

Northwest Georgia



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Workforce Innovation and Opportunity Act Youth Committee Orientation Manual

2018-2019

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I. What is the Workforce Innovation and Opportunity Act?

- A. **History** - The Workforce Innovation and Opportunity Act (WIOA; P.L. 113-28), which succeeded the Workforce Investment Act of 1998 (P.L. 105-220), is the primary federal legislation that supports workforce development. WIOA was enacted to bring about increased coordination and alignment among federal workforce development and related programs.
- B. **Purpose** - Workforce development programs provide a combination of education and training services to prepare individuals for work and to help them improve their prospects in the labor market. In the broadest sense, workforce development efforts include secondary and postsecondary education, on-the-job and employer-provided training, and the publicly funded system of job training and employment services.
- C. **Structure - WIOA includes five titles:**
 - 1. **Title I:** Workforce Development Activities—authorizes job training and related services to unemployed or underemployed individuals and establishes the governance and performance accountability system for WIOA;
 - 2. **Title II:** Adult Education and Literacy—authorizes education services to assist adults in improving their basic skills, completing secondary education, and transitioning to postsecondary education;
 - 3. **Title III:** Amendments to the Wagner-Peyser Act—amends the Wagner-Peyser Act of 1933 to integrate the U.S. Employment Service (ES) into the One-Stop system authorized by WIOA;
 - 4. **Title IV:** Amendments to the Rehabilitation Act of 1973—authorizes employment-related vocational rehabilitation services to individuals with disabilities, to integrate vocational rehabilitation into the One-Stop system; and.
 - 5. **Title V:** General Provisions—specifies transition provisions from WIA to WIOA.
- D. **Implementation** - Implementation of the Act takes place on both state and local levels. Those involved are state and local Workforce Development Boards (WDB) , Youth Committee, Chief Elected Officials, Regional Development Centers and contracted providers/participants.

II. Youth Activities

The Workforce Innovation and Opportunity Act (WIOA) of 2014 enacted a comprehensive youth employment program for serving eligible youth, ages 14-24, who face barriers to education, training, and employment. Funds for youth services are allocated to states and local areas based on a formula. The WIOA program focuses primarily on out-of-school youth (OSY), requiring local areas to expend a minimum of 75% of WIOA youth funds on OSY. The program includes 14 program elements that are required to be made available to youth participants. WIOA prioritizes work experience through a 20% minimum expenditure rate for the work experience program element. Local programs provide youth services in partnership with the WIOA American Job Center System and under the direction of local Workforce Development Boards.

A. Youth Standing Committee - Youth Councils no longer required; however, Local Boards are encouraged to designate a standing Youth Committee, including an existing Youth Council, to contribute a critical youth voice and perspective. The partnerships represented on the Youth Committee bring together a diverse set of stakeholders and resources, partners who can address the needs of young people more effectively than any one partner can do alone. Youth Committee members have the expertise to advise on issues that support the Local WDB's ability to attain the goals of State, local, and regional plans and to meet the objective of providing customer-focused services to individuals and businesses.

B. What are the responsibilities of the Youth Standing Committee?

A. Responsibilities:

1. Coordinating youth activities that are authorized by WIOA;
2. To develop that portion of the local plan that relates to eligible youth;
3. Assuring that the 14 program elements are available to eligible youth as set forth in WIOA Section 129(c) (2) ;
4. Monitor and evaluate the youth programs that have received grants or contracts to provide services to eligible youth. This will assist in the attainment of the youth performance standards as determined by WIOA;
5. To perform other duties as determined by the chairperson of the local Workforce Development Board.

B. The Relationship of the Youth Standing Committee to the Workforce Development Board

The committee must include a member of the Local Board, who chairs the committee, members of community-based organizations with a demonstrated record of success in serving eligible youth, and other individuals with appropriate expertise and experience who

are not members of the Local Board (TEGL-8-15). The committee members appointed for their experience may bring their expertise to help the committee address the employment, training, education, human and supportive service needs of eligible youth, including out-of-school youth. Members may represent agencies such as education, training, vocational rehabilitation, health, mental health, housing, public assistance, and justice, or be representatives of philanthropic or economic and community development organizations, and employers. The Youth Standing Committee may also include parents, participants, and youth.

C. Who is Eligible for Youth Services?

WIOA Section 129(a) (1) provides new eligibility criteria for the WIOA youth program. To be eligible to participate in the WIOA youth program, an individual must be an OSY or an ISY.

