

Strategic Five Year State Plan

DRAFT

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I. PLAN DEVELOPMENT PROCESS

A. Describe process for developing State Plan (include timeline).

1. An initial draft State Plan was developed by the New York State Department of Labor (NYSDOL), as the designated State agency for the Workforce Investment Act (WIA), working on behalf of the State Workforce Investment Board (SWIB). Their task was to incorporate ideas, concerns, and comments from a variety of entities. Input was sought from workforce development partners on the State and local level, including Chief Elected Officials (CEOs), business, labor, and Community Based Organizations (CBOs). The Plan was made available for public comment via the Internet and through a NYSDOL Technical Advisory. All input was reviewed, considered and incorporated as appropriate. The State Board reviewed and finalized the plan. The Governor provided final approval and NYSDOL submitted the plan to the USDOL.
2. A variety of collaboration and information sharing conferences and meetings were held to ensure partnering and input into the development of the State's direction and ultimately the foundation of the State Plan. These included
 - a State-Local dialogue on transitioning to WIA,
 - meetings with Chief Elected Officials by the Executive Deputy Commissioner of the NYSDOL,
 - regional meetings on WIA implementation and information exchange, meetings among State agencies to draft a State level MOU,
 - roundtable discussions with partners,
 - workgroups consisting of local teams of partners to examine WIA implementation, and
 - dissemination of a variety of information for comment on the Internet (see attached for listing).

B. Demonstrate how comments were considered in plan development.

112(b)(9)

Comments received during the Plan development have been incorporated into the State Plan. An overview of comments is attached (see Attachment A).

II. STATE VISION

A. 1. Describe New York's shared vision of how WIA will support attainment of the State's goals.

For the businesses of New York State (NYS), success is largely dependent on the quality and skills of their employees. With technology and markets changing at an ever-increasing pace, job seekers who arrive unprepared for a high-performance workplace or fall behind the skills curve face an uncertain future. New York State has a vision of a highly skilled workforce prepared by a system that readily connects employers and job seekers and assists business in economic growth.

New York State's vision for its Workforce Development System is based on the following principles: being customer/demand-driven; providing universal access, providing value-added service, and customer choice; addressing the service requirements of special needs and target populations; providing multiple levels of service and multiple access points; developing a continuum of education and training that spans a lifetime; establishing a continuous improvement system; integrating services; setting as a priority the development of true partnerships and honest collaboration at all levels and among all stakeholders; developing staff/capacity building; implementing a comprehensive accountability system; establishing systemwide performance-driven, outcome-based measures; providing leadership, direction and assistance through the State Workforce Investment Board; integrating the system through technology; and marketing the system to the broad spectrum of customers throughout the State.

The challenge is clear. The new Workforce Development System must become demand-side driven. It must respond to business' need for qualified workers, based on the skills required for economic competitiveness. It must create a labor exchange function that is easy to use and change relationships with the employer community in radical ways. It must make employment and training services a competitive enterprise.

The Workforce Investment Act has provided us with the opportunity, structure and motivation to attain these goals, while underscoring and restating the principles upon which New York State's Workforce Development System is built.

It is imperative that New York State's Workforce Development System utilizes its resources more efficiently, increase the private sector involvement, and use a more inclusive approach to policy making and planning to enhance collaborative relationships. To encourage this, State policies will emphasize local engagement and flexibility in planning and decision making to meet the workforce needs of the Local Area. To achieve sustained, long-term benefits and expand community engagement, a coordinated local effort is imperative.

Over the next five years, NYS will continue to streamline services by further integrating systems and providing the State infrastructure. This will be accomplished by establishing technological and business processes to promote electronic data sharing and communications among its programs. New York State will continue to integrate, and where appropriate and feasible, consolidate workforce investment and related programs through strong interagency collaboration (at both the State and local levels). It will foster a truly seamless delivery of services and reduce unnecessary program duplication.

During the first year of this plan, all local One-Stop systems will operate in accordance with the guidelines developed by the Local Boards and the One-Stop partners through Memoranda of Understanding (MOUs). The MOUs identify the operating protocols, structure and services for the local system as well as the roles and responsibilities of the partners in the system. Through continued negotiation with local partners and revision of this document over the next five years, the Local Boards will continue to guide the implementation of a common process and set of services for the local Workforce Investment Area.

One-Stop system operations will continue to be streamlined as common data systems, administrative procedures, and performance measures are further developed and utilized by the partners. Shared input and access to information by partners, cross-training of staff, and coordinated program planning will further streamline and enhance the services and operations in the One-Stop systems. Electronic self-service should eliminate long lines and paperwork and serve as the gateway to more intensive, personalized service by program specialists. This will facilitate the efficient use of staff resources.

Universal access to services will be achieved through a variety of means. Chief among these is access to various workforce development, employment, training and labor market information systems and applications through technology. Many of these systems will be accessed through customer self-service, both at the One-Stop and satellite sites and at other electronic access points or business and home computers. Facilitated access also will be available at the One-Stop sites for customers requiring additional assistance. Universal access will be assured through the local plan review and approval process, which will be managed at the State level.

All required core services for the mandated and optional partner programs will be available at the local One-Stop center(s). Access to intensive and training services also will be provided at the One-Stop Centers, although the actual services may be provided elsewhere within the system. The actual range, method of provision, location of services to be provided by the partner programs, and the funding streams to support them, are identified in the local One-Stop system level MOUs. A general list of the partners, programs, services and funding streams is identified in later Sections of this planning document.

The array of services that will be available through the local One-Stop systems will benefit the general population as well as targeted audiences such as welfare clients. Universal access will assist all unemployed or underemployed workers in identifying relevant educational and support programs. The availability of counseling services

will lead to more appropriate matches between skills and employment opportunities. Outreach efforts to targeted audiences, such as public assistance recipients, will increase awareness of the services available through the system. Close working relationships between the local welfare planning entities and the One-Stop partners will help assure that this critical population receives seamless workforce development services. New York expects this to increase the successful transition from welfare dependency to self-sufficiency. Similarly, close-working relationships will be established with applicable local entities to better serve the needs of other special populations (i.e. low income, disabled, substance abusers, and older workers).

Customer access to WIA-eligible training programs will be available by July 1, 2000. The New York State Department of Labor will develop, house, maintain and disseminate a database of all eligible training providers in the State. This database will be compiled from information provided to NYSDOL by the local WIBs. This information will be made available to the Local Areas, enabling individuals with individual training accounts to choose the training program that best meet their local labor market needs. A consumer report card system also will be developed as part of this listing of eligible training providers to assist customers (both businesses and job seekers) in making informed decisions regarding training providers or programs.

New York's Workforce Development System is being designed to be more flexible, accessible and responsive to customers. Economic development will be enhanced by a system that's coordinated and readily available to businesses. Creating a single point of contact for businesses and providing centralized data access for them will make it easier to identify a trained worker pool or an appropriate training provider. Local flexibility allows communities to target the specific educational and training gaps of their existing workforce needs. By designing a Workforce Development System that is more consistent with the goals and needs of the welfare, education and economic development systems, New York will be better able to serve and enhance the prospects of all its customers.

New York will ensure that Local Areas have the flexibility to develop programs to assist young people in accessing services to enhance and/or expand their education and employment skills. New York State will encourage Local Workforce Investment Boards to establish Youth Councils that represent a broad range of youth programming and advocacy so that strong linkages and collaboration will thrive in local Workforce Investment Areas.

B. Describe Performance Indicators and Goals and Identify the Performance Indicators Required Under Section 136

Goals are expected to be available for insertion in the table by April 1, 2000. Local goals will total the statewide goals negotiated with USDOL.

WIA Title I funded programs in NYS will be measured by the performance indicators on the following table. NYS will develop baseline data based on past experience of participants in workforce development programs, following guidance in the recently issued Training and Employment Guidance Letters No. 7-99 and 8-99. The State will establish final performance goals through negotiations with USDOL.

PERFORMANCE INDICATORS

WIA Requirement at Section 136(b)	Corresponding Performance Indicator	Previous Year Performance	Performance Goals for:		
			PY 2000	PY 2001	PY 2002
Adult					
Entry into Unsubsidized Employment	Entered Employment Rate				
6-Months Retention in Unsubsidized Employment	Employment Retention Rate				
6-Months Earnings Received in Unsubsidized Employment	Average Earnings Gain				
Attainment of Educational or Occupational Skill Credential	Credential Attainment Rate				
Dislocated Workers					
Entry into Unsubsidized Employment	Entered Employment Rate				
6-Months Retention in Unsubsidized Employment	Employment Retention Rate				
6-Months Earnings Received in Unsubsidized Employment	Earnings Replacement Rate				
Attainment of Educational or Occupational Skill Credential	Credential Attainment Rate				
Older Youth 19-21					
Entry into Unsubsidized Employment	Entered Employment Rate				
6-Months Retention in Unsubsidized Employment	Employment Retention Rate				
6-Months Earnings Received in Unsubsidized Employment	Average Earnings Gain				
Attainment of Educational or Occupational Skill Credential	Credential Attainment Rate				
Youth 14-18					
Attainment of Basic, Work Readiness and/or Occupational Skills	Skill Attainment Rate				
Attainment of Secondary School Diplomas/Equivalents	HS Diploma/GED Attainment Rate				
Placement and Retention in Post-Secondary Education/Training, or Placement in Military, Employment, Apprenticeships	Retention Rate				
Customer Satisfaction					
Participant Customer Satisfaction	Customer Satisfaction Score of Participants				
Employers' Customer Satisfaction	Customer Satisfaction Score of Employers				

III. ASSESSMENT

A. Market Analysis

1. Key economic trends over next five years

The economic trends outlined below have shaped New York State's economy in recent years and will continue to exert a great deal of influence on the economy in the next five years.

a) Ongoing structural change in the economy

i) Continuing growth in the services industries

- Services industries will continue to be the largest and fastest growing segment of the State's economy. Between 1990 and 1998, total services employment increased by 422,000, or 17.8 percent. Over this period, the fastest growing services industries were business, health, education and social services, all of which increased employment by 20 percent or more. This group will continue to be among the fastest growing services industries over the next five years.
- The computer- and health-related fields are expected to provide some of the fastest growing occupations in New York. The new media industry, which is comprised of computer-related enterprises such as Internet services, software developers for personal computers, multimedia and video games, and web site development, is also expected to generate a significant number of high-paying jobs. The aging of the 5.3 million Baby Boomers living in New York State, will lead to the need for a large increase in the number of trained health professionals.
- Construction has growing strongly over the last five years. The gain from 1998-1999 was the largest during that period.

ii) Manufacturing

Despite many changes, the factory sector remains an important part of New York's economy. In an environment of increased global competition, New York's manufacturers will need workers who are rich in skills and able to learn new skills and new procedures as technologies emerge.

b) The changing workplace

Technology has and will continue to transform the workplace. Computer usage is nearly universal in almost all industries. The rapid expansion of e-commerce and information technologies will accelerate this trend.

c) Population

New York's population has remained relatively stable. The influx of foreign-born persons will continue.

d) Changing composition of the labor force

The New York labor force will include more women and more multi-cultural persons in the next five years. In addition, New York's labor force participation rate will rise as many persons enter the workforce for the first time. Many of these first-timers will lack the skills that employers need. Ongoing welfare reform efforts and foreign immigration will contribute to labor force growth.

2. Implications of trends

To minimize future labor shortages, it will be necessary to provide training for those in New York who cannot otherwise acquire suitable employment. Training will be especially important since New York's working-age population is expected to grow slowly. Workers, including incumbent workers, unemployed workers, displaced workers, and new entrants to the labor force, will require labor market information about available and emerging employment and training opportunities.

Local Workforce Investment Boards (LWIBs) will need information about occupations in demand to help them identify employers' training needs.

Many new labor force entrants, including former public assistance recipients and recent immigrants, will require training in basic literacy (e.g., English as a second language), social, or job-specific skills.

Upgrading the skills of incumbent workers will be required to keep New York State businesses competitive, minimize worker underemployment, and to keep pace with technological change.

Worker training should reflect the increased use of technology and computer skills throughout nearly all industries.

The workforce development needs of New York businesses, including those in emerging industries and key cluster industries, periodically should be identified via surveys. Accurate and timely identification of training needs will help LWIBs to provide the training required by local businesses.

Creative skills related to the advertising field will be in demand. The State will need persons skilled in computer programming, data processing, and cutting edge computer-related fields. Skills in many health care fields will be in demand as the population ages and requires greater levels of health services. Individuals with skills in the construction trades and machine trades should have little trouble finding jobs. Teachers and trainers will be in demand as long-time teachers retire in great numbers and the workplace increasingly requires that workers learn new skills throughout their working lives. Social services workers will be in demand as well.

3. Projected skill development needs

Skill development will vary widely. There are three types of skills: work-readiness or social skills, basic educational skills, and job-related occupational skills. Examples of work-readiness or social skills include coming to work on time,

dressing appropriately, and getting along with others. Examples of basic educational skills include reading, writing and math. Examples of job-related occupational skills include how to wire an electrical outlet, how to paint a car, and how to create a web page. Workers with no work experience and no high school diploma may need basic skill training, including literacy training.

Basic and work-readiness skills development may be appropriate for customers with no work experience, an inadequate education, and a lack of work-readiness skills. Job specific training will be provided to customers who have basic and work-readiness skills, but lack all the job-specific skills needed to work in a demand occupation. For example, job-specific skill development would be appropriate for incumbent workers who need to update their technical skills to meet the new skill requirements of their current job.

The projected skill development needs of customer segments vary according to the skills they possess when they access the Workforce Development System. There are a number of customer segments, including, but not limited to, dislocated workers, public assistance recipients, older workers, veterans, migrant and seasonal farm workers, Native Americans, persons with disabilities, women, minorities, businesses and youths.

Individuals in each of these customer segments may need help finding and interpreting labor market/career information and planning and executing a job search. The table below shows which customer segments are most likely to require work-readiness, basic educational, and job-related occupational skills.

Work Readiness Skills

Public Assistance Recipients
Youth

Basic Skills

Public Assistance Recipients
Seasonal Farm Workers
Speakers of Foreign Languages
Youth

Job-Related Occupational Skills

Dislocated Workers
Older Workers
UI Recipients
Youth

B. State Readiness Analysis

1. Leadership

a) State Workforce Investment Board

- i. Describe the organization and structure of the State Workforce Investment Board. New board? Or “grandfathered-in” existing board? 111, 112(b)(1)

New York State created a new board pursuant to legislation passed by both houses of the State Legislature and signed into law by Governor Pataki on November 10, 1999 (Senate Bill 3-B) in compliance with federal Workforce Investment Act requirements. This legislation defines the composition of the board, designates the New York State Department of Labor as the lead agency in WIA implementation, and stipulates that the State Department of Labor will provide staffing to the board. The Department will coordinate the necessary programmatic support for the Board through its Workforce Development & Training Division.

- ii. Identify organizations or entities represented on the Board 111(a-c), 111(e), 112(b)(1)

The State Board is composed of 41 members drawn from a cross-section of New York’s industries and constituencies. Non-business members on the board include four representatives nominated by organized labor, two local chief elected officials, four representatives from the State legislature (two from each house), a community college president, and three representatives from community-based organizations (two of which are involved in youth activities). These members were selected from over two hundred nominations received by the Governor’s Appointments Office. Board members were selected based on their level of experience in delivering workforce development services and their desire to create a seamless service delivery system. Close attention was paid to securing a diverse group of individuals representing the various sectors in New York State: urban, rural, suburban. The Governor, along with three commissioners from his executive branch, and the Commissioner of Education (who is responsible to New York’s Board of Regents), complete the non-business membership on the board.

- iii. Describe the process New York used to identify its State Board members. How did NY select Board members, including business representatives who have optimum policy-making authority and who represent diverse regions of New York as required by WIA? Include how the Board’s membership enables New York to achieve its vision, as described above. 111 (a-c), 112(b)(1)

Pursuant to both the federal and state-enabling legislation, business representation on the Board was secured from an array of sources. Statewide organizations representing various sectors of the economy were canvassed for

potential representatives. Those organizations included the Business Council of New York State, the Manufacturing Association of Central New York, the Retail Council of New York State, the National Federation of Independent Business, the General Building Contractors of New York, the New York State Food Merchants Association, and the New York Farm Bureau. Business members on the State Board represent all regions of New York State, and all of New York's critical economic sectors: manufacturing, agriculture, high technology, hospitality and tourism, health care, telecommunications, transportation, construction, energy, and retail. The board member selection process paid critical attention to ensure both geographic representation as well as industry representation.

Many of the business representatives on the State Board have responsibilities that are *statewide* in focus. A number are CEOs of their companies; several also have multi-state workforce responsibilities. The review and final appointment process, which included thorough background checks and personal interviews, ensured that all business members have optimum policy-making authority.

Board members who represent the cross-section of New York's economy are well positioned to assist in achieving the vision articulated in Section II. Members bring a wealth of experience in business practice and commitment to workforce development issues. The implementation of our vision will be greatly aided by the practical, hand-on experience these individuals have, especially as they identify and work through the many barriers they have encountered with the fragmented system as it existed. Many of these members have shunned government-funded programs in the past but saw an opportunity with the creation of a new board to assist in building a system that will meet their needs while assisting all New Yorkers to achieve the goal of economic self-sufficiency.

iv. Describe how the State Board will carry out its functions.

How will this Board provide direction setting leadership for the statewide system? 111(d), 112(b)(1)

By statute, the Board must meet quarterly, at a minimum. It is anticipated that the Board meetings will be held more frequently until full implementation of the Workforce Investment Act is attained and in an effort to further develop and implement the strategic five year plan. The Board will assist the Governor in identifying innovative statewide activities for potential incumbent worker projects. Additionally, the Board in conjunction with the Governor will establish policies that will provide localities with the greatest amount of flexibility necessary to utilize the Workforce Investment Act as an economic development tool. Economic development and economic self-sufficiency are strategically linked goals and the Board intends to use its collective experience to provide that guidance to the development of the statewide system. The assistance of the Commissioners from the most critical state-level partners will be essential as they work with their respective agencies to carry out the Board's mission.

