

# WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

## Annual Statewide Performance Report Narrative

*Program Year 2020*

**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.

A discussion of PY 2020 cannot take place without discussing the major effects of the COVID-19 pandemic. Beginning in mid-March 2020, NYS experienced a heavy impact due to 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 in turn led to the largest number 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 PY 2019 and into much of PY 2020.

The COVID-19 pandemic 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 now remain open in only a limited capacity. In response to this, NYS explored virtual platforms to be used to serve customers and is currently piloting a Virtual Career Center (VCC) 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 is inclusive of the following:

- **Virtual Meetings and Events Tool** – Virtual one-on-one appointments, small-group appointments, and large-scale workshops and presentations are conducted via video and audio chat providing customers throughout NYS with quality services without the need to come into a Career Center;
- **Virtual Career Fairs** – Large-scale career fairs are 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 provides unemployed New Yorkers with the training and tools to upskill and reskill in order to find the right job and career pathway in a post-COVID-19 workforce environment; and
- **Enhanced Job Search** – Increases and leverages machine learning and artificial intelligence to provide customers targeted job matches that align with their skills and experience.

To achieve customer service goals 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. 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 have been released or re-released across core programs that provide priority in scoring to applicants planning to serve individuals with barriers to employment. This includes the Consolidated Funding Application Workforce Development Initiative (CFA WDI), launched in PY 2018, providing up to a total of \$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.

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), continued 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:

- **Training and Assistance Workgroup (TAG)/Accessibility Workgroup** – 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, and identifies opportunities for skills building across partners;
- **Business Engagement Workgroup** – 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** – Develops the four-year NYS Combined Plan and required two-year modification;
- **Data Integration Workgroup** – Tasked with determining how NYS can best comply with WIOA's requirement for integrated data reporting. System partners continued to meet throughout PY 2020 to develop a statewide unique identifier and determine a method to best share and combine agency data;
- **MOU Workgroup** – Develops the guidance and template for the WIOA-required Memorandum of Understanding (MOU); and
- **Youth Collaborative** – Works collectively to support the development of youth/young adults.

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

Functioning as the 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), considered the gold standard of service delivery, provides intensive placement services in specific areas of NYS suffering high unemployment or high poverty. 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.

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.

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 the development of 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.

#### **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 with 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 efforts 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. During the COVID-19 pandemic, in-person career fairs and recruitment events were not an option. To support the ongoing critical needs of our business and job seeking customers, NYSDOL secured a virtual career fair platform to allow for the continuation of these connections.

Virtual Career Fairs offer a sophisticated job fair simulation where businesses and jobseekers can connect in a virtual setting in real-time, while keeping the familiar feel and positive outcomes of a physical recruitment event. In PY 2020, NYSDOL hosted 7 Virtual Career Fairs which brought 713 businesses offering 22,973 job openings together with 2,973 job seekers in a safe space to network and share opportunities.

As a workforce partner, NYSDOL provides extensive recruitment assistance and supportive services to hiring businesses in sectors with large impacts (e.g., 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 initiatives provided include:

- **Jobs Express** – An online database for businesses to post available jobs sorted by region and occupational category. Local areas use Jobs Express as a lead-generation source to grow NYS’s database of business customers. Jobs Express saw a record number of over 200,000 NYS-based job openings in PY 2020.
- **Immediate Hiring Opportunities Microsite (Statewide)** – The microsite NYHireNow ([nyhirenow.usnrx.com](http://nyhirenow.usnrx.com)) was launched in Spring 2020 to highlight immediate job openings available in industries that expanded during the COVID-19 pandemic. The site is a subset of the NYS Job Bank ([newyork.usnrx.com](http://newyork.usnrx.com)) and lists immediate hiring opportunities with essential industries during the pandemic. The site currently has over 70,000 immediate jobs available.
- **On-The-Job Training (OJT)** – In PY 2020, NYS worked closely with the NYS 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 also provided businesses with the opportunity to invest in their workforce and remain competitive while supporting clean energy. OJT programs are a successful vehicle for workforce development and the response from the business community continues to be very positive. During PY 2020, NYSDOL provided due diligence on 88 businesses applying to the NYSEDA OJT program and assisted 91 businesses hire and train 385 individuals through the program.
- **Human Resources (HR) Consultation Services** – NYSDOL Business Engagement provides technical assistance at no cost 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 typically engages approximately 550 unique businesses each week with services. Due to the impact of COVID-19, for much of PY 2020 NYSDOL staff were engaged in assisting the UI Division process claims, resulting in a reduction of staff assisted services. However, in June 2021, Business Engagement staff doubled its outreach and engaged an average of 1,200 businesses each week. In PY 2020, staff provided services to 13,806 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 Business Services and 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 NYSDERA 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 2020, NYSDOL helped 91 businesses hire and train 385 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 PY 2020. The application deadline for Round 1 was May 29, 2020.

Round 1 was 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 positions 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. At the completion of Round 1, NYSDOL made 181 CFA WDI awards totaling more than \$24.5M.

Round 2 of the CFA WDI was launched on August 2, 2021 and will continue throughout PY 2021. This round will utilize state-level WIOA funds to support the EET and UWT programs.



## REGISTERED APPRENTICESHIP

NYS's economic well-being is developed and sustained by 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 (AEG) 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 has seen success with these grants, funding a Request for Applications (RFA), in part with AEG funds. NYSDOL made an additional \$3.7M in WIOA Discretionary funding available for a second round of funding under the AEG-RFA, and NYSDOL has now made an additional \$2.0M in WIOA Discretionary funding available during PY 2021 for continued Apprenticeship expansion. 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. AEG targets industries such as Information Technology, Health Care, Advanced Manufacturing, and other in-demand occupations. The application deadline for AEG funding has now been extended to July 1, 2022. A total of 30 programs received funding under NYSDOL's AEG RFA, including some large group programs such as the Manufacturers Association of Central New York (MACNY) and 1199SEIU League Training and Upgrading Fund.

In 2019, NYSDOL received approximately \$4.4M under the State Apprenticeship Expansion Grant program (continuing through June 30, 2022). Through these funds, NYSDOL released the Apprenticeship State Expansion Request for Applications (ASE-RFA) which will utilize \$2.75M to support industry intermediaries in sponsoring Registered Apprenticeship programs in high growth industries such as Advanced Manufacturing, Healthcare, Information Technology, Hospitality, Film, Transportation & Logistics, sewing/textiles and other high-demand industries. Sponsors and signatories of Group NYS Registered Apprenticeship programs are able to apply for up to \$200,000 in funds (up to \$5,000 per apprentice) to support staff in the role(s) of Related Instruction Coordinator and On-the-Job Training Job Developer. 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 56 new programs and of those programs, 43 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, including NYSED and the State University of New York (SUNY), 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. Statewide apprenticeship industry roundtable marketing events were held throughout the year for prospective sponsors and workforce development stakeholders. Despite the on-going pandemic, Registered Apprenticeship staff continued to connect and market Registered Apprenticeship to potential program sponsors using virtual methods.

### 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 and include tools such as Virtual Job Shadow and Metrix Learning.

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.

NYS used statewide activities funds to support work experiences of youth with Requests for Proposals (RFPs) with 22 contracts for the Opportunity Youth Career Exploration and Access (OYCEA) program. These programs have served 1,542 youth by October 2021, with career exploration and work readiness training, work experience, and job placement in Long Island, Syracuse, and Albany.

