



State of Maine

2016-2020 Unified Plan
Modified 2018

Workforce Innovation and Opportunity Act

DRAFT

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OVERVIEW

In December 2014, the State Workforce Development Board, under the direction of Governor Paul R. LePage, convened the core programs authorized under the Workforce Innovation and Opportunity Act (WIOA)—Adult, Dislocated Worker, Youth; Wagner-Peyser; Adult and Basic Education; and Vocational Rehabilitation programs—to assess the challenges confronting Maine’s workforce development system (WDS) and identify measurable ways to align programs and activities to better serve residents and employers. Months later, the State Board convened a broader group of stakeholders for a three day workshop to create a vision for the WDS. In the months that followed, the core partners and other stakeholders forged a plan that will foster greater economic prosperity for job seekers, employers and residents.

The plan begins and ends with the following premise: the success of Maine’s economy will ultimately be determined by the strength and quality of its workforce and the ability of employers to fill their need for skilled labor.

Human capital drives productivity, innovation and economic competitiveness. Skilled and productive workers are more likely to find and remain in jobs, earn higher wages and incomes, and require reduced levels of public assistance. A high quality workforce will enable Maine to better retain existing businesses, draw new ones that bring good jobs, and attract new families and residents. Given the far-reaching benefits, the continuing development of Maine’s workforce to meet the needs of employers is this plan’s top priority, and this reflects Governor Paul R. LePage’s mission to ensure that all Mainers have the skills necessary for quality jobs and to make Maine more business friendly.

To compete regionally—and globally—Maine will develop a world-class talent pool and lead in technology and innovation. The state’s workforce and economy will be fueled by an education and training system that is inclusive and meets the needs of diverse learners. Maine will build its workforce through a multi-faceted approach that includes developing career pathways that lead to in-demand jobs. To mitigate barriers to employment, the workforce development system will coordinate and align activities that build the foundational skills of workers and individuals, improve the transitions between education and employment, foster greater occupational awareness, define certifications and industry recognized credentials, and develop a systematic means for the state to measure, gather and aggregate data on credential attainment.

Maine will also enhance and align its workforce development system to be more responsive to the needs of businesses. The plan focuses on the development and implementation of a systematic approach to engaging and responding to the workforce and business service needs of employers. The establishment of broader and deeper sector partnerships will enable the development of a pipeline of workers in high growth, high demand fields, thereby reducing apparent skill-gaps and the time needed to fill positions. Advancing a workforce development system that is more responsive to the needs of businesses will be essential to creating a more business friendly environment and developing a more competitive economy.

To accomplish these goals Maine will:

- Increase the relevance of the workforce development system to employers. Developing better alignment between the supply and demand for labor will result in fewer ‘difficult to fill’ positions, more efficient use of resources and a greater number of Maine residents with quality jobs.

- Produce an educated and skilled workforce through the development of a comprehensive Career Pathways system. Maine's Career Pathways approach will focus on building the educational, employability and occupational skills of the population and articulating pathways that lead to in-demand credentials and jobs.
- Align the state's commitment and investment in its workforce. Developing a workforce that is globally competitive and continuously well prepared to succeed in current and future careers will require the commitment and alignment of resources that extend beyond the public workforce system; employers, policy makers, legislators and administrators must be invested in the process and outcome.
- Increase the operational effectiveness of the workforce development system. Aligning and integrating systems, services and operations to enhance customer services will result in critical efficiencies.
- Grow and diversify the workforce through the development of innovative strategies that result in more Mainers with jobs and a larger workforce.

These actions will result in quality jobs for Maine residents; employers matched with skilled workers; and a more efficient workforce development system.

This plan will also be essential in navigating the economic and workforce challenges that threaten the state's economic vitality. A shrinking population and workforce, shortages of workers with the right qualifications and relatively low levels of educational attainment inhibit business expansion, constrain economic growth and result in median wages and incomes that are the lowest in New England.

While the economic and educational challenges are significant, they are not insurmountable. Throughout this planning process the core partner agencies, business and industry, postsecondary institutions, one-stop partners, and a myriad of other stakeholders have demonstrated a willingness to engage in the development of solutions and strategies that lay the foundation for continued growth and economic prosperity for all Mainers. These strategies, detailed in the ensuing pages, will result in a workforce, education and training system that is responsive to the needs of both employers and consumers. Most important, all who participated in the creation of this State Unified Plan believe the time to address Maine's challenges is now.

In summary, this Unified Plan will result in:

- Increased access to employment and education services for thousands of Maine residents, including those with barriers to employment.
- Better alignment of services and programs within the workforce development system.
- Productive, career-ready, skilled workers.

Key Action steps include:

- Workforce partners will facilitate strategic relationships with employers, educators, one-stop centers and other potential sources of talent in order to connect businesses with skilled workers.
- Local boards will engage employers in order to understand current and projected in-demand skills and credentials, human resource and other business needs.

- Employers will be engaged with labor market information to identify where they may find the candidates for their specific and difficult to fill occupations. These analyses may provide employers with a better understanding of their potential labor supply and their wages.
- Workforce partners will work with one-stop centers, community colleges, the university systems, adult education and other potential sources of talent to cultivate the supply of skilled workers and increase awareness of occupations, career pathways, internship opportunities and credentials that are in-demand.
- Internships and apprenticeships will be utilized more aggressively to mitigate skill gaps.
- Workforce partners will work with the community college, university system and other training providers to develop programs that align with employers' needs.
- Industry-recognized credentials that are in-demand will be identified, quantified and used to guide the development of training programs.
- MOUs with required educational partners to prioritize efforts will be developed.
- A comprehensive Career Pathways System that aligns the efforts of education and training programs with current and projected in-demand occupations will be developed.
- Statewide targets for credential attainment will be developed.
- A comprehensive system for measuring and evaluating the pipeline of participants receiving training will be established.
- Employment outcomes of program participants will be measured.
- The state partnership will expand to include postsecondary education and training and will integrate better with the secondary system.
- Core partners will implement a common process for initial triage, intake, assessment, services and individual plan development at one-stop centers.
- Core partners will implement technologies to enable better communications between information systems.
- A workforce component will be added to the Policy Leaders Academy.
- Workforce stakeholders will generate funding for industry partnership initiatives described in MRSA Title 26.
- Workforce partners will cultivate data sharing agreements between agencies.
- System stakeholders will develop targets for tapping populations with untapped potential.
- Program partners will implement principles for universal access (retrofit, redesign materials, etc.) medium-long term.
- All stakeholders will identify strategies to draw business and workers to Maine.

WIOA STATE PLAN TYPE

Maine submits this Unified Plan to meet the requirements of the Workforce Innovation and Opportunity Act (WIOA) and to establish the long-term agenda for Maine's workforce development system. This plan covers the following programs authorized by the WIOA:

- Title I Adult, Dislocated Worker and Youth programs

- Title II Adult Education and Family Literacy Act Program
- Title III Wagner-Peyser Employment Services
- Title IV Vocational Rehabilitation Program

Under the direction of the State Board, the aforementioned programs and other stakeholders have been meeting throughout 2015—often biweekly—to collaborate on the development of an integrated, performance-based, employment and training system. This Unified Plan will result in: quality jobs for Mainers; employers matched with skilled workers; and a more efficient workforce development system.

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PLAN DEVELOPMENT PROCESS

Maine's State Workforce Development Board (hereafter referred to as the State Board) directed the creation of this Unified Plan with the intent that the plan should reflect the state's unique workforce and economic development characteristics and challenges, as well as the ideas and solutions of the myriad stakeholders that comprise Maine's workforce development system. Accomplishing this required significant planning and collaboration; the entire process took more than one year and involved numerous stakeholders from a variety of organizations and agencies. This process is described in more detail below.

Beginning in December 2014, the State Board formed a Workforce Innovation and Opportunity Act (WIOA) workgroup that included the directors of the authorized core programs: Adult, Dislocated Worker, Youth; Wagner-Peyser; Adult and Basic Education; and Vocational Rehabilitation. Throughout the Plan, these agencies are referred to as the core partners. During March 2015, the directors of the local workforce development boards began meeting with the workgroup and the WIOA Steering Committee (Steering Committee) was formed. The Steering Committee's role was to establish a process for engaging multiple stakeholders in the development of the state's workforce vision. The Steering Committee met regularly throughout 2015, often bimonthly (meeting dates may be found in [Appendix I](#)).

Due to the magnitude of the task at hand, the Steering Committee established four workgroups to analyze the major WIOA requirements and develop detailed action plans. The Unified Plan, Performance Accountability, Communications, and One-Stop workgroups met frequently (monthly or bimonthly) from March through August of 2015. Members of these four workgroups and their subcommittees included state agency and local agency program personnel from the core partners. The data and recommendations resulting from these meetings provided important interagency guidance that the Steering Committee incorporated into the Unified Plan.

Establishing the vision, goals and strategies was a collaborative process. During May and June of 2015, the State Board convened a statewide group of 60 stakeholders, including administrators of the core programs, workforce developers, educators and policy makers, for three full days (see [Appendix II](#) for a list of participants). Each came to discuss the state's workforce development system and to create a vision for a bright future. In the months that followed, under the direction of the State Board, the core programs and other stakeholders forged a plan to foster greater economic prosperity for job seekers, employers and residents.

The WIOA Steering Committee includes:

TABLE 1: WIOA STEERING COMMITTEE MEMBERS

WIOA Steering Committee		
Member	Affiliation	Position
Laura Boyett	MDOL	Director, Bureau of Unemployment Compensation
Dawn Mealey	MDOL	Deputy Director, Bureau of Employment Services

WIOA Steering Committee		
Ginny Carroll	MDOL	Division Director, Policy & Evaluation, Bureau of Employment Services
Gail Senese	MDOE	State Director, Adult Education & Family Literacy
Karen Fraser	MDOL	Director, Bureau of Rehabilitation Services
Betsy Hopkins	MDOL	Director, Division of Vocational Rehabilitation
John McMahon	MDOL	Director, Division for the Blind & Visually Impaired
Tim Griffin	MDOL	Program Manager, Performance & Accountability, Bureau of Employment Services
Ben Neveux	MDOL	Labor Program Specialist, Bureau of Employment Services
Joanna Russell	LWIB	Executive Director, Northeastern Workforce Development Board
Jeff Sneddon	LWIB	Executive Director, Central/Western Maine Workforce Development Board
Mike Bourret	LWIB	Executive Director, Coastal Counties Workforce Inc.
Kelley Heath	MDOE	Coordinator, Data and High School Completion
Garret Oswald	MDOL	Director, State Board
Paul Leparulo	MDOL	Deputy Director, State Board
Cheryl Moran	MDOL	Labor Program Specialist, State Board

Modification 2018; To track the implementation of the State's plan, an Implementation Steering Team was established, leveraging the original steering committee as much as possible. This steering team is comprised of

Member	Affiliation	Position
Ed Upham	MDOL	Director, Bureau of Employment Services
Dawn Mealey	MDOL	Deputy Director, Bureau of Employment Services
Dave Klein	MDOL	Division Director, Bureau of Employment Services
Ginny Carroll	MDOL	Division Director, Policy & Evaluation, Bureau of Employment Services
Gail Senese	MDOE	State Director, Adult Education & Family Literacy
Kelley Heath	MDOE	Coordinator, Data and High School Completion

Karen Fraser	MDOL	Director, Bureau of Rehabilitation Services
Libby Stone-Sterling	MDOL	Director, Division of Vocational Rehabilitation
Brenda Drummond	MDOL	Director, Division for the Blind & Visually Impaired
Joanna Russell	LWIB	Executive Director, Northeastern Workforce Development Board
Jeff Sneddon	LWIB	Executive Director, Central/Western Maine Workforce Development Board
Mike Bourret	LWIB	Executive Director, Coastal Counties Workforce Inc.
Garret Oswald	MDOL	Director, State Board
Joshua Howe	MDOL	Workforce Development Program Coordinator, State Board
Cheryl Moran	MDOL	Labor Program Specialist, State Board

This group meets monthly to monitor and review progress of the implementation of the plan, update necessary element and provide strategic support when required. Using a matrix of initiatives, the group is able to track the progress of elements as they move towards completion. It is this same group with input from stakeholders and the public who have contributed to this plan modification.

STRATEGIC PLANNING ELEMENTS

ECONOMIC AND WORKFORCE ANALYSIS

LABOR MARKET TRENDS

Workforce conditions in Maine continue to improve, though there has been virtually no real economic growth for a decade. Underlying these seemingly contradictory statements is a rapidly advancing age structure of the population that is constraining growth and tightening the labor market at the same time.

Through 2014, real gross domestic product (GDP) has been little changed since 2004, after relatively steady growth in previous decades. Meanwhile, the number of jobs is up since the 2010 post-recession low, but still nearly two percent short of the 2008 peak level. In the middle of 2015 the state has about the same number of jobs as in 2004. This situation is in stark contrast to the nation, which began reaching new highs in GDP in 2012 and in nonfarm payroll jobs in 2014.

Modification 2018; The 2016 to 2020 plan described a labor market context of little job or economic growth over the last decade in Maine. This situation arose from a sharp drop in the number births in the 1990s and thereafter that leaves the state with very little total population growth and declining numbers of working-age people. An unusually large share of the population is in their 50s and 60s, nearing retirement, with far fewer young people who will be aging into the workforce to replace them in the years ahead.

In the two years since that was written, labor market conditions have tightened considerably. Unemployment and other measures of labor underutilization are at historic lows. The current situation reflects the progression of the long-term trends described in the plan, combined with strong national growth. Otherwise, the context described in the plan, including workforce outlook, skills gaps, and regional divides across the state continues to apply today.

Economic and job growth in Maine over the last decade has been constrained by declining working-age population

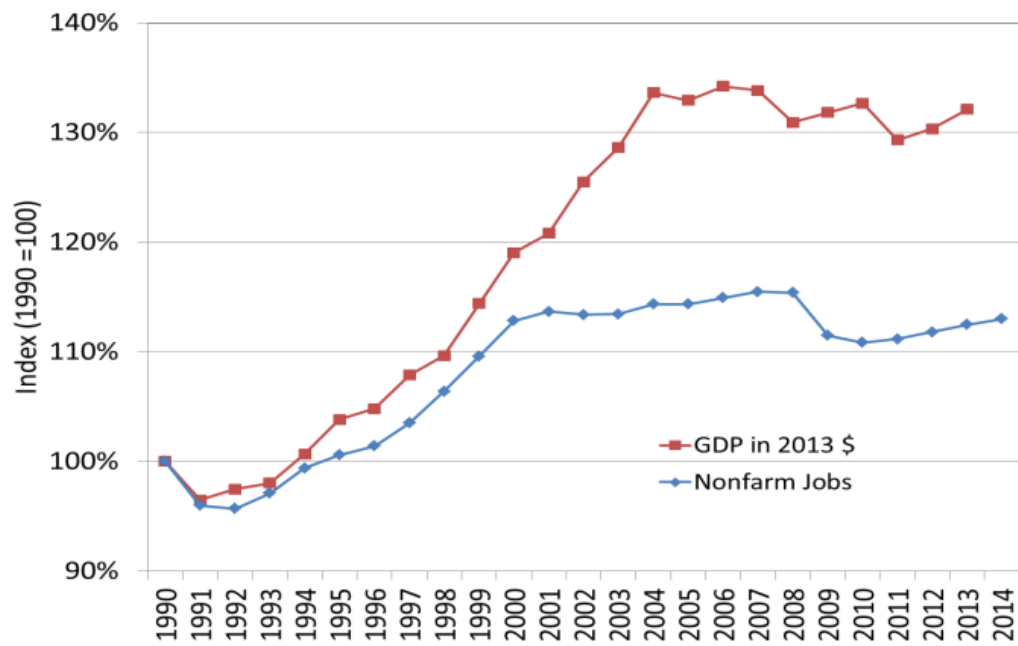


FIGURE 1: GDP, JOBS GROWTH

Though lagging from a net growth perspective, Maine is outperforming the nation in terms of employment and decreasing unemployment rates. As of November 2015, the 4.1 percent unemployment rate was back to pre-recession levels and below the 5.0 percent U.S. average.