- v. How will the State Board coordinate and interact with the local Workforce Investment Boards? 112(b)(1)

The Board will utilize all means of communication to achieve and maintain an open dialogue with local boards: written, electronic, verbal and video. Board policies will be posted on the State's workforce development website (www.wdsny.org). Additionally, seminars, retreats and special conferences may be convened for all board members to ensure continuity as the State's vision is implemented.

- vi. State Board Assurances can be found in Section VI. "Assurances".

b) Conflict of Interest

The New York State Department of State and the New York State Ethics Commission established a standard of conduct for officers and employees in State service. The standard pertaining to Conflict of Interest indicates that an officer or employee may not engage in activities that would create or appear to create a conflict with their public duties. Using this as a guide, the State has created a policy statement pertaining to the State Workforce Investment Board (SWIB).

A member of the SWIB may not (a) vote on a matter under consideration by the SWIB (i) regarding the provision of services by such member or by an entity that such member represents; or (ii) that would provide direct financial benefit to such member or the immediate family of such member; or (b) engage in any other activity determined by the Governor to constitute a conflict of interest.

Finally, while it is acknowledged that the majority of the SWIB is representative of the private sector business community and does not represent any particular State agency or Division, it is understood that they are serving on a board which represents the interests of the public in relation to workforce development. Therefore, each SWIB member should endeavor to pursue a course of conduct which will not raise suspicion among the public that they are likely to be engaged in acts that are in violation of their public trust.

The document providing the Local Board Appointment Criteria for New York State also requires that each LWIB establish by-laws that address conflict of interest procedures. Guidelines published by the State for completion of Comprehensive Five-Year Local Plans call for a description of the process for dealing with actual and perceived conflicts of interest. A copy of the by-laws of the LWIB is required as an attachment to the local plan.

- c) Criteria established by NY for the CEOs in the Local Areas to use for Local Board member appointment in accordance with Section 117. 112(b)(6), 117(b) of WIA.

New York State has provided Chief Elected Officials in the Local Areas with criteria for appointment of members of the LWIBs. These criteria and the review/certification process for LWIB composition, assure compliance with both the statutory composition requirements [Sec. 117(b)] and related State policy.

Nominations of business representatives must be sought from two or more local business organizations or trade associations. Appointments must be made of the “highest-level” private sector business representatives and should reflect local business and community demographics. The State encourages inclusion of representatives from high-tech, growing and emerging businesses. The criteria encourage the appointment of representatives who have an interest and background in youth issues for possible appointment to the Youth Council.

With the cooperation of organized labor, including the AFL-CIO, NYS anticipates adequate nominations from local labor federations to meet the requirements of at least two such representatives on each LWIB. The State requires that, in the selection of representatives of community-based organizations, special consideration be given to including representatives of organizations representing individuals with disabilities, veterans and other populations that may have a significant presence in the Local Area. Local Board appointment criteria also call for staggered terms of office in order to ensure the continuity and stability required for successful Board operation.

A copy of the complete “Local Board Appointment Criteria” is attached as “Attachment B.”

d) Allocation formulas

i. Equitable distribution

New York State will allocate WIA funds for services to youth and adults in accordance with WIA Sections 128(b) and 133(b). The State will allocate 85 percent of its Adult and Youth allotments to local Workforce Investment Areas. The chart below shows the allocation factors and their weights.

The State will allocate adult and youth funds using the hold-harmless provisions of the law, and as authorized by the Secretary of Labor, so that every Local Area will receive an allocation percentage that is at least 90 percent of its average allocation percentages for the two preceding years. For Program Year 2000, the percentages for the two preceding years will be based on the JTPA formula allocations in Program Years 1998 and 1999. The hold-harmless shares for the four newly designated areas will be based on their share of the funds received by their former Service Delivery Areas. These are Tompkins County, Broome/Tioga, Dutchess County and the Balance of Putnam/Westchester County. The hold-harmless shares for Monroe County will be based on the sum of the shares of the former Rochester City and Balance of Monroe County Service Delivery Areas.

ii. Describe NY’s allocation formula for dislocated worker funds. (Provide an explanation if the state opted to use other information sources to omit any of

the information sources in Section 133 (b)(2)(B)(ii), the information sources required by the Act). 112(b)(12)(c), 133 (b)(2)(B)

The State will allocate WIA funds for services to dislocated workers in accordance with WIA Section 133(b). The State will allocate 60 percent of its Dislocated Worker allotment to local Workforce Investment Areas. The allocation formula is the formula specified in the State's Worker Adjustment Assistance Act enacted for the JTPA EDWAA Program. The State may be considering modifications to the formula. The chart below shows the allocation factors and their weights.

- iii. For each funding stream include a chart that identifies the formula allocation to each Local Area for the first fiscal year.

The attached chart shows the PY 2000 allocation estimates for local Workforce Investment Areas for the Adult, Youth and Dislocated Worker programs. Final allocations will be calculated when the actual allotments for the State are announced.

In addition, as an attachment to this document, we have included a description of the formula used to distribute Wagner Peyser funded DOL staffing levels to local workforce investment areas in New York State. Also attached is the estimated formula distribution based upon anticipated Wagner Peyser funding levels for PY 2000. Both of these can be found as Attachment C.

Factors	Weight
Adult Program	
Unemployed individuals in areas of substantial unemployment (Unemployment rate of at least 6.5%) (July 1998 – June 1999)	33 ¹ / ₃ %
Excess number of unemployed individuals (In excess of 4.5% of the civilian labor force) (July 1998 – June 1999)	33 ¹ / ₃ %
Disadvantaged adults (1990 Census)	33 ¹ / ₃ %
Youth Program	
Unemployed individuals in areas of substantial unemployment (Unemployment rate of at least 6.5%) (July 1998 – June 1999)	33 ¹ / ₃ %
Excess number of unemployed individuals (In excess of 4.5% of the civilian labor force) (July 1998 – June 1999)	33 ¹ / ₃ %
Disadvantaged youth (1990 Census)	33 ¹ / ₃ %
Dislocated Worker Program	
Unemployment Insurance Beneficiaries (1998)	Combined
Long Term Unemployed (1998)	92%
Unemployed individuals in areas of substantial unemployment (Unemployment rate of at least 6.5%) (July 1998 – June 1999)	2%
Unemployed under the Mass Layoff Statistics program (October 1996 – September 1998)	2%
Change in Employment in Industries with Job Losses in Past Five Years (March 1992 – March 1997)	2%
Farms Under Financial Stress (Number of Farms with a Debt/Asset Ratio over 40%) (1997 est.)	2%

- e) Describe the competitive and non-competitive processes at State level to award grants and contracts for activities under WIA Title 1. Include how potential bidders are being made aware.112(b)(16)

The awarding of grants at the State level for youth, adult and dislocated worker activities will be primarily a competitive process. We do not anticipate any non-competitive grants except for specialized consultants on a limited basis. If the need arises to utilize consultants, justification will be provided and State procurement guidelines will be used.

Competitive grants are awarded through the use of Requests for Proposals/ Applications (RFPs/RFAs). State acquisitions of services and technology are to fulfill programmatic needs and provide the State with the “best value,” ensuring open and fair competition. The State makes efforts to ensure that bidders are

apprised of solicitation opportunities by arranging for notification in the State's *Contract Reporter*, by mailing Interested Parties letters to known bidders and industry associations, by disseminating Technical Advisories, and by posting on the Department of Labor's Workforce Development web site (www.wdsny.org). State procurement guidelines will be used.

RFPs/RFAs set forth specifications and requirements that define services or technologies needed and do not favor a particular bidder, product or service. RFPs/RFAs state required qualifications of bidders and mandatory contract terms and conditions in a tailored, written application package.

Proposals/Applications are evaluated according to written guidelines, and evaluation criteria are applied equally and uniformly. Successful bidders will be posted on the Department's web site. Written contracts or agreements are developed including specific terms and conditions, budgets and program narratives.

- f). Identify criteria for Local Boards to use in awarding youth grants. Include criteria used by Governor and local WIBs to identify effective and ineffective youth activities and providers. 112(b)(18)(B)

Local Boards will award grants and contracts for youth activities to fulfill programmatic needs and provide them with the "best value," ensuring open and fair competition. Grants and contracting will be in line with established local procurement policies and based on the recommendations of the Youth Council. Effective programs typically will include the ability to:

- 1) target specific populations;
 - 2) collect data on a regular basis to allow accurate tracking of progress toward outcomes;
 - 3) collect information on program cost to estimate return on investment;
 - 4) maintain a Management Information System;
 - 5) compare program progress against interim goals and modify delivery process as necessary to improve results;
 - 6) monitor and evaluate the individual progress of the participants and modify service delivery strategies accordingly;
 - 7) implement a program design that includes all elements of the required design framework and at least three of the required 10n program elements other than follow-up;
 - 8) recruit and retain the required targeted population;
 - 9) adequately network to provide appropriate referrals as needed;
 - 10) recruit and hire professional staff that meet the needs of the targeted population to be served;
 - 11) build strong collaborative partnerships that foster coordination and non-duplication, to meet the needs of the targeted population;
 - 12) provide follow-up services for not less than 12 months;
 - 13) maintain an accounting system in accordance with Generally Accepted Accounting Principles (GAAP);
 - 14) properly maintain internal controls.
- g) If not delegated to Local Boards, provide NY's definition of the sixth youth eligibility criterion (an individual who requires additional assistance to complete

an educational program or to secure and hold employment). 101 (13)(c)(vi)
101(13), 112(b)(18)(A)

The requirements of Sec.101(13) for eligible youth will be met. Local WIBs will be given the opportunity to define “an individual who requires additional assistance to complete an education program, or to secure and hold employment.” As they develop this definition according to the particular needs of youth in their area, the State suggests to Local Boards that they may want to consider the following characteristics as guidelines:

Chronic absenteeism and truancy from school, or school dropout
Chronic underachievement in school
Chronic behavior problems or legal offenses
Physical, mental, or social/developmental immaturity or impairment
Substance abuse
Deficiency in basic literacy skills
Lack of occupational skills/goals
Victim of physical/sexual/psychological abuse
Status as a homeless, runaway, or foster child
Pregnant, or a teen parent, or single parent status

Educational assistance may include tutoring, vocational/occupational skill building or training, or an individualized program of study. Definitions will be required in local plans.

h) State Policies and Requirements 112(b)(2)

i. Describe State policies and requirements established to direct and support development of Statewide Workforce Investment System, not described elsewhere.

The New York State Department of Labor as the designated State entity to administer and monitor the implementation of WIA in New York will continue to work with the State Workforce Investment Board, Local Workforce Investment Boards, and Chief Local Elected Officials to develop policies and requirements for the statewide Workforce Development System. A collaborative process will continue to be used to establish policies designed to build consensus around key issues pertaining to the delivery of services. The State of New York seeks to provide maximum flexibility to Local Areas in the design and operation of their programs and One-Stop systems in any policies that are developed.

Some of the major policy areas and requirements initiated by the Department in support of the development of the Workforce Development System include:

- Guidelines and template for the development of locally required Memorandum of Understanding (MOU). Local Workforce Investment Boards and One-Stop partners are required to address the specific elements

identified in this template. State and local input was sought and incorporated into the final package.

- Department definition for “participation” in the New York State Job Bank. The New York State Department of Labor will provide the technology to support/maintain the State Job Bank and Talent Bank System (WINS) application and database. As part of the MOU process, all One-Stop partners must provide assurance that they will participate in the WINS system as the official job placement and referral system for One-Stops. The NYSDOL has defined the parameters of what this participation does and does not entail, and has incorporated feedback from local partners.
- Establishment and design of One-Stop Centers in New York State. As part of its federal One-Stop award, the Department developed a Request For Application (RFA) to competitively award funding to Local Areas for the development of comprehensive One-Stop centers. The Department’s RFA contained minimum requirements for the design (partnership and services) of the One-Stop centers in New York State.
- Technology requirements for the Case Management and Reporting system in the One-Stop system. The Department announced its intention to utilize the One-Stop Operating System (OSOS) and strongly encouraged Local Areas to also utilize it. The Department provided the specific technical requirements for the system as well as its capabilities. Local Areas that do not choose to utilize this system must assure that their system contains the same capabilities and is fully compatible with the State’s system for all reporting requirements.
- Availability and allowable use of WIA 2% Transition funds. State policy and procedures were developed and released in a Technical Advisory to Local Areas on the process for requesting these funds and allowable uses for these funds for various planning and transitional activities in preparation for WIA implementation.
- Development of a Youth Tool Kit. This policy outlines the statutory and regulatory requirements for Youth Councils under WIA, the scope of work for the Youth Council, membership considerations, options for forming a Youth Council and the implementation of a Youth Council.
- New York State Registered Apprenticeship Program Recognized as a State Credential. In calculating the adult employment and credential rate for WIA, New York will recognize the successful achievement by apprentices of their first wage progression milestone in a NYS Registered Apprenticeship Program as a credential. Apprentices receive sequentially prescribed on-the-job training in accordance with a written outline of specific work processes under the direct supervision of a journeyworker. In addition, they must participate in required, related supplemental instruction. Wage increments are granted upon the journeyworker's certification that the apprentice has satisfactorily mastered the required work skills during

the time frame specified in a written apprenticeship agreement. The wage increase serves as an acknowledgement that the apprentice has attained a higher skill level and is therefore entitled to the pay increase.

- **Development of Local Planning Guidance.** These guidelines for preparing of the required local planning document outline the State’s requirement that Local Areas discuss the policies and definitions they have enacted in various prescribed areas with respect to implementing WIA and developing of their local One-Stop system.

Other policies that the State will be or currently is developing include reallocation policies for unobligated local funds and intertitle transfer authority between local Adult and Dislocated Worker funding streams. State policies and procedures in these areas will, for the most part, mirror the requirements of the Act. Other pertinent State policies and requirements such as Local Board appointment and certification criteria, local area designation procedures, performance information requirements for local providers of training services, are discussed in the other sections of this plan. In addition, the State has included policy decisions and requirements in the Local MOU Toolkit, State MOU Agreement, Local MOU template, cost allocation T.A.G., Services and Funding Toolkit and adopted the JTPA Hold Harmless Provision for WIA.

ii. Define “deficient in base literacy skills” for the purpose of youth eligibility

The Secretary’s Commission on Achieving Necessary (SCAN) skills provides the framework for the definition of “deficient in base literacy skills” for the purpose of youth eligibility as it relates to workforce development. Any youth lacking in one or more of the skills mentioned below will be faced with a barrier to finding employment that leads to self-sufficiency. The literacy skills necessary to be successful in today’s competitive workplace are much more involved than those of past years. The youth of today need to be proficient in a variety of skills including basic reading, writing and mathematical skills, but they also must develop skills beyond the basic level as more technology is introduced in the workplace. Communications, problem solving, teamwork and evaluation skills also are now vital to ensuring that youth are making progress in their educational and occupational goals. As the computer revolution continues to change the way the world operates it is necessary to expose youth to technology, and have them develop a working knowledge of how it operates.

2. Services - current status of One Stop implementation statewide

a. Actions NYS has taken

At present 20 One-Stop Centers are in operation. These are located in 13 different counties throughout the State.

The New York State Department of Labor has sent out Requests for Applications (RFAs) to Service Delivery Areas/local governments for the creation of One-Stop

Career Centers in each area. The RFAs were sent out in three rounds: April 1998, May 1999 and October 1999.

The RFA provided information on One-Stop criteria, required partners, technology guidelines, accountability and other related matters.

The applicants were required to form Steering Committees, provide certain assurances and agreements on the creation of the One-Stop Centers, show proof of readiness for implementation, provide a detailed program narrative describing the proposal, and submit a detailed budget that included matching and in-kind funds from the partners.

The Round One RFA (April 1998) awarded \$2,998,678 through a total of 15 grants. Implementation Grants were awarded to areas that were fully ready to establish an integrated local Workforce Development System within the first year of operation. Demonstration Grants were awarded to areas that were not yet fully ready to implement, but could use these funds on one or more aspects of their Workforce Development System to move toward full readiness. Of the 15 grants, eight were Implementation Grants.

The Round Two RFA (May 1999) awarded \$3,761,241 through a total of 13 grants, all of which were Implementation Grants. Six of these grants went to Round One Demonstration Grant award recipients.

In the Round Three RFA (October 1999 - Final Round), 13 grants were awarded, totaling \$3,799,579.

Funds provided to local sites are being used to foster service consolidation/integration, expand existing services, enhance universal access and establish/support area-wide technology infrastructure. The grants are vital to ensuring that all Local Areas establish One-Stop systems as we move toward full implementation of the Workforce Investment Act by July 1, 2000.

- b. Degree of existing collaboration for WIA, Wagner Peyser Act (WPA) and all other required optional partners 112(b)(8)(A), 121(b)(1-2), 134(c)

The New York State Department of Labor has taken numerous steps to ensure that existing collaboration between the partners in the One-Stop system continues to grow as we approach full implementation. The following is a list of some of these steps:

- **Development and dissemination of a Local Memorandum of Understanding (MOU) template.** This template provides Local Boards and Chief Elected Officials with the guidance they need to develop a working MOU with the partners within their One-Stop system. The template, along with the guidelines and cost allocation guides, was developed by the Department and shared with local and State partners. These materials were presented and discussed last fall at several roundtable and workshop sessions at a statewide conference for training and employment professionals (State and local partners). Comments from this conference along with others that

were e-mailed, faxed or mailed to the Department were considered. A revised template and guidelines, along with documents detailing the comments and recommendations, was then released as an official Workforce Development System Bulletin to all One-Stop partners.

