

# New Hire Training Program

## III. Program Description

The New Hire Training Program will provide funds to businesses to train dislocated workers who require on-the-job training upon being hired. It is the intent of this RFP that all of the funds be invested in the training of newly hired workers employed in New York State.

In general, a “Dislocated Worker” is defined as an individual who:

- Has been terminated or laid off, or who has received notice of termination or layoff, and is unlikely to return to a previous industry or occupation;
- Has been terminated or laid off, or has received notice of termination or layoff, as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;
- Was self-employed, but is unemployed as a result of general economic conditions or because of natural disasters;
- Is a displaced homemaker; **or**
- Is the spouse of a member of the Armed Forces on active duty and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member.

For a full definition of the term “Dislocated Worker”, please see the “Definitions of Terms” attachment to this RFP at <http://www.labor.ny.gov/cfa/>.

In order to ensure compliance with federal requirements concerning the definition of “dislocated worker”, applicants receiving awards must work with New York State Career Centers to recruit eligible participants. Any participant recruited from the outside must be referred to a New York State Career Center to determine their eligibility. To find your local Career Center please visit: <http://www.labor.ny.gov/career-center-locator/>.

Businesses hiring new workers that need training on specific occupational skills will be eligible to receive reimbursement for up to 50% of the employee’s wages for a period of time appropriate for the employee to become proficient in the occupation.

Please note that:

1. The New Hire Training must occur at a physical business location in New York State.
2. The New Hire Training must apply to a job opportunity for full-time employment (defined as 35 hours or more per week) in New York State paying a minimum of \$10.00/hour.
3. Wage calculations to determine New Hire Training Program reimbursement may not include payment for holiday or overtime hours worked.
4. The training must occur on-the-job while the trainee is engaged in productive work.
5. The new hires must be employees of the business, and not independent contractors or contract employees.
6. Eligible applicants may only apply for one New Hire Training Program grant under this solicitation, not one per location. Submission of multiple New Hire Training Program applications by one or more locations of an applicant may result in the rejection of all of the applications.
7. The applicant may not apply for seasonal positions or positions based on the addition of commission or tips to a sub-minimum wage base salary.
8. The hiring business must be willing to assure that:

- a. The intention in hiring is for the newly-hired employee to remain employed with the business at the same or higher rate of pay upon completion of the training.
  - b. If any of the newly-hired workers trained under this proposal are laid off within one year of the end date of the resulting contract, the business may be liable for the reimbursement to the State for the cost of training associated with the laid-off worker(s).
  - c. The training will take place during the newly hired employee's work hours (i.e., during the shift/hours for which the worker was hired) and the employee will be compensated at no less than their normal rate of pay.
  - d. No currently employed worker shall be displaced by the newly hired employee, including a partial displacement such as a reduction in the hours, wages, or employment benefits.
  - e. It will be in compliance with New York State labor law and federal law for the protection of workers.
9. Preference in scoring will be given to those proposals that hire and train long-term unemployed workers.

Funds may be used to pay up to 50% of the new hire's wages to compensate for the business' extraordinary costs associated with the additional demands on the supervisor's time. There are no funds available for any other costs (e.g., equipment, tools, hardware, software, textbooks, etc.).

## **IV. Proposal Requirements**

In order for a proposal to be considered, the business must meet the eligibility criteria outlined in RFP Section I (C) and include all the required documents and information requested in the Consolidated Funding Application (CFA).

The CFA consists of two parts – a technical section and a budget section. The training needs and costs are defined by the applicant and are reviewed by the New York State Department of Labor (NYSDOL). All proposed expenditures must be reasonable, necessary and clearly related to the purposes and activities of the project as described in the project narrative.

### **A. Minimum Requirements**

In order to qualify for funding consideration, applicants must meet the minimum requirements of the program as stated in Section V(B)(1) of this RFP.. Applicants who fail to meet these minimum requirements will have their proposals automatically rejected and scoring will not proceed.

### **B. Technical Section**

The CFA must fully describe, identify and document the vision, process, strategies, implementation, leveraged resources and outcomes as described in Section V (B)(2) of this RFP.