Under WIOA section 129(a) (1) (B), an out-of-school youth (OSY) is an individual who is: (a) Not attending any school (as defined under State law); (b) Not younger than 16 or older than age 24 at time of enrollment. Because age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 24 once they are enrolled in the program; and (c) One or more of the following:

- (1) A school dropout;
- (2) A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter. School year calendar quarter is based on how a local school district defines its school year quarters;
- (3) A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English language learner;
- (4) An individual who is subject to the juvenile or adult justice system;
- (5) A homeless individual, a runaway, an individual who is in foster care or has aged out of the foster care system, a child eligible for assistance under Section 477 of the Social Security Act, or an individual who is in an out-of-home placement;
- (6) An individual who is pregnant or parenting;
- (7) An individual with a disability;
- (8) A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment. (WIOA Section 129(a)(1)(B).)

Under WIOA section 129(a) (1)(C), an in-school youth (ISY) is an individual who is: (a) Attending school (as defined by State law), including secondary and postsecondary school; (b) Not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21 at time of enrollment. Because age eligibility is based on age at enrollment, participants may continue to receive services beyond the age of 21 once they are enrolled in the program; (c) A low-income individual; and (d) One or more of the

following:

- (1) Basic skills deficient;
- (2) An English language learner;
- (3) An offender;
- (4) A homeless individual, a homeless child or youth, a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under sec. 477 of the Social Security Act, or in an out-of-home placement;
- (5) An individual who is pregnant or parenting;
- (6) An individual with a disability;
- (7) An individual who requires additional assistance to complete an educational program or to secure or hold employment. (WIOA Section 129(a)(1)(C).

D. Available Youth Services:

Local programs must make each of the following 14 services available to youth participants (WIOA Law §129(c)(2) 20 CFR §681.460):

1. Tutoring, study skills training, instruction, and evidence based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalency (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential.
2. Alternative secondary school services, or dropout recovery services, as appropriate.
3. Paid and unpaid work experiences that have as a component academic and occupational education may include:
 - a. Summer employment opportunities
 - b. Opportunities available throughout the school year
 - c. Pre-apprenticeship programs
 - d. Internships and job shadows
 - e. On-the-job training opportunities
4. Occupational skills training which includes priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area involved.
5. Education offered concurrently with an in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.

6. Leadership development opportunities, including community service and peer centered activities encouraging responsibility and other positive social and civic behaviors.
7. Support Services are services that enable an individual to participate in WIOA activities.
8. Adult Mentoring
9. Follow-up services for not less than 12 months after the completion of participation.
10. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referrals to counseling, as appropriate to the needs of the individual youth.
11. Financial literacy education
12. Entrepreneurial skills training
13. Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services.
14. Activities that help youth prepare for and transition to post-secondary education and training.

E. How is Success Measured?

Under section 116(b)(2)(A) of WIOA, there are six primary indicators of performance:

A. Employment Rate – 2nd Quarter After Exit: The percentage of participants who are in unsubsidized employment during the second quarter after exit from the program (for title I Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the second quarter after exit);

B. Employment Rate – 4th Quarter After Exit: The percentage of participants who are in unsubsidized employment during the fourth quarter after exit from the program (for title I Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the fourth quarter after exit);

C. Median Earnings – 2nd Quarter After Exit: The median earnings of participants who are in unsubsidized employment during the second quarter after exit from the program;

D. Credential Attainment: The percentage of those participants enrolled in an education or training program (excluding those in on-the-job training (OJT) and customized training) who attain a recognized postsecondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program. A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a recognized postsecondary credential within one year after exit from the program;

E. Measurable Skill Gains: The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains, defined as documented academic, technical, occupational, or other forms of progress, towards such a credential or employment. Depending on the type of education or training program, documented progress is defined as one of the following:

- a) Documented achievement of at least one educational functioning level of a participant who is receiving instruction below the postsecondary education level;
- b) Documented attainment of a secondary school diploma or its recognized equivalent;
- c) Secondary or postsecondary transcript or report card for a sufficient number of credit hours that shows a participant is meeting the State unit's academic standards;
- d) Satisfactory or better progress report, towards established milestones, such as completion of OJT or completion of one year of an apprenticeship program or similar milestones, from an employer or training provider who is providing training; or
- e) Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks such as knowledge-based exams.