- **Development of a Toolkit for Local Areas.** Based on the work of several facilitated State/Local workgroups, materials were developed on strategies to design and build a One-Stop system and strategies to develop and negotiate local MOUs. The materials that were developed and the process used to develop them were discussed in a series of interactive report-out sessions across the State.
- **Collaboration with Wagner-Peyser funded programs.** Wagner-Peyser programs in New York State are administered by the New York State Department of Labor's Division of Employment Service (DOES). State policy establishes that the Wagner-Peyser funded job bank and talent bank will serve as the statewide system. In the areas that have set up pilot One-Stop Centers DOES is playing a key role in implementation and operational procedures and is leading the partners in the transition to the new system.
- **Participation and development of conferences relating to WIA and One-Stop systems.** Working with the New York Association of Training and Employment Professionals (NYATEP) and the New York Employment and Training Institute (NYETI), the Department of Labor brought together all of the partners and programs involved in workforce development for educational conferences. These conferences provided the foundation for partners to recognize and actively begin developing their role in the One-Stop system.
- **Brokered training on WIA.** Additional statewide and regional training on WIA transition and implementation strategies was conducted through various nationally renowned brokered trainers such as Greg Newton & Associates, Sandra Hastings, John Chamberlin and Rochelle Daniels. This training provided Department of Labor staff and partner agencies with a preview of what can be expected as the transition takes place, and what activities need to be focused on in developing their One-Stop systems.
- **Development of a State level Memorandum of Understanding (MOU).** The purpose of this Agreement is to establish a cooperative and mutually beneficial relationship among the State agency partners and to set forth the responsibilities of the agencies related to planning and implementation of individual and mutual duties, obligations and responsibilities under WIA.

3. System Infrastructure

a. Local Workforce/Investment areas

- i. Identify areas: include those automatically designated and those temporarily designated. How do these compare in size and numbers with the SDAs under JTPA? 112(b)(5)

Designated Local Workforce Investment Areas (LWIAs) in New York State are listed below by category:

CATEGORY I (over 500,000):

- Suffolk
- Monroe (now including Rochester)
- Erie
- New York City

CATEGORY II (JTPA/SDA over 200,000):

Genesee/Livingston/Ontario/Wyoming
 Finger Lakes (Ontario, Seneca, Yates, Wayne)
 Oneida/Herkimer/Madison
 Oyster Bay
 Niagara
 Syracuse/Onondaga
 Albany/Schenectady/Rensselaer
 Chemung/Schuyler/Steuben
 Hempstead
 Rockland
 Saratoga/Warren/Washington
 Orange

CATEGORY IIIA (JTPA/SDA Over 200,000; Failed Performance Standards):

None

CATEGORY IIIB (JTPA/SDA Under 200,000):

St. Lawrence
 Cattaraugus/Allegany
 Ulster
 Jefferson/Lewis
 ACCESS (Clinton, Franklin, Essex, Hamilton)
 Sullivan
 Cayuga/Cortland
 Fulton/Montgomery/Schoharie
 Chenango/Delaware/Otsego
 Yonkers
 Oswego
 Columbia/Greene
 Chautauqua

CATEGORY IIIC (New Local Areas):

Broome/Tioga
 Tompkins
 Dutchess
 Balance of Westchester/Putnam

Minor changes occurred in the makeup of a few WIAs from SDAs; the number remains the same, 33.

- ii. Describe process to designate such areas. Describe how NY considered the extent to which such Local Areas are consistent with labor market areas, geographic areas served by local and intermediate educational agencies, post secondary educational institutions and other area vocational schools, and all other criteria in 116 (a)(1) in establishing area boundaries to assure coordinated planning.

Describe the SWIB's role, including all recommendations made on local designation requests. 116(a)(4)

All Chief Elected Officials were contacted and a standardized "Request for Designation as a LWIA" was sent to them with instructions on completion. Requests included information on the following: counties/cities included in the proposed Local Area, Chief Elected Officials, current SDA status, category under which designations were requested, previous performance, financial integrity, and status of One-Stop implementation in the area. The minimal shifts that occurred were consistent with labor market and geographic areas served by pertinent agencies.

Local designation requests were reviewed, verified and organized by Department of Labor staff and presented to the State Board for consideration and approval in concert with the Governor. All LWIA requests for designation were approved.

- iii. Describe appeals process used by NY to hear appeals of Local Area designations. Identify any appeal made and status of that appeal. 112(b)(15), 116(a)(5)

No appeals were necessary initially since all designation requests were approved. However, an appeals process is in place for any future appeals. Any appeals from units not designated will be directed to the State Board for review in conjunction with the Governor. If the designation request is still denied, an appeal may be made to the Secretary of Labor for decision.

b. Regional Planning (112(b)(2), 116(c))

- i. Describe any interstate or intrastate regions and their corresponding performance measures.

This plan does not include any formal intrastate or interstate regions.

- ii. Include a discussion of the activities (such as regional planning, information sharing, and/or coordination activities) that will occur to help improve performance. (e.g., regional planning efforts could result in the sharing of labor market information or in the coordination of transportation and support services across the boundaries of Local Areas.)

New York State is encouraging geographic areas to form partnerships and to work together in self-organizing systems to address cross-over issues, such as regional transportation, support services and economic development. These partnerships will be encouraged to investigate the value of cost sharing/pooling arrangements between and among counties. The State expects that the regional partnerships will be a valuable tool in assessing economic development and workforce development needs throughout their communities, identifying service gaps and emerging trends and for recommending a strategy to target resources. The partners may also be instrumental in setting outcomes for the local system, including entered and retained employment, wage levels for training program graduates, decreased welfare dependency, attainment of industry recognized credentials, and in collecting and making public outcome results for all workforce development programming.

- iii. For interstate regions, describe the role of the Governors, SWIBs and LWIBs.

N/A

- c. Selection of service providers for ITAs 112(b)(17)(A)(iii), 122, 134(d)(2)(F)

Individuals determined to be eligible for training services through the Adult and Dislocated Worker Programs will access training funds through an Individual Training Account (ITA), and select a training program from the State List of eligible training programs (ETPs). The State delegates the responsibility for defining ITA policies and procedures to the LWIB (e.g., prioritizing who receives ITAs, and procedures on how ITAs are utilized and tracked).

The LWIB's local plan must assure that written policies and procedures are developed, communicated to all local One-Stop operators and are available for State review. Agreements may be entered into on a reciprocal basis to permit eligible training programs to accept money from ITAs from another state.

- i. Policies to determine initial eligibility

The WIA automatically grants initial eligibility to all entities that carry out programs under the Higher Education Act of 1965 and the National Apprenticeship Act. Thus, New York State automatically will grant initial eligibility status to such programs upon receipt of a completed initial eligibility application for the program.

Initial eligibility status for all other programs will be determined by the NYSDOL in consultation with LWIBs. The State will provide opportunity for all LWIBs, education and training bodies, and community-based and faith-based organizations to recommend training providers for initial eligibility status.

Providers must submit an initial eligibility application for each program they wish to be considered for initial eligibility status. The application must be submitted to the LWIB in the area in which the training program is offered. The LWIB will process the application, recommend whether to accept or deny initial eligibility status, and forward this information to the NYSDOL within 15 days of submission of an initial eligibility application. The NYSDOL will confirm LWIB recommendations within 30 days of receipt of an initial eligibility application from the LWIB.

An expedited application process will be developed to ensure that the listing of providers/programs is responsive to changes in the list of occupations in demand. Initial eligibility applications will be accepted on an ongoing basis throughout the year. The application and approval process has been designed to be relatively simple, with appropriate safeguards against abuse and fraud.

To be included on the State List, a training program must be granted initial eligibility status by both the LWIB and the NYSDOL.

The LWIBs are responsible for:

- Notifying training entities in their area of the opportunity to apply for initial eligibility status under Title I. This will be done through a combination of direct mailings, newspaper notices and other means. The LWIB, at its discretion, may also solicit training providers from outside their Local Area, including training providers located in other states.
- Creating an initial eligibility application for their area. Since initial eligibility applications will be used to populate the State List consumer reports database of eligible programs, NYSDOL will establish core statewide data elements. LWIBs will incorporate these core elements in their initial eligibility application. Local customization is allowed, i.e. LWIBs may collect data beyond the State's core elements.
- Ensuring that the training providers have access to the initial eligibility application and to a list of demand occupations for their area.
- Setting levels of expected performance for each program. It is anticipated that performance levels may differ by program in consideration of the kind of service provided and the target group served. Program performance levels for the Local Area below the performance levels negotiated between the State Workforce Investment Board (SWIB) and the LWIB must be explained, approved by the LWIB, and forwarded to the NYSDOL.
- Insuring that for subsequent eligibility, providers submit performance and cost information for trainees in each applicable program of training services to the appropriate LWIB in such time and manner as required

by the Governor's policy. To remain eligible, training programs must achieve specific performance criteria.

Procedures will be established by the SWIB for providers of training services to appeal a denial of eligibility or termination of eligibility. (See vii.)

ii. How did state solicit recommendations?

Since February of 1999, NYSDOL staff actively traveled throughout the State to meet with local partners and training providers in order to collaborate on a variety of ETP/ITA issues and topics that LWIBs, partners, programs and providers must consider and understand. Community colleges, community-based organizations, and vocational-technical schools were particularly sought out for comment. In addition, draft policies and procedures were shared with all interested parties in the early stages of development to allow for their input and to gain consensus.

Topics/issues which NYSDOL raised for comment include: operating systems, the ITA and ETP (initial and subsequent) approval process, distribution of a draft initial eligibility application for review and beta testing, the training market, demand occupations/skills, collecting and reporting program and performance information, and how to respond to new labor market conditions. NYSDOL will work closely with partners to identify data needs and facilitate data sharing arrangements to support the ETP function, to inventory and understand ITA/ETP models currently being used or considered, and to understand the specific needs of each Local Area and partner.

NYSDOL will place draft materials on its home page for review by the constituents. Comments that are submitted will be considered for inclusion in modifications and revisions to the State Plan as appropriate.

iii. How will the State maintain provider list

The NYSDOL will maintain the State List of Title I eligible programs and assist in carrying out the eligibility process. The State List provides identifying information and specific performance and cost information on each provider.

NYSDOL has committed to using the One-Stop Operating System (OSOS). The State List will be available through the OSOS.

iv. What performance information will be available at every One-Stop Center?

NYSDOL, together with LWIBs and other One-Stop partners will develop a plan to put all the WIA information requirements, to the extent practical, into an Internet-based State List consumer reports database application. Performance information on all eligible Title I programs should include completion rates, placement rates, wage information and customer satisfaction measures, as well as other information about the provider and the specific training course, in order to maximize informed choice. Such information may also be provided in hard copy, disk storage, and multimedia (CD).

v. Describe New York State's current capacity

As New York moves to implement the ETP, basic administrative data will be collected from each funding stream. Wage record data will be used to fill in the required information on wages.

Whereas much of the information is maintained on paper with some computer support, the process is moving to a computerized list of training providers.

vi. Describe process for removing providers

The recommendation to deny the eligibility status of a program can originate from either the LWIB or NYSDOL. However, both the LWIB and NYSDOL must agree to deny eligibility status (initial or subsequent) for such action to take place. If, within 30 days of receipt of the application by NYSDOL, consensus is not reached between the LWIB and NYSDOL, the application will be denied.

Training providers will be notified in writing of the decision to deny eligibility (a denial notice).

Eligibility may be denied/removed for the following reasons:

1. The application is not complete or is not submitted in a timely manner.
2. The program does not meet the definition of WIA training services.
3. The performance data is not included with the application or the performance data does not meet established performance levels. (Note: The performance data may be waived for the year of initial eligibility.)
4. The training provider is delinquent in delivery of reports, payment of debt, or otherwise out of compliance with the Act, regulations, or any agreement executed under WIA.
5. The training provider is not current in the payment of unemployment insurance contributions or reimbursements, or
6. Any other requirement for training program under the Act is not met.
7. The training provider intentionally supplied inaccurate information.
8. The training provider substantially violated any requirement under the Act.

vii. Describe appeals process for providers that are denied eligibility status.

Training providers have the right to appeal denial of eligibility status. A provider has 15 working days from the date of a denial notice in which to file an appeal.

The request for appeal must be in writing, be signed and be submitted to both the LWIB and the NYSDOL.

The LWIB and NYSDOL may reverse their original denial if an administrative error was made or if additional information submitted by the training provider changes the basis on which the original decision was issued.

If the LWIB and NYSDOL do not reverse their original denial within 10 working days from receipt of the appeal, they will forward the appeal to the SWIB. The SWIB will have 15 working days to conduct a formal review where the training provider and the LWIB and NYSDOL will be allowed to present their cases.

If the SWIB reverses the denial, the LWIB and NYSDOL will comply with the decision in a prompt and efficient manner. The SWIB's decision will be final. There is no appeal to the USDOL.

Once the appeal is denied by the SWIB, the program will not be able to reapply for eligibility for a 24-month period from the date of the initial denial notice.

- viii. Describe the State's capacity to disseminate a list of eligible providers of youth activities

The State intends to disseminate a list of eligible providers of youth activities through the State List consumer reports database application.

- d. What is NY's current capacity to deliver high quality employment statistics to customers of the O/S system?

The Governor designated the Division of Research and Statistics of the NYSDOL as the employment statistics agency for New York State. The Department of Labor has a network of Local Labor Market Analysts located in 10 geographic regions across the State. These analysts are economists/information specialists who provide detailed, localized information such as labor market conditions and trends, skills and occupations in demand, labor availability, occupational and industry wages and more. Statewide labor market information is also available from the central Labor Market Information Office in Albany.

Labor market information (LMI) is also available to customers through the Department's Internet home page. The web site is designed to give users easy access to the information best suited to their needs. Major economic statistics generated through the federal-state cooperative programs are currently available on-line and are accessible by LMI customers far more quickly than in the past. In addition, to maximize penetration and availability, many of the Department's career planning information and job seeking resources, including publications, are now available on the Internet. The site also includes links to New York's Job Bank and America's Job Bank.

CareerZone provides career and labor market information. Originally designed as a tool for career exploration by students, CareerZone appeals to a broader audience. The current version contains a wealth of LMI, including wage and occupational projection data and career videos. The Internet version includes a link to New York's Job Bank.

Labor market information is also distributed through traditional print media. Included among the Department's publications are occupational projections and wages, resume writing guides, job search tools and information resources designed for the particular needs of displaced workers, the formerly incarcerated, public assistance recipients and other target groups. Many print publications are being converted to an electronic format for distribution through the Internet, and print-on-demand technology enables the Department to produce print publications more rapidly and cost effectively.

- e. Describe how work test and feedback (under WPA) for UI claimants are met. How is info provided to the UI agency regarding claimant registration, claimant job referrals, and the results of the referrals? 112(b)(7)

The Division of Employment Services has the responsibility under the WPA to administer the UI Work Test, insuring that claimants in continued claims benefit status meet the eligibility conditions prescribed by Unemployment Insurance law. Early contact with claimants, orientation to services, work search requirements, labor market information and targeted reemployment services will ensure that claimants meet eligibility requirements. The Periodic Employment Eligibility Review (PEER) Program will serve as the work test benefit control mechanism.

At the time of filing, the Telephone Claims Center (TCC) initial claims process automatically generates a partial employment service registration in the labor exchange system.

Establishing and maintaining a strong linkage between the DOES offices and the UI TCC is a key component of this plan. DOES will have access to the TCC system and the TCC will have access to the Labor Exchange System. Electronic linkages between the two systems will be created. Standardized electronic forms are used to communicate between TCC/DOES offices to log and track communications. Potentially disqualifying issues are immediately reported to the TCC.

- f. How do Wagner-Peyser staff participate (if applicable) in the conduct of the Eligibility Review Program reviews?

Describe the follow-up that occurs to ensure that UI eligibility issues are resolved in accordance with WPA (Section 5 (b)(2))112(b)(7)

The Periodic Employment Eligibility Review (PEER) Program continues to serve as a benefit payment control for claimants in continued claims status.

UI claimants who are job ready and not in case management are randomly selected to report to a DOES office for a UI eligibility review to ensure that they continue to meet work search availability and capability requirements prescribed by law.

DOES will advise claimants of work search requirements and counsel claimants regarding restrictions and/or barriers to employment such as travel distance, salary, and hours. An individual work search agreement is completed to document compliance issues.

DOES will electronically inform the UI Division of any potentially disqualifying information to ensure proper benefit payment.

C. Assessment of Strengths and Improvement Opportunities

1. How closely aligned is your current system to your vision? Assess current system's ability to meet the customer and economic needs identified above.

New York State's current Workforce Development System is moving towards the State's vision for its system. The current system has a number of strengths built into it. Local Boards have the ability to exercise an unprecedented degree of local flexibility and decision making authority over a broad array of employment and training resources. This authority is resulting in a greater degree of private sector involvement on the Boards and increasing employers' confidence that the public employment system is able to serve the needs of business. The result is expected to be an increase in the quantity and quality of jobs that employers make available through the system.

An important strength of the system is the structure of the Local Boards themselves. The structure allows those closest to the labor market-- local businesses, local elected officials and labor representatives--to make informed decisions regarding identification of the needs of the Local Area, and coordinate the resources and services to meet those needs. As indicated in its vision, the State does not prescribe the activities of the system, but rather sets the benchmarks for achievement and then crafts policies to maximize local flexibility and creativity to allow the Local Boards to design ways to accomplish the results.

