

**New York State Department of Labor**  
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[www.labor.ny.gov](http://www.labor.ny.gov)

**Workforce Development System  
Technical Advisory #15-9  
September 30, 2015**

**To:** Workforce Development Community

**Subject:** **Revised:** New York State Policy on Program Year 2015 Common Measures/ Customer Service Indicators for Local Workforce Development Area Performance for the Workforce Innovation and Opportunity Act Title 1B Program and the Wagner-Peyser Act Program.

**PURPOSE:**

- Establish policy on Program Year (PY) 2015 performance goals for Common Measures and Customer Service Indicators for the Workforce Innovation and Opportunity Act Title 1B (WIOA) and Wagner-Peyser Act (W-P) programs;
- Establish procedures for Local Workforce Development Boards (LWDB) to negotiate and reach agreement with the New York State Department of Labor (NYS DOL) on Local Workforce Development Area (LWDA) goals for Common Measures for the WIOA and W-P programs; and
- Rescind and replace prior State policy issued in [WDS-TA# 14-8](#) New York State Policy on Program Year 2014 Common Measures/Customer Service Indicator for Local Workforce Investment Area Performance for the Workforce Investment Act Title 1B Program and the Wagner-Peyser Act Program (August 1, 2014).

**ACTION**

Local Workforce Development Boards should:

- Collaborate with Career Center Managers to determine whether the PY2015 proposed LWDA Goals for any of the Common Measures indicators need to be negotiated.
- Ensure all NYS Career Center staff understand the indicators and LWDA goals and the operational procedures to achieve the goals.

# POLICY

## Common Measures

### A. Program Year (PY) 2015 Performance Goals.

There are nine (9) Common Measure Indicators for PY 2015 with established goals for the WIOA/W-P Adult programs, WIOA Dislocated Worker (DW) program and WIOA Youth program. State goals are as follows:

1. Adult Entered Employment Rate (Staff Assisted Services) Goal = 59.0%.
2. Adult Employment Retention Rate (Staff Assisted Services) Goal = 81.0%.
3. Adult Average Earnings (Staff Assisted Services) Goal = \$13,401.
4. DW Entered Employment Rate (Staff Assisted Services) Goal = 53.4%.
5. DW Employment Retention Rate (Staff Assisted Services) Goal = 82.0%.
6. DW Average Earnings (Staff Assisted Services) Goal = \$19,587.
7. Youth Placement in Employment or Education (WIA Title 1B Youth) Goal = 70.5%.
8. Youth Attainment of Degree or Certificate (WIA Title 1B Youth) Goal = 65.9%.
9. Youth Literacy and Numeracy Gain (WIA Title 1B Youth) Goal = 56.7%.

In general, local goals are set equal to the State goal for each Common Measure and local boards are given the opportunity to negotiate different standards if they so choose.

Note that per Training and Employment Guidance Letter (TEGL) 30-14 (04/28/15), the United States Department of Labor (USDOL) offered States the opportunity to carry PY 2014 goals forward into PY 2015, or negotiate new goals. NYSDOL chose to carry PY 2014 goals into PY 2015.

Accordingly, NYSDOL will extend all local area negotiated PY 2014 Common Measure goals into PY 2015. A chart with the local area goals for each Common Measure is provided in **Attachment A**.

### B. Negotiation of LWDA goals.

LWDBs have the option to negotiate any LWDA Common Measures Goal with NYSDOL.

To request negotiations of Common Measure Goals, the LWDB, in consultation with the Career Center Managers, must notify NYSDOL via email, by September 30, 2015 of its intent to negotiate an LWDA Common Measures Goal.

- The email should be sent to: [dews.performance@labor.ny.gov](mailto:dews.performance@labor.ny.gov)
- The email Subject Line should read: {LWDA Name} Request for Negotiation of PY'15 Common Measures Goals.

- The body of the email should contain:
  - The measure(s) the LWDB wishes to negotiate.
  - A counter-offer goal for the indicator;
  - Justification for the counter-offer goal, including the factors that will contribute to the LWDA achievement of the goal; and
  - The underlying data used to support the LWDB's determination of the counter-offer goal.
- The email should include a "cc" to the State Representative.

