programs have served 1,539 and 330 youth respectively and are described in more detail in later sections of this report.

### **D. TRANSITIONAL JOBS**

As described in Section VIII.C., NYSDOL currently operates an Opioid NDWG funded by USDOL. A key component of this workforce opportunity is the provision of disaster-relief employment aimed at alleviating the issues caused by the opioid crisis in affected communities. These employment opportunities include, but are not limited to: providing support for addiction treatment services; serving as peer recovery navigators or in other peer-focused positions that support individuals struggling with opioid addiction or recovery; or carrying out intake and coordination services that connect homeless individuals affected by the opioid crisis to partners who can provide shelter, food, and other assistance. These temporary positions can serve as an on-ramp for positions in health care, including health care positions related to the treatment and prevention of opioid abuse and addiction. As of the end of PY 2019, approximately 300 participants had been served under the Opioid NDWG.

### **E. INCUMBENT WORKER TRAINING**

As further discussed in Section II.B., the CFA WDI includes an EET program. Up to \$10M was available for occupational skill-based trainings to underemployed incumbent workers. Funds were targeted to businesses seeking to train their incumbent workers for more skilled positions leading to promotions, increased pay, or increased earnings through more work hours. Applications were accepted until May 29, 2020. To date, 23 EET awards have been made totaling more than \$1.3M.

### **III. PERFORMANCE ACCOUNTABILITY SYSTEM**

#### **A. STATE PERFORMANCE MEASURES OR GOALS AND PROGRESS TOWARDS MEETING THEM**

After the close of PY 2017, NYS developed and released a WIOA Primary Indicators of Performance Report to the LWDBs. This report detailed the negotiated PY 2018 Local Area Goals as well as the Local Area performance on each of the WIOA Primary Indicators of Performance in PY 2017 Quarter 4. Subsequently, NYSDOL continued to develop and release quarterly reports on the WIOA Primary Indicators of Performance throughout PY 2019. Note that the PY 2019 quarterly reports for Quarters 2 and 3 were delayed while staff was engaged in the response to the COVID-19 pandemic. However, all PY 2019 quarterly reports are now available, having been published on the NYSDOL website in September 2020. These quarterly reports are used to assess Local Area progress toward meeting the Primary Indicators of Performance and will continue to be released quarterly moving forward. NYSDOL uses these reports to assist the Local Areas with improving performance and to determine workforce training needs throughout the System.

In conjunction with the release of the Primary Indicators of Performance Report, NYSDOL also provides individual lists of customers that were in the Credential Attainment and Measurable Skill Gains (MSG) measures to allow Local Areas the ability to outreach to customers and collect outcomes. From the start of PY 2019 through the onset of the COVID-19 pandemic, NYSDOL provided technical assistance to ensure data is entered accurately and offered individualized training to Local Areas in need of further guidance and assistance and it's anticipated this will resume when possible.

#### **B. ANY PERFORMANCE DEFICIENCIES ON THE PRIMARY INDICATORS OF PERFORMANCE**

The Credential Attainment and MSG measures for Adults and Dislocated Workers (DWs) emerged as potentially difficult measures in NYS. It is important to note that NYS is performing satisfactorily in both measures overall, and Local Area performance continues to increase each quarter. However, some Local Areas struggled to meet the state goals. To address this difficulty before performance sanctions are imposed, NYSDOL developed and implemented a plan to work with Local Areas to improve performance on the Credential Attainment measure. The plan included analyzing and evaluating Local Area Credential Attainment measure performance. Conversations were held with high performing Local Areas to determine best practices to share with underperforming areas. Individual meetings were held with struggling Local Areas to address any issues and share best practices. NYSDOL has also continued sharing information on the participants in the Credential Attainment measure, as well as the customers identified in the MSG measure, with Local Areas on a quarterly basis so appropriate follow up can be conducted with customers who have not shown a positive outcome. NYSDOL continues to develop and deliver trainings to Local Areas to improve performance on both the Credential Attainment and MSG measures.

#### **C. DESCRIPTIONS OF ANY FACTORS IMPACTING PERFORMANCE**

The calculation of the Credential Attainment and MSG measures is completely reliant on staff performing proper data entry because an administrative crossmatch method to gather this information does not currently exist. NYSDOL is actively working to improve data entry to ensure accurate performance is reported and to mitigate any potential negative impacts. With the onset of the COVID-19 pandemic in March of 2020, there is an even larger concern for gathering these outcomes from customers.

NYSDOL staff has developed and delivered extensive trainings in the form of in-person, webinars, and guides for local staff on proper data entry and its importance in calculating these measures. NYSDOL is also working with local staff to ensure they understand the quarterly reports of individuals included in these measures and are performing the appropriate outreach to collect and data enter this information.

## **D. COMMON EXIT POLICY**

NYSDOL has implemented a functional alignment policy for the Title I and Title III programs. Individuals 18 years of age or older who receive a service from a Career Center must be enrolled as a WIOA Adult, DW or Youth and are considered participants in both the WIOA Title I and Title III Wagner-Peyser (WP) programs. Any participant who receives services funded in whole or in part from the WIOA Title I, Title III WP, Veterans Employment and Training Service (VETS), or Trade Adjustment Assistance (TAA) programs, sequentially or simultaneously, will be counted as a participant in each program, and will share a common “date of participation” and a common “date of exit” for federal reporting. Both Title I and Title III WP follow this common exit policy. If a participant receives services from multiple programs, the common date of exit for reporting on each program is the end date of the most recent service across all programs. Participation in any one program extends across all programs that share a common enrollment. Customers who do not receive a service within 90 days will exit enrollment effective the date of last service.