Unemployment rates have declined to pre-recession levels

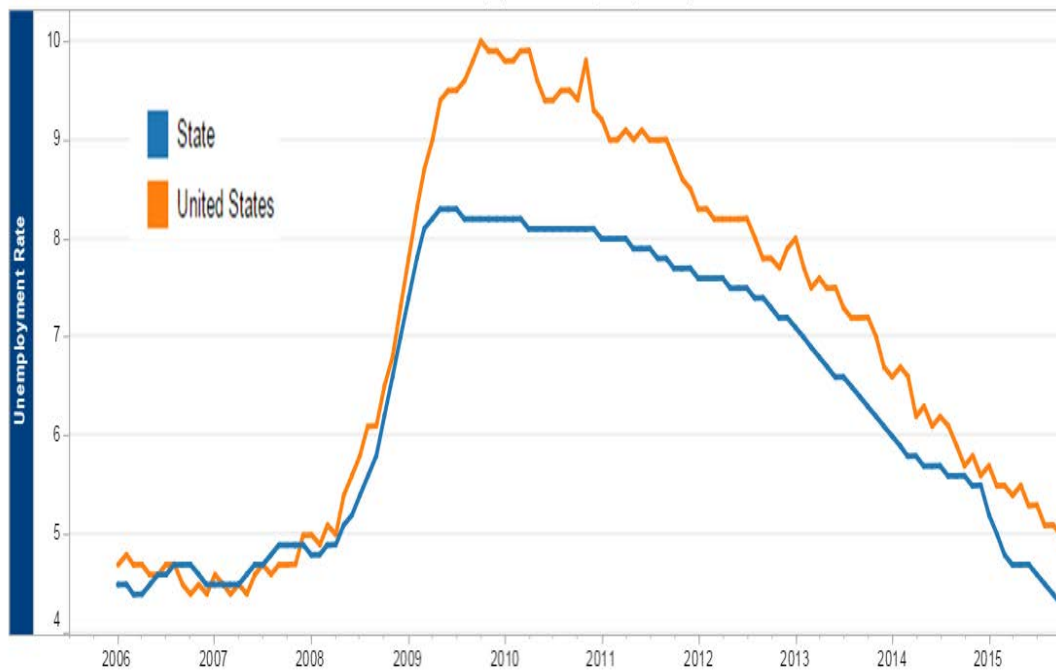


FIGURE 2: UNEMPLOYMENT RATES

The reason the unemployment rate is lower, but labor force, GDP, and other measures of net growth are lagging is that growth is increasingly being constrained by the sharp decline in births since the 1990s. This leaves Maine with much smaller numbers of young people entering the labor force than baby boomers retiring. The 25 to 54 age cohort has the highest rates of labor force participation, nearly 85 percent, but it has been declining since 2000. The broader 16 to 69 population, which comprises nearly everyone in the workforce, peaked in 2008 and today is more than 30,000 lower. Maine has the lowest share of youths and highest share of people in their upper 50s and 60s in the nation. The imbalance between entrants and those retiring caused the labor force to begin declining in 2013.

The Center for Workforce Research and Information (CWRI) forecasts the size of the labor force will continue to decline through 2022, dropping from the 2013 peak by 12,000. If fertility and migration trends do not become more positive, the situation will become worse after 2022. Recent estimates indicate the labor force is declining more rapidly than previously expected. The reason is that the rebound in labor force participation that normally occurs as conditions improve in post-recession recoveries has been much less than usual among age cohorts under 55, at least through 2014. If participation rates were as high in 2014 as in 2006 and 2007 among those age groups, there would be 50,000 more in the labor force. This has also been the case nationally.

Labor force participation had not fully recovered by 2014 in most age groups

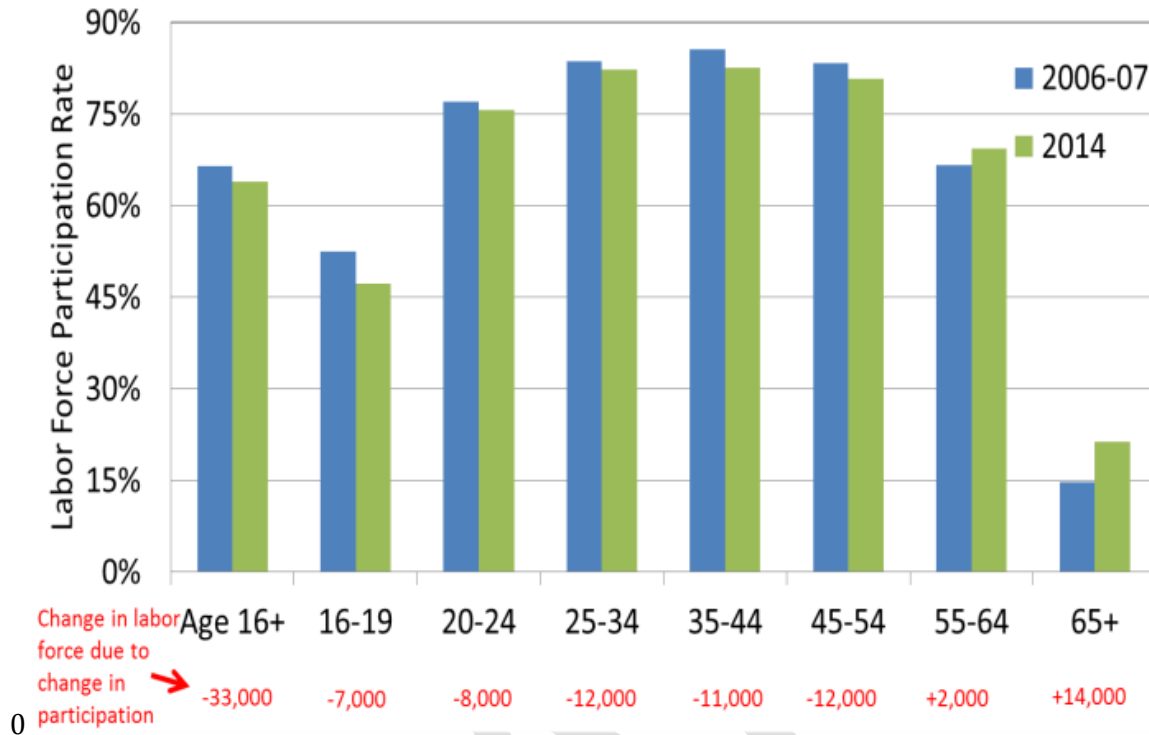


FIGURE 3: LABOR FORCE PARTICIPATION

There are many theories about why participation in the labor force has not rebounded as it typically has during previous economic recoveries. For people under 30, higher rates of enrollment in educational programs is a primary reason. For people in their 30s to 50s it is less clear. One likely explanation is that during the Great Recession many workers were displaced from production, construction, administrative support and other types of jobs that required physical labor or routinized functions. These occupations are not rebounding as strongly as others. In fact, these functions represent a declining share of jobs today. Making matters worse, these displaced workers do not have the education or work experience to match the needs of hiring employers in growing sectors. Many individuals will require job training or educational intervention to gain marketable skills to reenter the workforce.

Labor force participation rates for those above 65 years are much lower than for younger segments of the population. As individuals age beyond 65 many retire or make other age-related lifestyle changes.

TRENDS IN EMPLOYMENT AND UNEMPLOYMENT

SLACK IN THE LABOR MARKET

The unemployment rate is one of six measures of labor underutilization. It includes jobless people actively seeking and available for work. The broadest measure of underutilization, known as U-6, adds discouraged and other marginally attached workers who want a job but are not looking and those

working part-time who prefer full-time work to the job seeking unemployed. Though the most commonly reported unemployment rates have returned to pre-recession levels, U-6 remains more elevated, a full two percentage points higher than in 2007.

The broadest measures of labor underutilization remain more elevated than the unemployment rate

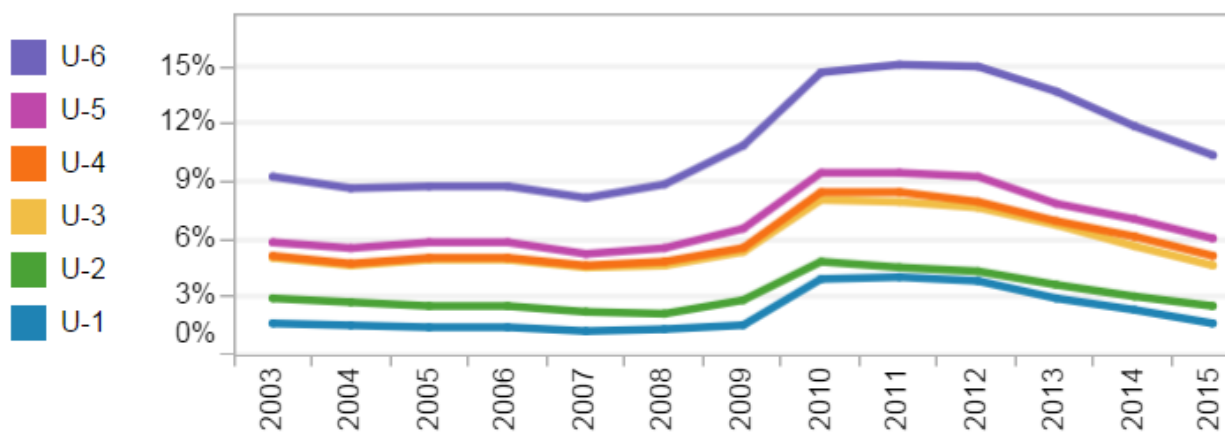


FIGURE 4: LABOR UTILIZATION RATES, HISTORICAL TRENDS

Accessibility link to the graph above:

[www.maine.gov/labor/cwri/data/cps/Excel/Alternative Measures of Labor Underutilization.xls](http://www.maine.gov/labor/cwri/data/cps/Excel/Alternative%20Measures%20of%20Labor%20Underutilization.xls)

Additionally, the 25 weeks average duration of unemployment in 2014 was significantly above the 2007 average of 15.1 weeks (Figure 5). While the number of long term unemployed (greater than 27 weeks) has fallen, levels still remain historically high. Indeed, several years in to the recovery, the share of long term unemployed still represents a higher share of the total unemployed than during any previous recession. If not for the elevated share of long term unemployed, the unemployment rate in Maine would be even lower.

The share of long term unemployed remains elevated



FIGURE 5: LONG TERM UNEMPLOYED AS A PERCENT OF TOTAL UNEMPLOYED, 2003-2014

In an environment in which the labor force is shrinking, Maine does not have the luxury of tens of thousands of people being less than fully engaged in the workforce. The State Board's committees for Older Workers, Women's Employment Issues, Younger Workers, Veteran's Employment, Apprenticeship and the Commission on Disability and Employment are charged with addressing many of these issues. Later in this plan, strategies to engage populations that tend to have lower labor participation rates including, but not limited to, people with disabilities, veterans, women, older workers, people without a high school diploma, ex-offenders, individuals with language barriers, female heads of households with dependent children and out of school youth are discussed.

SKILLS GAP

There has been a great deal of discussion about a rising skills gap as the recovery has advanced and unemployment rates have reached very low levels. Many businesses and trade associations agree that the available labor supply lacks the knowledge and skills they need a fact that has been widely reported in the media.

Quantifying the gaps between the skills that employers seek and those that job seekers possess is challenging. Skills are attributes of performance requirements, ranging from basic functions such as hand-eye coordination, repetitive machine feeding, and following instruction to advanced functions such as deductive reasoning, analytical thinking, and complex problem solving. At present, there is no way to catalog or inventory skills to determine who possesses what skills and to what level. Additionally, employer requirements for certain functions vary.

Though we cannot broadly define or measure skill gaps, we can see indications of a mismatch between employer needs and the available workforce in job trends over the last decade. High rates of displacement from manufacturing production, construction, office administrative support and certain other occupations during the recent downturn left many people, whose previous experience was in functions that valued physical labor, routine, and following direction, looking for work in an environment in which good paying job openings have been concentrated in the professional services, healthcare, and education sectors in managerial, professional, and technical occupations. High demand jobs that pay well in those sectors require skills such as critical thinking, problem solving, reading comprehension, social perceptiveness, and communication. The transition from operating a machine on a production line to operating a diagnostic imaging machine in a hospital or lab is complicated and involves learning entirely new skills in a very different environment.

The recession accelerated the decline of middle income jobs that do not require education or training beyond high school, while the proliferation of technology into a much wider array of job functions has accelerated the rise of middle and high income jobs that require post-secondary education or training certification. This has caused a mismatch between the experience of many job seekers and the needs of employers. This mismatch is the primary reason for suppressed rates of labor force participation among prime-age workers, the high share of long term unemployed, and elevated rates of labor underutilization not measured by the unemployment rate.

CURRENT JOB DEMAND AND OUTLOOK

A recent survey of employer job vacancies provides a snapshot of demand for workers among industries. The survey found that 80 percent of job vacancies occurred in five sectors: healthcare and social assistance, retail trade, administrative and waste services, accommodation and food services, and construction. Sectors with above-average demand for workers (measured as vacancies relative to employment in the sector) were administrative and waste services, construction, healthcare and social assistance and transportation, warehousing and utilities.

The survey also asked employers to indicate openings that were difficult to fill and the reason. Among sectors with above average demand, the share of difficult-to-fill vacancies ranged from 68 percent at healthcare and social assistance firms to 98 percent at construction firms.

There was above-average demand is for workers in personal care and service, healthcare support, construction and extraction, food preparation and serving, building and grounds maintenance, transportation and material moving, and sales related occupational groups. Of these groups, the most difficult to fill were: construction and extraction (99 percent), personal care and service (85 percent), and building and grounds maintenance (82 percent) occupations. Other groups with lower demand but above-average shares of difficult-to-fill openings were: legal (100 percent), installation, maintenance and repair (90 percent), education, training and library (90 percent), business and financial (86 percent) and life, physical and social science occupations (81percent).

Findings from the job vacancy survey largely mirror projections of job change among industries and occupations through 2022. Expected job openings and job growth are concentrated in two areas: human capital that requires intensive functions that generally offer above average earnings, and labor intensive functions that generally offer lower than average earnings. At the same time, middle income

jobs that traditionally have had limited education or skill demands are either declining or rapidly changing as increasingly higher levels of technology competency are required. Many individuals displaced from production, administrative support, and similar jobs are finding their only options are low skill jobs with lower earnings because they lack the education or experience necessary for entry into higher paying human capital-intensive jobs or the technology competency for the new middle income jobs.