Upon receipt of a request for negotiation from an LWDB, NYSDOL will coordinate with the LWDB regarding the request to come to an agreement on the goal for the measure(s). The initial process will be handled via email. If NYSDOL and the LWDB are unable to reach agreement via email, NYSDOL will schedule a conference call to complete the negotiation process.

#### C. Performance Thresholds.

Establishes two performance thresholds:

- Satisfactory Performance – Outcome of 80% of the LWDA goal or greater; and
- Unsatisfactory Performance – Outcome of less than 80% of the LWDA goal.

These thresholds are consistent with USDOL guidance per Negotiating Performance Goals for the Workforce Investment Act (WIA) Title 1B Programs and Wagner-Peyser Act Funded Activities for Program Year (PY) 2012 ([TEGL No. 38-11](#) October 16, 2012).

#### D. Unsatisfactory Performance.

There are two levels of unsatisfactory performance for the Common Measures Indicators:

1. Sanction Level 1 Status – Unsatisfactory performance on a Common Measures Indicator for the one PY.
2. Sanction Level 2 Status – Unsatisfactory performance on the same Common Measures Indicator for two or more consecutive PYs.

To aid in the transition to WIOA and due to the phasing out of the current Common Measures, NYSDOL will not require Performance Improvement Plans (PIP) or impose fiscal sanctions for unsatisfactory performance of any Common Measure in PY 2015.

#### E. Incentive Award Grants.

At this time, funding is not available to provide incentive award grants to LWDA's on Common Measures due to the reduction in Statewide Discretionary funding imposed by the USDOL per Workforce Investment Act (WIA) Adult, Dislocated Worker and

Youth Activities Program Allotments for Program Year (PY) 2014; Final PY 2015 Allotments for the Wagner-Peyser Act Employment Service (ES) Program Allotments; and Workforce Information Grants to States Allotments for PY 2014 ([TEGL 29-14](#), May 1, 2015). NYSDOL may elect to award incentive grants if funding becomes available during PY 2015. LWDBs will be informed via email should this change be made.

## Customer Service Indicators

### A. Program Year (PY) 2015 Performance Goals.

There are seven CSIs with performance goals for PY 2015 for the combined WIOA/WP Adult program, WIOA DW program, and WIOA Youth program. These measures are designed to:

- Identify the most important services the Career Center System can provide to its customers; and
- Help LWDBAs achieve Common Measure goals.

The CSI Measures, with established goals, are as follows:

1. Initial Assessment. Goal = 95% or more of all staff-assisted Career Center customers receive an Initial Assessment. The Initial Assessment must be in accordance with Effective Use of Initial Assessment in the Workforce Investment One-Stop System ([WDS-TA #08-4.1](#), October 9, 2009).
  - The intent of this measure is to ensure that customers are given an initial assessment to identify their service plan as Job Search Ready Services (JSRS) or Career Development Services (CDS).
2. Employability Profile. Goal = 95% or more of all staff-assisted Adult and DW Career Center customers have a complete customer record (termed Employability Profile) entered into the New York Employment Services System/One Stop Operating System (NYESS/OSOS) within 5 days of the Initial Assessment.
  - The intent of this measure is to enhance the initial assessment process by ensuring each customer has a complete Employability Profile in NYESS/OSOS. The information contained in the Employability Profile enhances the customer's employment options by ensuring a proper assessment, forming the basis for a quality resume, and improving the job matching and referral services.