F. Effectiveness in Serving Employers: WIOA sec. 116(b)(2)(A)(i)(VI) requires the Departments to establish a primary indicator of performance for effectiveness in serving employers. The Departments are piloting three approaches designed to gauge three critical workforce needs of the business community.

- Approach 1 – Retention with the same employer – addresses the programs' efforts to provide employers with skilled workers;

- Approach 2 – Repeat Business Customers – addresses the programs’ efforts to provide quality engagement and services to employers and sectors and establish productive relationships with employers and sectors over extended periods of time; and
- Approach 3 – Employer Penetration Rate – addresses the programs’ efforts to provide quality engagement and services to all employers and sectors within a State and local economy.

III. What Counties are included in the Northwest Georgia Regional Commission (Region 1)?

- A. **Region 1**- area consists of fifteen (15) counties. The counties included are: Bartow, Catoosa, Chattooga, Dade, Fannin, Floyd, Gilmer, Gordon, Haralson, Murray, Paulding, Pickens, Polk, Walker, and Whitfield.
- B. **Local Workforce Development Board** - Local Workforce Development Board members are selected by the area’s Council of Chief Elected Officials.

The Northwest Georgia Workforce Development Board will consist of a minimum of nineteen (19) directors. Directors may represent more than one category that is required by WIOA. This provision is applicable predominately for the partners listed in C, D, and E but may be applicable to other categories. The composition shall meet the requirements stipulated in WIOA:

- A. A minimum of 51% who are representatives of business in the local area and who shall be owners, chief operating officer, chief executive officers or other individuals with optimum policy making or hiring authority; and provide employment opportunities in demand industry sectors or occupations. WIOA sec. (23) A minimum of two shall represent small business.
- B. At least 20% shall be:
1. A minimum of two (2) representatives of organized labor or other representatives of employees, if existing in the area.
 2. A representative of a joint labor-management or union-affiliated registered apprenticeship, if those programs exist or a representative of a registered apprenticeship program if one exists.
 3. May include one or more community-based organization qualifying for §

679.320 (c) 3.

4. May be representatives of organizations with experience and expertise in addressing services to eligible youth per § 679.320 (c) 3.

- C. Representative(s) (1 or more) of providers of adult education and literacy § 679.320 (d) 1.
- D. Representative(s) (1 or more) from institutions of higher education § 679.320 (d) 2.
- E. At least one representative each from (a) economic and community development entities; (b) state employment service (Wagner-Peyser Act); and (c) programs under Title I of the Rehabilitation Act of 1973 other than sec. 112 or Part C of that Title.
- F. The memberships of the WDB may include other representatives per § 679.320 (e) (1) through (e) (4).
- G. A member of the Council of Chief Elected Officials who is not the CLEO.

The Workforce Development Board's purpose is to:

- (1) Provide strategic and operational oversight in collaboration with the required and additional partners and workforce stakeholders to help develop a comprehensive and high quality workforce development system in the local area and larger planning region;
- (2) Assist in the achievement of the State's strategic and operational vision and goals as outlined in the Unified State Plan or Combined State Plan; and
- (3) Maximize and continue to improve the quality of services, customer satisfaction, effectiveness of the services provided.

The Region 1 Workforce Development Board is comprised of area representatives from each of the 15 counties.

D. Chief Elected Officials -The Chief Elected Official is the chief elected executive officer of a unit of general local government in a local area. In a case in which a local area includes more than one (1) unit of general local government, the chief elected officials of such units shall execute an agreement that specifies the respective roles of individual elected officials in the

appointment of members of the local board from the individuals nominated or recommended to be such members in accordance with standards set forth in WIOA Section 107(b); and in carrying out any other responsibilities assigned to such officials under Title I.

Executive Committee of CCEO - The Council of Chief Elected Officials (CCEO) has authorized fifteen (15) members, one (1) from each county, to its Executive Committee to carry out any and all duties and responsibilities required of the elected officials of the area.

E. Northwest Georgia Regional Commission Duties and Staff - Northwest Georgia Regional Commission is the grant sub-recipient and fiscal agent/administrative agent for the Northwest Georgia Workforce Development Area. Detailed responsibilities are outlined in the “Agreement Between the Coosa Valley/North Georgia Council of Chief Elected Officials, the Workforce Development Board of Northwest Georgia, and the Northwest Georgia Regional Commission”, attached as Appendix D.