Most net job growth through 2022 is expected in healthcare

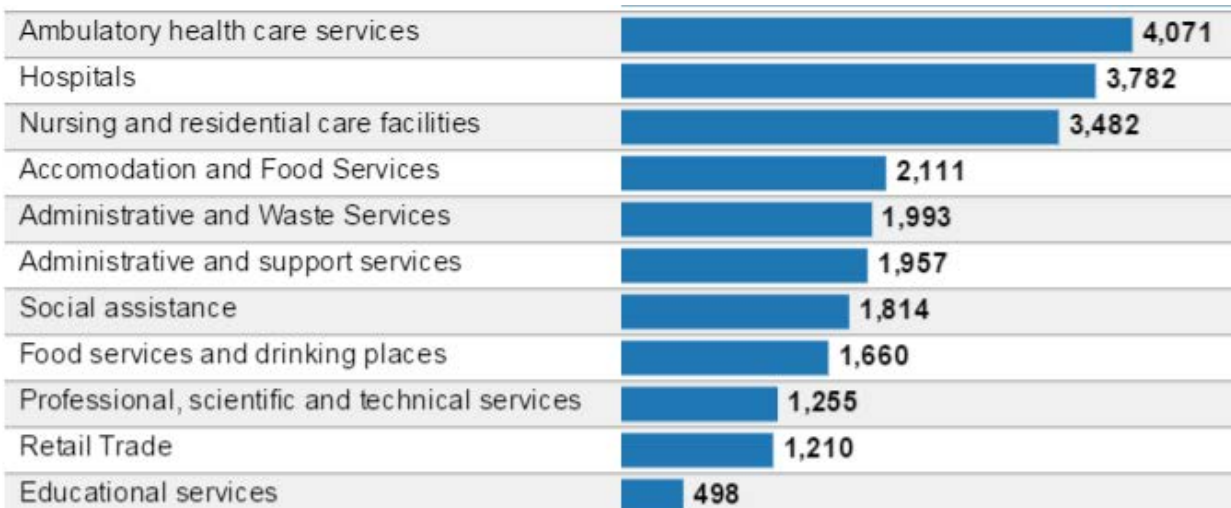


FIGURE 6: PROJECTED NET JOB GROWTH--TOP INDUSTRIES

The fastest job growth is expected in healthcare occupations that require a degree

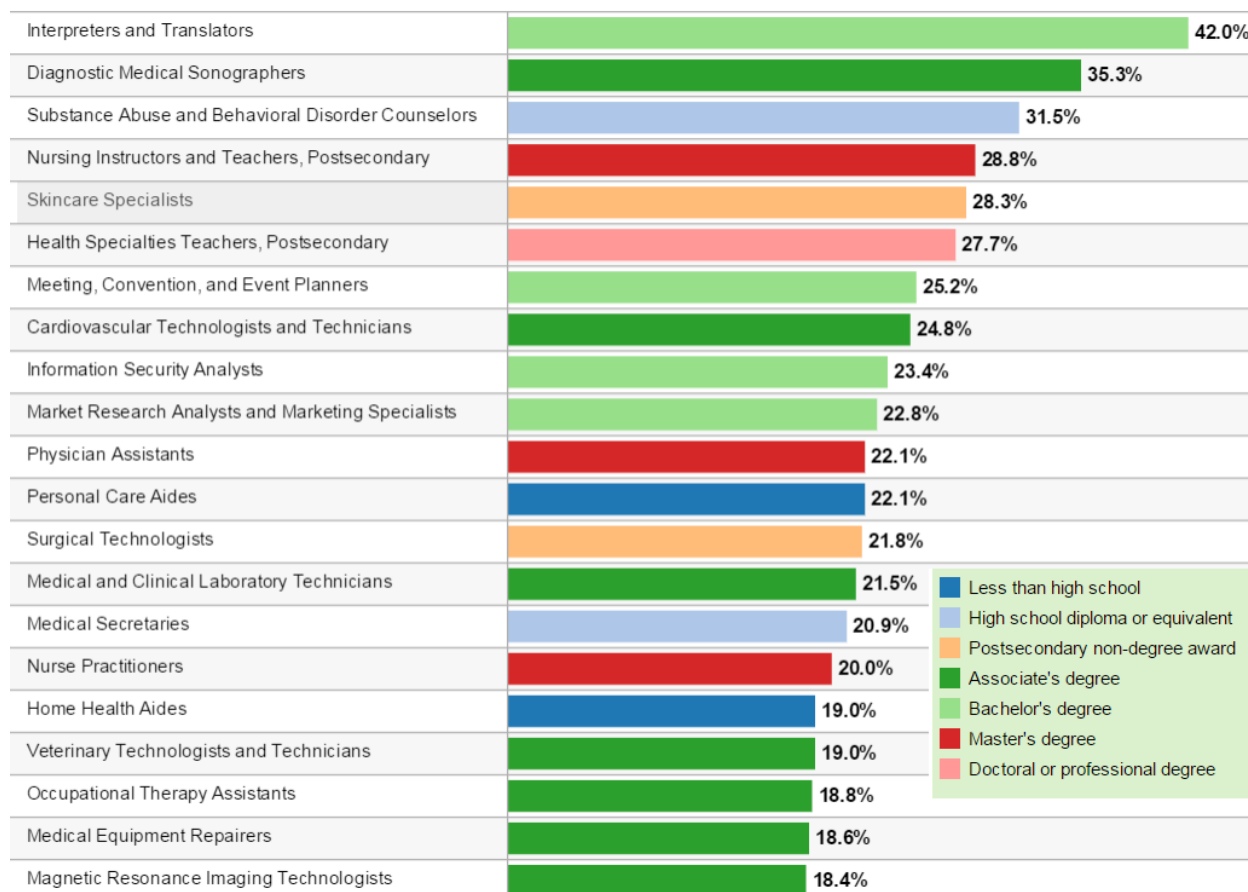


FIGURE 7: OCCUPATIONS WITH HIGHEST PROJECTED JOB GROWTH

Healthcare is the largest sector in Maine, accounting for 17percent of jobs. Of the net job growth expected through 2022, most is expected in this sector. Large numbers of physicians, nurses, laboratory, and diagnostic technicians will be required. Healthcare practitioner and technician occupations require postsecondary education ranging from certifications to highly advanced degrees.

Information technology (IT) is expected to continue to increase in importance across every sector of the economy, with IT related occupations continuing to be among the fastest growing. Many IT jobs not only require certification in certain applications, but the types of applications, systems, and platforms are fast changing requiring a flexible, adaptable workforce that is regularly pursuing continuing education. Additionally, technology competency will increasingly pervade most occupations, often in ways that cannot yet be anticipated.

Other areas of projected job growth include hospitality industries, including food service and other associated occupations with mostly limited education and skill demands.

Manufacturing industries expected to lose the most jobs through 2022

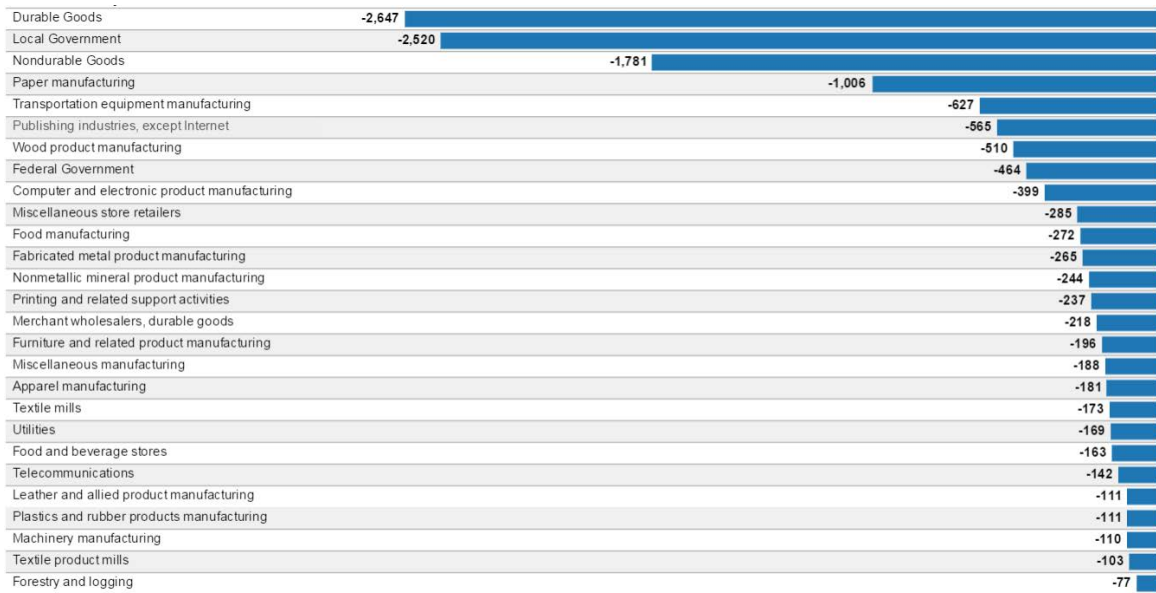


FIGURE 8: OUTLOOK: DECLINING INDUSTRIES

The fastest rates of job loss through 2022 are expected in occupations that do not require education beyond high school

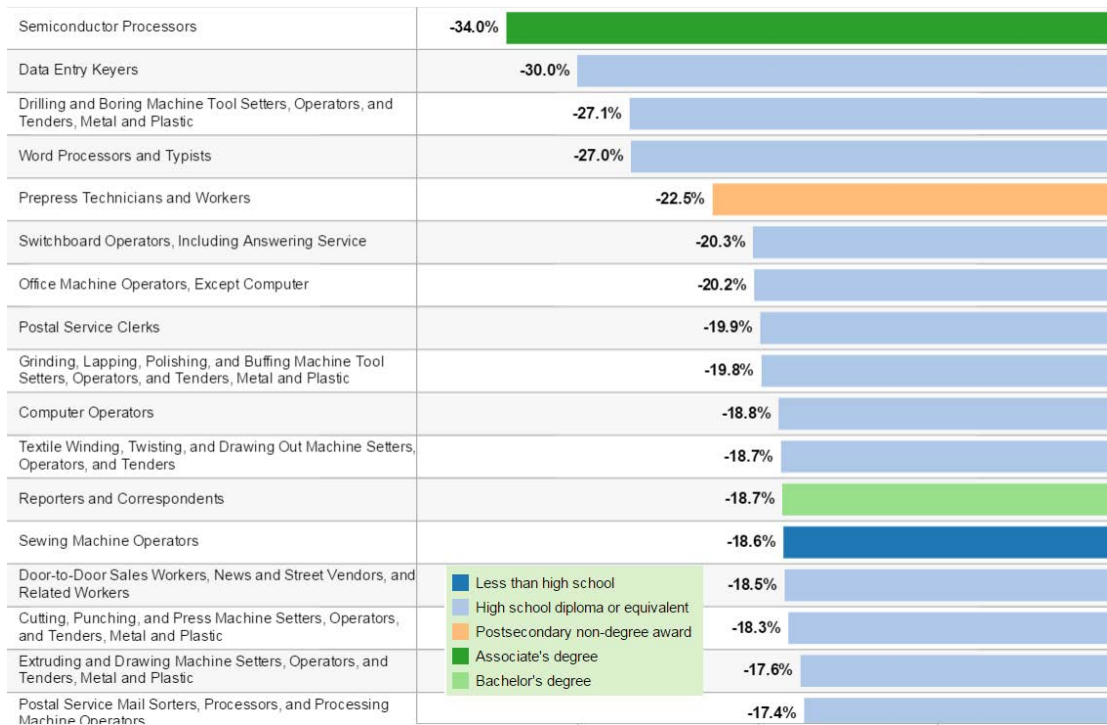


FIGURE 9: OUTLOOK--DECLINING OCCUPATIONS

Manufacturing was the backbone that built many cities in Maine in the 19th and 20th centuries. Textile mills, shoe shops, paper and saw mills, and others provided middle income jobs for tens of thousands, especially those without postsecondary education. But the number of manufacturing jobs peaked in the late 1970s and has been declining ever since. That trend is projected to continue through, resulting in fewer jobs in production occupations. At the same time, the increasing capability and proliferation of office technology is expected to continue to eliminate large numbers of administrative support jobs.

REGIONAL TRENDS

Economic performance across the state has been uneven. The recovery has been strongest in the south along the Interstate 95 and 295 corridors; there has been more limited recovery in the mid-coast region; and some counties along the northern rim of the state continue to decline.

Number of Jobs, Indexed to 2007

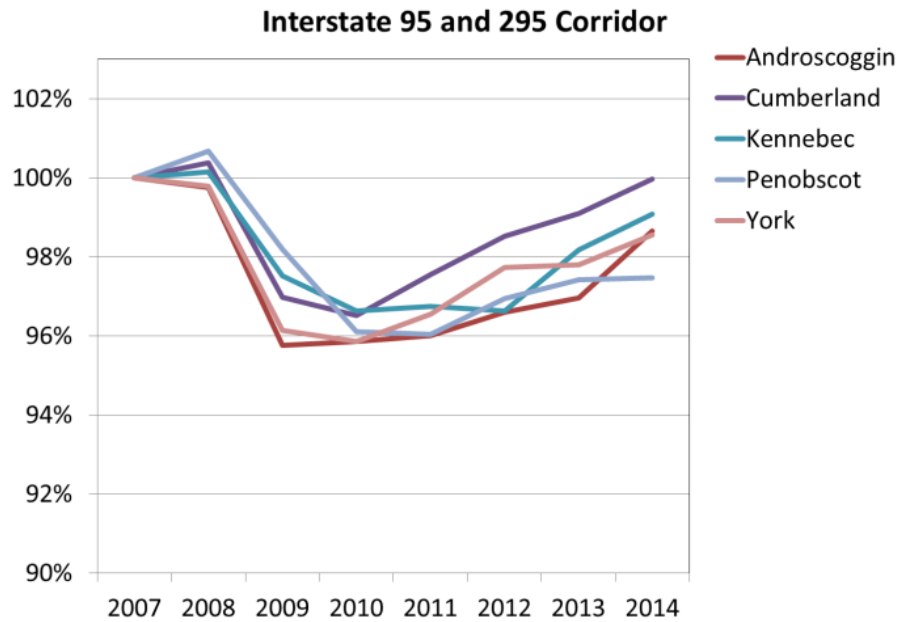


FIGURE 11: REGIONAL JOB TRENDS

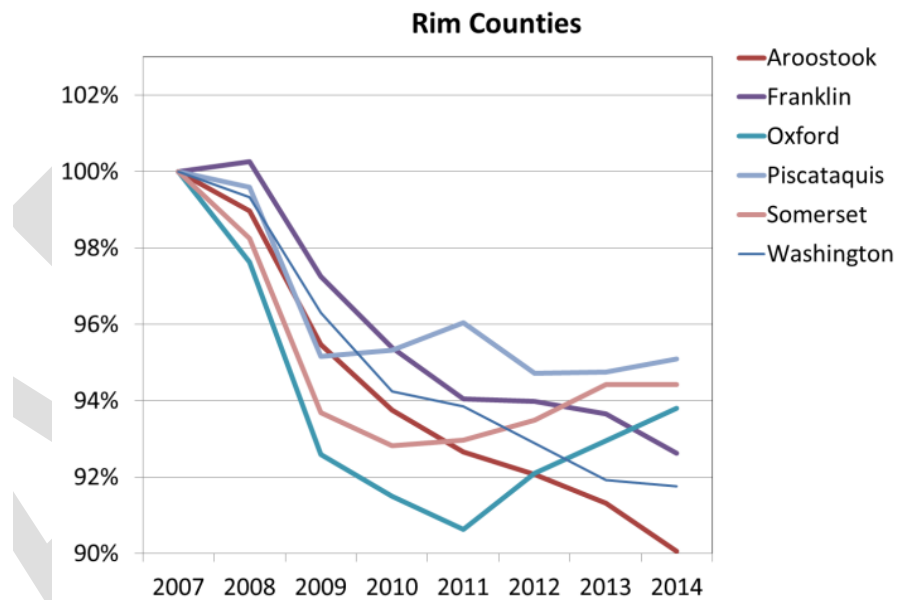


FIGURE 10: REGIONAL JOB TRENDS--RIM COUNTIES

Number of Jobs, Indexed to 2007

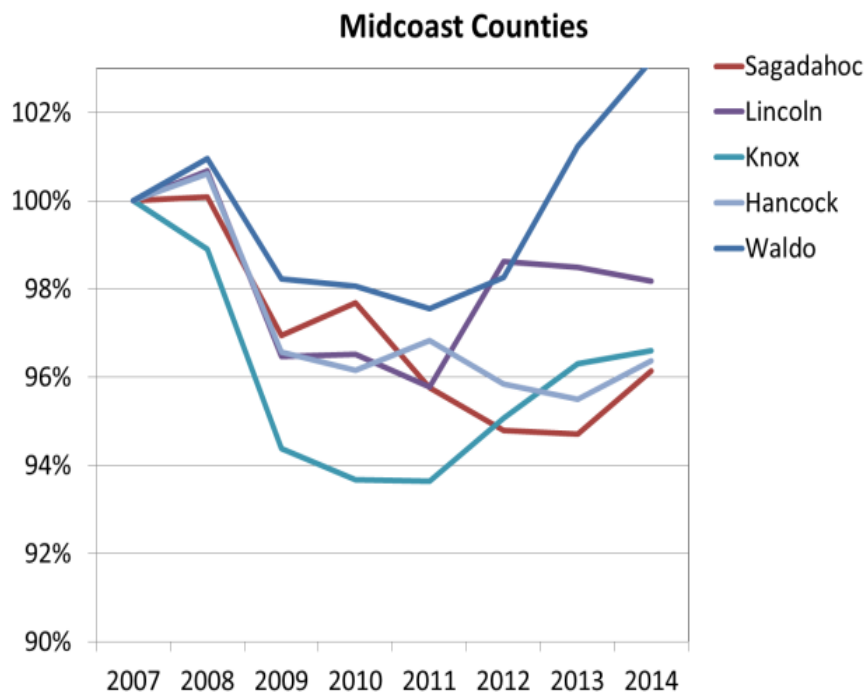


FIGURE 12: REGIONAL JOB TRENDS--MIDCOAST COUNTIES

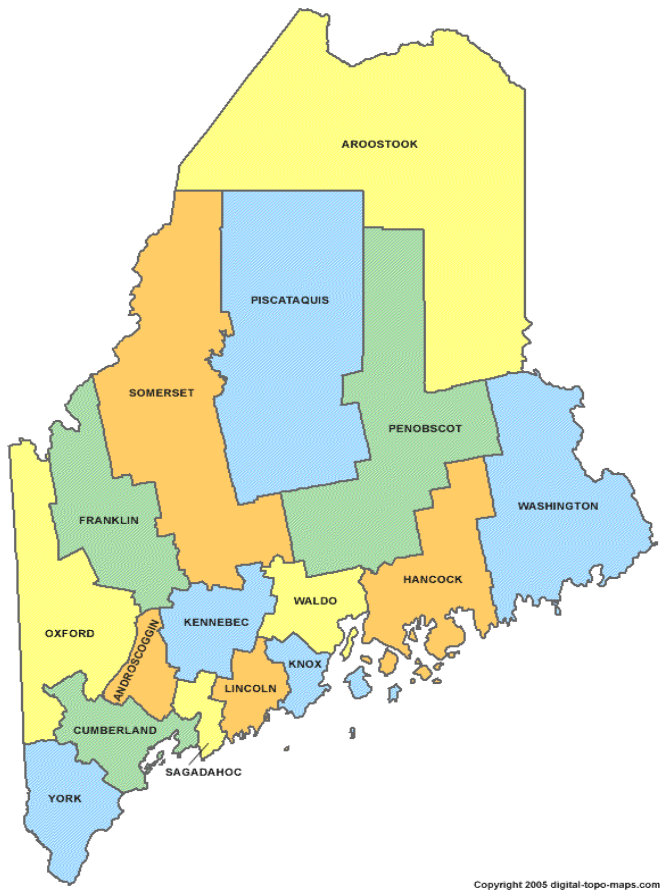


FIGURE 13: MAINE COUNTY MAP

There are a wide range of factors involved in the differing performance of regions. The economic structure of northern Maine is highly concentrated in forest products and agriculture. Advances in mechanization of harvesting of timber and crops, as well as other factors have displaced thousands of workers from those industries over the years. Much of the region has not found the economic development solutions to replace those industries. This has caused stagnation or decline in many communities as a large share of young people leave for southern Maine or other states in search of better job opportunities, leaving a generally older population behind. Several counties in Maine are among the oldest in the nation by median age.