## **E. NEGOTIATED PERFORMANCE LEVELS FOR LOCAL AREAS FOR PROGRAM YEARS 2018-2019**

For PYs 2018 and 2019, negotiated performance goals were established for Local Areas using the Statistical Adjustment Model. Proposed and negotiated performance goals for the Local Areas are found on the WIOA Primary Indicators of Performance page on the NYSDOL website.

NYSDOL is in the process of negotiating PY 2020 and PY 2021 performance goals with the LWDBs.

## **F. DATA VALIDATIONS AND DATA INTEGRITY**

Now that the annual USDOL Data Element Validation (DEV) review is discontinued, to ensure data validations and data integrity, NYSDOL continues its annual Adult, DW, Youth, and TAA program monitoring reviews of NYS’s 33 LWDBs. These annual program monitoring reviews include DEV reviews of sampled One-Stop Operating System (OSOS) case management participant records and files, with findings and required actions made, and technical assistance provided, as necessary to improve compliance. Program monitoring was delayed in 2020 due to COVID-19 and the need for monitoring staff to assist with the unprecedented need for UI and Pandemic Unemployment Assistance (PUA) benefits. Once program monitoring staff return to regular duties, DEV reviews will recommence.

## **IV. WAIVERS**

### **A. WAIVERS IN PLACE FOR A LEAST ONE PROGRAM YEAR**

In PY 2018, NYS received approval for one USDOL waiver to support workforce development activities and maximize the effectiveness of state-level funds: Waiver of the requirement at WIOA Sec. 129(a)(4)(A) and 20 CFR 681.410 that states expend 75% of all Governor's reserve funds on out-of-school youth (OSY). This waiver remained active throughout PY 2019.

This waiver assists NYS in continuing to provide high-quality services to all youth by allowing NYS to maximize the use of state-level funds on targeted In-School Youth (ISY) programs without compromising the WIOA goal of 75% Youth expenditures on OSY. This is being done by leveraging the OSY funds expended by the LWDBs in NYS against ISY programs developed by NYS and funded with state-level discretionary dollars. When pooled in this manner, the OSY funding expended at the Local Area level covers the 75% requirement, allowing the state to issue ISY RFPs without having to also issue OSY RFPs for three times the amount.

### **B. PROGRESS TOWARD ACHIEVING THE GOALS AND PERFORMANCE OUTCOMES IN ETA APPROVAL LETTER AND/OR STATE'S APPROVAL REQUEST**

The additional flexibility in the use of state-level discretionary funds has allowed NYS to issue three RFPs under the OYCEA initiative. These grants provide career exploration services to ISY who are at least 14 years old at the time of program enrollment, are attending or enrolled in school, and are authorized to work or otherwise able to obtain authorization to work.

The first OYCEA grant offered up to \$3M to serve youth in both Nassau and Suffolk counties on Long Island, covering three Local Areas. The second grant offered up to \$1M to serve youth in the city of Albany. The third grant offered up to \$1M to serve youth in the city of Syracuse. Interest in the OYCEA grants has exceeded NYSDOL's expectations in Long Island and Syracuse, leading to available funding increases in the amounts of \$715,852 and \$696,502 respectively.

### **C. IMPACTS ON STATE AND LOCAL AREA PERFORMANCE OUTCOMES, IF ANY**

OYCEA participants are funded via state-level discretionary funding, and therefore are included in state-level performance only. Individuals exiting the programs were included in the Primary Indicators of Performance in PY 2019 and in general OYCEA participants outperformed the general WIOA Youth population in NYS. There is no impact on Local Area performance.

### **D. ANY AVAILABLE QUANTITATIVE INFORMATION**

Through the OYCEA grants, NYSDOL has awarded \$6,253,852 to 22 contractors. In Long Island, \$3,715,646 has been awarded to 13 contractors. In Albany, \$841,704 has been awarded to three contractors and in Syracuse, \$1,696,502 has been awarded to six contractors. To date, the OYCEA grants have served a total of 1,539 youth.

### **E. WAIVERS IN DEVELOPMENT/AWAITING REVIEW**

NYS does not currently have any waivers in development.

## **V. EFFECTIVENESS IN SERVING BUSINESSES**

The WIOA Interagency Team's Business Engagement workgroup focuses on the development of a common system for agencies to track their engagement of businesses. Since its inception, the workgroup has strived to collaborate more closely at both the local and state levels to ensure all partners are included in the RBSTs and coordination of activities related to engaging businesses. The group focused on aligning cross-agency services for the purposes of federal reporting, utilizing OSOS for tracking all cross-agency services to business, and identifying key performance measures for engaging businesses.

NYS is utilizing the following methods to report on the Effectiveness in Serving Businesses:

### **A. REPEAT BUSINESS CUSTOMERS**

This measure looks at the percentage of repeat business customers and will be based on the total number of business establishments that received and utilized a service anytime within the prior three years. During PY 2019, NYSDOL reported a repeat business customer rate of 67%.

### **B. BUSINESS PENETRATION RATE**

This measure looks at the percentage of businesses using services out of all the businesses in NYS. During PY 2019, NYSDOL reported a business penetration rate of 3.4%.