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III. Who are the Workforce Development Providers?

A. The One-Stop System -WIOA retains the nationwide system of one-stop centers, which directly provide an array of employment services and connect customers to work related training and education. WIOA furthers a high quality one-stop center system by continuing to align investments in

workforce, education, and economic development to regional in-demand jobs. The new law places greater emphasis on one-stops achieving results for jobseekers, workers, and businesses. WIOA reinforces the partnerships and strategies necessary for one-stops to provide job seekers and workers with the high-quality career services, education and training, and supportive services they need to get good jobs and stay employed, and to help businesses find skilled workers and access other supports, including education and training for their current workforce.

Local One-Stop Partners

1. Georgia Department of Labor
2. Georgia Division of Rehabilitative Services
3. HUD Employment and Training Programs
4. Northwest Georgia Regional Commission
5. Department of Technical and Adult Education

B. Area One-Stop Locations - All of the Department Of Labor Career Centers and Technical Colleges, Dalton State College and Georgia Highlands College in our area are One-Stops; Bartow Career Center, Blue Ridge Career Center, Cedartown Career Center, Dalton Career Center, LaFayette Career Center, Northwest Georgia Career Center, Rome Career Center, and West Georgia Technical College are comprehensive One-Stop Centers. Specialized sites at Rehabilitative Services (Dalton, Dallas, LaFayette, and Rome) and Department of Family & Children Services offices in each county are also available.

C. Training Providers - Training providers are organizations eligible to receive vouchers (Individual Training Accounts) issued by the one-stop system to pay for training or are organizations awarded contracts through a procurement process. Post-secondary education institutions and National Apprenticeship Act participants are eligible to be providers through the ITA system. All other providers must meet criteria established by the Governor and the local WDB .

IV. Workforce Services for Adults/Dislocated Workers

A. Who Is Eligible for WIOA Services?

A Dislocated Worker is an individual who meets one of the following five sets of criteria:

1. The individual:

- a. has been terminated or laid-off, through no fault of their own, or has received a notice of no-fault termination or layoff from employment;
- b. is eligible for or has exhausted entitlement to unemployment compensation or has been employed for a duration sufficient to demonstrate attachment to the workforce but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that was not covered under a state's UI law; and
- c. is unlikely to return to a previous industry or occupation.

2. The individual:

- a. has been terminated or laid-off, through no fault of their own, or has received a notice of no-fault termination or layoff from employment as a result of any permanent closure of, or any substantial layoff at a plant, facility, or enterprise;
- b. is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or
- c. for purposes of eligibility to receive services other than training services, career services, or support services, is employed at a facility at which the employer has made a general announcement that such facility will close.

3. The individual was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters. This includes individuals working as independent contractors or consultants but not technically employees of a firm.

4. The individual is a displaced homemaker, as defined in WIOA §3 (16). A displaced homemaker is an individual who has been providing unpaid services to family members in the home and who:

- a. is unemployed or underemployed and experiencing difficulty finding or upgrading employment; and
- b. has been dependent on the income of another family member but is no longer supported by that income; or
- c. is the dependent spouse of a member of the Armed Forces on active duty and

whose family income is “significantly reduced” because of a deployment, a call or order to active duty, a permanent change of station, or the service-connected death or disability of the member.

5. The individual is a separating service member from the Armed Services with a discharge other than dishonorable; the separating service member qualifies for dislocated worker activities based on the following criteria:

- a. the separating service member has received a notice of separation (DD214) from the Department of Defense or other documentation showing a separation or imminent separation from the Armed Forces to satisfy the termination or layoff eligibility criteria (These documents must meet the requirements that the individual has received a notice of termination or layoff, to meet the required dislocated worker definition);
- b. the separating service member is eligible for or has exhausted of unemployment compensation for ex-service members (UCX); and
- c. as a separating service member, the individual meets the eligibility criteria that the individual is unlikely to return to a previous industry or occupation.

6. The individual is the spouse of a member of the Armed Forces on active duty who;

a. has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or

b. is unemployed or underemployed and experiencing difficulty finding or upgrading employment in the military. (TEGL 19-16).

c. Is the dependent spouse of a member of the Armed Forces on active duty and whose family income is significantly reduced because of a deployment, a call or order to active duty, a permanent change of station, or the service-connected death or disability of the member.