NYSDOL also began a Gun Violence Prevention (GVP) effort as one part of NYS's first-in-the-nation gun violence disaster emergency and comprehensive strategy to build a safer NYS. This initiative treats gun violence as a public health crisis and includes short-term solutions as well as long-term strategies such as work experiences, career exploration, and occupational skills trainings to break the cycle of violence. Each program under the GVP effort is summarized below:

- **Consortium for Worker Education (CWE)** – \$12M in state funding was awarded to CWE to fund workforce training and job placement for youth most impacted by gun violence in New York City (NYC). Funding will provide job training, stipends, credentialing, and placement in long-term jobs for 2,400 youth in NYC.
- **GVP Local Initiative** – \$16M in state funding was awarded to 16 LWDBs to fund workforce training and job placement for 3,200 youth and young adults in 20 NYS locations outside of NYC most impacted by gun violence. These include Nassau County, Hempstead, Suffolk, Albany, Schenectady, Troy, Buffalo, Jamestown, Niagara Falls, Syracuse, Rochester, Poughkeepsie, Kingston, Newburgh, Middletown, Yonkers, Mt. Vernon, Spring Valley, Utica, and Binghamton.

- **Division of Criminal Justice Services (DCJS)** – \$4M in WIOA Discretionary funding was awarded to DCJS to fund the salaries of Interrupters/Credible Messengers, including 70 Outreach Workers and 7 Supervisors, in NYC, Albany, Bronx, Buffalo, Hempstead, Mt. Vernon, Yonkers, Poughkeepsie, Rochester, Syracuse, Troy, Wyandanch, and Newburgh, under the SNUG Program. Interrupters, typically former justice-involved individuals themselves, will gain employment while engaging high-risk individuals in communities with high rates of violence to reduce and prevent shootings.
- **Summer Youth Employment** – For summer 2021, \$10M in WIOA Discretionary funding was utilized to augment OTDA’s Summer Youth Employment Program (SYEP). The additional funding supported the expansion of SYEP 2021 to additional participants, including the expansion of the eligible age range and the length of individual youth work experiences. In addition, these placements were reserved for younger youth (e.g., 14 and 15-year-old) or those who would otherwise be more difficult to place in traditional employment opportunities.
- **Career Jumpstart!** – During summer 2021, six locations in NYC, in partnership with NYSDOL and OTDA, supported the program with \$250,000 in WIOA Discretionary funding. Youth and young adult participants were provided activities and trainings for career development and life skills. An increased sense of community was encouraged in their neighborhoods through the involvement of faith-based organizations and local businesses.

#### 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 to positions in health care, including positions related to the treatment and prevention of opioid abuse and addiction. As of the end of PY 2020, approximately 450 participants have been served under the Opioid NDWG.

#### E. INCUMBENT WORKER TRAINING

As further discussed in Section II.B., the CFA WDI includes an EET program. In Round 1, 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 on a rolling basis. Under Round 1, 39 EET awards were made totaling more than \$2.5M. The EET program is continuing under Round 2 of the CFA WDI in PY 2021.

### **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 has continued to develop and release quarterly reports on the WIOA Primary Indicators of Performance throughout PY 2020, now detailing the PY 2020 negotiated goals. All PY 2020 quarterly reports are now available. 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 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 to the onset of the pandemic, NYSDOL provided technical assistance to ensure data was entered accurately and offered individualized training to Local Areas in need of further guidance and assistance. Due to the impact of COVID-19, NYSDOL staff were engaged in assisting the UI Division process claims, resulting in a reduction of staff assisted services. However, training and assistance is once again being offered and provided in a virtual manner.

#### **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, 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-ups 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. As we emerge from the COVID-19 pandemic, there has been an increase in collection and data entry related to these performance measures.

NYSDOL staff 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 WIOA 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 2020-2021**

For PYs 2020 and 2021, 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 webpage ([dol.ny.gov/performance-indicators-goals](https://dol.ny.gov/performance-indicators-goals)) on the NYSDOL website.

## **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. Due to the impact of COVID-19, NYSDOL staff were engaged in assisting the UI Division process claims, resulting in a reduction of staff assisted services. However, Program monitoring staff returned to regular duties effective September 1, 2021, and DEV reviews have recommenced.