### **C. OTHER MEASURES/METRICS USED TO ASSESS EMPLOYER ENGAGEMENT**

Additional business engagement activities are recorded by NYSDOL staff in the OSOS case management system. OSOS provides a location to store key information that will improve the effectiveness of contact with that business. Services have been added in OSOS for core partners to record business engagement activities throughout NYS, ensuring streamlined outreach with minimal duplication of efforts. NYSDOL, NYSED's Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR), OCFS/NYSCB, and Local Business Engagement staff are encouraged to meet locally to discuss outreach efforts and determine the most effective manner of engaging businesses.

Successful engagement is evidenced by the multitude of businesses posting their jobs on the NYS Job Bank, which maintains a daily average of more than 216,000 job openings.

## **VI. CUSTOMER SATISFACTION**

### **A. INFORMATION USED FOR ONE-STOP CERTIFICATION**

NYSDOL's approach to customer satisfaction is to allow LWDBs to implement their own processes catered toward their Local Area and the populations being served. All 33 LWDBs have indicated that a customer feedback process is in place and utilized. This was verified by NYSDOL through the Career Center Certification process where one of the several required continuous improvement components of the Career Center Certification process is having a customer feedback process in place.

### **B. METHODOLOGIES**

NYSDOL has placed a priority on embedding a customer service focus into the service delivery model for both job seekers and businesses. The programs offered to job-seekers in the Career Centers all follow a continuous engagement model. Traditionally customers are continuously invited into the Career Center for a variety of services including one-on-one appointments, workshops, on-site recruitments, and mini job fairs. With the onset of the COVID-19 pandemic, the workforce system has been limited to providing services virtually to customers. One-on-one appointments are being conducted via a Virtual Contact Center solution to ensure customers in need of assistance receive these services. Continuous engagement and individualized case management allow staff to provide the necessary services to customers while giving customers multiple opportunities to provide feedback which leads to customer satisfaction. Staff are evaluated on the services provided to their customers and Center managers use individual level performance data to provide consistent feedback. This ensures customers receive the necessary services to help them reach their employment and training goals.



## VII. EVALUATION AND RELATED RESEARCH PROJECTS

### A. WEEKLY/MONTHLY REPORTS

NYSDOL produces several weekly and monthly reports designed to evaluate the programs, initiatives, and solicitations implemented under WIOA Title I and III in NYS.

NYSDOL responds to a substantial volume of LWDB reporting requests on a quarterly, monthly, and ad-hoc basis. Reports provided include aggregate and individual reporting on performance; cohort demographics and characteristics; services; and outcomes to assist Local Areas with developing more effective service strategies.

NYSDOL focuses efforts on serving customers with barriers to employment. One of the special populations NYSDOL prioritizes are justice-involved individuals. The Work for Success (WFS) report shows the number of formerly incarcerated participants in NYS that were served or hired during specific timeframes. The report also shows NYS job development with businesses interested in hiring WFS participants. Lastly, the report shows services and employment outcomes for justice-involved individuals referred to NYSDOL by the NYS Department of Corrections and Community Supervision (DOCCS) in several pilot locations including Albany, Buffalo, Syracuse, Bronx, Brooklyn, and both Nassau County (Hicksville, Hempstead, and Massapequa) and Orange County (Middletown and Newburgh).

NYSDOL actively operates several USDOL funded grants. Programmatic narrative reports are submitted to USDOL on a quarterly basis describing project activities related to grant goals and objectives. The grants, as well as the information submitted in the reports are:

- DEI: The report includes the number of youth with disabilities served; services provided; training outcomes; employment outcomes; the Social Security Administration's Ticket to Work Program outcomes in NYS; and system change/capacity building activities;
- Opioid NDWG: The report includes a summary of grant progress including anticipated participants served versus actual, and total grant allocations versus accrued expenditures; challenges and concerns; next steps and key areas of emphases planned for the project; development and implementation of effective practices and program model strategies; strategic partnership activities; business engagement strategies; key issues and technical assistance needs; significant activities, accomplishments, and success stories; and evidence and evaluation. Reports are also compiled by NYSDOL on a bi-weekly basis and reviewed by management to track grant progress;
- The Trade and Economic Transition (TET) NDWG: As it is an NDWG, the TET-NDWG has the same reporting requirements as the Opioid NDWG above including internal bi-weekly reports compiled by NYSDOL staff and reviewed to track grant progress and outcomes;
- The COVID-19 Disaster Recovery (DR) NDWG: As it is an NDWG, the COVID-19 DR NDWG has the same reporting requirements as the Opioid and TET NDWGs above; and
- The Fidelity Bonding Demonstration Grant: The report includes cumulative bonds purchased within a quarter; the number of bonds issued within a quarter; any issues or concerns related to grant implementation; and outreach, education, and marketing activities directed to stakeholders within the state regarding the Federal Bonding Program.

## VIII. ACTIVITIES PROVIDED BY STATEWIDE FUNDS

### A. RAPID RESPONSE ACTIVITIES AND LAYOFF AVERSION

The NYSDOL Rapid Response Program functions as part of the Career Center System, working cooperatively with LWDB Directors and Career Center managers, to serve affected workers before layoffs occur. NYSDOL Rapid Response is alerted when businesses submit a WARN Act notice to NYSDOL 90 days in advance of layoffs. The program also receives alerts regarding upcoming or sudden layoffs via Career Center leads, Contact Center customer inquiries, media reports, and other business intelligence. At that time, follow-up is made with the business for planning intensive job placement assistance. These alerts are initially categorized as Expeditious Response and are sometimes recategorized as Rapid Response if the layoffs trigger the WARN threshold.