A complete Employability Profile requires specific attention to the following:

- Objective Tab:
  - Enter an appropriate Employment Objective. This includes replacing "To Be Updated" with an appropriate Objective for UI customers.
  - Complete the Desired ONET section, including:

- Filling out the Experience fields; and
  - At least one of the desired ONET titles matches an ONET title from the Work History.
- Education/License (Ed/Lic Tab):
    - School Section must have at least one complete entry for customers who possess an Associate’s Degree or more (i.e., Bachelor, Master or Doctorate). This information must match the Education Information on the General Info Tab.
  - Work History Tab:
    - Enter at least one complete entry. For UI customers, staff must replace “TCC Update” with a complete entry describing the last position the individual held. A complete entry must have accurate information in all required fields, particularly:
      - Start and End dates;
      - Reason for Leaving;
      - ONET Title;
      - Job Duties; and
      - Wage.
3. JSRS Referrals. Goal = 95% or more of Adult and DW participants identified as Job Search Ready must receive a job referral within 5 days of the Initial Assessment.
- The intent of this measure is to ensure a proper designation of a customer as JSRS. For a customer to be considered JSRS there must be at least one job available in the current labor market that the individual is qualified for and can be referred to. If no such job is available, the customer should not be classified JSRS. In addition, staff should provide JSRS customers with viable job leads and check that JSRS customers have either applied to or expressed intent to apply for these leads.

Note that for this measure, a Job Referral is defined as when a customer attests to pursue a particular job lead given by Career Center staff either verbally or by returning correspondence indicating he/she has applied to a particular job. Job Referrals can be completed using: NYESS/OSOS to find job openings within the New York State Job Bank, or via an external job search, such as using an outside job listing.

4. JSRS JobZone Resume Search. Goal = 95% or more of Adult and DW participants identified as Job Search Ready must perform a resume based search in JobZone.
- The intent of this measure is twofold:

- i. Create a more robust Talent Bank, providing business customers who search on the Talent Bank a larger pool to search to find potential candidates; and
  - ii. Improve the quality of participants' job search results by using the resume based search technology in JobZone.
- 5. CareerZone Portfolio. Goal = 35% or more of new Program Year 2015 youth participants must complete the modules necessary for a complete CareerZone portfolio.
  - The intent of this measure is to provide youth with quality services. NYSDOL feels this is best achieved by entering the necessary information to complete a CareerZone Portfolio. The information in the Portfolio can then help guide the youth participants career planning and/or job searches. The modules also fulfill the required Labor Market Information and Financial Literacy Education Youth program elements.

In most cases, CareerZone is more appropriate for youth as the content focuses on career exploration and planning. For this reason, new WIOA youth program participants should be guided toward using CareerZone. However, NYSDOL recognizes that some youth may have created a JobZone account prior to their enrollment in the WIOA youth program. Therefore, if a youth has an existing JobZone account, they will be allowed to complete the CSI using the comparable JobZone modules outlined below.

A complete CareerZone Portfolio (or JobZone if the youth created a JobZone account prior to their WIOA enrollment) requires the youth to complete specific modules as outlined in the following table:

CareerZone Module	Minimum Requirements	JobZone Equivalent (pre-existing accounts only)*
Interest Profiler	Complete and save at least one	Career Interests
Abilities	Complete and save at least one	Not applicable**
Work Importance Profiler	Complete and save at least one	Work Values
Saved Occupations	Add at least two occupations as favorites	Occupations
Budgeting	Complete and save at least one	Budget

\*New users are expected to create CareerZone accounts.

\*\*The Abilities component of the CSI is only applicable for youth using CareerZone. The Abilities module in JobZone is very rigorous compared to the Abilities checklist in CareerZone; LWDA's will not be penalized for not completing this requirement if the youth is using JobZone due to a pre-existing account.

This measure will be phased in over the course of the next two program years by continuously increasing the goal from 35%, to 55% in PY 2016 to 75% in PY 2017. This will allow time for Youth providers to learn the measure and develop the most effective ways to assist youth participants in completing the modules.

6. Regional Priority Training. Goal = 95% of Individual Training Account (ITA) trainings are in occupations identified as regional priorities by the LWDBs in the region.
- The intent of this measure is to help support the Regional Economic Development Councils (REDC) by identifying regional priority occupations and therefore helping guide Regional Planning. This will be accomplished by ensuring that the In-Demand (Priority) Occupations lists are up to date on both local and regional levels, and furthering the use of the Eligible Training Provider List (ETPL) to NYESS/OSOS crosswalk for training provider records in NYESS/OSOS. By doing this, NYSDOL will be better able to perform analysis of trainings provided and the providers that offer them.
- Note that for a training service to count positively, the ITA must be with a provider that was auto-loaded from the ETPL.
7. Business Customer Job Referral Follow Up. Goal = 95% of businesses who receive referrals made to staff entered job orders must receive a follow up contact.
- The intent is to ensure that the needs of our business customers are being met and to help build the State's business customer base.