## **IV. WAIVERS**

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

#### **YOUTH WAIVER**

In PY 2019, 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 2020.

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.

#### **ETPL ALL STUDENTS WAIVER**

In PY 2019, NYS received approval for one USDOL waiver to assist in easing the reporting burden placed on training providers approved to be listed on the NYS Eligible Training Provider List (ETPL), by requiring them to collect and report performance data on only those students funded with WIOA dollars: Waiver of the obligation of eligible training providers (ETPs) to collect and report on the performance data on all students in a training program at WIOA Sections 116(d)(4)(A) and (B) and 122(d)(2)(A) and 20 CFR 677.230(a)(4) and (5) and 20 CFR 680.430(b)(5). This waiver remained active through June 30, 2021.

This waiver impacts individuals who participate or wish to participate in training services via Individual Training Accounts, NYS workforce development staff, and training providers, and was anticipated to achieve the following:

- Increased participation of providers on the ETPL;
- An increase of performance reporting by those providers for the more limited universe of students/participants;
- Strengthened customer choice;
- Stronger partnerships and improved relationships between training providers and the public workforce system; and
- The possibility that provider performance data could be verified through OSOS.

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

#### **YOUTH WAIVER**

The additional flexibility in the use of state-level discretionary funds has allowed NYS to issue RFPs under the OYCEA initiative and support the GVP Initiative. The expected outcome of the waiver is to offer career development and work readiness services to youth living in areas affected by gang violence. NYS was able to serve 1,542 youth with the help of 22 OYCEA contractors.

#### **ETPL ALL STUDENTS WAIVER**

NYSDOL is using the existing ETP Report to report outcomes for ETPL-approved training. There is no current provider data for student participants, but NYSDOL will be able to obtain this information in the future now that a mechanism for collecting data is in place per Training and Employment Notice (TEN) No. 07-21.



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

### **YOUTH WAIVER**

OYCEA and GVP Initiative participants are funded via state-level discretionary funding, and therefore are included in state-level performance only. Individuals exiting the programs will be included in the Primary Indicators of Performance in appropriate program years. There is no impact on Local Area performance.

### **ETPL ALL STUDENTS WAIVER**

There is no missing performance data for any individuals served under WIOA that would have an impact on state and Local Area performance outcomes. However, performance outcomes will be impacted if there is an increase in performance reporting by providers, resulting in higher levels of data collected.

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

### **YOUTH WAIVER**

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 3 contractors; and in Syracuse, \$1,696,502 has been awarded to 6 contractors. To date, the OYCEA grants have served a total of 1,542 youth.

### **ETPL ALL STUDENTS WAIVER**

No quantitative data related specifically to the waiver is available at this time. However, NYSDOL has data from other systems, such as OSOS, that is available on the ETA 9171-ETP Report.

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

NYS does not currently have any waivers in development or awaiting review.



## **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 measure:

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

This measure looks at the percentage of repeat business customers and is based on the total number of business establishments that received and utilized a service anytime within the prior three years. During PY 2020, NYSDOL reported a repeat business customer rate of 44%.

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

This measure looks at the percentage of businesses using services out of all the businesses in NYS. During PY 2020, NYSDOL reported a business penetration rate of 3.0%.

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

Additional business engagement activities are recorded by NYSDOL staff in OSOS, which provides a location to store key information that will improve the effectiveness of contact with a certain 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 230,000 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. In the PY 2017 certification process, all 33 LWDBs indicated that a customer feedback process was in place and utilized. This was verified by NYSDOL through the Career Center Certification process, where one of the several required continuous improvement components is having a customer feedback process in place. Although recertification is required every three PYs, the COVID-19 pandemic pushed back this process. As recertification takes place in PY 2021, NYSDOL will continue to verify that customer feedback processes remain 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 were 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 provided 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, quarterly, and monthly reports designed to evaluate the programs, initiatives, and solicitations implemented under WIOA Titles 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. Internal 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 a 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) and Employment Recovery (ER) NDWGs** – As these are NDWGs, the COVID-19 DR and ER NDWGs have the same reporting requirements as the Opioid and TET NDWGs above;
- **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; and
- **The Jobs for Veterans State Grant (JVSG)** – The report includes information about outlays, expenditures, and obligations related to the budget; staffing expenses; performance goals and outcomes; the individualized career services rate for JVSG staff; services to non-veterans rate; staffing changes and vacancy information; and best practices for the Hire a Veteran Medallion 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 a marked decrease in the number of WARNs received and number of attached affected workers as filed in PY 2020 compared with PY 2019, in the aftermath of the COVID-19 pandemic. In PY 2020, 376 WARNs (-74%) impacting 64,647 affected workers (-67%) were received.