Another strength of the system is the vast array of experienced professionals dedicated to improving the Workforce Development System. Another strength is the understanding of all of the partners of the need to move forward in redesigning the way we all do business and their willingness to sit down at the table and discuss issues and potential solutions. This collaborative process began several years ago and was further accelerated with the process to develop One-Stop sites under the State's federal One-Stop grant award. The collaborative process is now well underway. In addition, New York State is currently developing and will have in place by July 1, 2000 a basic technology infrastructure to meet the needs of its Workforce Development System.

New York State has recently initiated several new programs, which provide additional opportunities to help New York achieve its vision to enhance or expand economic development through the Workforce Development System. Two of these programs are the InVest Program and the Strategic Training Alliance Program (STRAP).

The InVest Program is focused on meeting the demands of a specific business' need for a skilled/prepared workforce. Training can be specifically developed to meet that need or existing training (that already meets the need) can be utilized. The InVest model pools various federal, state and local funding streams into a single source of funding to support the cost of training. An important element in the successful implementation is the cooperative linkage that must be established among all the

partners who will play an important role in the program at the State and local level. InVest is an Individual Training Account process in which eligible participants are provided a voucher account with a stated cash value to be used toward approved training. The 1999-00 State Budget appropriated \$25M in federal TANF funding to support InVest as part of an overall plan to assist the Department and social services districts in designing work programs and initiatives that meet local economic demands and employee skill requirements. To further support this initiative, the Department has set aside JTPA/WIA and Welfare-to-Work Block grant funds to augment local funding.

The STRAP Program is an effort to support business strategies and local efforts for lifelong learning through the development of the incumbent worker. This program seeks to fund projects that are structured to address identified skill shortages within an industry or within a single employer's establishment. It also seeks to promote skills upgrading for incumbent workers, particularly skills for high-technology jobs, and to ensure that New York State businesses are provided with a skilled and qualified workforce. \$34M in State funding has been set aside under the 1999-00 State Budget to fund projects under STRAP. The Empire State Development Corporation and the Department of Labor jointly will administer the program.

2. State Priorities

In moving the current system towards the State's vision, the following are the State's major priorities:

- Develop private sector confidence in the ability of the system to meet the needs of business. In doing so, make the local One-Stop systems the place businesses will want to come to fill job vacancies, and obtain information on job training programs, the local labor market, and any other information involving workforce issues.
- Ensure that Local Boards are given the flexibility to design and develop service strategies that best meet the needs of their local communities.
- Maximize customer choice by developing, maintaining and disseminating an extensive list of eligible training providers and an Individual Training Account process.
- Encourage and effectuate structural change in the operation of the system, moving it toward the provision of more comprehensive, effective and efficient services and improved customer satisfaction.
- Work with Local Boards through capacity building efforts to better coordinate efforts among workforce partners to address the needs of all customers. In doing so, make universal access a reality and not just a catch phrase.
- Continue to roll out and further develop potential uses for partner participation in the One-Stop Operating System (OSOS). This system

will serve as the Reporting and Management Information System for New York State.

- Work with education and training partners to develop training that integrates literacy, basic skills and occupational/technical skill training.

IV. STRATEGIES FOR IMPROVEMENT

A. Leadership

1. Describe the steps the State will take to improve operational collaboration.

New York State is faced with a formidable challenge of aligning our current Workforce Development System with our vision of the new system under the Workforce Investment Act. As a state, we are confident that we can meet this challenge with the assistance and dedication of the talented workforce development professionals in the Department and its partner agencies, the local WIBs, and the commitment and involvement of the business community. Through technical advisories and bulletins disseminated through our workforce development web site (www.wdsny.org), our partners will be regularly provided with the information and support they need to make this transition a success.

New York is committed to a “bottom-up” approach in the policies and procedures that will shape this new system. Providing Local Workforce Investment Boards with the authority to define and integrate their own policies will ensure that WIA’s key principles of local flexibility and strong business involvement are included.

The State will also continue to hold joint activities, such as informational training sessions and seminars in conjunction with its partners in the Workforce Development System. Local WIBs will be invited to participate. These sessions will provide new ideas and a foundation for continuous improvement in partner relationships as well as an opportunity to learn about successful collaboration efforts elsewhere in the State.

The State provided, and will continue to support, procedural guidelines for MOUs developed between local partners and their Local Board. In addition, the State-level partners have also entered into an MOU as mentioned in Section III(B)(2)(b) Degree of Existing Collaboration. This agreement was formulated to eliminate any existing State-level barriers to collaboration. These agreements will be continuously monitored to ensure that partners are working together effectively.

2. Describe how the State will assist Local Areas in the evolution of existing local O/S delivery systems.

The State is providing a variety of assistance to Local Boards in the development of their One-Stop system. Technical assistance will be made available through the use of Workforce Development Specialists available to assist each Local Area. These

Workforce Development Specialists will coordinate assistance with local Department of Labor Wagner-Peyser staff and other State and local partners. Technical assistance is also available through the workforce development web site referenced above in the Section on Operational Collaboration. In addition, technical assistance and training will continue to be provided by the State Department of Labor, NYATEP and NYETI in the form of ongoing classroom instruction, seminars, conferences, and individualized requests from local partners.

Local Boards will also be required to submit annual Performance Standards Reports to the State. The State has made a requirement of the Local Areas that, if they choose not to use the national OSOS reporting system, whatever system they use must be compatible with the State's system and be able to generate the required reports to the State. These reports will help NYSDOL to identify any Local Area that may be having difficulty in specific areas of their programs so that further technical assistance may be offered. Local Areas are responsible for the compatibility of their system if they choose not to use to the OSOS.

State funding assistance is being provided through the One-Stop Implementation Grants referenced in III(B)(2)(a) "Actions State Has Taken." Through these grants over 10.5 million was awarded to Local Areas to assist in the establishment of their O/S systems.

3. State Capacity Building Efforts

New York State will be taking a multi-level approach to capacity-building with regard to implementing the Workforce Investment Act and assisting local WIBs in developing an effective and responsive system. This will include:

- State-level training, conferences, regional meetings and other technical assistance will continue to be provided by the NYS Department of Labor (NYSDOL);
- Through contracts with NYSDOL for regionally offered training provided by the New York Employment and Training Institute (NYETI) and brokered training provided by the New York Association of Training and Employment Professionals (NYATEP); and,
- State sponsored workgroups, web sites, regional presentations, and materials developed to inform and gather input on a variety of WIA implementation-related issues.

State-Level Training

The New York State Department of Labor will continue to offer informational sessions related to WIA implementation at locations across the State. Current sessions include Cost Allocation and Performance Measures. In addition, training recently was held for youth program providers to assist them in understanding the implications of WIA and what they need to do to adapt their programs to the workforce development system. Technical assistance is being provided regionally by NYSDOL Workforce

Development Specialists, who work with local partners to develop capacity-building plans. These specialists also request appropriate technical assistance funding to assist the Local Area in its transition to WIA. Annual spring and fall workforce development conferences are held. They feature a multitude of workshops and seminars on implementation issued presented by State, local and national speakers. In addition, the second annual NYSDOL/SUNY WIA conference will be held in February 2000. It will concentrate on WIA as an economic development tool, on Board development, on the business partner and on showcasing innovative practices in New York State.

State Contracted Training Services

The State continues to offer, through its contractors (the New York Association of Training and Employment Professionals and the New York Employment and Training Institute), classroom training on a variety of WIA-related topics. These contracts are also used to facilitate seminars where national speakers offer innovative ideas on such topics such as One-Stop and Board development, Youth Councils, customer satisfaction and performance measures, among others.

State-Sponsored Workgroups; Technical Assistance Materials

In conjunction with State and local partners, NYSDOL currently is sponsoring workgroups on local MOU development and Services and Funding issues related to One-Stop system development. The result of these State/local workgroups is the development of a One-Stop System Building Toolkit and an MOU Toolkit. These materials continue to be disseminated in presentations made by workgroup members at regional workshops throughout the State.

In addition, there was recent dialogue on the development of a statewide strategy for Rapid Response activities in New York State. State and local feedback will be used to help define the next steps in developing, and then implementing, this strategy. A Department-sponsored workgroup also developed a Youth Council Toolkit entitled "Information and Options for Forming Youth Councils under the Workforce Investment Act." This toolkit will assist local Chief Elected Officials, policy makers, administrators and others who will be coordinating, organizing and serving on local Workforce Investment Boards and Youth Councils. NYSDOL has developed a SWIB and LWIB orientation package that will be disseminated for State and local use. Finally, NYSDOL, using a State-sponsored workgroup also developed an MOU Template and Guidelines to be used by Local Boards and One-Stop partners in the development of their required One-Stop system level MOUs.

4. Describe how any waivers or workflex authority (existing and planned) will assist the state in developing its workforce investment system.

N/A

B. Services

1. Describe the types of employment and training activities that will be carried out with the adult and dislocated worker funds received by the State through the allotments under Section 132.

New York State will meet the needs of its adult and dislocated workers by providing a seamless, One-Stop delivery system that will cooperatively provide the full range of core services required by the Workforce Investment Act. As part of our commitment to quality customer service, the Labor Department will work diligently with its State and local partners to expand this concept to include broader and easier access to a multiplicity of services previously limited by the identity of the organization servicing the customer at any given moment. These efforts are expected to have a positive impact not only on the provision of the specific services being made more available, but also on related activities. As each partner becomes able to provide access to services previously the sole purview of another agency, such activities as outreach, intake, orientation, assessment, provision of various kinds of information and follow-up services will be dramatically enhanced. Effective referral arrangements, common definitions, and shared data systems will help to assure that needs are identified, individuals don't fall through the cracks and duplicate or contraindicated services are avoided.

The development and sharing of individual employment plans, where called for, and the ability of those IEPs to reflect service strategies across agency lines, is expected to enhance the effectiveness of the variety of intensive services available to those who need them. The depth and breadth of specialized assessment tools, evaluation techniques, counseling opportunities and prevocational and case management services will be fostered by the cumulative benefits of shared staff, resources, experience and perspectives.

The choices of customers for whom training is the answer, will be maximized, not only through the enhanced services listed above, which will offer an improved decision-making process, but also through the combination of three new techniques as outlined below:

- A continuously updated statewide list of approved training providers;
- Provision of performance/placement data on each of the training courses; and
- The establishment of Individual Training Accounts with which each eligible customer is able to "shop" for the best solution to his/her needs. Training services to be provided will likely include occupational skills training, on-the-job training, job readiness training, skills upgrading, adult education and literacy, and programs that combine workplace training with educational instruction. Customized training with a commitment to employ upon successful completion will also be utilized.

2. How will the services provided by each of the required and optional O/S partners be coordinated and made available through the O/S system? Must address how NY will coordinate WPA funds to avoid duplication of labor exchange services. 112(b)(8)(A)

Services provided by the One-Stop partners will be coordinated through the development of local Memoranda of Understanding (MOU) among all local partner agencies. The local MOUs will define "shared" responsibilities as well as "individual" responsibilities. To insure that services are indeed coordinated as defined in the MOU, partners will use a common data collection and reporting process. If the local WIB chooses not to use the statewide OSOS system, it must choose a system that will be compatible with the State system. Technical assistance also will be available to any local WIB that requests further assistance in coordinating the delivery of services by partners.

The core services provided under WPA will be clearly defined in both the statewide and the local MOU. WPA funds will continue to be used by NYSDOL Division of Employment Services for job listing, matching and business assistance. O/S partners must agree, as a requirement of the New York State O/S System, to use and participate in the NYS Job Bank. To avoid duplication, WPA funds will support management of the NYS Job Bank, maintenance of the talent bank and will maintain and conduct a job matching and referral system as DOES core services.

3. Describe how the funds will be used to leverage other federal, State, local and private resources (e.g., shared O/S admin costs). Specify how the State will use its 10% funds under section 7b of the WPA.

Describe and provide examples of how these coordinated and leveraged funds will lead to a more effective program that expands the involvement of businesses, employees and individuals. 112(b)(10)

As leaders from many differing agencies, organizations and companies, the Board has the ability to leverage the many different resources from each community for the purpose of building strong Workforce Development Systems. In some instances, this may be ensuring that services are not duplicated at the local level. In other situations, it may be to further expand the impact of resources that currently exist in a community. With the coordination of services and the co-location of staff, the funding of the required and optional partners will be leveraged to enhance services to customers. In this environment, administrative costs will be shared, resulting in less duplication and more efficient utilization of all partners' funding. As services are streamlined, the opportunities for grants from private resources, foundations and fee for service will be greatly increased.

The State of New York will continue the following activities with funding from the Wagner-Peyser Governor's 10% reserve. These activities are compatible with the language of WIA and will continue our efforts in areas of special services to targeted groups, performance incentives, and model programs for delivery of special services and will expand the involvement of business, employees and individuals. These programs include:

- Placement and other employment services to youth through the co-location of staff at colleges and high schools;

- Increasing access and services to New York City Youth through special offices serving only that group of job seekers who are primarily economically disadvantaged and considered minority group members;
- Special job analysis, industrial services, and testing services for employers;
- Job Service Employer Committees, which serve as a direct link between government and the private sector in an effort to improve services to customers.

4. Describe how the needs of dislocated workers, displaced homemakers, low-income individuals such as public assistance recipients, individuals training for non-traditional employment, and individuals with multiple barriers (older, limited English, and individuals with disabilities) will be met. (women, minorities, migrants and vets are covered elsewhere). The State must assure non-discrimination and equal opportunity. 112(b)(17)

With universal access, One-Stop Centers will serve all individuals, including dislocated workers. Each Workforce Investment Area will be allocated funds by formula to serve dislocated workers. These funds can be used for both intensive services and training.

Dislocated Worker funds will be used to serve displaced homemakers without restriction for intensive and training services through the One-Stop delivery system. Those individuals previously defined by JTPA as displaced homemakers because of dependence upon public assistance will be served in the adult program. The performance information collected on displaced homemakers will be analyzed and used to provide for continuous improvement in service delivery in the One-Stop system.

Low-income individuals, such as public assistance recipients, will experience an increased availability of the services needed. Many of these services will be under one roof. Partner agencies will have access to information about the services already provided to a customer by other partners so that duplication can be avoided. The Workforce Investment Areas will be able to offer service that is more efficient as well as better tailored to the needs of the customer.

Individuals who are interested in training for non-traditional employment will find the full range of partner services available to assist them in reaching their goal. They will be able to access labor market information, career information, educational and training opportunities, a multitude of training grant applications, and post-training assistance in finding employment - all under one seamless system of partner agencies.

The special needs of individuals with multiple barriers finally will be addressed quickly and thoroughly when the service providers they might need are joined together under the local One Stop system. The New York State Office for the Aging, the NYS Education Department (including the Office of Vocational and Educational Services for Individuals with Disabilities), the New York State Department of Health, the Office of Children and Family Services, the Office for Alcohol and Substance Abuse, the Office of Temporary and Disability Assistance, the State University of New York, the New York State Department of Labor, and local

providers, among others, will be cross-trained to understand the services that are provided by partner agencies. The partners will now be aware of each other's involvement with the customer instead of working in a vacuum. This is expected to quickly reduce the duplication of services.

5. Describe the criteria developed by the State for Local Boards to use in determining that adult funds are limited and that priority of service applies.

New York State has determined that there are sufficient funds available to provide services and meet the needs of its public assistance and low-income populations. In addition to the Adult funding made available to the State under Title I of WIA, the State is able to utilize sizeable portions of its Temporary Assistance for Needy Families (TANF), Food Stamp Employment and Training (FSET) and Welfare to Work (WtW) Block Grant allocations to meet the employment and training needs of these populations. Additional funding also may be available from other partners' funding streams to serve individuals from these groups which meet the eligibility for those programs.

Therefore, funding has not been determined not to be limited on a statewide basis although Local Workforce Investment Boards may still determine if there is a limitation in their area. Local Boards are strongly encouraged to identify and coordinate all of the resources available from the partners in its One-Stop system to meet the needs of all individuals requiring services, thus eliminating any need for prioritization. If a Local Board determines that funds are locally limited, then it must identify in the local plan the criteria used to make such determination and the priority of the groups to be served. Any such determination made must be consistent with the requirements outlined in WIA.

6. Describe how the needs of employers will be determined, both locally and statewide.

Describe how services (e.g., systems to determine general job requirements and list jobs), including WPA services, will be delivered to employers through the O/S.

How will the system streamline admin of federal tax credit programs within the O/S to maximize employer participation? 20 CFR part 652.3(b), 112(b)(17)(A)(i)

The need for the system to be demand-side driven is one of the founding principles of New York State's Workforce Development System. To succeed, the system must be responsive to the business community's need for qualified workers. The system design places a high priority on increasing the involvement of businesses and improving the system to be more responsive to the needs of business.

The requirement that the majority of WIB members, at both the State and local level, be representatives of business is intended to insure that the system is business demand-side driven. It is also intended to strengthen the voice and role of business in system planning and policy implementation. The system is designed to provide the local flexibility needed to be responsive to changing needs and economic trends. Evaluations and recommendations of existing services by local boards, with input from the business community including Job Service Employer Committees, will help local program operators to design services to meet the needs of customers

The NYSDOL employment statistics system will continue to provide valuable information to help define the economic and workforce trends and needs across the State. The NYSDOL will continue to conduct local and regional labor surveys to inform the system.

Employer Services continues to be a high priority under the Wagner Peyser program. WPA funded staff play a key role in local, regional, state and interstate efforts to address the full scope of the employment- related needs of businesses. This includes, but is not limited to, screening and referrals, special recruitment efforts, job fairs, testing, human resources consultant services, and apprenticeships.

The establishment of the NYS Job Bank as the recognized, single, statewide job bank for the system will help to enhance services to businesses. Requiring that all O/S partners participate in the job bank is intended to ensure a single point of contact for businesses and job seekers, regardless of where they access the system. Participation in the NYS Job Bank will also provide a data base and tracking system for referrals and placements. This will take full advantage of job matching, coordinate business contacts to maximize system goals, and provide the basis for the development of a comprehensive system to measure results.