NYS's Rapid Response Program saw an increase in the number of WARNs received and an increase in the number of attached affected workers as filed in PY 2019 compared with PY 2018, most likely due to the COVID-19 pandemic:

- 1,433 WARNs (+417%) impacting 194,016 affected workers (+605%).

Regarding Expeditious Response (non-WARN) service opportunities identified, NYS experienced a decrease in the number of accounts and attached affected workers in PY 2019 compared with PY 2018:

- 133 accounts (-36%) impacting 5,847 affected workers (-25%).

Rapid Response is initially focused on layoff aversion by advising the downsizing/closing business of the Shared Work Program, which is discussed in more detail later in this Section. When layoffs cannot be averted, onsite service orientations are scheduled for customer registration in OSOS and messaging. This includes:

- Providing intensive 1:1 job placement assistance;
- Issuing customized job lead templates for customers' initial consideration based on WARN job titles attachment (continuous customer engagement job leads follow);
- Providing ongoing job lead templates as the customer relationship evolves;
- Developing a skill-based resume;
- Advocating to a hiring business on the behalf of a customer who submitted an employment application;
- Coaching employment interview techniques based on an upcoming job interview;
- Alerting for upcoming recruitments and job fairs (also, introduce customers to specific businesses strongly interested in the labor pool);
- Sharing business and customer testimonials;
- Discussing local Career Center services available;
- Sharing basic information on filing a UI claim; and if an anticipated need, use of a remote UI content expert available to answer technical questions; and
- Arranging for a NYS Marketplace Navigator to present affordable health care options.

As identified in Section I.B., the Rapid Response unit is part of NYSDOL's Business Engagement team. Plans of service are initially drafted for downsizing/closing businesses and are subject to modification based on continuing discussion with HR management. Alignment with sector strategies is a point of emphasis toward brokering the labor pool with businesses in expansion mode. The NYSDOL Rapid Response unit and NYSDOL Business Services unit regularly communicate about the Rapid Response customer skill sets and work experience to identify appropriate job leads in addition to conducting dedicated job fairs.

Business prospecting research tools and methods used by Rapid Response include, but are not limited to:

**Prospecting hiring businesses:**

- Quarterly Expanding Businesses Report;
- NYS Employment Graph indicating hiring trends;
- Internet mining;
- Ongoing interaction with Business Services and Career Center staff; and
- Leads as provided by served customers.

**Prospecting downsizing or closing businesses:**

- Quarterly Contracting Business Report;
- Quarterly Dun and Bradstreet Distressed Business Report;
- Internet mining;
- Leads as provided by customers calling the NYSDOL Contact Center; and
- Early Warning Report.
  - New regular UI Benefit Claims, by region and firm single-site establishment firms, with five or more current week claims in NYS, referencing current week and seven previous weeks trend.

Daily goals are established for Rapid Response staff to outreach businesses and customers. However, during a portion of PY 2019, Rapid Response staff were unable to perform daily outreach due to COVID-19 and had to pivot from in person orientations to virtual ones. Virtual orientations consist of a presentation on services that could be provided to support the many individuals whose jobs were impacted by the pandemic. The virtual platform provides a safe and convenient way for staff to connect with affected employees and provide job leads. The virtual orientations have also been a way for Rapid Response to communicate information on the NYS Healthcare Market Place and updated information on UI benefits.

Results are shared weekly with Rapid Response's ten regional units (20 field staff). During PY 2019, service activities produced:

- 4,250 unique businesses engaged;
- 6,607 unique number of total customers engaged;
- 5,871 unique total customers engaged (number attached to Rapid Response/Expeditious Response accounts); and
- 1,232 placements.

TAA is also highly considered when there is a possibility of layoffs due to foreign competition (directly or indirectly). Benefits to a customer when a petition is certified by USDOL include:

- Job training (classroom, online, on-the-job training and apprenticeship);
- Income support payments;
- Job search and moving allowances;
- A tax credit to help pay for health insurance; and
- A wage supplement for customers age 50 or older, who return to work at a lower pay rate.

Rapid Response asks the business key fact finding questions to determine if a TAA petition should be filed with USDOL:

- Is the company doing business in other countries? If yes, where?
- Has the company recently been sold or purchased by another company that does the same or similar type of work? If yes, who?
- Do they compete with products /services from other countries? If yes, who and/or what?
- Does the worker know the name(s) of their competitors? If yes, who?
- Has the worker trained replacement workers based in other countries prior to the layoff? If yes, what countries?
- Has the worker or co-workers traveled to other countries to train workers? If yes, what countries?

During PY 2019, TAA petition activity included 65 filed petitions of which 47 were certified, 7 were denied, and 11 are under consideration or terminated (e.g., affected workers covered by a previously certified petition or a petition withdrawn from consideration).

### **LAYOFF AVERSION – SHARED WORK PROGRAM**

When a business downturn occurs, the Shared Work Program is a way to retain the valued workforce without incurring layoffs, thereby sparing the expense of recruitment when business improves again. Plans can be submitted online to the NYSDOL's UI Division and approval is granted/denied within one to two business days.

Rapid Response staff assists with actively promoting use of the Shared Work Program to distressed businesses. A business may submit a Shared Work plan even if it has already submitted a WARN Act notice.