Regarding Expeditious Response (non-WARN) service opportunities identified, NYS also experienced a decrease in the number of accounts and attached affected workers in PY 2020 compared with PY 2019, which was 31 accounts (-77%) impacting 882 affected workers (-85%).

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 to that business;
- Coaching employment interview techniques based on an upcoming job interview;
- Providing alerts 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 for 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 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 2020, 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 2020, service activities produced:

- 1,184 unique businesses engaged;
- 1,377 unique number of total customers engaged;
- 1,098 unique total customers engaged (number attached to Rapid Response/Expeditious Response accounts); and
- 519 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, OJT, 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, including:

- 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 2020, TAA petition activity included 36 petitions filed, of which 32 were certified, 2 were denied, and 2 were under consideration or terminated (e.g., affected workers covered by a previously certified petition or a petition withdrawn from consideration). In addition, 14 petitions filed prior to this report period also became certified during PY 2020.

## **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 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/elimination occurs across 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.

On September 5, 2021, new legislation was passed to make the Shared Work program even more flexible. The new legislation removed the 26-week allowance of Shared Work benefits to now allow eligible participants to collect 26 times their benefit rate. In most cases, this will allow participants to remain on Shared Work longer.

During PY 2020, 1,316 Shared Work plans were approved to begin, and 19,229 participants were registered, representing a decrease of 52% and 62%, respectively, when compared on a statewide basis with PY 2019 that saw 2,724 Shared Work plans approved with 50,932 participants.

In PY 2020, several improvements were made to make the program more user friendly, including:

- Enhancements to the online application to allow a business to manage their plan more easily;
- Technical support and improved customer service – Shared Work staff are now assigned to each business to provide one-on-one assistance throughout the duration of their plan;
- Utilization of a secure electronic documentation and signature process, and online certifications to help deliver benefits. Prior to this, 70% of certifications were submitted using paper, causing significant delays in benefits, and now 93% are submitted electronically;
- The creation of informational videos to aide both businesses and claimants with how the program works and all the benefits attached to being a participant; and
- Certification matching, which allows the business to clearly ensure both the claimant and the business are certifying for the same week.

## **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. Due to the impact of COVID-19, NYSDOL staff were engaged in assisting the UI Division process claims, resulting in a reduction of staff assisted services. In PY 2020, 179,364 individuals received virtual Staff Assisted Services in the Career Centers and 1,225,123 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 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 10 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 \$21M in 2021 RESEA funding, and \$26M in 2020.

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

### **TRADE AND ECONOMIC TRANSITION – NDWG**

On September 16, 2018, NYSDOL was awarded an \$8M TET-NDWG by USDOL 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 are administered by the LWDBs with monitoring and reporting oversight provided by NYSDOL throughout the period of performance (October 1, 2018 – September 30, 2021).

This project targets individuals who have been unable to obtain employment through conventional job search techniques and are in the most need of enhanced services. This project has served DWs with multiple barriers to employment, including a lack of basic skills, older workers, education that does not match current job market for similar jobs, existing mental health or substance abuse conditions that impede finding work, or a long separation from the workforce.