Evaluation of job orders both locally, regionally and through America's Job Bank will increase information and assist in formulating a quality service delivery plan. Integration and cooperation at the local level in the sharing of information and best practices in service delivery will assure statewide needs are addressed and met. The One-Stop system will facilitate screening and pre-verification of potential applicants under a variety of federal and State employment tax credit programs, including:

- Work Opportunity Tax Credit (WOTC);
- Welfare-to-Work Tax Credit (WtW);
- Economic Development Zone (EDZ);
- Zone Equivalent Area (ZEA); and
- Workers with Disability Tax Credit (WETC)

Incorporating prescreening reviews into the array of One-Stop Center services makes it easier for job seekers to enhance their employability. It also makes it easier for employers to hire targeted individuals with greater assurance that they will qualify for a tax credit to be used to offset a portion of the costs associated with hiring individuals having barriers to employment.

Currently, 75 percent of SDAs are authorized to provide pre-approval for WOTC and WtW tax credits. The One-Stop Centers will be designated as participating agencies under a cooperative agency agreement with NYSDOL's Economic Development Services Unit. (EDSU). Participating agencies can pre-certify an individual for federal and state tax credits, thus streamlining the application process and expediting certification of workers by EDSU.

7. Describe the reemployment services you will provide to Worker Profiling and Reemployment Services (WPRS) claimants in accordance with section 3(C)(3) of revised WPA. Detail is required and should include “the extent to which claimant participation in services will be reviewed during the claims cycle; consequences for claimants who do not report for services or cooperate with their individual service plan; and strategies the State will use to increase the number of WPRS claimants who receive services.” 112(b)(7)

Within 48 hours of the availability of the TCC daily original claims list, local DOES staff will send a call letter to all UI Work Test eligible claimants indicating that the claimant must report to the office at a scheduled date/time (within 10 calendar days from the date of the letter) for an orientation to reemployment services.

The initial orientation will:

- Explain the claimant’s UI work search requirements including suitability and capability, prevailing wages, reasonable commuting time and distance, and the effect of refusing a job referral on benefit claims;
- Outline and explain DOES and One-Stop partner services available to the claimant;
- Evaluate each job seeker’s readiness prospects for employment; and
- Complete the claimant’s registration in the Talent Bank and assign the appropriate occupational codes and skill words to the registration/resume.

Persons who are job ready and for whom job opportunities exist will see a staff person for a quick match/referral and be given an appointment to a self-search workshop. Their registration will be data entered the same day and the claimant will be assigned to case management to closely monitor their work search efforts.

Persons in Non-Demand Occupations who are job ready and express no interest or need for facilitated services will be provided a tour of the Resource Room and scheduled for the next available Resource Room orientation.

Persons identified as having significant barriers to employment, including those profiled as likely to exhaust benefits, will be referred and scheduled for the next available appointment with an employment counselor or other designated staff for more intensive assistance.

No individual will leave the initial orientation without a designated follow-up component (either self-help, facilitated self-help, or one-to-one) and a scheduled return date. All claimants will be encouraged to participate in available workshops. In addition:

Workshops will be available, at minimum, on the following topics:

- Job Search Strategies;
- Orientation to Profiling;
- Resume Preparation;
- Interviewing Techniques; and
- Self Employment Orientation

The plan also encourages additional workshops and informational sessions to be created and utilized.

Job matching and job development activities for UI customers will be emphasized and strengthened as part of this UI reemployment effort.

DOES has the responsibility under the WPA to provide worker profiling and reemployment services to UI claimants. The State Reemployment Fund will supplement the limited federal UI/ES administrative dollars available and allow a much more comprehensive program of reemployment services to UI customers to be delivered statewide.

Through early intervention and the Profiling System, DOES reemployment services will reduce the average time that claimants receive UI benefits and protect the solvency of the UI Fund.

New York's Profiling System will identify claimants who are likely to exhaust benefits and target these individuals for reemployment services at the time a valid original claim is filed. DOES reemployment services include orientation, assessment, employment counseling, career exploration, and job search and placement assistance including job development, matching and referral.

8. Specifically describe the WPA-funded strategies that you will use to serve individuals with disabilities (WPA 8(b))112(b)(7)

Access for blind and visually handicapped individuals will be available through the Jobline services by the National Federation of the Blind. We are currently collaborating with New York State's Commission for the Blind and Visually Handicapped, the Office of the Advocate for the Disabled and other State agencies to implement Jobline.

Promotion and development of employment opportunities for persons with special needs is a shared responsibility of DOES, VESID and other workforce partners. DOES staff, which includes employment counselors at DOL locations, will provide career counseling, exploration and placement assistance to persons with disabilities. In addition, New York WORKS, a research and demonstration project funded by the Social Security Administration and led by NYSDOL, is exploring strategies to enhance employment opportunities for individuals who are receiving SSI or Social Security Disability benefits.

9. How will WPA funds be used to serve veterans? How will NY ensure that veterans receive priority in the O/S for labor exchange services? 112(b)(7)

Wagner-Peyser funds will continue to support priority employment services to veterans and other eligibles within the One-Stop delivery system as outlined in 38 USC Chapter 41, and 20 CFR 1001.120. Identification of veteran customers and employment service registration will occur at all intake points. Veterans will be encouraged to self-identify in order to establish eligibility for priority services.

A full array of services is available through One-Stop offices, including job placement, job development, labor market information, resume development and critique, employment counseling and referral to supportive services. Minimally, one Local Veteran's Employment Representative (LVER) and/or Disabled Veteran Outreach Program (DVOP) Representative will be assigned to each local Workforce Investment Area.

10. What role will LVER/DVOPs staff have in the O/S system? How will NY ensure adherence to the legislative requirements for vet staff? How will services under this plan take into consideration the agreement reached between the Secretary and the State re: veteran employment plans? 12(b)(7), 322, 38 USC Chap 41 and 20 CFR part 1001-120)

The LVER and DVOP programs will facilitate veteran access to all WIA employment and training programs as required by the Workforce Investment Act. The individual needs of veterans will be assessed and veterans will choose a level of service that best meet their needs.

To further integrate veteran services, Local Veteran Employment Representatives will provide technical assistance and training to One-Stop staff relative to programs, resources and priority services for veterans and other eligibles. The U.S. Department of Labor Veterans Employment and Training Service will monitor and review the provisions of services to veterans at each One-Stop annually, and provide an analysis of funding to the DOES. Additionally, NYSDOL, USDOL/VETS will monitor program performance quarterly.

As a full partner to the New York State Department of Labor, the Director of USDOL/VETS will be included in all activities related to priority services to veterans and other eligibles in the implementation of the Workforce Investment Act of 1998. All local One-Stop plans shall incorporate the provisions of the agreement reached between the Secretary, Veterans Employment and Training Services and the State, regarding veteran's employment and training programs.

11. How will NY provide WPA funded services to agricultural community? (specifically outreach, assessment and other services to migrant and seasonal farm workers and services to agricultural employers.) How will we provide equitable services to this population in the O/S? 20 CFR, part 653, 112 (b)(7)

Services to the agricultural community under WIA will be provided by dedicated staff in the One-Stop locations and by bilingual outreach workers serving multiple counties and migrant seasonal farmworkers (MSFWs). The staff with agricultural expertise

assigned to One-Stop locations will provide labor exchange services to employers and MSFWs in the three service categories: self-service, facilitated self-help service and staff assisted services. Staff providing services to MSFWs is required to assist the vast majority of MSFWs due to their low educational level in reading and their inability to understand English. We have experienced a significant change in the farmworker population over the last decade to a predominately Spanish-speaking population. Our program information is available in Spanish and English, and, five of the six outreach workers are bilingual.

As the number of farms using migrants continues to decline, we have reached a plateau with the number of migrants over the last three years. The number of MSFWs rises and falls by several hundred, depending more on quantity of the crops and the weather during the growing and harvesting season than on any other factor. As the number of farms continues to decline, there is a trend for existing farms to expand, increase crops and, therefore, utilize more workers.

The economic boom has made the supply of local agricultural workers and domestic migrants barely adequate to meet the demand. The agricultural community has turned more to the importation of temporary foreign workers through the H2A Program to continue to meet that tight demand. The H2A Program will continue to be operated under the One-Stop format and we anticipate that activity will increase slowly each year.

Equitable services under the One-Stop system will be provided to migrant and seasonal farmworkers as well as agricultural employers by dedicated rural staff and rural outreach workers. The rural program under the Division of Employment Services has been providing assistance to MSFWs and employers under a One-Stop concept for over 10 years. We do not anticipate any changes in the level of services, but we do anticipate providing a more complete package of services. MSFWs will continue to require assisted services as the influx of Spanish-speaking farmworkers increases. We will continue to adapt to the changing demographics of the MSFW population.

The full State Agricultural Plan is attached as Attachment D.

12. Describe how WPA funds will provide a statewide capacity for a three-tiered labor exchange service strategy that includes: (1) self-service (2) facilitated self-help service (3) staff assisted service. Describe NY's strategy to ensure that WPA funded services will be delivered by public merit staff employees. 112(b)(7), WPA 3(a) and 5(b)

Wagner-Peyser services in New York State will be delivered through the One-Stop Career Center system in collaboration with WIA Title I and other One-Stop partners in accordance with the Workforce Investment Act requirements. Under New York's plan, Wagner-Peyser funded services will be delivered by NYSDOL public merit employees within the framework of the One-Stop Career Center system.

The Department and the Division of Employment Services will implement a multi-faceted approach with the goals of avoiding duplication of labor exchange services and promoting universality, customer choice, and accountability. Within each local

Workforce Investment Area, DOES will deliver labor exchange services in a variety of settings depending on the local circumstances. The service delivery plan is intended to be flexible and responsive to local needs/circumstances. Within the One-Stop system, Wagner-Peyser services will be delivered in Department of Labor operated DOES offices, fully integrated One-Stop Career Centers, co-located partner agency operated sites, and itinerant facilities to address access issues in more rural areas. Technology also will play a key role not only in providing for a seamless system but as a means for customers, job seekers and employers alike to access information and services from an endless number of locations.

Improved technology will also allow for new and/or modified labor exchange service strategies affording a broader access to the wider population. The O/S system will adopt a three-tiered approach to the delivery of services to promote customer choice and provide universal access. The approach will include the following:

High Quality Self Help – technology enabled access to information
 Facilitated Self Help – group activities or technology with assistance
 Staff-assisted Services – for those customers requiring more intensive services

Given limited Wagner Peyser resources, staff-assisted services will be offered on a more limited basis. Access to the State job bank/ talent bank will be the "core" Wagner Peyser service made available to serve the universal O/S population. Customers will be encouraged and supported in moving toward self-directed services. Wagner Peyser resources will be directed toward mainly self-help and facilitated self-help services for the universal O/S population. Staff-assisted services will be concentrated on the Wagner Peyser targeted populations (UI, Veterans, Migrant Seasonal Farm Workers).

The establishment of fully equipped Resource Rooms is a requirement for all One-Stop Career Centers. The Department of Labor is currently furnishing DOES offices across the State with an expansive array of equipment, including computers. This equipment will provide access to AJB/ATB and the NYS Job Bank/Talent Bank system and provide for customer self-entry and job search, Internet access, labor market information, and access to a variety of other software products to assist with resume preparation, testing and assessment and career exploration. In addition, Resource Rooms will provide access to community information on supportive services, training providers, and workshops, as well as newspapers, books, and other written reference materials, telephone, fax, printing and photocopying facilities to assist with job search efforts.

Staff will be available to monitor and assist in the use of the Resource Rooms. They will provide facilitated self-help services by assessing customer needs, assisting customers in the use of available tools, and helping to guide them through their work search. In addition, centers will offer a variety of group workshops and one-on-one services.

13. Rapid Response (RR)

Describe how NY will provide RR activities with funds reserved under 133(a)(2). Include how NY will use information provided through the WARN Act to determine when to provide such activities.

Rapid Response activities will be triggered by WARN notices that will be disseminated by the Department of Labor to all appropriate partners in the State.

a. The entity responsible for RR services is the New York State Department of Labor.

As Rapid Response events occur, the State's Rapid Response Unit will coordinate their activities with the appropriate Local Board(s) and local Chief Elected Officials. The State, working cooperatively with local One-Stop system partners, will provide Rapid Response services and funding commensurate with the level of layoffs and plant closings.

The following assistance will be available to businesses and dislocated workers as part of Rapid Response:

1. Provide early intervention to those affected by plant closings, mass layoffs and other dislocations. The strategy will be to provide complete and timely Rapid Response services for all layoffs and plant closings identified through the WARN program as well as other layoffs and dislocations identified through ongoing business outreach and educational efforts.
2. Promote awareness and advantages of Rapid Response services to businesses.
3. Conduct employee meetings to provide information on services available to affected workers.
4. Provide interpretation of labor market information to assist dislocated workers.
5. Promote the function of Labor Management Committees and provide assistance in establishing and obtaining neutral chairpersons for them.
6. Assist in the application of TAA/NAFTA and National Emergency grants.
7. Utilize incumbent worker strategies to avert or reduce current layoffs.
8. In coordination with economic development partners, unions, and business associations, assist businesses to prevent planned closings and layoffs.

14. Describe your state's strategy for providing comprehensive services to eligible youth. Include any coordination with foster care, education, welfare and other relevant resources. Include any NY requirements and activities to assist youth who have special needs or barriers to employment (inc. those who are pregnant, parenting, or disabled).

Describe how coordination with Job Corps, youth opportunity grants and other youth programs will occur.112(b)(18)

New York State will provide comprehensive services to eligible youth, including those with special needs and/or barriers to continued education and employment, through the auspices of LWIB empowered and approved Youth Councils that represent a broad range of youth programming and advocacy.

A State-level MOU is being developed among over a dozen State agencies to reflect the special programs and services that each agency will contribute to WIA-eligible youth. This collaboration is expected to be mirrored at the local level as well.

A technical assistance tool, the *Youth Council Toolkit: Information and Options for Forming Youth Councils under the Workforce Investment Act*, was cooperatively developed by the State Departments of Labor and Education in conjunction with other local and statewide partners. This publication highlights the legal and regulatory requirements for Youth Councils and the potential scope of work that the councils may perform. Transitional and Alternative Education Programming is offered through the State Education Department (SED). SED offers an extensive menu of transitional and alternative education programming that is targeted to in-school as well as out-of-school youth (e.g., General Education Development (GED) test preparation, alternative high schools, Attendance Improvement Dropout Prevention, Educationally Related Support Services). The Department also sponsors work-based learning programs including the Work Experience and Career Exploration Program, Career Exploration and Internship Program, Tech Prep and School-to-Work. A host of Special Education and Vocational Rehabilitation programs help students with disabilities to attain the academic, career and technical education preparation necessary to be as independent as possible as adults. Coordination with foster care, welfare and other youth programs is typically negotiated locally between schools and service providers. At the State level, memorandums of agreement exist between SED, the Office of Children and Family Services, the Department of Correctional Services, and the Office of Mental Health outlining specialized services to be provided to institutionalized and incarcerated youth.

The Teenage Services Act (TSA) of 1984 mandates case management activities for pregnant and parenting adolescents. In addition, at the discretion of local social services districts, case management services may be provided to teenagers who are at risk of pregnancy or parenthood. TSA services include screening, assessment, referrals and monitoring. TSA is coordinated at the State level with the Office of Temporary and Disability Assistance and the Office of Children and Family Services. It is operated at the local level through the local social services districts.

The Youth Opportunity Program (YOP) serves youth, ages 16 - 21, who are academically unprepared and financially disadvantaged. YOP provides students with job opportunities to serve the mentally retarded, mentally ill, and developmentally disabled. In addition to supervised work experience, students receive training in basic life skills and employment-related skills, guidance and counseling services, and assistance in obtaining financial aid, college admission, and employment after high school. YOP is a collaborative effort between the NYS Office of Mental Retardation and Developmental Disabilities and the NYS Office of Mental Health. The 16 YOP programs in New York State work closely with local school districts' School-to-Work programs, the Department of Justice's Weed and Seed Program, and community programs such as Boys' and Girls' Clubs and other OMRDD voluntary agencies.

Community Services Block Grants (CSBG) funding is often used in conjunction with funds from other federal, State, local and private sources to provide services to youth. This funding is administered at the State level by the Department of State. Statewide, local community action agencies combine CSBG funding with over 40

other funding streams to address the needs of youth in low-income communities through youth development programs.

Youth Employment, Education and Training Programs are State-funded programs administered by the Department of Labor to serve low-income in-school and out-of-school youth, ages 14 - 21. These programs complement and enhance services funded through JTPA, and now are being reengineered to dovetail with anticipated WIA youth program offerings. Priority is given to awarding grants to community-based organizations that maximize other available resources to deliver a full array of comprehensive youth services.

One-Stop delivery systems are being established across the State to administer and coordinate various workforce investment, educational, and human resources programs. These systems will be “youth friendly” and will offer access to a far greater variety of program services for youth under one roof. The One-Stop delivery system will improve long term employment outcomes for individuals, including the youth population.

Coordination with Job Corps and Youth Opportunity Grant. There are six Job Corps centers in New York. Job Corps will integrate with local One-Stop systems in a variety of ways, including co-locating staff at One-Stop Centers, linking activities at separate locations, providing cross-training on Job Corps to other partners, and establishing important recruitment links. Job Corps representatives will be included on Local Workforce Investment Boards and on Youth Councils in all Local Areas where Job Corps has a presence.