Jobs are increasingly concentrated in and around cities. This is primarily because the nature of stable and growing industries is to be in densely populated areas. Healthcare, the strongest growing industry in Maine, is mostly concentrated in and around hospitals, which are only found in places of population density. Law and accounting firms and other types of professional services, colleges, and other industries that comprise a rising share of jobs also are primarily found in cities.

INDIVIDUALS WITH BARRIERS TO EMPLOYMENT

PRIORITY POPULATIONS

Stakeholders and businesses in Maine grasp the need to prioritize services that will facilitate utilization of **all** potential labor force members and will continue to work to implement strategies that alleviate barriers to attaining employment. Individuals with barriers to employment include the following:

- Displaced Homemakers – *individuals, such as a spouse, who had been providing unpaid services to family members in the home and who had been a dependent of another family member but are no longer supported by that family member's income; or individuals who are the dependent spouse of a member of the armed forces on active duty and whose family income is significantly reduced because of a deployment or call to active duty;*
- Eligible Migrant and Seasonal Farmworkers;
- English Language Learners and those facing substantial cultural barriers;
- Ex-Offenders;
- Foster Care youth or youth transitioning out of foster care;
- Homeless Individuals (*as defined in Section 41403(6) of the Violence Against Women Act of 1994, and Section 752(2) of the McKinney-Vento Homeless Assistance Act*).
- Native American Indians, Alaskan Natives, and Native Hawaiians;
- Individuals with Disabilities;
- Individuals with Low Literacy Levels;
- Individuals within two years of exhausting lifetime eligibility for TANF;
- Long Term Unemployed Individuals (those who have been unemployed for 26 weeks or more);
- Low Income Individuals – *individuals whose income does not exceed the poverty line or 70% of the lower living standard income level; or who in the past six months received or are a member of a family that received public assistance; and*
- Single Parents.

The State Board has long advocated for individuals facing challenges to employment and has established official standing committees whose charge is to examine the issues facing specific target populations and

put forth recommendations that will address issues specific to certain populations, including individuals with disabilities, older workers, younger workers, women, and veterans.

PERSONS WITH DISABILITIES

The 208,600 people with one or more disabilities in Maine comprise 16 percent of the civilian population, above the 12 percent U.S. average. More than half of those with disabilities were between ages 18 and 64. Labor force participation of adults with disabilities averaged just 32 percent, compared to 79 percent of those with no disability from 2011 to 2015. The unemployment rate was more than twice the rate for other workers.

Workers with disabilities are less likely to hold year-round, full-time jobs and most earn less than \$25,000 per year. Adults with a disability are more likely to live in or near poverty, regardless of work status, and are less likely to have postsecondary education than adults with no disability. In the face of a declining labor force, it is imperative to mitigate employment barriers for people with disabilities. Please see [Appendix III](#) for the recommendations from State Board Committees to the workforce development system regarding services to people with disabilities.

The Commission on Disabilities and Employment (CDE):

The CDE was established by the legislature in 1997 and promotes collaboration with the public and private sectors to increase awareness and influence policy related to employment for people with disabilities. Its members envision a Maine workforce that includes all people with disabilities employed in jobs that meet both their economic and personal needs. The CDE issues a formal annual report that includes Recommendations to the Governor and Legislature.

This state can rightly claim a long standing and abiding concern with the employment issues facing people with disabilities. An estimated 208,600 people with disabilities reside in Maine, and more than half of those residents are working-age adults. A “Snapshot” report updated in 2017 featuring data highlighting employment participation, economic well-being, employment services, and effects on the Maine economy relative to our residents with disabilities. The report can be accessed at this link: <http://www.maine.gov/labor/cwri/disabilities/>. The collaborative report is only one example of the attention we are affording to employing individuals with disabilities.

Unlike some states, Vocational Rehabilitation Services are administered by the Maine Department of Labor, rather than the Department of Education. This bureaucratic arrangement reflects Maine’s commitment to making the employment of people with disabilities a priority. The Bureau of Rehabilitation Services works in tandem with the Bureau of Employment Services (BES), as well as programs in the Maine Department of Health and Human Services to advance the Business Leadership Network (BLN), an initiative to facilitate a demand-driven, business-led program to encourage employers to hire people with disabilities. The Business Leadership Network was a perfect segue from the Bureau of Employment Services’ successful Disability Program Navigator program (DPN), which then served as a model for Maine’s Aging Worker Initiative.

The DPN initiative was followed by additional discretionary grants currently referred to as the Disability Employment Initiative (DEI) grants, which are awarded to specific workforce areas of the

State and serve to provide the staff of workforce partners across the system with information and best practices pertaining to inclusion and accessibility.

WOMEN

According to the April 2015 brief *Gender Pay Gap- Recent Trends and Explanations*, issued by the Council of Economic Advisors, women represent approximately 47% of the labor force, but because they are more likely to hold two or more jobs they account for 49.3% of jobs. On average, women make \$.78 for every \$1.00 earned by men in similar occupations. The brief goes on to say that the inequity includes all levels of compensation from health insurance to retirement and paid leave. Women have made significant gains in education with the majority of all undergraduate and graduate degrees going to women since the 1990s; which *has* played a role in the wage gap among those with advanced degrees reducing it to \$.67 on the dollar.

The *2015 Report on the Status of Women and Girls in Maine* utilizes responses from over 3000 women in Maine to support recommendations to address the health, safety, education and economic security needs of women in Maine as well as their role as leaders. The report can be found at <http://www.maine.gov/sos/womens-comm/2-2015WCReport.pdf>. The report indicates that Maine women continue to be drawn to jobs that are traditionally female and, as such, traditionally pay low wages. Despite long-term efforts to encourage Maine women to explore traditionally male, high-wage occupations such as the construction trades, these jobs often require travel to different areas, over nights or weeks away from home, longer work days, and other issues that specifically impede women who are single parents with childcare needs from entering them.

Single heads of household are made up more of women than men, due in part to the fact that women live longer than men (widowed), but also because more remain unmarried or divorced. According to the U.S. Census Bureau's American Community Survey (ACS), this population group included an estimated 33,570 females with nearly 40 percent of these households living in poverty.

The Women's Employment Issues Committee:

The Women's Employment Issues Committee (WEIC) is committed to taking action on current factors affecting women's participation in the workforce such as the gender wage gap and affordable dependent care. Committee members discuss and highlight employment issues specific to women and develop recommendations to the State Board that support initiatives that remove barriers preventing women in Maine from attaining economic success and security and that result in legislation that supports full economic opportunity for all Maine women. Five years ago, the Women's Employment Issues Committee produced a report entitled *Working Women in Maine, Indicators for Progress* which featured quantifiable benchmarks to be used to measure, monitor, and evaluate Maine's progress in achieving that economic opportunity and security for all Maine women. The committee has identified the following program and policy priorities for the next five years:

Education and Training:

- o Affordable, accessible college and degree attainment, including advising services to help women and girls of all ages become informed about higher education and how to plan for college, or other pathways to earning credentials;

- o Access to comprehensive workforce preparation, training and support services that help women and girls to develop foundational skills and transition to education and employment leading to higher paying jobs in growth sectors; and
- o Access to support services to assist them as adult learners, to persist and achieve degree attainment, such as scholarship assistance, healthcare, access to child and elder care and transportation resources.

Employment and Business Ownership:

- o Pay equity and paycheck fairness, including minimum wage increases;
- o Family friendly workplace policies and benefits, such as paid sick and family medical leave, health insurance, retirement, flexible work options, support for and education and advancement.
- o Training and technical assistance to employers on building and sustaining a diverse workforce; and
- o Support for women's entrepreneurship and business ownership to start and grow their own businesses.

Financial Education and Asset Ownership:

- o Access to timely and relevant financial education and coaching services;
- o Support for multi-generational savings and asset building strategies (education, business, home ownership) and equitable tax policies which address the income gap; and
- o Increase retirement savings options, including protecting Social Security.

Address Barriers to Economic Security for Women:

- o Access to affordable healthcare and family planning services;
- o Access to affordable and available child and elder care services;
- o Affordable and energy-efficient housing and transportation options;
- o Freedom from violence and sexual harassment; and
- o Support for leadership development of girls and women to contribute to the workforce, business ownership and public life.

RURAL RESIDENTS LACKING RELIABLE TRANSPORTATION

Maine is a geographically large, rural state in which Mainers without affordable, reliable transportation face significant barriers to easily accessing occupational training and/or employment. Rural communities in the State's three regions have limited or non-existent public transportation services. Maine's larger cities are serviced by municipal or regional bus services, but intercity bus links are limited. Stakeholders must work to identify new ways for rural Mainers to access workforce and educational resources. Some Mainers don't have access to high-speed, internet access and for those areas that do a significant number of those who could take advantage lack the basic computer literacy skills to access web-based resources.

Partnering with Maine's Public Library System

Workforce boards will work to promote the resources of Maine's public library system as a key means of addressing this issue. Maine has over 266 public libraries, the smallest of them serving an island population and the largest serving Maine's predominant urban hubs (Portland, Lewiston-Auburn, and Bangor). Libraries are vital centers of community access to technology and resources for online learning. Recent surveys reveal that 750,000 Mainers have a library card and over 1.7 million high speed internet sessions took place through 230 libraries (each having between 100 mbps to 1 gigabit of fiber connections). Maine libraries offer safe, family welcoming environments where single parents can access job search resources with children in tow. They offer informal training in digital literacy from how to set up email accounts (*critical for rural participants to register for labor exchange and file unemployment claims*), to assisting with uploading resumes to various job sites.

In partnering with Maine's public library system, workforce providers can promote participant access to the *Job and Career Accelerator*, *Learning Express*, and *Workforce Skills for 21st Century Success* online programs that the Maine State Library recently invested \$683,779 to acquire. These programs provide specific occupational practice tests that assess the need for and provide online skill development through varied occupationally-specific tools that identify readiness to enter careers from allied health to homeland security. Residents can also access tools that prepare them to pass high-school equivalency exams and post-secondary entrance exams such as the SAT or Accuplacer.

Local Boards will develop agreements with regional libraries and engage in staff cross-training that will inform workforce system staff about the resources libraries offer and how to promote these to their customers and vice versa library staff will become versed in promoting the programs and resources provided through CareerCenters. Best practices already exist in Maine that can be replicated.

When the CareerCenter closed in Waterville, the Waterville library took the initiative to establish an active partnership to continue to provide access to career services and expertise from agencies including the Augusta CareerCenter, New Ventures, KVCAP, Chambers of Commerce, Local Boards, and more and have fully integrated and embedded workforce development as part of Waterville Library's mission and activities. The library hosts provision of services provided by itinerant staff of the Augusta CareerCenter as well as local job fairs.

Many public libraries are able to assist members of the public who are not digitally literate and who either don't have access to or don't know how to navigate the internet or on-line resources. The need for this level of one-one guidance far outweighs the capacity of either library or CareerCenter staff to address; therefore, it is incumbent upon all of the partners from all of the agencies to continue to engage in creating solutions.

OLDER WORKERS

Older workers in Maine face considerable barriers to employment. This segment of Maine's population is large and growing rapidly. In 2012, 17 percent of the population was over age 65; by 2032 this figure is expected to increase to 27 percent. As the first baby boomers reach traditional retirement age, labor force participation among older workers will increase. As increasing numbers

age into their 70s and beyond, labor force participation is likely to decline. This initial increase presents an opportunity to find ways to capitalize on the skills and experience of older workers who continue to work, either in their current careers or in “encore” careers.

A 2013 report by the Maine Development Foundation and Maine State Chamber of Commerce reported that if Maine developed strategies to attract and retain just three percent more older workers, the result would be an increase in the labor force of 12,200 workers by 2020. Proven strategies to engage older workers include educating employers in the benefits of hiring older workers who, as a cohort, are recognized for their expertise and skills, judgement, commitment to quality, and demonstrated work ethic; flexibility regarding work hours, schedules, place and benefits; deferred retirement option plans (DROPs); job sharing; and accommodations.

The Older Workers Committee (OWC):

The State Board’s Older Workers Committee is committed to working with employers, employees, retirees and older worker advocacy groups to achieve the goal of including 12,000 more older worker participants by 2020.

Members of this committee work to promote the value of Maine’s workers older workers (age 55+) through advocacy, education, and policy development. The main objective of this committee is to address the needs of those workers and their employers. The OWC instituted the “Silver Collar Employer Award” to recognize employers in Maine whose policies and practices match the needs of mature employees. In addition, this committee produced a status report on older workers in Maine, entitled *Maine’s Aging Workforce: Opportunities and Challenges*, which explores programs and policy strategies to make work an attractive option for seasoned, experienced workers who might otherwise consider retirement. The OWC has also produced two very popular pamphlets, *The Career-Center Older Worker Resource Guide* and an executive summary version of *Maine’s Aging Workforce*.

EX-OFFENDERS

Ex-offenders often have difficulty re-entering life outside of the corrections system. The Maine Department of Corrections (DOC) estimates it will release 6,000 prisoners from its facilities within the next five years. Based on the current DOC population, at the time of their release, 31 percent will have reading skills comparable to the middle school level and 76 percent will be similarly deficient in math. These factors, combined with deficiencies in the area of work ready skills create barriers to employment. The lack of employment prospects often lead to other problems such as securing housing and accessing support services.

Workforce service providers have worked to assist those transitioning out of the corrections system to access job search assistance resources. But system partners will need to work more closely with employers to identify ways they can best capitalize on this prospective labor pool. Evidence-based approaches will be promoted. Some local areas are currently launching projects that include provision of career services in pre-release and county jails that educate inmates about to be released about job search and workforce training resources and that establish relationships between them and prospective employers. Working department of corrections to identify ways to address employer concerns and promote employer resources specific to these populations such as the Work Opportunity Tax Credit and the Federal Bonding Program. Also to include specific questions on employer surveys regarding employer willingness to consider ex-offender applicants and; finally, to promote provision of intensive follow-up services after job placement to both the participants and their employers toward continued success.

YOUNGER WORKERS

Previously, federal workforce resources were dedicated to low-income youth of all ages, with only 30% of such funds required to be dedicated to out-of-school youth. Under WIOA, 75 to 100 percent of resources must be dedicated to out-of-school youth, ages 16 to 24, with the significant barriers to employment or education, including: high school drop outs, pregnant or parenting, homeless, those subject to the juvenile justice system, youth with disabilities, and low income youth who are basic skills deficient or lack English proficiency. These are documentable barriers, but the youth that fall under these categories are trying to cope with numerous additional challenges, including: low aspirations, depression, substance abuse, unstable homes, lack of appropriate adult role models; family violence, neglect, abuse, rural isolation, lack of transportation, sexual orientation and gender identity discrimination, and an overall lack of basic work readiness competencies.