## 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 coordinate disaster relief employment in positions including, but not limited to, addiction treatment service providers, peer recovery navigators, or other peer-focused positions that support individuals struggling with or recovering from opioid addiction. 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. NYSDOL submitted a request to USDOL for a modification on September 14, 2020 which was approved for a second increment request of \$1,863,815 on October 30, 2020, bringing the total remaining amount available to \$1,863,815. NYSDOL also received an extension to the grant's period of performance through December 31, 2021. The remaining 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. The full modified application was submitted on July 12, 2021. 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. NYSDOL's COVID-19 DR-NDWG grant has two components of funding for staffing and program activities throughout the April 10, 2020 – March 31, 2022 period of performance:

- 1. UI Temporary Staffing** – In PY 2020, NYSDOL's Division of Employment and Workforce Solutions (DEWS) worked with the UI Division to fund the temporary employment of new NYSDOL UI staff. During the pandemic, NYSDOL processed over 7.5M UI customers (including pandemic-specific programs) and made over \$65B in payments.
- 2. Local Disaster Relief Employment Projects** – NYSDOL will allocate up to \$5.9M for awards to LWDBs. These sub-awards will be made to approved LWDB plans, via Notice of Obligational Authority (NOA), that identify local needs and design projects for local disaster relief employment projects. Currently, nine LWDB plans have been received and approved. LWDBs will coordinate with worksite businesses to fund eligible participants as temporary workers in roles including, but not limited to, contact tracing, vaccination work and other humanitarian efforts addressing the COVID-19 disaster at the local level.

## COVID-19 EMPLOYMENT RECOVERY NDWG

On September 1, 2020, NYSDOL was awarded a \$12M COVID-19 ER NDWG by USDOL. The full modified application was submitted on April 22, 2021. 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. NYSDOL's COVID-19 ER-NDWG grant has two components to fund program activities throughout the August 27, 2020 – September 30, 2022 period of performance:

- 1. Virtual Training Services Statewide** – NYSDOL has partnered with Coursera, an industry leader in virtual learning, to provide a virtual training platform with 4,300 courses from 215 universities and private companies. These courses, and corresponding certificates, allow eligible participants to rapidly prepare for re-employment while maintaining reduced density in physical workforce training facilities. NYSDOL has made a first annual installment of \$2M of a two (2) year, \$4M partnership commitment.
- 2. Services for Eligible Career Center Customers** – NYSDOL has obligated a total of \$8M to New York’s 33 LWDBs to provide career, training, and supportive services to eligible Career Center customers impacted by the disaster. \$4M was distributed to all 33 LWDBs in December 2020, which generated expenditures of \$529,238 through June 30, 2021. As of June 30, 2021, 195 eligible participants were enrolled and served. An additional \$4M was allocated in April 2021 to offset the additional expenses incurred through the sudden and sustained increase in demand for services due to the pandemic. These funds were limited to the local areas most severely impacted by COVID or with greatest expressed need.

#### **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 ([dol.ny.gov/workforce-professionals-tools](https://dol.ny.gov/workforce-professionals-tools)) 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 improve remote services to youth and offer a variety of types of work experiences. In addition, trainings and resources were developed to onboard new WIOA youth staff at the local level. With the GVP Initiative, typically underserved youth will be offered career development and work experiences. Moreover, local partnerships will be forged for continued collaboration with the LWDBs and entities that serve youth living in areas affected by gun violence.

##### **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 four NDWGs: the TET-NDWG, the Opioid NDWG, the COVID-19 DR NDWG, and the COVID -19 ER NDWG. All provide career, training, and supportive services to DWs, including those affected by the opioid crisis.

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

- Local areas continue to explore and implement 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. Partnership with education-focused entities for English Language Learners and high school equivalency programs are maintained to support with assessments and education of the individuals.

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

- Individuals with limited English 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 539 youth with disabilities were served from October 1, 2017 through September 30, 2021. A total of 269 youth received core services, 159 youth with disabilities completed career pathways training in high demand industries including health care and manufacturing, and 130 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, which ends on September 30, 2021. 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, eight DRCs from previous rounds of funding are still employed by their county/LWDB on a local level.
- By 2020 all NYS Career Centers were 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.