Highlights of the Shared Work Program include:

- The business has the flexibility to determine which employees (Shared Work claimants) will be on the plan and how much their hours will be reduced (between 20% and 60%). If the needs of the business change, the plan can be amended;
- Employee benefits remain intact, unless reduction or elimination also occurs for the entire workforce;
- Employees included on a plan can be full-time, part-time, temporary, or seasonal;
- A plan can include as few as two employees; and
- Shared Work applications can be submitted online.

During PY 2019, 2,724 Shared Work plans were approved to begin, and 50,932 participants were registered. This represents an increase of 672% and 1,484%, respectively, when compared on a statewide basis with PY 2018 that saw 405 Shared Work plans approved with 3,432 participants.

NYS's unemployment rate (seasonally adjusted) increased to 15.6% by June 2020 compared to 3.9% in June 2019. These increases in both Shared Work and unemployment are largely attributed to the effects of COVID-19.

### **B. ACTIVITIES PROVIDED UNDER THE WAGNER-PEYSER ACT EMPLOYMENT SERVICE SECTION (7B)**

NYSDOL is responsible for the delivery of federally funded WP services (otherwise referred to as Employment Service programs), in coordination with other workforce partners and their programs through the Career Center System. These responsibilities include:

- Maintaining and strengthening the public labor exchange through the operation of a central, statewide job bank and talent bank matching system;
- Providing Reemployment Services for UI customers; and
- Providing service to special target populations.

All adult customers served by Career Centers must be co-enrolled in WP and WIOA. Each of the 33 LWDBs developed a local plan outlining how Career Center service delivery is integrated across all programs. During PY 2019, 264,312 individuals were provided Staff Assisted Services in the Career Centers and 856,852 individuals accessed self-service offerings.

Statewide policy establishes standards for the effective use of customer assessment in the Career Center System. In the policy, Career Center customers across NYS are required to receive an initial assessment to determine whether the customer requires Job Search Ready Services or Career Development Services. This policy emphasizes the value of providing quality job leads and referrals to customers to speed their entry into employment. It also emphasizes the value of identifying customers in need of a more comprehensive assessment to make informed decisions about the Career Development Services needed by the customer.

To help supplement the WP program, NYS administers the Reemployment Services and Eligibility Assessment (RESEA) program to serve UI claimants profiled as likely to exhaust benefits. RESEA is framed around four major customer service principles intended to provide intensive case management and a heightened level of services to UI claimants – expeditious entry into the System, assessment/identification of needs, individual reemployment plans, and continuous engagement.

The RESEA program, which follows a calendar year reporting period, operates in 65 select Career Center locations in all 33 Local Areas and all ten economic development regions of NYS. The program design has been shown to increase RESEA participants' competitive advantage by returning claimants to work earlier than non-RESEA claimants. NYS received just over \$26M in 2020 RESEA funding, and \$24M in 2019.

## **C. NATIONAL DISLOCATED WORKER GRANTS (DWGS)**

### **DISASTER DISLOCATED WORKER GRANT – HURRICANES IRMA AND MARIA (DWG-MARIA)**

In February 2018, USDOL conditionally awarded NYSDOL up to \$10M in DWG funding for response to the impact in NYS for the Hurricanes Irma and Maria Evacuees. The initial incremental award was for \$1M.

NYSDOL released this \$1M in DWG funds through an RFA on July 13, 2018. The funds were available to applicants located in areas of NYS with significant populations of Puerto Ricans, including Broome County; Erie County; Long Island; Monroe County; Montgomery County; New York City; Onondaga County; and Tompkins County. These areas were chosen to align with Census in-migration data as potential sites of relocation for Puerto Ricans leaving the island because of Hurricane Maria. NYSDOL has made seven awards totaling \$642,285 under this RFA, which closed on June 30, 2020.

### **TRADE AND ECONOMIC TRANSITION - NDWG**

On September 16, 2018 NYSDOL was awarded an \$8M TET-NDWG by USDOL. These funds were made available to address the economic and workforce challenges NYS faces due to globalization and advances in technology. NYSDOL partnered with 31 LWDBs to develop the state's application for funds (only Saratoga/Warren/Washington and Yonkers LWDBs are not participating).

Upon receipt of the award NYSDOL distributed the funds to the LWDBs to coordinate the provision of career, training, and supportive services to approximately 6,575 eligible DWs. The funds will be administered by the LWDBs with monitoring and reporting oversight provided by NYSDOL throughout the period of performance (October 1, 2018 - September 30, 2021).

### **NATIONAL HEALTH EMERGENCY PHASE TWO: OPIOID NDWG**

On January 16, 2019 NYSDOL was awarded up to \$5,591,446 in Opioid NDWG funds, with an initial increment of \$1,863,815 available for immediate use. USDOL made these funds available to address the economic and workforce challenges faced by NYS residents and communities impacted by the opioid crisis. NYSDOL partnered with 12 LWDBs (Columbia/Greene, Dutchess, Finger Lakes, Hempstead/Long Beach, Herkimer/Madison/Oneida (HMO), Monroe, North Country, Onondaga, Orange, Suffolk, Sullivan, and Westchester/Putnam) to document the impact and need for NDWG funding. Upon receipt of the award NYSDOL distributed the funds to the LWDBs to coordinate the provision of services to approximately 701 eligible participants. Allowable services include career, training, and supportive services. Additionally, funds may be used to provide subsidized disaster relief employment to participants. Although Opioid-NDWG services are available to all DWs within the Local Area, additional training opportunities are available to those that voluntarily disclose qualifying opioid impacts.