Although New York currently is not home to any Youth Opportunity Grant (YOG) sites, the Buffalo & Erie County PIC was awarded a YOG grant for \$7,948,615 on February 19, 2000. Representatives from this new YOG program will be included as members of Local Workforce Investment Boards and Youth Councils and actively participate in local workforce investment planning and service delivery.

15. Describe how your state will, in general, meet the Act’s provisions regarding youth program design.

Youth will be introduced to labor market information, resources, services, and other information necessary to realize their goal. Programs will be designed to offer assistance to youth in decision-making, academic, communication and study skills. Youth will be advised of the most appropriate types of higher education institutions to meet their plans. All youth will be made aware that graduation from high school is the most direct route to higher education. Students will be offered assistance with applying for financial aid in the form of scholarships, grants, and loans.

Local Workforce Investment Boards and Youth Councils will work closely with school districts to ensure that workforce investment youth activities complement and reinforce academic and occupational curriculum. Through both classroom learning and learning experiences at the workplace, such as apprenticeship, students will demonstrate how academic knowledge and skills are applied in the world of work. They will gain knowledge about the world of work, the gamut of career clusters, career options, and how to make informed career decisions. Finally, they will

demonstrate mastery of the SCANS skills that are the most critical to success in the workplace.

The out-of-school population will have their educational and occupational needs assessed and will be enrolled in services tailored to meet their needs. Local Workforce Investment Boards, through the use of RFPs, will shape the educational and occupational services offered by the local providers. Providers will raise the literacy, social, and/or technical skills of the youth they serve so that youth will successfully get and retain jobs and find career pathways to greater responsibility and higher wages. At a minimum, 30% of the funds will be used for youth activities for out-of-school youth.

Assessment results will be used to develop individual training plans and/or career plans tailored to the skills, learning styles, and interests of each participant. Youth will observe how skills are transferable to different employment contexts. Youth will also be acclimated to the rules and policies, culture, and technology of the workplace. Youth, thus prepared for unsubsidized employment, will be assisted with employer connections using intermediaries such as local chambers of commerce, industry groups, local One-Stop Centers, and other employer membership organizations. LWIBs may also conduct private sector job campaigns and engage employer members in advocating for youth employment opportunities.

Alternatives to traditional school settings are critical for youth with non-traditional learning styles and/or those with environmental deficits. Youth who are dropouts will be encouraged to return to school or acquire a high school equivalency certificate. Alternative school options will be offered with smaller class sizes, more extensive support services, closer monitoring, and case management. Case management will be used to determine if the presenting problem for the youth is the educational curriculum. This approach is one of positive youth development which builds on assets, both personal and environmental (family, neighborhood, community). Asset-building, personal and environmental, will aim to ensure that no youth falls between the cracks.

Summer employment opportunities will be coordinated with context-based educational services. These services will teach basic skills and SCANS skills and will help youth understand the relationship between what is learned in an educational setting and skills applied on the job. Linkages will be improved between summer and year-round education-and-work to help youth translate summer successes into continued success in education-and-work. Out-of-school youth will be provided with summer employment options as part of the package of services to build their educational and occupational skills to ensure long-term labor market attachment. Subsidized work experience will contribute to career and skill development. Youth who participate in unpaid work experiences, such as job-shadowing, internships, and project and service learning, will also realize work-ready benefits. Where possible, mentors will be utilized. In all cases, progress toward agreed-upon goals in an individual service strategy or career plan will be monitored and documented.

Community service and peer-centered activities will offer leadership development opportunities. Wherever SCANS skills are taught and demonstrated, youth practice leadership development through exercises that build self-esteem, resource

management skills, teamwork, problem solving, and life-skills training such as parenting and work behavior training, evaluation and continuous improvement. Youth will learn to lead responsibly and effectively.

Some youth may need only up-to-date information about the labor market and job opportunities with assistance in job placement. New York State Department of Labor's CareerZone will be used to provide direct Internet access to career and education information utilizing the data in O*NET in a user-friendly fashion. More than 1,000 occupations are contained in the database, grouped by career cluster, and over 100 career videos also are available. Job descriptions, estimated wages, required education, and job outlooks are detailed. CareerZone is directly linked to America's Job Bank as well as to resume assistance and other resources for job seekers. Youth who based on assessment results need individualized assistance, will be referred to appropriate guidance and counseling resources including services at local One-Stop Centers. These comprehensive measures will remediate such barriers to education and employment as chronic behavior problems, attitudinal disengagement, chronic health problems, language barriers, substance abuse, and others. Ongoing case management will be available for all youth in need.

To remove impediments to training and work experience opportunities, youth will be provided with supportive services that include transportation, child and/or dependent care, medical services, and access to appropriate work attire and work tools, assistive technology or other reasonable accommodations within the workplace.

16. Describe the State's strategies for providing additional assistance to Local Areas that have high concentrations of eligible youth.

The New York State Department of Labor, in conjunction with the State Education Department and the New York Association of Training and Employment Professionals is planning a Youth Conference in March entitled "Success in Youth System Building: Serving Youth Under the Workforce Investment Act." Workshops will address issues related to high concentrations of eligible youth. The conference also will focus on building strong Youth Councils at the local level. A Youth Council Toolkit, cooperatively developed by the State departments of Labor and Education and other partners will deal with council membership, vision, potential scope of work, and implementing a successful Youth Council that will act on the basis of local needs and resources.

State partners, conjoined by the State MOU, plan to develop a technical assistance and training survey. The survey will be sent to Local Workforce Investment Areas to ascertain local TA needs. The following needs, however, already are anticipated:

- a) assistance with identifying eligible youth, both in and out of school;
- b) tools to measure customer satisfaction;
- c) direction on setting performance standards and 12-month follow-up for service providers and for youth customers of the system; and
- d) guidance on making adjustments in services and programs based on evaluation results from the first 12 months and ongoing monitoring.

The requests for technical assistance are expected to be greater for Local Areas with higher concentrations of eligible youth. Once the Local Areas with the highest concentrations of eligible youth are identified, services will be targeted to meet the identified needs.

C. System Infrastructure

1. How will the locally operated ITA system be managed in the State to maximize usage and improve the performance information on training providers?

The One-Stop Operating System (OSOS) that the New York State Department of Labor and most of the Workforce Investment Areas will use for case management and WIA reporting purposes, has been programmed to issue training vouchers and will keep track of the amount of each voucher issued, along with the name of the person receiving the voucher. A running tally of obligations created by the issuance of vouchers also will be computed and reported through the system. Finally, the system database can be searched and sorted to identify the total amount of vouchers accepted by each training provider. The ease of the OSOS in delivering these functions will encourage local WIBs to utilize ITAs more often, and to evaluate the performance of local training providers who accept training vouchers.

How will NY ensure the quality and integrity of performance data?

112(b)(14), 112(b)(17)(A)(iii), 122

The One-Stop Operating System will allow NYSDOL staff to review a sample of customer files on-line and identify customers and/or employers who should be contacted in order to collect more detailed information or validate reported data.

2. How will NY improve its technical and staff capacity to provide services to customers and improved entered employment outcomes in accordance with Section 7(a)(3)(f) of WPA?

There are ongoing efforts to improve both the technical and staff capacity of Wagner Peysner funded staff. Over the last year, the Department has completed a roll-out of a new PC based network. All offices are equipped with a personal computer for each staff person as well as personal computers for customer use in the Resource Room. In addition to new hardware, a new labor exchange system (WINS) is also being implemented to replace the outdated mainframe based Terminal On-Line Placement System (TOPS). Staff training is being provided on the use of basic personal computers, as well as the WINS software. PC/ WINS training will continue to be provided on an on-going basis, as needed. Training plans are also being developed for continued staff training in basic employment service skills.

The implementation of the One-Stop Operating System at NYSDOL will improve the WIA systems capacity to provide services to customers by allowing customer information to be shared across WIA geographical lines and among One-Stop partners. This will result in One-Stop staff being informed about any services the customer has previously received as well as special problems or barriers to employment that already have been identified. This information will result in quicker progress to job placement

and in more entered employment. The NYSDOL will offer training in how to utilize the OSOS through “Train the Trainer” efforts.

Specific information regarding the work test can be found in Section III (B) (3) (e).

How will NYS use technology such as Jobline, “swipe card” technology, a community voice mail system or other methods to build a mediated and electronic exchange network?

NYSDOL will not utilize “swipe card” technology or a community voice mail system, but it will use Jobline to provide service for the visually impaired. The One-Stop Operating System, however, is an Internet-based system that will connect all WIA partners who wish to participate in the system. Once on the system, partners will be able to share participant information, test scores, referral data, and other system information.

How will NY use America’s Job Bank/ State Job Bank Internet linkages to encourage employers to enter their own job orders on the Internet? 112(b)(7)

America’s Job Bank is developing both the WINS system for the Employment Service and the One-Stop Operating System. As a result, the America’s Job Bank national system, the WINS State Job Bank System, and the OSOS will be fully integrated. The end result will be a single, integrated system. In keeping with the vision of a demand-driven system that provides customer choice and is responsive to the needs of business, the approach in NYS is to provide employers with a full menu of options for using the State/National job bank. Our goal is to meet the needs of the individual employer and to be responsive as their needs change or grow. We will continue to provide staff assistance to employers that want NYSDOL to enter and service their job orders, as well as to offer, and make businesses aware of, self-help options.

3. How will the State improve its employment statistics system to ensure that O/S system customers receive timely, accurate and relevant info about local, State and national labor markets? 111(d)(2), 111(d)(8), 112(b)(1), 134(d)(2)(E)

The Department plans to establish an electronic presence in the One-Stop centers to provide core LMI data through the Internet. With statistical information, job openings, wages and other labor market data updated regularly from a central location, One-Stop customers will have access to timely, accurate and uniformly presented data. The Department’s system is easy to use and understand.

The Department plans to establish an Internet-based system. which will be a central, comprehensive repository for labor market, economic, demographic and occupational information. To complement this database with more localized information, the Department will continue to work with local entities to create county and regional workforce development web sites.

The Career Zone program will continue to be the centerpiece of the Department’s employment statistics delivery system. Future plans for CareerZone include adding self-assessment tools and developing of an on-line resume tool.

The Department will continue to meet all deliverables under contracts with the federal Bureau of Labor Statistics and through grants from the Employment and Training Administration and will seek grants from federal agencies to develop job, career and labor market information resources.

The Department intends to make further use of technology currently available, such as Geographic Information Systems (GIS), and cutting edge technologies that will be available in the future. These technologies will be utilized to help uncover hidden jobs, develop lists of employers, and to map public transportation routes, childcare and other resources that will help link people to jobs.

The Department is developing a training delivery system to familiarize One-Stop staff with employment statistics terms and concepts and the proper use of available data. Local Labor Market Analysts will continue to serve as a resource for information delivery and analysis. We envision a role for the Labor Market Analysts in delivering both core and intensive services in the One Stops – including labor market seminars for One-Stop clients and establishing links between local employers and the One-Stop Centers. In addition, the Local Labor Market Analysts will coordinate information sharing between Workforce Investment Areas.

The Department will help to define and meet economic development goals and needs across the State. The Department will continue to conduct Labor Area Surveys for local Chambers of Commerce, economic developers, WIB partners, employers and others. These surveys will be local or regional.

The Department will continue to assess and evaluate its existing services to maximize impact while striving to eliminate duplication of information. Presentations will be further tailored to meet the needs of specific target groups. The Department will solicit feedback from Workforce Development System partners and customers and make use of available technologies in order to determine customer needs and preferences. We also will seek to establish a statewide advisory committee comprised of labor market information stakeholders. Special efforts will be made to work with schools to ensure that useful information will be available to students as they make important career decisions.

V. PERFORMANCE MANAGEMENT

Note: this part may need to be revised as negotiations with local areas are conducted and as goals are determined.

For each of the core indicators (Section II), the customer satisfaction indicator and additional state measures, explain how NY worked with Local Boards to determine the level of the performance goals.

- A. For the 15 core indicators and the two customer satisfaction indicators, the State will work with Local Boards to determine the level of their performance goals through a negotiation process. The State has supplied baseline information on employment-related measures, using UI wage record information. Local Boards have been asked to supply baseline information on education-related and customer satisfaction measures.

New York State will determine how its levels compare with the State-adjusted levels of performance established for other states when the information is made available from USDOL. The comparison will take into account differences in economic conditions, the characteristics of participants when they entered the program and the services to be provided.

The levels will help the State achieve customer satisfaction and continuous improvement over the five years of the Plan in that the statewide levels will likely show increases, as appropriate, from year to year. This will encourage all Local Areas and partners to continuously improve their programs so that the higher goals will be met and so that customers will be satisfied by higher rates of employment, retention, earnings, credential attainment, skill attainment and diploma attainment.

- B. Does your state have common data system and reporting processes in place to track progress? Identify any financial reporting requirements on subrecipients beyond those that will be required by the Department in its financial reporting instructions (to make guidance consistent with regulation 666.150(b))

The New York State Department of Labor has selected the One-Stop Operating System (OSOS), as the case management/WIA reporting system it will use under WIA. It is encouraging all of the Local Areas in the State to also utilize this system. It is expected that over 80% of the State's future Workforce Investment Areas will utilize this system. Even where a Workforce Investment Area does not use the OSOS, WIBs will be required to convert their reporting data into an OSOS format, and download it into OSOS, where unified federal reports will be generated.

The OSOS is currently being developed by America's Job Bank. It is expected that all of the system's software will be written by March 5, 2000. Testing of the software will begin on the services of America's Job Bank's software, developed by April of 2000, and the software will be tested on NYSDOL's services, beginning May of 2000. The OSOS is expected to be installed and operating on July 1, 2000, when WIA begins.

- C. Describe the system(s) by which your state measures customer satisfaction for both job seekers and employers (beyond those required.) How will customer satisfaction data be evaluated, disseminated locally, and used to improve services and customer satisfaction? Describe any targeted applicant groups under WIA Title 1, the WPA or Title 38 (vets e&t programs) that NY will track. If no system is currently in place, describe NY's timeframe and plan to collect this info. 111(d)(2), 112(b)(3), 136(b)(2)(B)

New York State will use surveys to evaluate customer satisfaction. New York State has utilized a wide variety of customer satisfaction surveys to identify opportunities for improvement. The best results have been obtained through surveys that are brief and easily completed. Wherever possible, the survey questions will be integrated into the work process to allow for automated summarization and reporting. Survey questions will be included in a uniform telephone follow-up survey with employers and job seekers, to be conducted locally. Service providers will be required to collect and report on customer satisfaction with the services that they provide. Data will be maintained to meet all reporting requirements.

Local entities will be encouraged to develop methods of collecting immediate feedback from customers in order to identify and react to customer concerns in a timely manner.

Any change in policy or procedure that significantly impacts on a customer group will initiate the collection and reporting of the effect of the change on customer satisfaction levels.

Initially, tracking of customer satisfaction will be limited to individuals registered with the system. Information will be maintained to allow for analyzing by target group and/or local entity. Results of tabulated customer satisfaction data will be made available through periodic postings to the Department's web site.

- D. Describe any actions the Governor and State Board will take to ensure collaboration with key partners and continuous improvement of the statewide workforce investment system. 111(d)(2), 112(b)(1)

The Governor, with the assistance of the State Board, develops the comprehensive State performance measures and provides feedback to Local Boards. Consultation among all partners at both State and local levels will be an integral part of the development of the performance system to ensure collaboration and continuous improvement. Incentive awards will be utilized to reward Local Areas that meet State performance goals and are able to effectively integrate services within their One-Stop systems. Capacity building efforts and technical assistance will be provided by the Department as directed by the Governor and State Board to enhance collaboration and continuous improvement in the local One-Stop systems. The Department also has instituted a Workforce Development Bulletin System to communicate technical advisories, technical assistance, best practices, and workforce-related information to all workforce development partners.

At the State level, the Governor's agencies responsible for the various partner programs have entered into a State-level MOU with the State Board outlining their respective activities and responsibilities under WIA. This collaborative process will continue as the State's Workforce Development System continues to evolve under WIA.

- E. How will the State and Local Boards evaluate performance? What corrective actions (including sanctions and technical assistance) will NY take if performance falls short of expectations?

The State and Local Boards will evaluate performance by monitoring the progress of partners and Local Areas in achieving their performance standards. Mechanisms will be established for periodic review of these core indicators throughout the program year. The State will also monitor the satisfaction of employer and job seeker customers who receive services authorized under the Act and delivered through the State's Workforce Development System. Finally, the State will recommend strategies for ensuring customer satisfaction with the types and quality of services offered as well as the accessibility and effectiveness of those services.

If performance in any workforce investment area in New York State falls short of expectations, New York expects to take the following steps:

- 1) Identify local area(s) of under-performance;

- 2) Identify factors contributing to the under-performance of the standard(s);
- 3) Provide Technical Assistance that may include assistance in the development of a performance improvement plan or development of a modified local plan. Technical Assistance might also include reviewing intake, eligibility, assessment, placement with appropriate recommendations for change;
- 4) The Governor shall consider corrective action for successive failure. This could include:
 - a) appointment and certification of a new Local Board;
 - b) prohibit the use of particular service providers or One-Stop partners that have been identified as achieving poor levels of performance;
 - c) take other appropriate measures as the Governor determines are appropriate to improve the performance of the local area.

How will the Boards use the review process to reinforce the strategic direction of the system? 111(d)(2), 112(b)(1), 112(b)(3)

In instances when performance falls short of expectations, the State will provide technical assistance to Local Areas, including developing a performance improvement plan. If poor performance continues, the State will consider developing reorganization plans, requiring the formation of new Local Boards, and prohibiting the use of poorly performing training providers and One-Stop partners.

The State will further use the information from reviewing and monitoring programs to assure that the State's Workforce Development System is achieving its strategic vision and goals.