### **C. Budget Section**

Allowable costs under this program include training costs for the hiring business (reimbursement of up to 50% of the trainee's wages for the periods during which they are being trained). All awards are subject to funding availability.

The maximum award amount for a newly hired employee is \$5,000 and the minimum is \$1,000. Awards for multiple new hires are allowed with a maximum award amount of up to \$100,000 per business. Please note that there are three other NYSDOL Workforce Development programs available under this RFP: the Existing Employee Training Program; the Special Populations Training Program; and the Unemployed Worker Training Program. Eligible businesses may apply for funding under one, two, three or all four of these programs. However, the maximum award that an eligible applicant may receive is \$100,000 regardless of the number of NYSDOL programs for which it applies.

For those applicants that are also applying for Existing Employee Training funds, Special Populations Training funds, and/or Unemployed Worker Training funds in addition to New Hire Training funds under the CFA, funds for two, three or all four programs cannot be combined to use on the same trainees. For example, an applicant may not use New Hire Training funds to train a new worker on the job and then use Existing Employee Training funds to send the same worker to classroom training. Each group of trainees must remain separate and distinct and be trained solely under one NYSDOL CFA program.

Applicants must draft their requests for NYSDOL funding as stand-alone training. The proposal must not be based in whole or in part on the assumption that they will receive complementary funding from other CFA programs/agencies. The number of new hires to be trained should be calculated based on the funding request being made of NYSDOL.

Consultants, training providers, trade organizations and other third party entities are not eligible to apply for New Hire Training Program funds on behalf of other organizations.

#### **D. General Requirements**

All proposals and accompanying documentation will become the property of the State of New York and will not be returned. The content of each applicant's proposal will be held in strict confidence during the evaluation process, and no details of the proposal will be discussed outside of the evaluation process. The successful proposal and portions of the RFP deemed applicable by NYSDOL will be made part of the contract. Therefore, an official authorized to commit the business to a contract with NYSDOL must sign the proposal documents.

#### **E. Buy American Requirements**

Bidders should be aware of the requirements of the Workforce Innovation and Opportunity Act (WIOA), Section 502 which provides that none of the funds made available under Title I or II of WIOA or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. sections 8301 through 8303). It is the sense of Congress that entities receiving assistance should, in expending the assistance, purchase only American-made equipment and products. See WIOA, Section 502 – Buy American Requirements set forth as an attachment to the CFA.

### **V. Evaluation/Selection/Contracts/Payment**

#### **A. Evaluation Process**

Proposals that meet the minimum requirements will be subject to reviews by NYSDOL and the REDC. A complete CFA and Budget must be submitted so that a full and proper evaluation can take place. Failure to provide complete answers will jeopardize the proposal's potential for funding.

Proposals will be reviewed and selection will depend on the number of quality proposals. Reviewers will determine if all requirements of the RFP have been met and evaluate the quality of the responses. Points will be awarded for some categories on a “strong”, “moderate”, “weak” or “not addressed” scale and for others as “criteria met” or “criteria not met.” Proposals scores will be 60% technical merit, 20% cost and 20% REDC alignment. NYSDOL reserves the right to make multiple awards or no award.

The evaluation process will be conducted as follows:

1. Incomplete proposals will be disqualified.
2. Ineligible applicants will be disqualified prior to a review of their proposal.
3. Proposals seeking less than the minimum of \$1,000 per trainee will be disqualified.
4. Proposals that offer nothing but training that is not allowable under the terms of the RFP will be disqualified during the review.
5. Proposals that offer only training that has skills that are not transferable will be disqualified during the review.
6. All applicants that are determined not to be responsive or responsible will be disqualified after completing a review.
7. Proposals that fail to meet requirements may be disqualified after completing a full review.
8. NYSDOL reviews will result in a final score.

## **B. Evaluation Criteria**

### **1. Minimum Requirements**

No points will be awarded for this section of the CFA. Failure to meet these minimum requirements will result in an automatic rejection of the proposal, and scoring will not proceed.