The LWDBs are responsible for the administration of program funds, with NYSDOL providing oversight and reporting. Additional funding increments will be made available as NYS meets expenditure targets. These funds will be released to the LWDBs as available and needed to support program activities throughout the December 1, 2018 - December 31, 2021 performance period.

## **COVID-19 DISASTER RECOVERY NDWG**

On April 15, 2020 NYSDOL was awarded a \$12M COVID-19 DR NDWG by USDOL. These funds were made available to assist the hardest-hit sections of the US to recover from the swath of worker dislocations in the wake of the global COVID-19 pandemic. The COVID-19 NDWG will serve each of the 62 counties in NYS through a partnership with the NYS Department of Health (DOH). Funds will support program activities throughout the April 10, 2020 - March 31, 2022 period of performance.

Through a Partnership Memorandum of Understanding, NYSDOL will make the \$12M award available to DOH to support the statewide Contact Tracing initiative to help mitigate the impact of the COVID-19 emergency within the state. Funds will support disaster-relief employment for eligible individuals hired into the following job titles (note this list is subject to modification): (1) Contact Tracer; (2) Contact Tracer Team Supervisor; and (3) Community Support Specialist. Those hired will contact infected individuals and notify others with whom they may have been in contact during their infectious period in order to mitigate the spread of the virus and assist NYS in effectively reopening its economy. DOH is currently operating the state's Contact Tracing initiative, which intends to hire 30 Contact Tracers for every 100,000 residents of the state. With a population of over 19 million in NYS, an estimated 5,700 Contact Tracers will be needed. Funds awarded under this NDWG are expected to support a total of 609 disaster-relief employees for an average length of 550 hours per employee.

## **D. TECHNICAL ASSISTANCE NEEDS OF THE NYS WORKFORCE SYSTEM**

NYSDOL continues to provide training and capacity-building activities and technical assistance to NYS's workforce development and Career Center System. Training opportunities are provided to all levels of workforce professionals, from NYS and LWDB members, to front-line direct service delivery staff in the Career Centers, program providers, and stakeholders. Capacity-building activities will continue to be delivered to workforce professionals statewide through a variety of methods including videoconferencing, conference calls, webinars, classroom training, and WIOA Interagency Partner meetings.

Training needs throughout NYS are regularly assessed through continuous communication and analysis of performance data. Trainings are developed based on the identified need. NYSDOL also maintains a Programs and Tools for Workforce Professionals page on the NYSDOL website which includes guides for a multitude of programs, appropriate data entry practices, and fact sheets.

## **E. AT-RISK AND PRIORITY POPULATIONS SERVED**

### **Out of School Youth (OSY);**

- NYS continues to build capacity of Local Areas to help retain OSY. This year, youth providers have built their capacity to provide virtual services to youth. In addition, providers were trained on (1) noticing domestic and social media violence experienced by youth and offering trauma informed practices; and (2) financial literacy services to youth. NYSDOL is developing trainings and resources to onboard new WIOA youth staff at the Local level.

### **Low-income adults;**

- As required in WIOA, low income adults are given priority for career and training services in Career Centers.

### **Dislocated workers;**

- As described previously, NYSDOL is currently operating three NDWGs: the TET-NDWG, the Opioid NDWG and COVID-19 Disaster Recovery NDWG. All provide career, training, and supportive services to DWs, including those who have been affected by the opioid crisis.

### **Individuals who are basic skills deficient;**

- Local areas have explored and implemented various valid and reliable assessments to determine basic skills deficiency of individuals instead of using rigorous National Reporting System approved tests, so providers can offer tests that are relevant to the customers need and capacity.



### **Individuals with limited language proficiency;**

- Individuals with limited language proficiency receive language assistance to access Career Center services. Language interpretation services are provided in more than 200 languages and vital documents are translated into the seven most commonly spoken languages in NYS. Information on these services is provided in Technical Advisory #17-2.1: Language Interpretation Services Available at Career Centers.

### **Individuals with disabilities;**

- Since 2010, NYS has been awarded four rounds of DEI competitive grants to place specialized staff in Career Centers. These specialized staff members, called Disability Resource Coordinators (DRCs) are responsible for increasing the capacity of Career Center Career Pathways Programs to better serve people with disabilities. Additionally, DRCs are responsible for promoting the US Social Security Administration's Ticket to Work Program – and connecting customers to the New York Employment Services System (NYESS) Administrative Employment Network via their Career Center. On October 1, 2017, NYSDOL was awarded a Round 8 DEI grant for \$2.25M. This most recent Round of funding places a strong emphasis on improving employment and training outcomes for youth (ages 14-24) with disabilities. This three-year capacity building project has conducted activities through September 30, 2020. A total of 455 youth with disabilities were served from October 1, 2017 through September 30, 2020. A total of 307 youth received core services. 127 youth with disabilities completed career pathways training in high demand industries including health care and manufacturing and 124 youth received industry-recognized credentials.
- Currently there are 17 DRCs providing capacity building coverage to 22 counties in NYS. Three DRCs are employed through the current round of DEI funding. Through sustainability efforts under previous rounds of DEI, NYESS has established rolling contracts with five LWDBs to staff five DRCs in their Career Centers. Finally, nine DRCs from previous rounds of funding are still employed by their county/LWDB on a local level.
- By 2020 all NYS Career Centers will be equipped with a range of assistive technology that includes text scanning and reading software for individuals who are blind or visually impaired, adaptive computer systems, and accessible workstations. Statewide rollout and staff training on use of the technology is underway and will continue as needed.