Youth service providers will be partner to appropriately assess the need for a full menu of youth-oriented services from attainment of high-school diploma to parenting skills, financial literacy and career counseling. Employers will be at the table to participate in solutions by offering work experience, internships and adult role modelling and will continue to be involved with occupational awareness activities like EPIC Maine, a partnership of regional employers and education providers that introduces youth adults to various careers to the Annual Crafts Championships a collaboration between industry, Career and Technical Education Centers and Maine's Community colleges to showcase careers in the construction trades.

The Younger Worker Committee:

This committee works to identify, evaluate and support programs in Maine that are focused on addressing the needs of younger workers aged 16 to 24 and to ensure that resources required by those programs are available. The committee is composed of a diverse group of individuals dedicated to supporting and improving the lives of Maine youth. Membership includes representatives from agencies and programs such as Job Corps, Jobs for Maine's Graduates, Community Action and Economic Development agencies, Goodwill Industries, Maine's Career and Technical Education programs, YouthBuild, the Bureau of Labor Standards, the Maine Apprenticeship Program, private industry, Corrections, DHHS, and Adult Education to name a few. In the past the committee has focused on development of a Youth Resources Guide that was distributed to youth through schools and service agencies. Most recently committee members have focused on strategies to re-engage youth who are not employed or engaged in education; with a specific focus on young adults with specific barriers to employment or education; including: high school drop outs, homeless youth, youth with disabilities, pregnant or parenting youth, youth involved with the corrections system, and youth who are English language learners or who lack basic academic proficiencies.

VETERANS

The flow of veterans and transitioning service members through Maine's One-Stop CareerCenters averages over 8,000 per year, with more than half of that count being unemployed. Wagner-Peyser, WIA and other USDOL funded projects operate in unison with the Jobs for Veterans State Grant (JVSG) to ensure that all veterans receive priority of service within the workforce delivery system. These and other workforce programs are the point of entry for Maine veterans, disabled veterans and eligible spouses. Our employment service capacity is strategically distributed throughout the Maine CareerCenters to serve this flow of veteran and although it has been extremely challenging just to help the number of "walk-ins", no veteran coming to a Maine CareerCenter has ever been turned away.

The Jobs for Veterans State Grant, (JVSG) is a non-competitive, USDOL funded program that provides over \$800,000 annually to Maine, supporting 10.5 FTE veterans staff positions. A mix of Disabled Veterans Outreach Program specialists (DVOPs) and Local Veterans Employment Representatives (LVERs) work out of Maine One-stop CareerCenter offices. There is one LVER who serves as the state Veterans Program Manager based at the central office in Augusta.

The Veterans' Employment Committee:

This committee works to improve training and employment opportunities for Maine veterans, disabled veterans, and eligible spouses. The Committee focuses on building employers' awareness of the advantages of hiring veterans and works to develop policy recommendations to increase the effectiveness and efficiency of veterans' employment and training programs in Maine. This Committee has collaborated with the Maine Military and Community Network, the Togus VA, and the Maine Department of Veterans Affairs, to develop a web portal that provides a comprehensive array of resources, including education, training and employment, for veterans and their families. The Maine Department of Labor, Veterans Employment and Training Services Program Manager acts as staff to this committee.

This committee most recently launched a new *Hire A Vet* campaign that promised 100 veterans would be employed in 100 jobs with 100 employers in 100 days. Employers partnered to make the initiative a success and the goal was exceeded by 250 veterans becoming employed, including homeless veterans. Employers were provided with information blasts that featuring individual veterans who successfully pitched their skills and expertise.

PERSONS WITH LANGUAGE BARRIERS

Persons who are foreign born and where English is not the primary language typically face considerable barriers to employment. According to the 2013 American Community Survey, approximately 45,285 Mainers were born outside the United States. Of those, 2,860 or 6.3 percent entered the U.S. since 2010.

Approximately 85,487 persons over the age of five in Maine, or 6.8 percent of the population, speak a language other than English at home (American Community Survey). Of those, 42,142 persons or 3.1 percent of the State's population over the age of five (1,261,144) indicated they spoke English less than "very well."

Persons with language barriers live throughout the state but clusters of foreign born Mainers with language barriers are generally more prevalent in cities where services are more available to them such as Lewiston/Auburn, Greater Portland and Saco/Biddeford in the Central/Western and Coastal Counties sub-state regions. According to the Maine Center for Economic Policy, in addition to new Mainers of various nationalities Maine has a population of second-, third-, and even fourth-generation Franco Americans with retained French-language skills, yet they go on to point out that ten percent of adult Franco-Americans and Acadians in Maine do not have a high school diploma or equivalency and one in five has some college but no degree. English language proficiency among this population may account for some of this trend. Even within the cities, the state does not have enough current resources available to meet the need for English language instruction.

INDIVIDUALS LIVING IN POVERTY AND WITH LOW LEVELS OF EDUCATION

Other persons with barriers to employment in Maine include those with relatively low income and levels of education. An estimated 12 percent of the population over 18 years lives in poverty and 17 percent of Maine families received Food Stamps/SNAP benefits.¹ Additionally, 31,000 Mainers over 25 have less than a 9th grade education and 53,000 are without a high school diploma.²

EDUCATION OF THE WORKFORCE

A look at employment rates (the share of the population that is employed) of the working age population is illustrative of the very different outcomes those with limited education face compared to

¹ 2009-2013 American Community Survey, P03: SELECTED ECONOMIC CHARACTERISTICS IN THE UNITED STATES/Maine.

² Ibid.

those with higher attainment. According to data from the U.S. Census Bureau, among the population age 25 to 64 in Maine, only 43 percent of those who do not have a high school diploma and 70 percent with only a high school diploma were employed. The situation contrasted significantly with those having higher educational attainment. Nearly 77 percent with some postsecondary education or an associate's degree were working, with rising employment rates for higher levels of attainment; 84 percent with a bachelor's; 84 percent with a master's; and 90 percent with a professional or doctoral degree.

Employment has shifted towards industries with a greater share of educated workers. Over the last two decades, industries recording employment gains had a higher share of workers with a bachelor's degree than industries that shed jobs. The education, health, business, and professional services industries have a higher than average share of workers with a bachelor's degree level. Conversely, manufacturing and construction, which have shed thousands of jobs, have a lower than average share of workers with a bachelor's degree.

To a large degree, the changing educational needs of employers reflect the changing nature of work; that is, the shifting occupational structure of the workplace. Changes that have been taking place and are expected to continue include:

- Increase in higher level jobs and a decline in traditional manual occupations;
- Movement from skills associated with manual dexterity towards skills associated with understanding and monitoring complex systems;
- Shift away from routine processes toward coordination and collaboration;
- Increase of general work skills required in many jobs such as the ability to use computers;
- Expanded need for communication skills;
- Jobs include a broader range of responsibilities.

Even among production workers the demand for highly educated workers has grown. Since 1990 the share of production workers with some college or an associate's degree and a bachelors' degree rose by 15 percentage points and two percentage points, respectively, even as the number of workers fell by 52 percent.

Approximately 80 percent of Maine students graduate from high school in four years, placing Maine above the national average for high school completion. However, only 65 percent of them enroll in some form of postsecondary education. University of Maine data suggest that a substantial number of students who do matriculate fail to complete a college degree. Forty-eight percent of those who start a University of Maine System bachelor's degree program earn the credential. Just 26 percent of Maine students who start work on an associate's degree earn it within three years.

Occupational projections to 2022 indicate that 60 percent of net job growth is expected to occur in occupations requiring some form of postsecondary training or credential, including 35 of the 50 fastest growing occupations. Workers entering or returning to the job market with lower levels of education find a much more challenging environment to prosper in than was the case not many years ago.

Plan Revision;

Although the State Plan Deficiencies letter asked for more in this section, after a phone conversation with the Regional Office in Boston on 7/20/16, we were informed that this section does not need revision to the emerging sectors and occupations piece.

SUB-STATE REGIONS

Maine has identified three regions for the purpose of aligning workforce development resources to regional economies. These regions are referred to as Northeastern, Central/Western, and Coastal Counties. A number of factors were considered in determining regional boundaries. The State has always been careful to avoid prospective divisions that might create “two Maines” such as a major highway or railway lines that would divide the State up into two vastly different economies and leaving the perception of “have” and “have not.”

When the requirement for identifying regions was made known, the State and Local Boards considered factors such as alignment with economic development districts and post-secondary institutions, inclusion of a major urban hub and distribution of employment by industry. It was also very important to support partnerships that were already in place for the purpose of community planning and development. Of key importance was the appropriate distribution of financial resources for the purposes of workforce development. The full policy on regional configuration is attached in [Appendix IV](#).

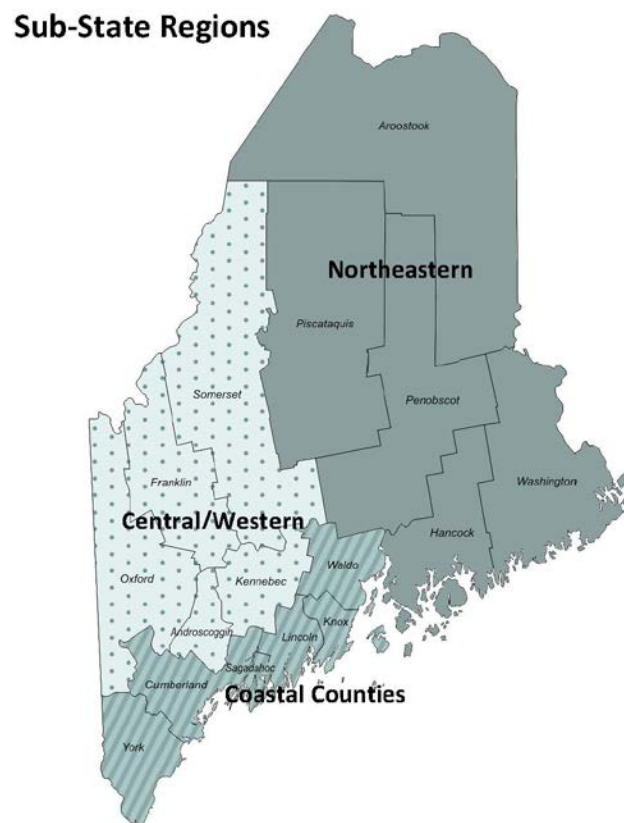


FIGURE 14: SUB-STATE REGIONS

Several factors set the regions apart. With nearly half of the state's population and only 12 percent of the land area, the Coastal Counties region is the most densely populated of the three. This region is home to half of Maine's jobs and has high exposure to financial services, leisure and hospitality sectors (Location quotients (LQ) of 1.29 and 1.13, respectively), and a low proportion of jobs in natural resources and mining (LQ of .42).³ While all three of Maine's regions are projected to experience declining population growth, the impact on Coastal Counties will be less negative than in the other areas.

The Central/Western region represents 29 percent of Maine's land area, 28 percent of the population and one quarter of the state's jobs. The region has the state's highest concentration of jobs in manufacturing (LQ 1.16) and education (LQ 1.14), and, as home to the state capital, have a high proportion of government jobs. Farms and food production is a burgeoning growth industry. Demographics and population declines are the region's most pressing issues—the outlying counties are projected to experience a 20 percent decline in the working age population.

The expansive but sparsely populated Northeastern region represents nearly 60 percent of the state's land and one fourth of the population. The region maintains 23 percent of the state jobs, with relatively high concentrations in natural resources, government and retail (Location quotient (LQ) ratios of 2.09, 1.18 and 1.16, respectively). The Northeastern region also has the lowest share of manufacturing sector jobs. Many companies in the sector have downsized or ceased operations, displacing thousands of workers over the years.

A more detailed discussion for each region follows.

COASTAL COUNTIES REGION

The Coastal Counties Region is comprised of six counties and is the most geographically, demographically, and economically diverse of Maine's three regions. It is also the most densely populated with 47 percent of the state's population and 51 percent of private sector jobs in just 12 percent of the state's land area. Six of Maine's ten largest municipalities are located in the region: Portland, South Portland, Brunswick and Scarborough in Cumberland County, and Biddeford and Saco in York County.

For service delivery purposes, given the size of the area, the region is generally classified into four distinct hubs.

³ A location quotient (LQ) is an analytical statistic that measures a region's industrial specialization relative to a larger geographic unit (usually the nation but can also be other areas such as a state; in this case the comparison region is Maine). The LQ here is computed as an industry's share of a regional total for some economic statistic (earnings, GDP by metropolitan area, employment, etc.) divided by the industry's share of the statewide total for the same statistic. For example, an LQ of 1.0 in mining means that the region and the state are equally specialized in mining; while an LQ of 1.8 means that the region has a higher concentration in mining than the state. - See more at: http://www.bea.gov/faq/index.cfm?faq_id=478#sthash.KxHOppql.dpuf

York County, located in the southern area of the region, is the gateway to Maine. Its coastal plain contains Maine's most visited beaches and supports a large touristic industry base. Beyond tourism, York has several defined economic clusters related to defense-dependent industries, health care, retail, and manufacturing. Interstate 95, running north/south through York and Cumberland Counties, creates an east/west demarcation that separates the seasonal tourist industry of the beaches and larger commerce centers from the rural, agricultural, bedroom communities and, for the most part, small business and retail centered communities. The extreme southwestern county towns have a New Hampshire commerce focus.

Cumberland County, the central area of the region, is Maine's most significant commerce hub. Cumberland County hosts Maine's largest city, Portland, with greater Portland encompassing Westbrook, South Portland, and Scarborough as a defined labor market area. Portland dramatically capitalizes on its strategic location. The resurgence of shipping and bulk cargo transfers, status as a major port of call for cruise ships, the re-emergence of rail, and being home to the state's major airport have established Portland as a major transportation hub. Commerce is centered on healthcare, banking, IT industries, bio tech, service industries, and retail. The west of Interstate 95 is characterized by growing bedroom communities and retail expansion. The lakes and mountain regions, in particular, focus on tourism and seasonal, recreational-based economics.

Sagadahoc, Lincoln, Knox, and Waldo counties, commonly identified as the mid coast, comprise the northern segment of the region. These counties are historically steeped in farming, dairy, and in the traditions of the sea; boat building and fishing. Similar to York County, the mid coast attracts and is supported by a significant influx of Maine's seasonal tourists visiting the stunning area. Aggregated, the mid coast region features the following economic centers. The three cluster communities of Brunswick, Topsham, and Bath form one of the major economic regions of the four-county mid coast. In addition to Bath Iron Works, the redevelopment of the former Naval Air Station at Brunswick into Brunswick Landing has the potential to become the most significant commerce park in southern Maine. In addition, healthcare, retail, and colleges form the most prominent industries or opportunities for growth on the southern end of the mid coast hub.

The closure of Brunswick Naval Air Station in 2011 presented a challenge for economic and workforce development in the region, potentially removing millions of dollars of economic activity from the region and reducing demand for a wide range of products and services. Redevelopment of the former base locations in Brunswick and Topsham is well underway and having a positive economic impact. To date, the project has attracted nearly \$200 million in private and public investment. Over 50 public and private entities employ more than 450 people in six target sectors: aerospace, composites, information technology, biotech, renewable energy and education, and in other complementary industries.

The Boothbay/Damariscotta hub features a strong tourist industry, Reny's retail and distribution operations, Mölnlycke medical; as well as two substantial boat builders, Washburn and Doughty, and Hodgdon Yachts. The labor and economic loss of Maine Yankee Nuclear Power has been absorbed and opens up opportunities for redevelopment along with the former Masson Station site in Wiscasset. The north end of this hub features the retail commerce cluster of Thomaston, Rockland, Rockport, and Camden. Major employers include Fisher Engineering, Dragon Cement, Penbay Medical Center and those associated with the tourist industry. Rockland, Rockport, and Camden are home to working waterfronts, both commercial and seasonal recreational. The one area of commonality among all four

counties in this hub is the fact that tourism is a critical industry either on a transient or destination basis. Route 1 (the coastal route) hugs the coast, providing access points to the hundreds of miles of coast line and peninsular amenities found along the way.

Biggest Challenges:

- Output is stagnant –not much real growth in broad economy since the recession.
- Tightening labor market –approaching full employment slow overall employment growth.
- Population demographics are starting to impact employment.
- There has been and continues to be a loss of skill and experience.
- Needed in-migration will be challenging because of wage differentials.

Population and workforce trends in this region are somewhat better than statewide trends due to more favorable rates of births and in-migration. Still, the region will be challenged by a rapidly aging population. Between 2015 and 2030, Coastal Counties is projected to lose 11 percent of its working age population ages 20 through 64, compared to a 14 percent loss on a statewide basis. Within the region, the outlook ranges from a loss of nine percent in Cumberland County to a 27 percent loss in Lincoln County.