- a. The applicant must attest that:
  - It is a private for-profit business (including corporations, LLCs and LLPs) **or** a private not-for-profit business.
  - It has two (2) or more employees.
  - It understands that all not-for-profit applicants must register and be prequalified in the Grants Gateway system (<https://grantsgateway.ny.gov>) no later than the due date for the submission of applications or the not-for-profit organization’s application will not be reviewed.
  - The award will be for reimbursement of wages of a worker employed in New York State.
  - It has at least one physical location in New York State at the time of application.
  - No currently employed worker shall be displaced by the newly hired employee, including a partial displacement such as a reduction in the hours, wages, or employment benefits.
  - For each new hire under this program, it is offering a job opportunity for full-time employment (defined as 35 hours or more per week) in New York State paying a minimum of \$10.00/hour.
  - The trainees targeted under this proposal will be employees of the business, not independent contractors or contract employees.
  - It will not apply for New Hire Training Program funds for seasonal positions or positions based on the addition of commission or tips to a sub-minimum wage base salary.

- The business' intention in hiring an employee is for the newly hired employee to remain employed with the business at the same or higher rate of pay upon completion of training.
- If any of the newly-hired workers trained under this proposal are laid off within one year of the end date of the resulting contract, the business may be liable for the reimbursement to the State of the cost of the training associated with the laid-off worker(s).
- Training will take place during the newly hired employee's work hours (i.e., during the shift/hours for which the worker was hired) and the employee will be compensated at no less than their normal rate of pay.
- The intention in hiring an employee is for the newly hired worker to learn the skills necessary to perform his/her job responsibilities.
- It will work with NYSDOL to identify candidates for employment/training.
- The training period will be limited to the span of time required for the trainee to become proficient in his/her required job duties.
- It will comply with New York State labor law and Federal law for the protection of workers.
- If awarded, job openings that occur during the contract period will be listed with the NYSDOL Job Bank. To place a job order go to: <http://www.labor.ny.gov/businessservices/services/perm.shtm>.

## 2. Program Design – up to 60 points as detailed below

The CFA fully describes, identifies and documents:

- **The Vision. (12 points)**
  - Describe the compelling need for the proposed training and provide the Individual Training Plan (specific occupational skills to be learned and the estimated training hours) for each job title to be filled. (6 points)
  - Identify the position(s) to be filled (job title, O\*NET code, training location, brief job description) and the training schedule (projected training start date, number of hours of training per week, number of weeks of training). (6 points)  
For O\*NET codes please visit: <http://www.onetonline.org/> and type in the occupation in the Occupation Quick Search box at the top right-hand corner of the web site.
- **The Process. (6 points)**
  - Has the project location been determined to be an area of "high need"? NYSDOL will make this determination. No narrative on this bullet is needed or requested in the application. Indicators such as adult poverty rates, adult unemployment rates, adult literacy rates, and level of education will be taken into account when making this determination.
- **The Strategies. (15 points)**
  - Describe the occupational skills to be acquired. Occupational skills training is defined as instruction conducted in an institutional or worksite setting designed to provide individuals with or upgrade them in the skills required to perform a specific job or group of jobs needed by the business. (6 points)
  - Describe how the occupational skills to be acquired are transferable (i.e., recognized industry-wide or across multiple industries). (3 points)

- Identify the sector or industry cluster to which the applicant business belongs. Points will be awarded to applicants that belong to sectors/clusters that have been designated as a priority by New York State – health care, advanced manufacturing, clean energy, construction, and transportation. (6 points)
- **The Implementation. (3 points)**
  - Identify and describe the necessary steps/timelines and roles/responsibilities for implementation of the proposed training.
- **The Leveraged Resources. (6 points)**
  - Identify the value of the resources that will be leveraged to complement the funding request of the proposal (per WIOA, this is a minimum of 50% of each trainee’s salary during training). Match percentages of 50% to 60% = 0 points; 60.01% to 70% = 2 points; 70.01% to 80% = 4 points; 80.01% and up = 6 points.
- **The Outcomes. (12 points)**

Identify the proposed outcomes of the program including:

- The percentage of the trainees that are expected to have been long-term unemployed (defined as individuals who, at the time the New Hire training starts, have been unemployed for 20 weeks or more) dislocated workers at the time of hire. Percentages of 0% to 25% = 0 points; 25.01% to 50% = 1 point 50.01% to 75% = 2 points; 75.01% and up = 3 points
- The percentage of the trainees that are expected to be retained after the training. Percentages of 0% to 50% = 0 points; 50.01% to 70% = 1 point; 70.01% to 90% = 2 points; 90.01% and up = 3 points
- The amount that the trainees’ wages will increase after completion of the training. (1.5 points)
- The name and a description of the specific industry recognized credential\* that the trainees will receive at the conclusion of the training. (1.5 points)
- The percentage of trainees who will receive an industry-recognized credential\* upon completion of the training. Percentages of 0% to 25% = 0 points; 25.01% to 50% = 1 point; 50.01% to 75% = 2 points; 75.01% and up = 3 points

\*The term “credential” refers to an attestation of qualification or competence issued to an individual by a third party (such as an educational institution or an industry or occupational certifying organization) with the relevant authority or assumed competence to issue such a credential. It does not refer to a certificate of completion for a course of study. Examples of credentials include:

- Educational diplomas and certificates (typically for one academic year or less of study);
- Educational degrees, such as an associate’s (2-year) or bachelor’s (4-year) degree;
- Occupational licenses (typically, but not always, awarded by state government agencies; and
- Industry-recognized or professional association certifications.

- **NY Rising (3 points)**
  - Identify whether or not the project is included in a NY Rising Community Reconstruction Program Plan or a NY Rising Countywide Resiliency Plan. If so, the planning committee name, project name, and location must also be identified.

The NY Rising Community Reconstruction Program is a community driven initiative that empowers localities severely damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions, enhance resilience and economic development. For more information, please visit:

<http://stormrecovery.ny.gov/community-reconstruction-program>.

- **Opportunity Agenda (3 points)**

- Each Regional Council may develop region-wide strategies, or may focus its efforts by designating one or more chronically distressed community as an “Opportunity Area.” Projects seeking to apply CFA funds for the purpose of eliminating barriers to skilled employment by poor people in the region, as identified by the Opportunity Agenda and Strategic Plan, must fully describe those efforts in their application. Each region’s Opportunity Agenda can be accessed by clicking on the appropriate link below:

Capital Region

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/capitalregionopportunityagenda.pdf>

Central New York

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/cnyopportunityagenda.pdf>

Finger Lakes

<http://regionalcouncils.ny.gov/themes/nyopenrc/rc-files/fingerlakes/2013-FLREDC-Opportunity-Agenda-FINAL.pdf>

Long Island

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/longislandopportunityagenda.pdf>

Mid-Hudson

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/midhudsonopportunity.pdf>

Mohawk Valley

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/mohawkvalleyopportunityagenda.pdf>

New York City

<http://regionalcouncils.ny.gov/assets/documents/NYCportunityagenda.pdf>

North Country

<http://regionalcouncils.ny.gov/themes/nyopenrc/rc-files/northcountry/2014OAProgramDescription.pdf>

Southern Tier

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/southerntieropportunityagenda.pdf>

Western New York

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/WNYportunityagenda.pdf>

### **3. Program Cost – up to 20 points**

The application will be assigned points for cost on an all or nothing basis (20 points or 0 points) depending on whether or not it fully provides for each training position: the starting hourly wage, number of hours of training, reimbursement rate and total training cost.

Applicants requesting less than the minimum of \$1,000 per participant will be disqualified.

The calculated cost per participant from the proposal cannot be exceeded in contracts developed from awards.

NYSDOL reserves the right to request additional information from submitters during the cost scoring process if the budget information provided is unclear.

### **4. Regional Economic Development Council Alignment – up to 20 points**

The REDC will review each application that meets the minimum requirements to determine if it aligns with priorities set for the region.

Applicants are encouraged to review the strategic plans to determine how practical it will be to align their projects with the REDC's vision for the region. Copies of the strategic plans can be viewed by visiting <http://regionalcouncils.ny.gov/>, and clicking the "Regional Councils" button.

## **C. Method of Selection**

The method of selection will be based on a point system, with the technical portion of NYSDOL's rating criteria at 60% of the total and cost at 20% of the total. The REDC will also review the proposal and award a maximum of 20 points (20%). Scores for the New Hire Training Program will be tabulated separately from the other three NYSDOL programs available under this RFP. Proposals will be awarded in rank order beginning with the proposal(s) with the highest total points until the WIOA Rapid Response funds allocated to the New Hire Training program have been exhausted, but no proposals that score under 60 will be considered for an award. Therefore, a score of 60 or higher makes an applicant eligible for an award, but does not guarantee an award.