VI. ASSURANCES

1. The State assures that it will establish, in accordance with section 184 of the Workforce Investment Act, fiscal control and fund accounting procedures that may be necessary to ensure the proper disbursement of, and accounting for, funds paid to the State through the allotments made under sections 127 and 132. (S 112(b)(11).)
2. The State assures that it will comply with Section 184 (a)(6), which requires the Governor to, every two years, certify to the Secretary, that-
 - (A) the State has implemented the uniform administrative requirements referred to in section 184 (a)(3);
 - (B) the State has annually monitored Local Areas to ensure compliance with the uniform administrative requirements as required under section 184(a)(4); and
 - (C) the State has taken appropriate action to secure compliance pursuant to section 184(a)(5). (S184(a)(6).)
3. The State assures that the adult and youth funds received under the Workforce Investment Act will be distributed equitably throughout the State, and that no Local Areas will suffer significant shifts in funding from year to year during the period covered by this Plan. (S112(b)(12)(B).)

4. The State assures that veterans will be afforded employment and training activities authorized in section 134 of the Workforce Investment Act, to the extent practicable. (S112(b)(17)(B).) The State assures that veterans workforce investment programs funded under WIA, section 168 will be carried out in accordance with that section.
5. The State assures that the Governor shall, once every two years, certify one Local Board for each Local Area in the State. (S117)(C)(2).)
6. The State assures that it will comply with the confidentiality requirements of section 136(f)(3).
7. The State assures that that it will comply with the nondiscrimination provisions of section 188, including an assurance that a Methods of Administration has been developed and implemented. (S188).
9. The State assures that it will collect and maintain data necessary to show compliance with the nondiscrimination provisions of section 188. (S185).
10. The State assures that it will comply with the grant procedures prescribed by the Secretary (pursuant to the authority at section 189(C) of the Act) which are necessary to enter into grant agreements for the allocation and payment of funds under the Act. The procedures and agreements will be provided to the State by the ETA Office of Grants and Contract Management and will specify the required terms and conditions and assurances and certifications, including, but not limited to, the following:

General Administration Requirements:

29 CFR part 97 – Uniform Administrative Requirements for State and Local Governments (as amended by the Act).

29 CFR part 96 (as amended by OMB Circular A-133)-Single Audit Act.

OMB Circular A-87-Cost Principles (as amended by the Act)

Assurances and Certifications:

SF 424 B-Assurances for Nonconstruction Programs.

29 CFR part 31, 32- Nondiscrimination and Equal Opportunity Assurance (and regulation).

CFR part 93-Certification Regarding Lobbying (and regulation).

29 CFR part 98- Drug Free Workplace and Debarment and Suspension Certifications (and regulation).

Special Clauses/ Provisions:

Other special assurances or provisions as may be required under Federal law or policy, including specific appropriations legislation, the Workforce Investment Act, or subsequent Executive or Congressional mandates.

11. The State certifies that the Wagner-Peyser Act Plan, which is part of this document, has been certified by the State Employment Security Administrator.
12. The State certifies that veterans' services provided with the Wagner-Peyser Act funds will be in compliance with 38 U.S.C Chapter 41 and 20 CFR part 1001. The state assures that veterans and other preference-eligible persons will be afforded a priority service, in accordance with the requirements of chapter 41 of title 38 and 20 CFR 1001, in the O/S system for the provision of labor exchange services funded under the Wagner-Peyser Act.
13. The State certifies that Wagner-Peyser Act-funded labor exchange activities will be provided by merit-based public employees. The State assures that it will modify its Plan

- if there is any change in policy regarding the public merit staffed delivery of WPA Act Services in any Local Workforce Investment Area.
14. The State certifies that Workforce Investment Act section 167 grantees, advocacy groups as described in the Wagner-Peyser Act (e.g. veterans, migrant and seasonal farmworkers, people with disabilities, UI claimants), the State monitor advocate, agricultural organizations, and employers were given the opportunity to comment on the Wagner-Peyser Act grant document for agricultural services and local office affirmative action plans and that affirmative action plans have been included for designated offices.
 15. The State assures that it will comply with the annual Migrant and Seasonal Farmworker significant office requirements in accordance with 20 CFR part 653.
 16. The State has developed this Plan in consultation with local elected officials, Local Workforce Boards, the business community, labor organizations and other partners.
 17. The State assures that it will comply with Section 504 of the Rehabilitation Act of 1973 (29 USC 794) and the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.). The State assures that the State workforce investment system and entities carrying out activities in the community who are recipients of assistance from the system or the system partners will comply with the Architectural Barriers Act of 1968.
 18. The State assures that the funds will be spent in accordance with the Workforce Investment Act and the Wagner-Peyser Act legislation, regulations, written Department of Labor Guidance, and all other applicable Federal and State laws.
 19. The State Board will ensure that the public (including people with disabilities) has access to Board meetings and information regarding State Board activities, including membership and meeting minutes (S112(b)(1)).
 20. The State assures that it will include State and local EO officers and advocates for the groups protected from discrimination under WIA section 188 in the planning process in a meaningful way, beginning with the earliest stages.
 21. The State certifies that, in providing an opportunity for public comment and input into the development of the Plan, the State consulted with persons of disabilities and has provided information regarding the Plan and the planning process, including the Plan and supporting documents, in alternative formats when requested (S112(b)(9).)
 22. If you submit your Plan by posting it on an Internet web site, the State certifies that the content of the submitted Plan will not be changed after it is submitted, except with Department of Labor approval.

VII. PROGRAM ADMINISTRATION DESIGNEES AND PLAN SIGNATURE

State Plan Record of Collaboration

The following is a list of the meetings, conferences and publications that the NYS Department of Labor used to obtain feedback and foster collaboration on the development of the State Plan.

January 20-21, 1999: NYSDOL and the State University of New York co-sponsored a conference that was entitled “State-Local Dialogue on Transitioning to the Workforce Investment Act.” The attendees included representatives from Federal, State and local governments, Workforce Development and One-Stop partners, and the business community. Topics of discussion and presentations included: an overview of WIA, partnerships, local boards, performance measures, TANF and WIA, Adult Ed and Literacy, Youth and WIA, Meeting Employer Needs, Labor Market Information, Achieving Universal Access, Internet Resources, Becoming a One-Stop Center, Regional Meetings and Town Meetings.

March 1999 – Present: At the above listed conference, Executive Deputy Commissioner James Dillon, the State liaison for WIA, committed the Department to continuing the State and local dialogue regarding the implementation of WIA. To that end, Mr. Dillon personally committed to meeting with the chief local elected officials in every county to discuss WIA-related questions, problems, and concerns, and called for NYSDOL-sponsored Regional Meetings of partners and stakeholders to discuss WIA implementation issues. The content of the Regional Meetings were locally determined, but all of them included discussions on accountability, eligible training providers, Adult Education and Literacy under WIA, and Labor Market Information. To date, the following meetings have been held:

CEO Meetings

Date of Meeting	Counties/Cities Represented
March 18, 1999	North Country Intercounty (Clinton, Essex, Hamilton, Franklin, Fulton, Jefferson, Lewis, Herkimer, St. Lawrence, Saratoga, Warren, and Washington Counties)
April 6, 1999	Orange County
April 7, 1999	Oneida County
April 14, 1999	City of Rochester, Monroe County
April 15, 1999	Western Intercounty (Allegany, Cattaraugus, Cayuga, Chautauqua, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming and Yates Counties)
April 20, 1999	Westchester County
May 6, 1999	City of Buffalo
June 10, 1999	Erie County
July 7, 1999	Town of Hempstead
July 7, 1999	Town of Oyster Bay
July 8, 1999	Rockland County
August 31, 1999	Delaware County
August 31, 1999	Tompkins County
September 1, 1999	City of Yonkers
September 9, 1999	Long Island Association
September 9, 1999	Suffolk County
September 14, 1999	Chautauqua County
September 21, 1999	St. Lawrence County
September 22, 1999	Jefferson County, Lewis County
October 8, 1999	Putnam County
October 14, 1999	Chenango County, Otsego County
October 21, 1999	City of Syracuse, Onondaga County
October 21, 1999	Oswego County
October 22, 1999	Chemung County, Schuyler County, Steuben County
October 22, 1999	Allegany County, Cattaraugus County
November 3, 1999	Columbia County, Greene County
November 5, 1999	Niagara County
November 5, 1999	Genesee, Livingston, Orleans, and Wyoming Counties
November 5, 1999	Seneca County, Ontario County, Wayne County, Yates County
December 21, 1999	Broome and Tioga Counties

WIA Regional Meetings

<u>Date of Meeting</u>	<u>Region</u>
June 11, 1999	Capital Region
August 26, 1999	Long Island
September 8, 1999	Southern Tier
September 24, 1999	Hudson Valley
October 5, 1999	Western (Buffalo site)
October 6, 1999	Western (Rochester site)
November 30, 1999	Mohawk Valley (Utica site)
December 1, 1999	Mohawk Valley (Syracuse site)

September 1999: NYSDOL and the State Education Department release the “Youth Council Toolkit: Information and Options for Forming Youth Councils Under the Workforce Investment Act.”

September 13, 1999: WIA Implementation meeting held by Executive Deputies of NYS Agencies. Following this meeting, staff were assigned from each agency to participate in State-level MOU discussions.

October 1, 1999: Meeting of State agencies to begin drafting a State-level MOU. This was followed by consultant-facilitated meetings on October 19th and November 23rd.

October 26, 1999: Round Table discussions were held prior to the Fall Conference that included NYSDOL presentations and solicitation of comments on the Draft MOU Template, and Eligible Training Provider Lists.

November – December 1999: NYSDOL and NYATEP joined together to establish workgroups consisting of local teams of workforce development partners from throughout NYS to examine WIA implementation and one-stop system-building issues. Two groups were established: Services and Funding, and Local MOU Development. Each workgroup met three times during the months of November and December. Workgroup findings and recommendations will be discussed at three Report Out Sessions in Albany, Syracuse and White Plains during January 2000.

December 15, 1999: NYSDOL held a Rapid Response Conference to release the Draft Rapid Response Plan and to discuss and help shape the NYS strategy for Rapid Response under WIA.

February 19-20, 2000: NYSDOL and SUNY will co-sponsor a conference on New York’s Workforce Development System: Forging Partnerships for Economic Growth.

February 1999-Present: Dissemination of information and requests for comment and input via the New York State Workforce Development web site (www.wdsny.org). Items released include: grant opportunities, One-Stop addresses, upcoming events, Technical Advisories and Bulletins, opportunities to e-mail questions to NYSDOL, and draft documents.

Local Board Appointment Criteria

Section 117(b)(1) of WIA authorizes the Governor, in partnership with the State Board, to establish criteria for chief elected officials to use to appoint members of the local boards. The following table provides the composition requirements for membership on local workforce investment boards that are stipulated in Section 117(b)(2) of WIA and the criteria developed by the Governor.

Composition	Nomination Process Criteria
Business Representation	

<p>The majority membership of the board must be comprised of representatives of businesses with employment opportunities that reflect the employment opportunities of the local area.</p>	<ul style="list-style-type: none"> ➤ The State encourages the appointment of at least one representative of a business primarily involved in high-technology enterprises. ➤ Among the businesses with employment opportunities that reflect the current opportunities of the local area, chief elected officials may consider appointing representatives of growing or emerging businesses, particularly if they represent high-technology enterprises. ➤ Appointments should be reflective of overall business and community demographics. Equity should be sought to adequately represent small and medium-sized businesses, including minority and female-owned businesses as appropriate. ➤ Appointments must be made from private-sector business enterprises. ➤ A business representative may not also represent a non-business sector on the board.
<p>Representatives of businesses must be owners, chief executives or operating officers of businesses, and other business executives or employers with optimum policymaking or hiring authority.</p>	<ul style="list-style-type: none"> ➤ Congress intended that business would play a <i>leadership role</i> in identifying available job opportunities and skills development needs in the local labor market. Therefore, it is critical that <i>highest-level</i> appointments be made to ensure the appropriate level of knowledge and expertise is present to guide workforce investment policy and decision-making.

Composition Requirements	Nomination Process Criteria
Business Representation	
<p>Nominations must be made by local business organizations and business trade organizations.</p>	<ul style="list-style-type: none"> ➤ Nominations must be actively sought from two or more local business organizations and trade associations from the local area; <u>business representatives should not all be nominated by the same organization</u> ➤ Only one (1) nomination per board seat is required. ➤ Consideration should be given to using nominating organizations such as local chambers of commerce and local manufacturing associations.
<p>The board must be chaired by a business representative.</p>	<ul style="list-style-type: none"> ➤ The local workforce investment board must elect its chair from the business representatives. ➤ A representative from a chamber of commerce is not a business representative, and therefore, may not serve as chair.

Two or more representatives from each of the following categories:

<p>Local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy activities, and postsecondary educational institutions (including community colleges, where such entities exist) selected from nominations by regional or local educational agencies.</p>	<ul style="list-style-type: none"> ➤ Nominations must be sought from regional or local educational agencies, institutions, or organizations representing such local educational entities. Efforts should be made to seek representatives who will have an interest and background in youth issues for possible appointment to the Youth Council. ➤ Special consideration should be given to including representatives of community colleges in the selection of members representing local educational entities.
<p>Labor organizations nominated by local labor federations</p>	<ul style="list-style-type: none"> ➤ At least two representatives from organized labor nominated by the appropriate central labor council in the region ➤ Special consideration should be given to accepting nominations from local chapters of the New York State American Federation of Labor and Congress of Industrial Organizations.
<p>Community-based organizations</p>	<ul style="list-style-type: none"> ➤ Special consideration should be given to including representatives of organizations representing individuals with disabilities, veterans, or other populations that may have a significant presence in the local area.
<p>Economic development organizations</p>	<ul style="list-style-type: none"> ➤ Special consideration should be given to including private sector economic development organizations. ➤ Representatives from local chambers of commerce (e.g., an executive director of a local chamber of commerce) may be appointed to serve on local boards to represent economic development agencies, community-based organizations or as additional members whom chief-elected officials may determine to be appropriate.

Representatives of required One-Stop partners
(These are minimum requirements, additional representatives may be nominated)

WIA Title I programs for adults, youth and dislocated workers; Welfare-to-Work Grants	One representative to serve for these programs. CEO, as grant recipient, appoints.
Employment Service (Wagner-Peyser); Trade Adjustment Assistance (and NAFTA-TAA); Veterans' E & T services, Unemployment Insurance	One representative to serve for these programs. NYSDOL will provide the names of representatives for each area.
Vocational Rehabilitation	One representative to serve for this program. NYSED (VESID) will provide the names of representatives for each area.
Adult Education and Family Literacy and Postsecondary Vocational Education	One representative to serve for these programs. NYSED will provide the names of representatives for each area.
Senior Community Service Employment Program	One representative to serve for this program -- may be a Title V national sponsor or a representative of the local office of the aging (local Title V sponsor). SOFA is strongly encouraging Title V sponsors to coordinate in each local area so that whomever the CEO appoints to represent the Title V program on the board will represent all Title V providers in the local area.
Community Services Block Grant (CSBG) -- employment and training activities	One representative, which may be a representative from a local community action program, to serve for this program if it is present in the local area . Not every county may be covered; some CSBG programs do not focus on providing employment and training services. CSBG programs may serve both cities and counties.
Housing and Urban Development (HUD)-- employment and training activities	One representative to serve for this program if it is present in the local area . This program may be represented by the same agency that represents the CSBG program if that agency also operates a HUD E & T program.

Representatives from national programs - if present in area:
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Native American Programs Migrant and Seasonal Farmworker Programs Veterans' Workforce Investment Programs Youth Opportunity Grants Job Corps	Under WIA, each of these national programs are required One-Stop partners and will require a separate representative where they are present in the local area . If they are local One-Stop partners, then they must also be represented on the board.
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General Provisions

- Chief-elected officials have the *option* of appointing additional members as deemed appropriate. However, officials are advised to keep in mind that appointing additional members will increase the overall size of the board. In particular, if the additional appointees are not business representatives, then additional business appointments may be required to maintain a business majority.
- Efforts should be made to seek representatives who will have an interest and background in youth issues for possible appointment to the Youth Council.
- Chief-elected officials should make board appointments with staggered term durations to ensure continuity and stability for board operation.
- Non-business appointees may represent more than one sector of the required membership categories.
- In local areas with more than one chief-elected official, there must be a local agreement in place that addresses how board appointments were handled among the elected officials.
- Once the local board is established, the board should establish by-laws that address:
 - rules of order;
 - definition of quorum;
 - minimum meeting schedule;
 - conflict of interest procedures;
 - subsequent appointments procedures; and
 - record maintenance and accessibility (particularly in light of WIA "sunshine" requirement).

WAGNER PEYSER RESOURCES DISTRIBUTION

FOR PERIOD 7/1/99 – 6/30/00

(Program Year 2000)

<u>Area</u>	<u>Job Service Positions</u>
Cayuga-Cortland	4.8
Onondaga	11.6
Jefferson-Lewis	5.6
Oswego	4.1
Erie	27.9
Niagara	7.4
Allegany-Cattaraugus	7.6
Chautauqua	6.2
Monroe	16.1
Ontario-Seneca-Wayne-Yates	8.3
Genesee-Livingston-Orleans-Wyoming	8.9
St. Lawrence	5.6
Herkimer-Madison-Oneida	14.4
Fulton-Montgomery-Schoharie	5.6
Clinton-Essex-Franklin-Hamilton	9.4
Albany-Rensselaer-Schenectady	12.0
Columbia-Greene	4.5
Saratoga-Warren-Washington	7.3
Chemung-Schuyler-Steuben	7.4
Broome-Tioga	9.3
Tompkins	3.1
Chenango-Delaware-Otsego	5.7
Suffolk	25.5
Hempstead-Long Beach	12.5
Oyster Bay	5.2
Westchester County Balance-Putnam	13.3
Yonkers City	4.4
Rockland	5.1
Sullivan	4.0
Ulster	5.5
Dutchess	4.9
Orange	6.5
New York City	206.3
Total PY2000	486.0

The method used to allocate these positions is as follows:

90% Need for Services

- 55% Unemployment
- 10% Economically Disadvantaged
- 10% Public Assistance Recipients
- 10% Employer Need
- 5% Geographic Access Factor

A. Unemployment (55%)

Because the vast majority of those who require employment services are out of work, the volume of unemployment in an SDA is one of the best indicators of need. This factor was obtained by dividing the number of unemployed in each SDA by the State total of unemployed persons.