Because the region comprises such a large share of Maine’s employment, its industry composition is not significantly different from the state as a whole. The region has a slightly smaller share of government jobs, 14 percent compared to 16 percent statewide. All other industry shares are within one percentage point of the statewide distribution.

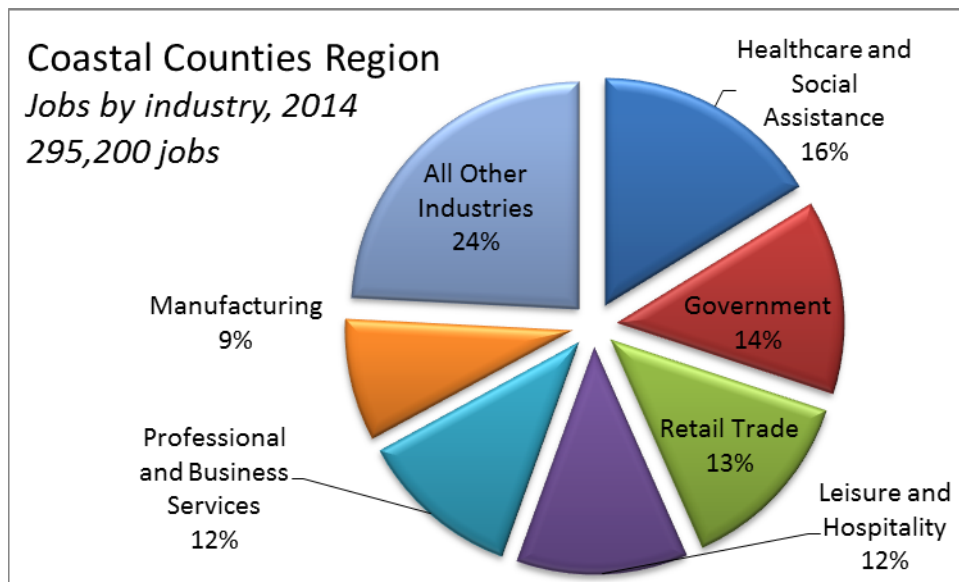


FIGURE 15: JOBS BY INDUSTRY: COASTAL COUNTIES

The 2014 annual average unemployment rate of 4.9 percent in the region was well below the statewide average rate of 5.7 percent (not seasonally adjusted). Within the region unemployment rates ranged from a low of 4.4 percent in Cumberland County to a high of 6.1 percent in Waldo county.

The range of incomes and unemployment rates across the six counties is due in large part to internal variations in economic structure. Southernmost York and Cumberland counties have the highest density of population and jobs. Together, these two counties account for 80 percent of the region's jobs, with an above-average share of jobs in growing industries (healthcare and social assistance, professional and business services, private education, and leisure and hospitality). The mid-coast counties of Sagadahoc, Lincoln, Knox and Waldo are less populated and more reliant on seasonal commerce related to tourism, agriculture and fishing. These counties have a below-average share of jobs in growing industries.

EMPLOYERS

Of the region's fifty largest private employers, seventeen are in health care and social assistance, nine are retailers and eight are manufacturers. Home to the Portsmouth Naval Shipyard in Kittery, General Dynamics Armament Systems in Saco, and Bath Iron Works, the region's economy is more dependent on defense spending than most regions of the nation.

TABLE 2: 50 LARGEST EMPLOYERS, COASTAL COUNTIES

COASTAL COUNTIES REGION FIFTY LARGEST PRIVATE EMPLOYERS, 2014		
EMPLOYER NAME	EMPLOYMENT RANGE	BUSINESS DESCRIPTION
MAINE MEDICAL CENTER	6001-6500	General medical and surgical hospitals
BATH IRON WORKS CORPORATION	5001-6000	Ship building and repairing
HANNAFORD BROS CO	4501-5000	Supermarkets and other grocery stores
L.L.BEAN, INC.	4001-4500	Retail sales
UNUM PROVIDENT	2501-3000	Direct life insurance carriers
WAL MART ASSOCIATES INC	2001-2500	Discount department stores
SOUTHERN MAINE MEDICAL CENTER	1501-2000	General medical and surgical hospitals
SHAWS SUPERMARKETS INC	1501-2000	Supermarkets and other grocery stores
MERCY HOSPITAL	1501-2000	General medical and surgical hospitals
PRATT & WHITNEY AIRCRAFT GROUP	1001-1500	Aircraft engine and engine parts mfg.
T D BANK N A	1001-1500	Commercial banking
BOWDOIN COLLEGE	1001-1500	Colleges and universities
UNIVERSITY OF NEW ENGLAND	1001-1500	Colleges and universities
MID COAST HOSPITAL	1001-1500	General medical and surgical hospitals
YORK HOSPITAL	1001-1500	General medical and surgical hospitals
IDEXX LABORATORIES INC	1001-1500	Pharmaceutical preparation mfg.
PENOBSCOT BAY MEDICAL CENTER	501-1000	General medical and surgical hospitals
GOODWILL INDUSTRIES OF NORTHERN N E	501-1000	Vocational rehab. services and retail stores
ATTENDANT SERVICES INC	501-1000	Services for the elderly and disabled
MAINE BEHAVIORAL HEALTHCARE	501-1000	Inpatient/outpatient mental health centers
BANK OF AMERICA	501-1000	Commercial banking and credit card issuing
ATHENAHEALTH INC	501-1000	Office administrative services
LOWES HOME CENTERS INC	501-1000	Home centers
HOME DEPOT USA INC	501-1000	Home centers
WEX LLC	501-1000	Financial transaction processing and clearing
MARTINS POINT HEALTH CARE INC	501-1000	Offices of physicians except mental health
FAMILY PRACTICE CENTER	501-1000	Offices of physicians except mental health
WALDO COUNTY GENERAL HOSPITAL	501-1000	General medical and surgical hospitals
SPURWINK SERVICES INCORPORATED	501-1000	Other individual and family services
SWEETSER	501-1000	Residential and outpatient mental health services
NOR DX	501-1000	Medical laboratories
FAIRCHILD SEMICONDUCTOR CORP	501-1000	Semiconductors and related device mfg.
INTERMED PA	501-1000	Offices of physicians except mental health
LINCOLNHEALTH	501-1000	General medical/surgical hospitals and offices of physicians
ST JOSEPHS COLLEGE	501-1000	Colleges and universities
TWC ADMINISTRATION LLC	501-1000	Wired telecommunications carriers
IDEXX OPERATIONS INC	501-1000	Druggists' goods merchant wholesalers
S D WARREN	501-1000	Paper, except newsprint, mills

IDEXX DISTRIBUTION INC	501-1000	Other professional equip. merchant wholesaler
TYLER TECHNOLOGIES INC	501-1000	Custom computer programming services
RITE AID OF MAINE INC	501-1000	Pharmacies and drug stores
TEXAS INSTRUMENTS INCORPORATED	501-1000	Semiconductors and related device mfg.
FAIRPOINT LOGISTICS INC	251-500	Telemarketing and other contact centers
OPPORTUNITY ALLIANCE, THE	251-500	Child day care services
CIRCLE K	251-500	Gas stations with convenience stores
ANTHEM HEALTH SYSTEMS INC	251-500	Direct health and medical insurance carriers
NICHOLS PORTLAND	251-500	Fluid power cylinder and actuator mfg.
TARGET CORPORATION	251-500	Discount department stores
UNITED PARCEL SERVICE INC	251-500	Couriers and express delivery services
FIA CARD SERVICES NA	251-500	Credit card issuing

The latest available statistics reveal that the majority of the region's workforce lives and works within the area (262,000 primary job holders). About 49,000 resident workers commute to jobs outside the region, offset by 50,000 non-resident workers commuting into the region (2013, *OnTheMap*, U.S. Census Bureau).

CENTRAL/WESTERN REGION

The Central/Western Region encompasses 29 percent of Maine's land area. It is home to 28 percent of the state's population and 25 percent of private sector jobs. The largest population centers in the region are the cities of Lewiston and Auburn in Androscoggin County, and Augusta and Waterville in Kennebec County.

Similar to the state, the region will be challenged by a rapidly aging population. Between 2012 and 2032 the Central/Western Region is projected to lose 16 percent of its working age population. Within the region, the outlook ranges from a loss of 11 percent in Androscoggin County to 20 percent in Somerset County.

In 2014, the annual average unemployment rate of 6.1 percent in the Central/Western region was above the 5.7 percent statewide average. Unemployment rates ranged from a low of 5.4 percent in Kennebec County to a high of 7.9 percent in Somerset County.

The disparity of unemployment rates across the five counties is due in large part to variations in the economic structure within the region. The central, more populous counties—Androscoggin and Kennebec—have more job opportunities than the sparsely populated rim counties of Franklin, Oxford and Somerset.

The economic base in Androscoggin and Kennebec counties is diversified across a broad spectrum of industries, with higher concentrations of jobs in professional and business services, and transportation and warehousing (Androscoggin), and healthcare (Kennebec) than the region as a whole or the state. In addition, Kennebec County is home to Augusta, Maine's capitol city, and has a significant concentration of jobs in state government (15 percent of county jobs compared to 4 percent of jobs statewide).

In the rim counties, the economy is less diverse and more concentrated in forest-based manufacturing and highly seasonal industries such as agriculture, forestry, fishing and hunting in Somerset and Oxford, and leisure and hospitality in Franklin and Oxford.

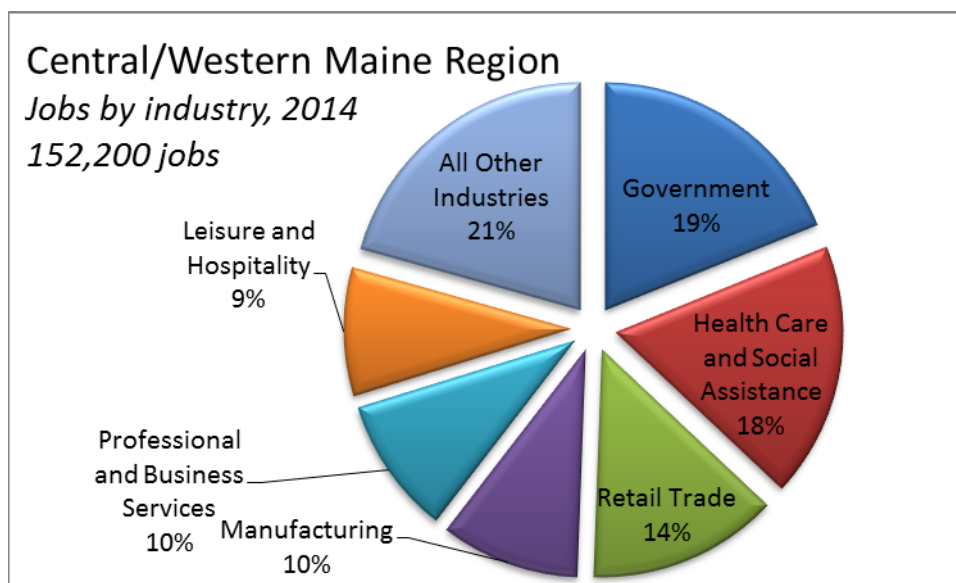


FIGURE 16: JOBS BY INDUSTRY: CENTRAL/WESTERN REGION

Within the region, incomes tend to be higher in the central counties of Androscoggin and Kennebec compared to the western counties of Franklin, Oxford and Somerset. From 2011 through 2013, the median household income ranged from a high of \$45,597 in Kennebec County to a low of \$32,218 in Oxford County, compared to the state median of \$47,405 (U.S. Census Bureau, 2011-2013 ACS).

EMPLOYERS

In 2014, nineteen of Central/Western Maine's fifty largest private employers were health care and social assistance providers, nine were manufacturers and eight were retailers. Recent expansions of the region's economic base include the opening of Oxford Casino in June 2012. Oxford Casino created more than 400 jobs in 2012 and is stimulating further local development.

TABLE 3: 50 LARGEST EMPLOYERS--CENTRAL/WESTERN REGION

CENTRAL/WESTERN REGION FIFTY LARGEST PRIVATE EMPLOYERS, 2014		
EMPLOYER NAME	EMPLOYMENT RANGE	BUSINESS DESCRIPTION
MAINEGENERAL MEDICAL CTR	3001-3500	General medical and surgical hospitals
WAL MART ASSOCIATES INC	3001-3500	Discount department stores
CENTRAL MAINE HEALTHCARE CORP	2501-3000	General medical and surgical hospitals
HANNAFORD BROS CO	1501-2000	Supermarkets and other grocery stores
T D BANK N A	1501-2000	Commercial banking
ST MARY'S REGIONAL MEDICAL CTR	1001-1500	General medical and surgical hospitals

VERSO PAPER CORP.	501-1000	Paper, except newsprint, mills
NEW BALANCE ATHLETIC SHOE INC	501-1000	Footwear manufacturing
BATES COLLEGE	501-1000	Colleges and universities
CIANBRO CORPORATION	501-1000	Highway, street and bridge construction
COLBY COLLEGE	501-1000	Colleges and universities
RUMFORD PAPER COMPANY	501-1000	Paper, except newsprint, mills
S D WARREN	501-1000	Paper, except newsprint, mills
FRANKLIN MEMORIAL HOSPITAL	501-1000	General medical and surgical hospitals
MURPHY HOMES INC, JOHN F	501-1000	Residential developmental disability homes
PINE STATE TRADING COMPANY	501-1000	Wine and spirit merchant wholesalers
T MOBILE USA INC	501-1000	Telemarketing and other contact centers
SUNDAY RIVER SKIWAY	501-1000	Skiing facilities
REDINGTON FAIRVIEW GENERAL HOSPITAL	501-1000	General medical and surgical hospitals
L.L.BEAN, INC.	501-1000	Mail order houses
CENTRAL MAINE POWER CO	501-1000	Electric power distribution
NORTH COUNTRY ASSOCIATES	501-1000	Nursing care facilities, skilled nursing
INLAND HOSPITAL	501-1000	General medical and surgical hospitals
STEPHENS MEMORIAL HOSPITAL	501-1000	General medical and surgical hospitals
HOME RESOURCES OF MAINE INC	501-1000	Services for the elderly and disabled
HUHTAMAKI INC	251-500	All other converted paper product manufacturing
C N BROWN CO	251-500	Fuel dealers/gas stations with convenience stores
TAMBRANDS INC	251-500	Sanitary paper product manufacturing
SHAWS SUPERMARKETS INC	251-500	Supermarkets and other grocery stores
SUGARLOAF MOUNTAIN CORP	251-500	Skiing facilities
ROMAD COMPANY L.P,	251-500	Limited-service restaurants
PER SE TECHNOLOGIES INC	251-500	Other accounting services
BB DEVELOPMENT LLC	251-500	Casinos, except casino hotels
MAINEGENERAL REHAB & NURSING	251-500	Nursing care facilities, skilled nursing
MACS CONVENIENCE STORES LLC	251-500	Gasoline stations with convenience stores
GOODWILL INDUSTRIES OF NORTHERN N E	251-500	Vocational rehab. services and retail stores
TRI-COUNTY MENTAL HEALTH SERVICES	251-500	Outpatient mental health centers
ARGO MARKETING GROUP INC	251-500	Telemarketing and other contact centers
HOME DEPOT USA INC	251-500	Home centers
RITE AID OF MAINE INC	251-500	Pharmacies and drug stores
NESTLE WATERS NORTH AMERICA INC	251-500	Bottled water manufacturing
ANDROSCOGGIN HOME CARE & HOSPICE	251-500	Home health care services
GREAT FALLS HOLDINGS INC,	251-500	Telemarketing and other contact centers
MEDICAL CARE DEVELOPMENT INC	251-500	Residential developmental disability homes
DINGLEY PRESS LLC, THE	251-500	Commercial printing, except screen and books
MARDENS INC	251-500	Discount department stores
KENNEBEC MENTAL HEALTH ASSOC	251-500	Outpatient mental health centers
SKILLS INC	251-500	Other residential care facilities
J M P B	251-500	Services for the elderly and disabled

Statistics describing worker flow into and out of the Central/Western region reveal that 71 percent of the region's 151,000 resident primary jobholders lived and worked within the area. In 2013, about 44,000 resident workers commuted to jobs outside the region, partially offset by 37,000 nonresident workers commuting into the region to work, for a net outflow of 7,000 commuters. (2013, *OnTheMap*, U.S. Census Bureau)

NORTHEASTERN REGION

The five counties comprising Northeastern Region encompass 59 percent of Maine's land area, are home to 25 percent of the state's population, and 23 percent of private sector jobs. The largest population centers in the region are the cities of Bangor, Orono and Brewer in Penobscot County, and Presque Isle and Caribou in Aroostook County.