### **Veterans;**

- Veterans' services in NYS are delivered through the Career Centers either under priority of service or through the Jobs for Veterans State Grant (JVSG). A total of 65 Disabled Veterans' Outreach Program Specialists (DVOPs) and Local Veterans Employment Representatives (LVERs), funded through the \$8.3M JVSG, are located in NYS Career Centers. DVOPs only serve those veterans and eligible spouses with significant barriers to employment (SBE), ages 18-24, Vietnam Era veterans, or other veterans as defined by the Secretary of Labor. Veterans not eligible to meet with a DVOP are served on a priority basis by other Career Center staff. During PY 2019, a total of 11,274 veterans were served, with 3,142 of them (28%) being served by DVOPs. LVER staff's primary functions are to advocate for the hiring of veterans, as well as conduct job matching, job placement and business outreach on behalf of all veterans served by their Career Center. The DVOP specialist service delivery model provides early intervention, services tailored to individual veteran needs, and expedited referral of veterans who need additional assistance to services available within the System. Through a continuous engagement of one-on-one appointments and between appointment contacts, veteran customers receive a comprehensive assessment, an individual employment plan, and customized job search support by a DVOP specialist. Veteran customers are provided with resume assistance, career guidance, coaching, job leads, and referrals to ensure suitable job placement. The DVOP specialists and LVER staff coordinate their services for a thorough and holistic approach.

### **Long-term unemployed;**

- NYS developed the Strikeforce initiative, first identified in Section II.A. of this report, to help job seekers in areas suffering from high unemployment or high poverty. The Strikeforce initiative aligns NYS Career Center and NYSDOL Business Services staff to provide services and job referrals to



Long Term Unemployed (LTU) and low-income customers. Customers are provided with intensive services including a skills assessment, resume development, job leads, and labor market and training program information.

- NYSDOL Business Services staff outreach to businesses with job opportunities that align with the targeted LTU customers. The purpose of this outreach is to build relationships with area businesses and increase the number of employment leads for customers, as well as customize recruitments and targeted career fairs, and create multiple opportunities to connect qualified candidates with businesses.

## **OTHER INDIVIDUALS WITH BARRIERS TO EMPLOYMENT, INCLUDING:**

### **Justice-involved individuals:**

- NYSDOL administers USDOL's Federal Bonding Program (FBP) in NYS to provide fidelity bonds to businesses which protect them from losses caused by the fraudulent or dishonest acts of "high risk" employees. Businesses receive the fidelity bonds free-of-charge, as an incentive to hire these applicants. Each bond provides \$5,000 worth of coverage and has a \$0 deductible. The maximum amount of coverage that can be provided to a business is \$25,000 (five bonds). Fidelity coverage is free and lasts for six months. In most situations, the coverage can be renewed with the business for an additional six months at no charge. During the period of July 1, 2019 - March 16, 2020, NYSDOL issued bonds to 8 businesses at a total of \$80,000 coverage. From March 17, 2020 - June 30, 2020, NYSDOL did not issue any fidelity bonds to businesses due to the shutdown caused by COVID-19. During this time however, job seekers, community-based organizations, and businesses continued to request information about the FBP.
- NYSDOL regularly provides trainings via calls or webinars to new Local Bonding Coordinators on how the program is administered. The last training was delivered on March 13, 2020.
- On June 14, 2019, NYSDOL was awarded a four-year Fidelity Bonding Demonstration Grant (FBDG) from USDOL in the amount of \$100,000. Through this funding, NYSDOL purchased \$4,000 of fidelity bonds to assist individuals with criminal records, including individuals recovering from Opioid and other drug addictions, in obtaining employment. This grant also provides funding for the marketing of the FBP to a variety of stakeholders within NYS. The FBDG concludes on June 30, 2023.
- Governor Andrew M. Cuomo created the Work for Success program (first identified in Section VII. A. of this report) and NYSDOL developed a pilot program to implement it, working in conjunction with community-based organizations and DOCCS to promote and increase the employment of formerly incarcerated individuals. Career Centers provide Work for Success liaisons, known as Reentry Employment Specialists, who assist jobseekers in overcoming barriers to employment due to incarceration, as well as matching formerly incarcerated individuals to job openings. RBSTs are working to educate businesses on the program's incentives and providing job development services. As a result of staff outreach, more than 25,000 businesses have hired eligible candidates since the program started in March 2013, and more than 87,000 jobs have been obtained by program participants. In light of the COVID-19 pandemic activities under Work for Success have slowed dramatically, yet the increases since the beginning of PY 2019 (i.e. 4,000 businesses hiring and 19,000 jobs obtained) remain promising.

### **Displaced Homemakers:**

- NYSDOL administers the NYS Displaced Homemaker program, which is funded with \$1.62M in non-federal, state funds. In 2020, NYSDOL issued funding to ten organizations in Albany, Bronx, Brooklyn, Nassau, Oneida, Schenectady, Schoharie, Suffolk, Tompkins, and Westchester counties. Additionally, under WIOA displaced homemakers are considered DWs. This makes them eligible for all DW services available under WIOA, including, but not limited to: career pathway development and counseling; help applying for jobs with interview preparation, resume, and cover letter writing; job search strategies, readiness, and referrals; career and computer workshops; information about training and educational services; and referrals to supportive services to address needs such as childcare, medical, housing, transportation, and financial literacy. In total, 1,447 Displaced Homemakers were served during PY 2019.