B. Economically Disadvantaged (10%)

Another indicator of need is the number of residents in an area who are economically disadvantaged. The economically disadvantaged include many of those with social barriers to employment, increasing the likelihood they will require the assistance of a public agency in securing employment. (The data used for this factor was provided by the U.S. Department of Labor.) This factor was obtained by dividing the number of “economically disadvantaged” individuals in each SDA by the State Total of such person.)

C. Public Assistance Recipients (10%)

The population receiving public assistance in an area is another indicator of the need for employment services. Services to these individuals may result in their removal from the welfare rolls. The factor representing this component is simply the number of recipients in each SDA as a percentage of all recipients statewide.

D. Employer Need (10%)

Employer clients represent a vital part of the Job Services and labor exchange equation; their needs must be taken into consideration to ensure that the Division of Employment Services (DOES) offices have staff available to solicit job orders and fill employer job openings. Employer needs are measured by the SDA’s percentage of all orders received statewide for jobs over three days in duration.

E. Geographic Access Factor (5.0%)

Since DOES (Job Service) is mandated to serve all job seekers, it must ensure that no group is denied access to services because of their place of residence. While it would be inappropriate because of population consensus to insist on an even geographic distribution of offices over the State, this factor must be given a degree of consideration to make services available to those who

reside in rural areas. The factor was computed by comparing the square miles contained in each SDA as a percentage of the State's total area.

F. Productivity (10%)

Despite the requisites of each SDA's need, services will not be equally effective in all areas. In order to ensure that additional resources are available to SDAs where Job Service has a high productivity, and to encourage the optimal utilization of staff, a productivity factor has been included. Productivity was measured by the number of people placed in jobs per unit of total staff. Job Service staff productivity in each SDA was expressed as a percentage of the State average. This percentage was then applied against the staff allocation for the same year.

G. Hold Harmless

The "hold harmless" provision means that no SDA will receive less than 90% of its proportion of the previous year's allocation. In other words, in an area that now constitutes an SDA which received 6% Wagner Peyser resources the year before, it would receive no less than 4.5% in the coming year. "Hold harmless" minimizes the disruption which would occur by drastically altering previous staffing levels.

Anyone wishing to comment on either the method or actual distribution of Wagner Peyser resources should write to:

Ms. Fredda Peritz
Director, Division of Employment Services (DOES)
New York State Department of Labor
Building 12, Room 576
State Office Building Campus
Albany, New York 12240

STATE PLAN FOR AGRICULTURE SERVICES

- I. A. State Monitor Advocate Approval/Comments
 The State Plan for Agricultural Services was reviewed with the State Monitor Advocate, and he has approved the plan. He is in contact with DOES staff on an on-going basis throughout the year and is cognizant of all relevant MSFW programs and services. In addition, he periodically reviews and suggests changes throughout the season.
- B. Consideration of Previous Year's Annual Monitor Advocate Report
 The New York State Annual Monitor Advocate report was considered and the recommendations for improving the services to MSFW were incorporated into the plan. Discussions were held with the Monitor Advocate prior to the development of the plan and consultation continues about its implementation. Any weak areas in providing services are acted on immediately and all recommendations for corrective action are implemented according to guidelines under 20 CFR 653.109 (t).
- C. Affirmative Action Plan Review/Comments
 Not applicable to New York.
- D. Review and Comment by WIA, Section 167 Grantees
 Rural Opportunities of New York is the WIA 167 (JTPA 402) grantee in New York and has operated under a cooperative agreement since 1981 to provide information about the Department of Labor to their clients contacted during field visits. The Department of Labor also provides information about Rural Opportunities, Inc. to outreach contacts of MSFWs by the Rural Outreach staff. Any comments received which identify needed services will be incorporated into the outreach procedures as they are identified. Comments received from Rural Opportunities, Inc. will be thoroughly analyzed as to their benefit to the outreach program before implementation.
- II. A. Assessment of need. Review of previous year's agricultural activity. Vegetable and fruit production are the major agricultural activities in New York utilizing seasonal labor. Diversified fresh market vegetable crops are produced statewide but the major geographic areas for prime activity are listed below along with the major fruit producing areas.
- Long Island - mainly Suffolk County - sweet corn, vegetable greens, cole crops, wine grapes, and nursery plants during the period April through November.
- Hudson Valley - six county area adjacent to the Hudson River - sweet corn, onions, green vegetables and apples from April through October.

Champlain Valley - two counties, Essex and Clinton - sweet corn and apples with heavy activity between August and mid-October.

Central New York - comprising eight counties around the Syracuse area - onions, apples, sweet corn, potatoes, cranberries and cole crops such as cabbage from April through October.

Finger Lakes - comprising nine counties around the Rochester area - apples, sweet corn (fresh and processing), cabbage, onions, wine grapes, snap beans for processing, beets, carrots and peas for processing from April through November.

Western New York - comprising the counties in the Niagara Frontier south to Lake Erie/lake plains - sweet corn (fresh and processing), peas (processing), grapes (wine and juice), tomatoes, cabbage (fresh and kraut), apples (fresh and processing), snap beans from May through November.

B. Review of Previous Years MSFW Activity By Crop Area. The best estimate of the MSFW activity by crop area is listed below and indicates the peak population for the year:

Long Island: 1,068 workers with the majority of the workforce employed in Nursery and Greenhouse production. Due to the nature of Greenhouse and Nursery, the peak population is employed in May.

Hudson Valley: 2,684 workers were employed in harvest activities of apples, onions, sweet corn, sod and other vegetables from April through November with the peak activity in September.

Champlain Valley: 989 workers were employed in the area with 800 of the total employed in the apple harvest. The remainder were employed in various vegetable crops. The peak activity period is in September.

Central New York: 1,189 workers were employed in the area in sweet corn, onions, apples and cranberries. The vegetable season lasts late into the fall while apple harvest has ended by late October.

Western New York: 1,379 workers were employed in the area with most in various vegetables and the remainder in apples and fresh cabbage. The peak activity period is September through October.

C. The projected level of agricultural activity is not expected to change from last year. There have been no reports of changes in crop acreage or variety. Given near normal weather conditions the crop production levels will be similar to last year.

D. The projected number of MSFWs will be similar to last year as there are no new labor intensive crops or new mechanization techniques scheduled to be introduced. Apples will continue to be the biggest user of migrant labor and the industry is under economic stress but there are no significant changes at this time. Although the numbers of workers may fluctuate, we don't anticipate any large degree of fluctuations.

The following table, based on data in the ES 223 report (a bi-monthly report of MSFW activity in New York), shows the reported number of MSFWs in the state at the peak employment period for the past three completed agricultural seasons. This total includes Interstate, Intrastate, Foreign (H-2A), and Local Workers (the latter two which are not listed below):

	<u>Total</u>	<u>Interstate</u>	<u>Intrastate</u>
1999	11,035	4,920	290
1998	11,358	5,725	215
1997	11,844	5,865	200

Assuming that 2000 will be a typical agricultural season as far as employment of MSFWs, we estimate the number will be 11,000 of which 5,500 will be migrant workers. An estimated 1,200 migrant food processing workers, a group not covered in the ES 223 data report, should be added to these figures as we perform extensive outreach to this mostly Spanish Speaking population.

III. Outreach Plan

A. Assessment of Available Resources

1. State Agency Staff

The New York State Division of Employment Services (DOES) had budgeted 4.75 positions in Program Year 2000 for full-time outreach by Rural Employment Outreach staff. Funds from Wagner-Peyser ES Grants will cover the cost of DOES staff performing outreach. One full-time Monitor Advocate is funded for PY 2000.

- The number of staff positions assigned to outreach is the same as last year. This translates to 4.75 year-round positions broken down to three year-round and three seasonal.
- The significant local offices in New York are assigned full-time outreach staff during the peak seasons. The 4.75 positions identified above results in six Rural Employment Aide positions, three of which are year-round and three are hired on a seasonal basis. The seasons run from April through November. Five of the Aide positions will be Spanish Speaking (SS). Following the suggestion of the Regional and State Monitor Advocates, we are continuing the practice of employing the seasonal Aides for longer periods of time depending on the crop conditions and the number of migrants remaining through the season. The assignment of outreach staff follows:

<u>Location</u>	<u>No.</u>	<u>Title</u>	<u>Duration</u>
Albion	1	Rural Employment Aide SS	Year round
Newark	1	Rural Employment Aide	Seasnl 3/5-12/30
Oswego/Syracuse	1	Rural Employment Aide SS	Seasnl 3/18-12/30
Riverhead	1	Rural Employment Aide SS	Year round
Middletown/ Pine Island	1	Rural Employment Aide SS	Year round
Kingston/ Hudson	1	Rural Employment Aide SS	Seasnl 3/18-12/30

The geographic area covered by outreach staff is much larger than the jurisdiction of the local offices to which they are assigned. All outreach staff cover multiple counties and cross several local office jurisdictions.

B. Numerical Goals

1. Division of Employment Services staff will make an estimated 10,000 total MSFW outreach contacts during PY 2000. We estimate that 2,500 contacts will be made by local office staff with the remaining 7,500 contacts made by outreach staff.

<u>Local Office</u>	<u>MSFWs Contacted</u>
Hudson	800
Plattsburgh	50
Rochester	150
Newark	2,500
Batavia	1,500
Warsaw	500
Albion	500
Riverhead	1,000
Lockport	150
Hamburg	500
Kingston	500
Middletown/Pine Island	700
Syracuse	1,250

2. The total number of staff days to be expended by DOES outreach staff will be 445. This will be approximately the number of cumulative staff days during the last program year. The staff days are broken down by local office:

<u>Local Office</u>	<u>Staff Days</u>
Hudson	41.1
Plattsburgh	2.0
Rochester	10.73
Newark	90.45
Batavia/Elba	11.75
Warsaw	13.0
Albion	13.75
Riverhead	90.0
Lockport	9.5
Hamburg/Dunkirk	31.5
Kingston	18.9
Middletown/Pine Island	37.1
Syracuse	76.0

3. The number of MSFWs contacted by other agencies under an ongoing cooperative agreement will number approximately 2,000. Rural Opportunities, Inc. (ROI), based in Rochester, has field offices across the state where there are sufficient numbers of MSFWs to warrant their location. Staff days expended for ROI totaled 101 days last year. We anticipate reaching that level in PY 2000.

C. Proposed Outreach Activities

The outreach efforts to be provided by outreach staff will cover all those described in 20 CFR 653.107 (i-p). These efforts are the minimum required but staff are usually

much more thorough in their presentation and provide a comprehensive outline of services available in the particular area. As mentioned earlier, we are continuing our cooperative agreement with the Section 167 Grantee (ROI) in providing this comprehensive approach to outreach.

We will continue to utilize the tools, techniques and approaches which have proved so successful in the past. Prior to each season's start, DOES staff contact farm employers who regularly employ farmworkers to explain the outreach program and outline procedures to perform this MSFW outreach during the upcoming season. The majority of outreach contacts are made at the grower's housing and at various cooperating agencies and organizations where MSFWs congregate.

Cooperating agencies are also contacted for their help in locating migrants who need services or are in need of outreach services. Materials distributed during outreach contacts include: a booklet, Farmworker's Guide to New York State Labor Law (in English and Spanish), a plastic wallet-sized card giving Rural Opportunities, Inc. "Hot-Line" telephone number and an English and Spanish "Farmworker's Rights" sheet which outlines the protection farmworkers are entitled to while working in New York State. We also distribute the wallet-sized card containing the "Trabajo Hot-Line" telephone number which Spanish Speaking workers may call with questions or problems. Their problems or questions are relayed to the proper agency or office. We are continuing to distribute information on the National Migrant Education Hotline which can be accessed nationwide but is home-based in New York at SUNY Oneonta. In addition, we have distributed USDOL Wage and Hour booklets and cards under the Fair Harvest, Safe Harvest logo.

We also distribute flyers describing the Department of Agriculture and Markets childcare program, as well as being alert to any situation involving migrant children to ensure that they are placed in daycare, Head Start programs or school as appropriate.

Outreach Logs and Records

All staff conducting outreach maintain a daily outreach log recording the number of daily MSFW contacts, their identity (where appropriate), and the information or services provided. Copies of the outreach logs are maintained in the significant local office.

IV. ES Services Provided to MSFWs

The equity indicators established under 20 CFR 653.112 have been difficult for NYSDOL staff to meet. All five of the ES controlled indicators are reviewed on a quarterly basis and three of the five far exceed the equity indicators. However, the indicator covering counseling and job development has been nearly impossible to meet for several years. Since New York is at the end of the migrant stream, the majority of the workers who report to our offices are interested in farm work only. When their job is finished, they leave the area and don't return until next year. Staff actively pursue workers who indicate their desire to settle out of the migrant stream but the numbers statewide are very small. We will continue to search for ways to improve the number of

MSFWs counseled and to raise the number of job development contacts performed on behalf of MSFWs.

A. Plan Data for Upcoming Year

The Rural staff will make a concerted effort this year to register and perform job development on a portion of the MSFW population which indicates a desire to settle out of the migrant stream. In addition, a more sustained effort to identify individuals who are interested in a career change will be conducted by outreach staff this year to ensure that they receive counseling when it is in their best interest. As we cooperate more with community-based organizations under the Workforce Development, One-Stop concept, Rural staff should be able to better identify individuals needing the more intensive services of counselors.

B. Significant MSFW Local Office Affirmative Action Plans

Not applicable to New York.

IV. ES Services Provided to Agricultural Employers

A. Data Analysis

1. Previous Year's History

- a. Number of Agricultural Job Orders and Openings Received PY '98 - 7,713
- b. Number of Agricultural Job Orders Filled PY '98 - 1,469
- c. Percent Filled - PY '98 - 19%
- d. Number of Interstate Clearance Orders Received PY'97 - 215
- e. Number of Interstate Clearance Orders Initiated PY '98 - 242

2. Plan for Upcoming Year

- a. Number of Agricultural Job Orders Expected to be Received PY '99 - 7,400
- b. Number of Agricultural Job Orders Projected to be Filled PY '99 - 2,000
- c. Percent to be Filled PY '99 - 27
- d. Estimated Number of Interstate Clearance Orders State will Receive PY '99 - 250
- e. Estimated Number of Interstate Clearance Orders State will Initiate PY '99 - 250

B. Narrative Description

Services are provided to agricultural employers in New York State through our 75 Division of Employment Service (DOES) offices located throughout the state. In addition to the regular office staff who provide the full range of ES services to the agricultural, as well as the non-agricultural community, we have dedicated staff, Rural Labor Service Representatives (RLSRs), who have the primary responsibility to provide services to agricultural employers and workers. This specialized staff is located in 13 offices in areas of high agricultural activity. Services provided include:

Linking Available Workers with Employers

The main vehicle for matching available workers with employers is through our computerized system, WINS and AJB. When this system fails to produce the required number of workers, we expand our activities to include contacts with various

community-based organizations who work with migrant and seasonal farmworkers, such as Rural Opportunities, Inc. (the WIA 167 grantee in New York), Farmworker Legal Services, Migrant Ministries, etc., to inform them of employer needs and request referrals of workers. In addition to these actions, we also operate seasonal offices in three areas of the state to provide MSFWs with easier access to our services. Full services are available at these locations. We are also very active statewide with local interagency groups and coalitions which keep everyone apprised of labor needs and provides a mechanism for these groups to refer workers to our offices.

Promoting ES Services

As indicated in the preceding sections, we attend many grower meetings on a statewide basis where we give presentations on ES services. In addition, we attend trade shows where we set up an exhibit and distribute promotional material and interact with agricultural employers in attendance. We plan to continue our Job Service Employer Committees (JSEC), as needed, in order to keep employers up-to-date and informed on current rules and regulations pertaining to the agricultural industry.

We also have been successful in placing notices, advertisements and public service announcements in local newspapers, radio and TV stations, and pennysavers, to promote our services and also to aid in recruitment.

H-2A Program

New York State has a relatively large and growing H-2A Program, and as a result, we make extra effort to attract and refer domestic workers to these employers. Some of the specific actions taken include:

- All job openings, when cleared through the Agricultural Recruitment System to nine states and Puerto Rico, are sent to the grantees in New York and New Jersey, CATA in New Jersey (a community-based organization which deals with Hispanic workers) and Farmworker Legal Services;
- Directives are sent to all DOES offices statewide to inform them of the upcoming labor demands and encourage increased recruitment efforts;
- Whenever staff is meeting with other groups/agencies, they promote the need for workers;
- Special notices are placed in offices advising workers of the job openings;
- All job openings are placed on our computerized system as well as the nationwide America's Job Bank; and
- A Pilot Program for 1997 allowed the distribution of all H-2A Ag clearance orders via America's Job Bank and via the Internet, which made New York Ag job orders accessible by all states and any individuals with computer access to the internet. This pilot will continue for 2000, and because of these efforts, in 1999, over 143 domestic workers were referred to H-2A employers. We will continue to pursue these efforts on behalf of domestic workers in 2000. Due to the high costs involved in the H-2A program, many growers are actively searching for reliable domestic workers and, if found, would leave the H-2A Program.