7. The individual is underemployed, which is defined as:

a. a person who was laid off from a previous employer, but has found employment earning wages that are 85% or less of the salary that was paid at the employer of dislocation; and/or

b. a person who is in employment that uses significantly less skills or abilities than

the job of dislocation and is not commensurate with the individual's demonstrated level of educational attainment.

8. An individual who may have been separated for cause, files an appeal to UI and was determined to be 'no-fault' and eligible for UI (based on that employer's contribution) may be eligible as a dislocated worker.

B. What Training Services Are Available?

The WIOA system offers access to job training, education, and employment services. It also provides information on the current skills that employers need for their workers and also job listings.

C. What Supportive Services Are Available?

Some of the basic services that are available are stipends for transportation, child-care, and dependent care.

D. How is Success Measured?

Adult and Dislocated Worker Measures:

1. Employment -2nd quarter after exit - The percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program.
-4th quarter after exit - The percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program.
2. Median Earnings - The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program.
3. Credential Attainment - The percentage of program participants who obtain a recognized degree or postsecondary credential, or a secondary school diploma or its recognized equivalent during participation in or within one year after exit from the program.
4. Skills gains- The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measureable skill gains towards such a credential or employment ([WIOA, section 116(b)(2)(A)(i)])

V. Liability/Ethics

A. Debts, Liabilities, and Obligations

1. The Georgia Department of Labor requires petitioning governments to accept liability that may arise from misuse of WIOA funds or other erroneous practices.
2. The WDB , the grant recipient, and the fiscal agent are separate entities apart from the CCEO of Northwest Georgia Regional Commission , and any debts, liabilities, and obligations incurred by the Board and/or the administrative entity shall not pass through to the CCEO(s).
3. The CCEO will execute contracts with the WDB and the grant recipient/fiscal agent which hold the CCEO harmless from any and all claims arising from the actions or omissions of the WDB and/or grant recipient/fiscal agent.
4. If any liability incurred over and above the sum total of the WDB and/or grant recipient/fiscal agent's assets or its ability to recover funds from the contractor/agent or third party incurring the liability is passed on to the Region 1 cities and counties, the cities and counties shall be liable in proportion to the relative population of each city or county the year in which the liability arose.

B. Code of Conduct/Conflict of Interest Policy

Any member of the WDB/Youth Standing Committee or staff is prohibited from accepting anything of monetary value from suppliers or possible suppliers including subcontractors under recipient contracts. It also does not allow anyone to participate in the selection award or administration of a procurement supported by WIOA funds in any case where the individual is aware that he/she, or any member of his/her family, or his/her partner, or any organization that employs or is about to employ any of those persons, for any financial or material interest is any organization that may be considered for an award.

C. Services Are Obtained Through Request for Proposals (RFPs)

The two services procured through the RFP process during the last two years were on-the-job training for adults and all youth services. The local Board may determine that there are an insufficient number of eligible providers in the local area to accomplish the purpose of a system of Individual Training Account's (ITA) and providers may be selected through a procurement process.

D. Sole Source Procurement

Sole Source Procurement may occur in the following instances:

1. An emergency exists which prevented competition and a contract was written to cover the period of the emergency.
2. Tuition and related fees, books, and supplies for Individual Training Accounts available to the general public from a public or proprietary institution of higher education, a public post-secondary vocational institution, or a public high school. The institution and program of study must be approved by the WIB and on the State approved list.
3. The procurement was for Individual Training Account related services from an institution and program of study approved by the WIB and on the State approved list.
4. The procurement was pre-approved by the Georgia Department of Labor;
5. The procurement was directly with an On-the-Job Training or Customized Training employer;
6. The services were available from only one source;
7. Competitive procurement was conducted, but failed;
8. Services were procured from the One-Stop Operator or a One-Stop Partner who has an executed Memorandum Of Understanding with the WDB /Chief Elected Officials for One-Stop related services.

VI. Handling Grievances Against Board's Actions

The procedure for grievances is as follows:

- A. If the complaint is at the local WDB level then one must try and solve it at the local level before taking to the State for review.
- B. The complaint must be filed within one year of the alleged occurrence.

The Grievance Procedure is included as Appendix E.

VII. Resources for Board Members and Chief Elected Officials

Web Sites: - www.doleta.gov
- www.dol.state.ga.us
- www.careerdepot.org