For the CSIs, there is no distinction between State and LWDA goals as with Common Measures. All goals identified are the LWDA goal for the identified CSI.

B. Negotiation of LWDA goals.

LWDBs do not have the option to negotiate CSI goals with NYSDOL.

C. Performance Thresholds.

Establishes two performance thresholds:

- Satisfactory Performance – Outcome of 80% of the LWDA goal or greater; and
- Unsatisfactory Performance – Outcome of less than 80% of the LWDA goal.

These thresholds are consistent with those detailed in the Common Measure section of this WDS TA.

D. Unsatisfactory Performance.

Unsatisfactory performance on any CSI for the PY will require the LWDB to submit a PIP for the indicator, upon notice by NYSDOL. The PIP must include:

- A corrective action plan to improve performance on the indicator. The plan must identify the actions to be taken and a timetable for implementing the actions; and

- A written assurance by the LWDB, stating that the LWDB understands and can administer its duties and responsibilities with regard to State policy and federal law regarding WIOA rules, regulations and reporting responsibilities.

#### E. Incentive Award Grants.

At this time, funding is not available to provide incentive award grants to LWDAs on CSIs for the reasons detailed in the Common Measure section of this WDS TA.

## BACKGROUND

Although WIOA will implement Program Year 2015, the performance indicators will not go into effect until Program Year 2016 (July 2016). Until then, NYSDOL is still accountable for the common measures under WIA.

NYSDOL, as authorized under WIOA §134(a)(3)(A)(xi) and W-P §8(b)(1), is required under WIA regulations §677.215 to establish criteria for incentives grants to LWIAs.

Additionally, NYSDOL is required under WIA regulations §677.220 to provide technical assistance and take corrective actions, including fiscal sanctions, with LWIAs who fail to meet minimum performance levels for the Common Measures.

## INQUIRIES

Questions regarding this TA may be directed to [dews.performance@labor.ny.gov](mailto:dews.performance@labor.ny.gov).

## REFERENCES

[Training and Employment Guidance Letter \(TEGL\) No. 17-05 Change 2](#), issued May 20, 2009, Common Measures Policy for the Employment and Training Administration's (ETA's) Performance Accountability System and Related Performance Issues; WIA Final Rules and Regulations, Part 661, Subpart C – Local Governance Provisions, §§666.300 & 666.310; and Subpart D, §§ 666.400, 666.410 and 666.420; Wagner-Peyser Act, §8(b)(1).

[TEGL 18-13](#), issued April 3, 2014, Workforce Investment Act (WIA) Adult, Dislocated Worker and Youth Activities Program Allotments for Program Year (PY) 2014; Final PY 2014 Allotments for the Wagner-Peyser Act Employment Service (ES) Program Allotments; and Workforce Information Grants to States Allotments for PY 2014.

[WDS-TA# 14-8](#), issued August 1, 2014, New York State Policy on Program Year 2014 Common Measures/Customer Service Indicator for Local Workforce Investment Area Performance for the Workforce Investment Act Title 1B Program and the Wagner-Peyser Act Program.

[TEGL 29-14](#), issued May 1, 2015, Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker and Youth Activities Program Allotments for Program Year (PY) 2015; Final PY 2015 Allotments for the Wagner-Peyser Act Employment Service

(ES) Program Allotments; and Workforce Information Grants to States Allotments for PY 2015.

[TEGL 30-14](#), issued April 28, 2015, Negotiating or Extending Performance Goals for the Workforce Investment Act (WIA) Title IB Programs and Wagner-Peyser Act Funded Activities for Program Year (PY) 2015.

## **ATTACHMENTS**

[Attachment A: Currently Negotiated LWDA Common Measure goals](#)