Like the state, the region will be challenged by a rapidly aging population. Between 2012 and 2032 the region is projected to lose 16 percent of its working age population. The greatest percentage decline will be in Piscataquis County, which is projected to experience a 28 percent decline (in its working age population).

The 2014 annual average unemployment rate of 6.9 percent was higher than the 5.7 percent statewide average. Within the region, unemployment rates ranged from a low of 6.2 percent in Penobscot County to a high of 8.4 percent in Washington County.

The disparity of unemployment rates across the five counties is due in large part to the diverse makeup of the region's economic structure. The more densely populated Hancock and Penobscot Counties offer better job prospects than the sparsely populated northern and eastern counties of Piscataquis, Aroostook and Washington.

Within the region there are three distinct economies; coastal Hancock and Washington counties; regional service centers in Bangor and Presque Isle/Caribou; and Piscataquis, interior Hancock, Washington, and rural Penobscot and Aroostook counties.

The economic base in coastal Hancock and Washington counties is dependent on seasonal, tourism-related commerce and maritime trades, with concentrations of jobs in leisure and hospitality, retail, and construction industries.

The economic base in the Bangor metropolitan area and Presque Isle/Caribou is diversified across a broad spectrum of industries with relatively large shares of private jobs in retail, wholesale trade, health care and social assistance. These areas are commercial and regional centers for government administration and educational services.

Away from the coast and outside its service areas, the balance of the region is rural. The economic base is heavily dependent on natural resource-based industries (farming and logging), woods-based manufacturing and seasonal tourism. Relatively high concentrations of private jobs occur in natural resources, retail and manufacturing industries.

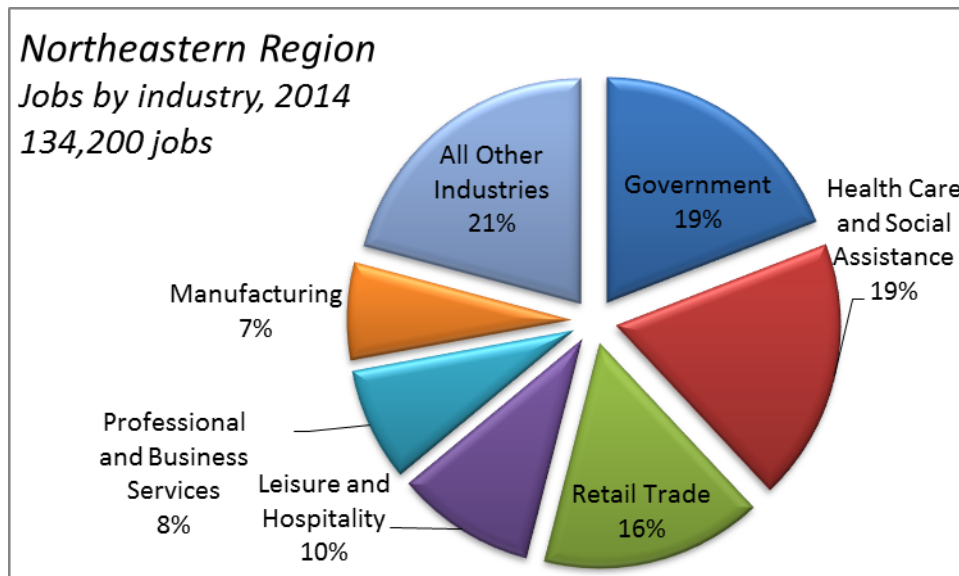


FIGURE 17: JOBS BY INDUSTRY: NORTHEASTERN REGION

The industry structure of the Northeastern Region features higher concentrations of jobs in government, 19 percent; healthcare and social assistance, 19 percent; and retail trade, 16 percent compared to the state at 16 percent, 17 percent and 14 percent, respectively. Five percent of the region's jobs are in natural resources and mining, compared to one percent statewide.

Within the region, incomes tend to be higher in the central counties of Hancock and Penobscot compared to the northern and eastern counties of Aroostook, Piscataquis and Washington. From 2009 through 2013, the median household income ranged from a high of \$47,460 in Hancock County to a low of \$36,646 in Piscataquis County, compared to the state median wage of \$48,453 (U.S. Census Bureau, 2009-2013 ACS).

EMPLOYERS

In 2014, twenty of the region's fifty largest private employers were health care and social assistance providers, eleven were retailers and seven were manufacturers.

TABLE 4: 50 LARGEST EMPLOYERS--NORTHEASTERN REGION

NORTHEASTERN REGION FIFTY LARGEST PRIVATE EMPLOYERS, 2014		
EMPLOYER NAME	EMPLOYMENT RANGE	BUSINESS DESCRIPTION
EASTERN MAINE MEDICAL CENTER	3501-4000	General medical and surgical hospitals
WAL MART ASSOCIATES INC	2001-2500	Discount department stores
HANNAFORD BROS CO	1001-1500	Supermarkets and other grocery stores
JACKSON LABORATORY	1001-1500	Research and development in biotechnology
AROOSTOOK MEDICAL CENTER, THE	1001-1500	General medical and surgical hospitals
ST JOSEPH HOSPITAL INC	501-1000	General medical and surgical hospitals
EASTERN MAINE HEALTHCARE SYSTEMS	501-1000	Office administrative services
MAINE COAST REGIONAL HEALTH FACILIT	501-1000	General medical and surgical hospitals

PENOBSCOT COMMUNITY HEALTH CARE	501-1000	Offices of physicians except mental health
ACADIA HOSPITAL CORP	501-1000	General medical and surgical hospitals
HUSSON UNIVERSITY	501-1000	Colleges and universities
TWIN RIVERS PAPER COMPANY LLC	501-1000	Newsprint mills
BANGOR SAVINGS BANK	501-1000	Savings institutions
MAYO REGIONAL HOSPITAL	501-1000	General medical and surgical hospitals
CIRCLE K	251-500	Gasoline stations with convenience stores
MCCAIN FOODS USA INC	251-500	Frozen fruit and vegetable manufacturing
L.L.BEAN, INC.	251-500	Retail sales
NORTHERN MAINE MEDICAL CENTER	251-500	General medical and surgical hospitals
MICRODYNE OUTSOURCING INC	251-500	Telemarketing and other contact centers
DEAD RIVER COMPANY	251-500	Fuel dealers
CHARLOTTE WHITE CENTER	251-500	Services for the elderly and disabled
GENERAL ELECTRIC CO	251-500	Switchgear and switchboard apparatus mfg.
HOULTON REGIONAL HOSPITAL	251-500	General medical and surgical hospitals
MT DESERT ISLAND HOSPITAL	251-500	General medical and surgical hospitals
HARDWOOD PRODUCTS CO	251-500	Surgical appliance and supplies manufacturing
EMERA MAINE	251-500	Hydroelectric power generation
HOLLYWOOD CASINO	251-500	Casino hotels
COMMUNITY HEALTH AND COUNSELING SVC	251-500	Other individual and family services
PARADIS INC, LOUIS J	251-500	Supermarkets and other grocery stores
LOWES HOME CENTERS INC	251-500	Home centers
R H FOSTER ENERGY LLC	251-500	Petroleum bulk stations and terminals
RITE AID OF MAINE INC	251-500	Pharmacies and drug stores
DARLING'S AUTO MALL	251-500	New car dealers
WOODLAND PULP LLC	251-500	Pulp mills
OHI	251-500	Assisted living facilities for the elderly
DYSARTS SERVICE INC	251-500	Other gas stations
PENQUIS C.A.P., INC.	251-500	Other individual and family services
TALARIA COMPANY LLC, THE	251-500	Boat building
SECURITAS SECURITY SERVICES USA INC	251-500	Security guards and patrol services
BLUE HILL MEMORIAL HOSPITAL	251-500	General medical and surgical hospitals
AROOSTOOK MENTAL HEALTH SERVICES IN	251-500	Outpatient mental health centers
CARIBOU NURSING HOME INC	251-500	Nursing facilities, skilled nursing
SHAWS SUPERMARKETS INC	251-500	Supermarkets and other grocery stores
CALAIS REGIONAL HOSPITAL	251-500	General medical and surgical hospitals
CARE & COMFORT	251-500	Home health care services
DOWN EAST COMMUNITY HOSPITAL	251-500	General medical and surgical hospitals
CELLCO PARTNERSHIP	251-500	Wireless telecommunications carriers
HOME DEPOT USA INC	1-250	Home centers
BAR HARBOR INN	1-250	Hotels and motels except casino hotels

Statistics describing worker flows into and out of Northeastern region reveal that most of the region's 124,000 primary job-holders lived and worked within the area. In 2013, about 21,900

resident workers commuted to jobs outside the region, partially offset by 18,100 non-resident workers commuting into the region to work. (2013, *OnTheMap*, U.S. Census Bureau)

LOCAL WORKFORCE DEVELOPMENT AREAS

Maine proposes three local workforce development areas which correspond with the state's three planning regions. In accordance with WIOA, these local areas serve as "a jurisdiction for the administration of workforce development activities and execution of adult, dislocated worker, and youth funds allocated by the State."⁴

At the start of Program Year 2015, Maine had four Local Areas: Coastal Counties, Central Western, Tri-County and Aroostook/Washington. The Aroostook/Washington and Tri-County Local Areas will be consolidated into a single area called the Northeastern region. The merging of the two areas into one is expected to be finalized by the end of February 2016.

A number of issues contributed to the need for consolidation. The Aroostook /Washington area is characterized by very low population densities across its vast geographical area, and funding levels far lower than for the three other local areas. Despite lower funding, the Aroostook /Washington area had the full burden of performing the required administrative activities. The administrative financial burden created difficulties at the outset of WIA and resulted in a change of fiscal agents from the County of Aroostook to the Northern Maine Development Commission (NMDC). Funding issues for the Local Area continued under NMDC. The Tri-County WIB was in the process of identifying a new fiscal agent for their area and the Chief Elected Officials (CEOs) of Aroostook/Washington and Tri-County entered into an agreement with Northern Maine Development Commission to act as the fiscal agent for both Local Areas. This was intended to create savings, but because the two local areas had not merged, each had the burden of conducting administration of funds separately, which actually continued to require duplicate accounting, duplicate service agreements, duplicate monitoring, fiscal evaluations and audits. In essence the expected savings did not materialize and other financial issues emerged that placed both local areas in high-risk status.

A series of meetings between the Fiscal Agent, CEOs, Local Board staff (Chairs/Director) and leads from the Maine Departments of Labor and Administrative and Financial Services ensued. Between October 2014 to the January 2016 over forty formal meetings and conference calls occurred to discuss consolidation of the two local areas. The discussion on consolidation also took place with each local board both during full meetings and with executive committee members alone. Also during this time, the Tri-County WIB had designated Penobscot County as its new fiscal agent.

Each of the four Local Areas submitted requests for initial designation under WIOA, but the Aroostook/Washington WIB and the Tri-County WIB rescinded their request and submitted a new request to be designated as a single local area under a new fiscal agent. Once all funds are cleared with the North-

⁴ Federal Register Vol. 80, No. 73, Book 2 of 2 Books, Page 20702, US Department of Labor Employment and Training Administration, 20 CFR Parts 601, 651, 652

ern Maine Development Commission, all funds for the new consolidated five-county area will be transferred to Penobscot County which will act as fiscal agent for the new Local Area. The requirements for Local Area Designation are more fully delineated in [Appendix V](#).

Modification 2018: The consolidation of four local areas into three as proposed above was successful, the three local areas are named:

- Northeastern WDB which consists of Aroostook, Hancock, Penobscot, Piscataquis, and Washington Counties;
- Central Western Maine WDB which consists of Androscoggin, Franklin, Kennebec, Oxford, and Somerset Counties; and
- Coastal Counties WDB which consists of Cumberland, Knox, Lincoln, Sagadahoc, Waldo and York Counties.

WORKFORCE DEVELOPMENT, EDUCATION AND TRAINING ACTIVITIES ANALYSIS

Maine has a variety of programs and activities to address the skilled workforce needs of employers that focus on developing the skill, abilities and credentials of the population, including those with barriers to employment. The aggregate public investment in these activities is significant, totaling more than \$500 million. Developing greater levels of coordination and alignment among these programs is an integral component of this Unified Plan and essential to navigating Maine's many workforce development challenges.

The following tables provide an analysis of Maine's workforce development, education and training activities that receive regular public funding.^{5 6} For the purposes of this analysis, programs and activities are grouped into four categories: WIOA core partner programs, other publicly funded employment & training programs, other publicly funded education programs, and additional programs.

WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) CORE PARTNER PROGRAMS

The WIOA core partner programs: adult, dislocated worker and youth programs; Wagner-Peyser; vocational rehabilitation, and adult and basic education served more than 90,000 participants and represented \$55.4 million in public investment (58 percent of which was federal, 24 percent state and 18 percent local funds) in fiscal year 2014. This information is displayed in Table 4, below.

The Maine Department of Labor (MDOL) administers the adult, dislocated worker and youth programs. In program year 2013, 832 adults, 713 unemployed workers and 822 youth were served by these programs. On average, 82 percent found jobs. MDOL also provides employment services through the one-stop delivery system and job bank, which are part of the Wagner-Peyser funded programs. In the

⁵ These tables do not include public investments in K-12 education (although secondary CTE is included), nor does this analysis represent a comprehensive view of Department of Health and Human Services training programs.

⁶ Funding levels vary with a range of factors and are subject to yearly change, and allowable expenditures are governed by federal and state laws and policies.

same year, more than 75,000 individuals registered with the Maine Job Link and employers posted 52,146 job openings.

Maine's Bureau of Rehabilitation Services (VR) works to bring about full access to employment, independence and community integration for people with disabilities. While under the oversight of the U.S. Department of Education, Maine's Bureau operates within the offices of Maine Department of Labor. The co-location of VR and employment services offers greater opportunities for aligning programs and services. In FY'14, VR served 4,591 new applicants and 6,118 individuals had employment plans for program enrollment.

Maine Adult Education is part of the Maine Department of Education. Service providers are housed within 76 local school districts throughout the state allowing them to offer programming and services throughout the state. In FY15 over 14,000 individuals participated in academic programming, with more than 30 percent participating in multiple adult education programs: High School Completion, Workforce Training, and College Transitions. Of those, 5,730 participated in federal programs directly linked to high school equivalency completion, entering employment, and entering postsecondary.

Over 35,000 people also participated in lifelong learning classes such as health and wellness, political awareness, personal finances, and other community enriching courses.

Maine's Unified Plan emphasizes greater levels of integration, alignment and coordination among core programs and one-stop partners. As part of this initiative, Maine is currently piloting five integrated education and training (IET) pilots. IET is a proven training model that enhances learning comprehension by integrating classroom and occupation training and often compresses learning time frames. Based on identified local workforce needs, the pilot projects were developed with extensive employer engagement, as well as the involvement of support service providers and a variety of educational institutions. Maine Adult Education is playing the lead role in the delivery of these projects, but each partner has an appropriate role to play. Participants, many of whom are receiving public assistance, are being prepared for actual unfilled positions with local employers. Pilot projects are currently being delivered in northern Maine, Lewiston, St. John Valley, Western Maine and Bucksport/Ellsworth areas.