## **At Risk and Priority:**

### **In-School Youth residing in gang prevalent areas**

- Three OYCEA RFPs were released in 2018 for service providers in the City of Albany, the City of Syracuse, and specific communities in Nassau and Suffolk counties. The funds provide career exploration and supportive services to youth. Twenty-two organizations were awarded grants of up to \$300,000 of WIOA funding, totaling to \$6.3M.

### **Homeless LGBTQA+ Out of School Youth**

- The HOME2 grant program was funded to assist out of school and unemployed homeless, primarily Lesbian, Gay, Bisexual, Transgender, Questioning or Queer, Asexual, + (LGBTQA+) youth, to gain meaningful employment that leads to a self-sufficient and independent lifestyle. These youth were offered opportunities to explore careers, build life skills, receive occupational skills training, complete high school equivalencies, place in internships, enroll in colleges and receive housing and supportive services. Businesses, vocational training providers and other partners were engaged to make the program a success. Since the inception of the program 330 youth have been served through the HOME2 grant program.

### **Individuals living with Human Immunodeficiency Virus (HIV) and Acquired Immunodeficiency Syndrome (AIDS):**

- A successful outcome under a previous round of the DEI was the development of a curriculum entitled: “Serving People Living with Human Immunodeficiency Virus (HIV): A Training for Employment Services Providers.” This three-hour training was developed in partnership with DOH’s AIDS Institute and Working Positive Coalition to prepare employment services providers to deliver sensitive services to the diverse population of people who are living with HIV in NYS. With the help of NYSDOL’s Title IV partners, this curriculum was repurposed to be applicable to any population that faces stigma. Further, the good work that facilitated the creation of this training also influenced DOH’s AIDS Institute to adopt similar best practices under various rounds of DEI, such as convening local level workgroups, and the importance of making free benefits advisement services available to job seekers collecting Social Security, or other public benefits.

## **F. CHALLENGES THE NYS WORKFORCE SYSTEM FACES**

The largest challenge the System will face in PY 2020 is recovering from the COVID-19 pandemic and providing innovative services to New Yorkers most severely impacted by the corresponding economic downturn. As discussed in Section IA, to do this NYSDOL is securing a platform for implementing a Virtual Career Center and virtual job fairs. This platform will allow NYSDOL to provide high quality services to both business and job seeking customers in an entirely virtual manner. The Virtual Career Center will include a suite of tools, resources, and applications that will enhance customer service and increase the effectiveness of services provided. Once implemented, the Virtual Career Center will fully integrate with OSOS enabling NYSDOL to continuously track and assess services provided and outcomes for customers.

NYS has three sub-county level Local Areas: Yonkers, Hempstead/Long Beach, and Oyster Bay. Additionally, Yonkers Local Area sits fully inside the Westchester-Putnam Local Area. These sub-county areas make it difficult to apply the Statistical Adjustment Model to these four Local Areas when establishing Negotiated Local Area goals and when determining Adjusted Local Area goals after the program year has concluded.

An additional and significant challenge the NYS System faces is the absence of one unified case management system for all partners to use. The reporting requirements under WIOA are difficult at best because each core partner uses a different system to collect and report data. These systems do not communicate with one another making collecting and aggregating data from multiple partners challenging. The WIOA Data Integration workgroup was established to address data and reporting challenges and determine a strategy moving forward. This group met regularly in PY 2019 prior to the COVID-19 pandemic, has data sharing agreements in place to share wage data among partners, has

been examining how other states share and report participant information, and will continue to work toward determining a solution. The WIOA Business Engagement workgroup has also addressed this using OSOS for tracking business engagement activities across multiple core partners.

With the passage of the NYS Gender Expression Non-Discrimination Act (GENDA) in 2019, and the increased prevalence of individuals disclosing that they are LGBTQA+, as well as non-binary and gender-non-conforming (GNC), it is now more important than ever to address staff capacity to serve these individuals. The Career Center system is often the first place an individual from the LGBTQA+ community walks through to access services as they transition to employment. This is a critical time. Many of these individuals have faced stigma, discrimination, and trauma. One bad experience at a Career Center has the possibility to turn an individual away from the System, denying them access to the critical services they need to walk the road to work. Workforce staff must be prepared to serve these individuals from a position that is inclusive, well-informed, and sensitive to their diverse needs, and NYSDOL will train staff in the coming year.

## **G. STRATEGIES/POLICES RELATING TO PAY-FOR-PERFORMANCE CONTRACTING**

NYSDOL was a recipient of the \$12M Workforce Investment Act (WIA) Pay-for-Success Pilot Project Grant to serve formerly incarcerated individuals which ran from October 1, 2013 – September 30, 2017. This Pilot Project also included a second non-federally funded phase for services which ran through September 30, 2018. This experience informed our strategies and policies relating to Pay-for-Performance contracting initiatives including those funded with state-level and local-level WIOA funds and non-federal funds. To date, NYSDOL awaits additional guidance from USDOL on how to implement WIOA Pay-for Performance contracting. In early 2020, NYSDOL made two awards totaling \$1,140,000 under a non-federally funded Pay for Success Pay-for-Performance initiative in collaboration with the Governor’s Office of Workforce Development, but contract development was delayed due to COVID-19 and preliminary negotiations on outcomes are still underway.

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