### **Veterans;**

- Veterans' services in NYS are delivered through the Career Centers either under priority of service or through the JVSG. A total of 63 Disabled Veterans' Outreach Program Specialists (DVOPs) and Local Veterans Employment Representatives (LVERs), funded through the \$8.5M 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 2020, 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 wholistic 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, 2020 – June 30, 2021, NYSDOL issued bonds to three businesses at a total of \$15,000 coverage. Fewer bonds were processed during this time period than is typical due to COVID-19.
- The GVP Initiative will also support many individuals involved in the justice system with the help of local partners.
- Pre-COVID, NYSDOL provided trainings via calls or webinars to new Local Bonding Coordinators (LBCs) on how the program is administered. The list of LBCs was updated during the summer of 2021 to determine current training needs and to update the list of LBCs on the NYSDOL website. NYSDOL anticipates beginning trainings again in PY 2021.
- 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 to market the FBP to a variety of stakeholder groups in NYS, allowing for greater use of the program to promote employment. The FBDG concludes on June 30, 2023. Activities planned for PY 2021 include creating customized fact sheets on the FBP for different stakeholder groups; creating a FBDG fact sheet and PowerPoint presentation for trainers; updating the FBP Brochure for a business audience; creating and disseminating social media and email blasts to different stakeholder groups; partnering with other NYS agencies to further market content; disseminating information to all NYSDOL staff; and engaging business engagement staff to promote the FBP directly to businesses.
- Under the Work for Success program, first identified in Section VII. A. of this report, NYSDOL developed a pilot program for implementation, 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, nearly 28,000 businesses have hired eligible candidates since the program started in March 2013, and more than 100,000 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 2020 (i.e. 3,000 businesses hiring and 13,000 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 2021, 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, 835 Displaced Homemakers were served during PY 2020, a near 50% decrease over PY 2019, due in large part to COVID-19.

## **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.

### **Youth and Young Adults living in areas affected by gun violence**

- A multifaceted approach is used to address the gun violence crisis, which is described in detail in Section II.C. of this document.

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

- 1. The VCC does not yet connect to OSOS** – The largest challenge the System will continue to face in PY 2021 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 I.A., to do this NYSDOL is piloting the VCC and holding virtual career fairs. The VCC, which is currently in late-stage testing with job seekers, allows NYSDOL to provide high quality services to both businesses and job seekers in an entirely virtual manner. The VCC includes a suite of tools, resources, and applications that enhance customer service and increase the effectiveness of services provided. Since launching with limited use in May 2021, over 150,000 jobseekers have been invited to use the tool and thousands have applied to at least one job using the VCC platform. Once fully implemented, the VCC will fully integrate with OSOS enabling NYSDOL to continuously track and assess services provided and outcomes for customers.
- 2. Local areas do not align with federal statistical areas** – NYS has three sub-county level Local Areas: Yonkers, Hempstead/Long Beach, and Oyster Bay. Additionally, the 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.
- 3. The NYS system partners lack a unified case management system** – 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. Workgroup meetings resumed in PY 2020 and a subcommittee was established to further research and investigate what other states have done to effectively share



data, discuss a unique identifier that could be used to identify customers across Titles, and develop a plan that will help NYS accomplish the goal of joint reporting. The WIOA Business Engagement workgroup has also addressed this, using OSOS for tracking business engagement activities across multiple core partners.

#### **4. Training staff to serve LGBTQA+, non-binary and gender non-conforming (GNC) customers –**

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 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. NYSDOL will train staff on this in the coming year.

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

NYSDOL was a recipient of the \$12M Workforce Investment Act 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 NYSDOL's 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. Contract development was delayed due to COVID-19; however, as of early October 2021, both contracts have been negotiated with performance-based outcomes established and services underway.

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