If a proposal achieves a score that would be awarded, but the costs are not reasonable to NYSDOL and/or the skills are not transferable, NYSDOL reserves the right to reject the proposal.

In the case of tied scores, preference will be given to proposals with the highest program merit evaluation score. If the program merit evaluation scores are also tied, the award will be decided by the Deputy Commissioner for Workforce Development.

NYSDOL may award a contract for any or all parts of a proposal and may negotiate contract terms and conditions to meet agency program requirements consistent with the RFP. Any costs that are disallowed will be costs that are not permitted under the requirements of this RFP. Proposals must first meet all minimum eligibility requirements. As the New Hire Training Program is funded with New York State's WIOA Rapid Response funds, proposals will be reviewed within the context of the need identified and the workforce to be upgraded. All applicants will receive a letter informing them of the decision on their proposal and successful applicants will be contacted by contract development staff.

## **D. Contracts**

The start date for all contracts resulting from this RFP may be no earlier than the date of the award letter issued by NYSDOL and no later than six months from the date of the award letter. Any awardee that is unable or unwilling to begin their contracted training activities within that six-month period may have their award rescinded.

Please be advised that training may not begin until after an award is made (i.e., once the due date has passed, reviews have been completed, due diligence has been completed, EEO Staffing plan approvals have been made, awardees have been determined and award letters have been issued). The earliest start date for any contract resulting from this RFP is the date of the award letter. Any training that begins and/or is paid for prior to the date of the award letter will fall outside the contract period and be ineligible for reimbursement.

New Hire Training contracts may last up to one year. Contract payment to businesses will be on a reimbursable basis, meaning that the business must pay the employee full wages before requesting an allowable reimbursement payment from NYSDOL. The business must submit requests for reimbursement of wages that have been paid in accordance with the approved contract budget. The contract budget will generally require reimbursement requests to be submitted within 20 days after the end of each month.

NYSDOL reserves the right to terminate the contract with no advance notification and or de-obligate/rescind that portion of contract funds if no contracted training activities are observed in the first four (4) weeks of a contract. NYSDOL will provide written notification regarding any contract termination or de-obligation of funds. A business that receives a termination notification must provide a response to NYSDOL within 2 weeks of the notification explaining why there was no observed contracted training activity in the first four (4) weeks. A business that fails to respond will not be eligible to apply for a new grant with NYSDOL for three years from the end date of the contract.

Contractors may be required to provide reports on program performance at intervals specified by NYSDOL.

## **E. Payment**

Once a contract has been developed and formally executed, funds will be released to the business on a cost reimbursement basis, meaning that a grantee must first pay the trainee's wages and then submit a voucher to NYSDOL for reimbursement. Reimbursement requests must be submitted to NYSDOL on the prescribed forms before payment is made to the business. For cost reimbursement to be approved, certain records must be kept and specific documents submitted. Reimbursement requirements will include: wages paid; proof that training costs were incurred during the period covered by the reimbursement request; cumulative project training costs; trainee wage data such as employee name, Social Security number, payroll check number, date and amount; and the period covered by the check. Award advances will not be provided.

**Electronic Payments** - Payment for invoices submitted by the Contractor shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Contractor shall comply with the State Comptroller's procedures to authorize electronic payments. Authorization forms are available at the State Comptroller's website at [www.osc.state.ny.us/epay/index.htm](http://www.osc.state.ny.us/epay/index.htm), by email [apunit@osc.state.ny.us](mailto:apunit@osc.state.ny.us), or by telephone at 518-474-4032. The Contractor acknowledges that it will not receive payment on any invoices submitted under this Contract if it does not comply with the State

Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

#### **F. Reservation Clauses**

- NYSDOL reserves the right to request additional information from submitters during the cost scoring process if project or budget information provided is unclear.
- If at any time after an award is issued, the applicant reduces the number of trainees to be served; the funding will be proportionately reduced.