TABLE 5: STATE WORKFORCE CAPACITY--CORE PROGRAMS

Maine's Public Sector Investment in Workforce Development			
WIOA Core Partner Programs			
Program	SFY14 Funding (\$ millions)	Over-seeing Agency	Program Description
Workforce Innovation and Opportunity Act (WIOA) Title I	\$9.1	MDOL	WIA served the training, education and employment needs of adults, dislocated workers and youth. The Workforce Innovation and Opportunity Act (WIOA) supersedes WIA, and went into effect beginning July 2015. WIOA is designed to help job seekers access employment, education, training, and

Federal	\$9.1		support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. In the state fiscal year (SFY) 2014, 832 adults, 713 unemployed workers and 822 youth were served; on average 82% found jobs.
Wagner-Peyser	\$3.6		
Federal	\$3.6	MDOL	The Wagner-Peyser Act of 1933 established a nationwide system of public employment offices known as the Employment Service. The Act was amended in 1998 to make the Employment Service part of the One-stop services delivery system. The One-stop delivery system provides universal access to an integrated array of labor exchange services so that workers, job seekers and businesses can find the services they need in one stop and frequently under one roof in easy-to-find locations. In SFY 2014, 75,057 individuals registered with the Maine Job Link and employers posted 52,146 job openings.
Rehabilitation Services	\$25.3		
Federal	\$17.9	US DOE but operates within MDOL offices	The Bureau of Rehabilitation Services provides a range of independent living and employment services for people with disabilities: The Division of Vocational Rehabilitation helps individuals with a range of disabling conditions to achieve or retain employment; The Division for the Blind and Visually Impaired provides services to individuals who are blind or have low vision; and the Division for the Deaf, Hard of Hearing and Late Deafened assists individuals with hearing impairments. During FY 2014, VR served 4,591 new applicants and 6,118 individuals had employment plans for program enrollment.
State	\$7.1		
Other	\$0.3		
Adult Education	\$17.5		
Federal	\$1.7	MDOE	Maine Adult Education promotes programs that help American adults get the foundational skills they need to be educated and productive workers, family members, and citizens. The major areas of instruction and support are Adult Basic Education, Adult Secondary Education (high school completion), English Language Acquisition, College Transition and Workforce Training. These programs emphasize foundational skills such as reading, writing, math, English language competency, career awareness and exploration, workforce training, and problem-solving. In FY15, adult education served 14,208 adults in academic and workforce programs, including 5,730 participants in federal funded programs. An additional 36,461 adults participated in self-sustaining personal enrichment courses.
State	\$6.1		
Other	\$9.7		
Federal	\$32.2	58%	
State	\$13.2	24%	
Other	\$10.0	18%	
Total Core Programs	\$55.4		

OTHER PUBLICLY FUNDED EMPLOYMENT & TRAINING PROGRAMS⁷

A wide range of employment and training activities in Maine occur outside the core programs, and many of these activities are described in Table 5, below. These programs are supported by \$34 million in public funding (see Table 5) and deliver employment and job training services to a variety of population groups including veterans, dislocated workers, youth, and individuals with skill deficiencies

⁷ The analysis of programs is based on, “Maine’s Public Sector Investment in Workforce Development”, an asset map of public investment in education and training activities in Maine developed by the State Workforce Development Board. The asset map highlights the scope of Maine’s workforce development system. The information includes most, but not all, workforce development programs. Discretionary grants and investments in training activities by employers and unions are not included. In addition, the information does not represent a comprehensive view of DHHS training activities nor is overall K-12 education funding included.

and other barriers to employment. Programs are accessible through Maine's One-stop Center Network administered by Local Boards in three regions.

In addition to the programs displayed in Table 5, a variety of other employment and training activities are funded through discretionary grant awards to the State of Maine. Such grants include, but are not limited to H1B grants, Youth Build and Trade Adjustment Assistance Community College Training (TAACT) grants.

TABLE 6: OTHER PUBLICLY FUNDED EMPLOYMENT & TRAINING PROGRAMS

Maine's Public Sector Investment in Workforce Development			
Other Publicly Funded Employment & Training Programs			
Program	SFY14 Funding (\$ mil-lions)	Oversee-ing Agency	Program Description
Jobs for Veterans State Grant (JVSG) Federal	\$0.9 \$0.9	MDOL	Jobs for Veterans State Grant funds are allocated to State Workforce Agencies from the Department of Labor's Veterans' Employment and Training Service (VETS) in direct proportion to the number of veterans seeking employment within their state. The grants support two principal staff positions: Disabled Veterans' Outreach Program Specialists and Local Veterans' Employment Representatives. This grant provides funds to exclusively serve veterans, other eligible persons and, indirectly, employers.
Trade Adjustment Assistance (TAA) Federal	\$2.8 \$2.8	MDOL	The Trade Adjustment Assistance Program is a federal program that provides a path for employment growth and opportunity through aid to US workers who have lost their jobs as a result of foreign trade. The TAA program seeks to provide these trade-affected workers with opportunities to obtain the skills, resources, and support they need to become reemployed.
Work Opportunity Tax Credit (WOTC) Federal	\$0.1 \$0.1	MDOL	The Work Opportunity Tax Credit is a Federal tax credit available to employers for hiring individuals from certain target groups who have consistently faced significant barriers to employment.
ReEmployment Services & Eligibility Assessment (RESEA) Federal	\$1.5 \$1.5	MDOL	The ReEmployment Services and Eligibility Assessment (RESEA) program assists unemployed workers to return to work more quickly by delivering and services to those claimants profiled as "most likely to exhaust" and all transitioning veterans receiving Unemployment compensation. Targeted claimants will be provided relevant reemployment services and Eligibility Review Interviews. Services will be delivered through group workshops and one-on-one meetings.
CareerCenter General Funds State	\$0.5 \$0.5	MDOL	The Maine CareerCenter provides a variety of employment and training services at no charge for Maine workers and businesses.
Competitive Skills Scholarship Program (CSSP) State	\$3.3 \$3.3	MDOL	The Competitive Skills Scholarship helps workers learn new skills and succeed in a changing economy. The program is open to all qualified Maine residents and pays for education and training for high wage jobs in demand in Maine. The number of new CSSP applicants accepted into the program each year is based on available funding and allocated by county.
Maine Apprenticeship Program	\$0.5	MDOL	Helps mobilize Maine's workforce with structured, on-the-job learning in traditional industries such as construction and manufacturing,

State	\$0.5		as well as new emerging industries such as health care, information technology, energy, telecommunications and more. Registered Apprenticeship connects job seekers looking to learn new skills with employers looking for qualified workers, resulting in a workforce with industry-driven training and employers with a competitive edge.
National Emergency Grants (NEGs)* Federal	\$0.8 \$0.8	MDOL	National Emergency Grants (NEGs) temporarily expand the service capacity of Workforce Investment Act Dislocated Worker training and employment programs at the state and local levels by providing funding assistance in response to large, unexpected economic events which cause significant job losses. NEGs generally provide resources to states and local workforce development boards to quickly reemploy laid-off workers by offering training to increase occupational skills.
Penobscot Job Corps Center Federal	\$9.4 \$9.4	Boston Regional Office of Job Corps	Job Corps is a no-cost education and career technical training program administered by the U.S. Department of Labor that helps young people ages 16 through 24 improve the quality of their lives through career technical and academic training. The Job Corps program is authorized by Title I-C of the Workforce Investment Act of 1998. The Penobscot Job Corps Center is operated by Career Systems Development Corporation for the U.S. Department of Labor.
Loring Job Corps Federal	\$9.5 \$9.5	Boston Regional Office of Job Corps	Job Corps is a no-cost education and career technical training program administered by the U.S. Department of Labor that helps young people ages 16 through 24 improve the quality of their lives through career technical and academic training. The Job Corps program is authorized by Title I-C of the Workforce Investment Act of 1998. The Loring Job Corps center is operated by Career Systems Development Corporation for the U.S. Department of Labor.
Maine Conservation Corps (MCC) Federal State Other	\$1.0 \$0.2 \$0.1 \$0.7	Maine Department of Agriculture, Conservation and Forestry	MCC's mission is to accomplish conservation projects, create conservation employment, provide conservation education, and engage conservation volunteers. The Community Leader Program harnesses and expands upon the skills of Maine veterans. The Environmental Steward Program matches individuals with non-profits, state or federal agencies to increase organizational volunteer capacity and aid in the development and implementation of host sites land management plans. The Field Team Program consists of trail crews that construct and rehabilitate sustainable trails.
New Ventures Maine Federal State Other	\$1.5 \$0.3 \$0.8 \$0.4	UMA/UMS	New Ventures Maine is the only statewide organization offering skills development and support in the areas of career planning, entrepreneurship and financial management. For Mainers in both life and career transitions, it provides an empowering environment for participants to define and achieve their goals. New Ventures Maine helps individuals recognize strengths, overcome barriers, find resources, develop a plan, take action towards their goals: start a business, find a career, return to school, build assets, be active in the community.
Senior Community Service Employment Program (SCSEP) Federal	\$2.0 \$2.0	USDOL	Senior Community Service Employment Program (SCSEP) is a community service and work based training program for unemployed, low-income persons over the age of 55 with significant barriers to employment. Authorized by the Older Americans Act (Title V), the program provides subsidized, service-based training by placing participants in non-profit and public facilities. Participants are also able to participate in workshops such as self-esteem improvement and resume writing. Individuals train for an average of 20 hours per week and receive a minimum wage level stipend. The community service training serves as a bridge to unsubsidized employment opportunities; SCSEP's goal is to place at least 58% percent of its Maine participants into unsubsidized employment annually.
Federal	\$27.5		
State	\$5.2		
Other	\$1.1		

Total non-core E&T	\$33.8		

**Program funding is sporadic.*

OTHER PUBLICLY FUNDED EDUCATION PROGRAMS

In addition to the core partner programs and other employment and training programs, the University of Maine System, the Maine Community College System, Maine's Career and Technical Education (CTE) and Maine Quality Centers provide education programs to prepare participants for success in careers and the workforce. As shown in Table 6, below, these programs represent more than \$400 million in annual public funding, three fourths of which are state funds.

With seven campuses and annual enrollment of more than 40,000, the University of Maine System represents a foundational component of the state's postsecondary education system. The University System offers associate, bachelor, master, and doctoral degrees as well as a selection of specialized undergraduate and graduate certificates.

Maine's network of seven community colleges has a combined enrollment of more than 18,000. The System offers certificate, diploma and associate degree programs directed at the educational, occupational and technical needs of Maine residents as well as the workforce needs of employers. The goals of the System are to create an educated, skilled and adaptable labor force responsive to the changing needs of the economy, and to promote local, regional and statewide economic development.

The mission of Maine's CTE program is to ensure that students acquire the high-quality technical skills that will prepare them for postsecondary education, entry into an ever-changing workplace and society, and meet the rigorous academic standards of Maine's Learning Results. Students benefit from this integrated system of academic and applied learning.

Maine Quality Centers (MQC) provide customized workforce training grants to employers who are either seeking to locate or expand their operations in Maine or who are interested in providing training to their incumbent workers. Training programs are coordinated and delivered through Maine's seven community colleges, and other service and training providers as needed.

Addressing the workforce development challenges that confront Maine will require coordination and partnership across employment and training programs and education institutions, as well as a commitment to measuring the employment outcomes of program participants. Recognizing the need for greater levels of alignment, the University of Maine System, Maine Community College System and the Maine Department of Labor (MDOL) formed a data sharing partnership to evaluate the employment outcomes of college students. As part of this relationship, the university and community colleges send student records to MDOL where these records are matched with their corresponding wage records. MDOL then determines the employment and wage outcomes by credential and area of study and school. These efforts, which have been funded by grants from the U.S. DOL and Maine Department of Education, have resulted in the development of Maine's Workforce Longitudinal Data System. This system has since expanded to include Adult Education and Vocational Rehabilitation programs. Maine's Workforce Longitudinal Data System is expected to play an integral role in measuring and providing outcomes information that drives program evaluation and policy decisions.

Table 7: Other Publicly Funded Education Programs

Maine's Public Sector Investment in Workforce Development			
Other Publicly Funded Education Programs			
Program	SFY14 Funding (\$ mil-lions)	Over-seeing Agency	Program Description
Career and Technical Education (secondary)	\$21.0	MDOE	As part of the Maine Department of Education's ongoing commitment to support all learners, Maine Career and Technical Education (CTE) aims to ensure that students acquire the high-quality, industry-recognized technical skills and related academic standards that will prepare them for postsecondary education and entry into an ever-changing workplace and society.
Federal	\$2.0		
State	\$19.0		
University of Maine System (UMS)	\$314.2	UMS	The University of Maine System offers associates, bachelors, masters and doctoral degrees (including the JD degree) as well as a selection of specialized undergraduate and graduate certificates. The UMS features seven universities — some with multiple campuses—located across the state, as well as eight University College outreach centers, a law school, an additional 31 course sites, and Cooperative Extension. It has an annual enrollment of nearly 40,000 students and serves over 500,000 individuals annually through educational and cultural offerings.
Federal	\$54.5		
State	\$230.9		
Other	\$28.8		
Maine Community College System (MCCS)	\$74.9	MCCS	The mission of the Maine Community College System is to provide associate degree, diploma and certificate programs directed at the educational, occupational and technical needs of the State's citizens and the workforce needs of the State's employers. The primary goals of the System are to create an educated, skilled and adaptable labor force which is responsive to the changing needs of the economy of the State and to promote local, regional and statewide economic development. 18,164 enrolled in the fall of 2014.
Federal	\$8.6		
State	\$62.9		
Other	\$3.5		
Maine Quality Centers	\$0.9	MCCS	The Maine Quality Centers (MQC) program funds customized workforce training delivered through Maine's seven community colleges. MQC grants are available to fund pre-hire, post-hire and incumbent worker training. The program is designed to ensure that Maine businesses have the qualified workers they need to succeed. Grants limits for incumbent worker training are based on company size. Employers with 1-50 employees may apply for 100% funding. Employers with 51-100 employees may apply for 75% funding, with a 25% company match. Employers with 101+ employees may apply for 50% funding, with a 50% company match. Other customized training is provided at no cost to either the business or trainee.
State	\$0.9		
Federal	\$65	16%	
State	\$314	76%	
Other	\$32	8%	
Total Education	\$411		

ADDITIONAL PUBLICLY FUNDED PROGRAMS

The State Correctional System, Maine Manufacturing Extension Partnership, Additional Support for People in Retraining and Employment (ASPIRE) and Food Supplement Employment & Training programs provide workforce development activities to inmates, manufacturing employers and low income adults. Details of these programs are provided below. Please note that the following table does

not represent all publicly funded DHHS programs for employment supports with individuals with significant disabilities.

TABLE 8: ADDITIONALLY PUBLICLY FUNDED PROGRAMS

Maine's Public Sector Investment in Workforce Development			
Additional Publicly Funded Programs			
Program	SFY14 Funding (\$ mil-lions)	Overseeing Agency	Program Description
State Correc-tional System	\$5.4	MDOC	Provides programs and services to reduce the likelihood of reoffending.
Federal	\$0.4		
State	\$3.5		
Other	\$1.5		
Maine Manu-facturing Ex-tension Part-nership	\$1.2	U.S. Dept. of Commerce***	Leverages a vast array of public and private resources and services that are available to every manufacturing enterprise in Maine. The nationwide sys-tem of MEP centers is linked through the U.S. Department of Commerce - National Institute of Standards and Technology (NIST), with the common goal to strengthen the global competitiveness of U.S. manufacturers. MEP's mission is to become the state's premier provider of growth-based solu-tions for Maine's small and medium sized manufacturers; and its vision is to create profitable growth opportunities for Maine's small and medium sized manufacturers by helping them become more efficient, productive and globally competitive.
Federal	\$0.7		
State	\$0.4		
Other	\$0.1		
Additional Support for People in Re-training and Employment (ASPIRE)	\$15.8	DHHS	Maine's Department of Health and Human Services ASPIRE Program (Ad-ditional Support for People in Retraining and Employment) is the training and employment program that serves TANF (Temporary Assistance for Needy Families) adults in developing individualized employment plans and provides supports which lead to successful transition to employment.
Federal	\$8.2		
State	\$7.6		
Food Supple-ment Employ-ment & Train-ing (FSET)	\$0.6	DHHS	Maine Department of Health and Human Services (DHHS) administers Maine's Supplemental Nutritional Assistance Program (SNAP), including SNAP Employment and Training (E&T) Activities. DHHS partners with Maine Department of Labor (MDOL), which conducts employment and training (E&T) activities at Career Centers. Maine's E&T program is known as the Food Supplement Employment and Training (FSET) Program.
Federal	\$0.5		
State	\$0.1		
Federal	\$10		
State	\$12		
Other	\$2		
Total Other	\$23		

***NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY, HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP (NIST MEP)

STRENGTHS AND WEAKNESSES OF WORKFORCE DEVELOPMENT ACTIVITIES

Strengths and weaknesses of Maine's workforce development activities are discussed below. These attributes and characteristics reflect the views of the core partners and the WIOA Steering Committee.

Strengths:

- Commitment and willingness among the core partners and other stakeholders to build a better workforce development system—directors of the core programs have been meeting at least monthly throughout 2015 to collaborate on the development of an integrated, performance-based employment and training system. While the process has had many challenges, the partners have remained steadfast in their willingness to collaborate in creating solutions that benefit customers. This commitment to bring the shared vision to fruition is foundational to the repositioning of Maine's WDS.
- Quality of service, programs and operations—following several years of each agency striving to improve its core services, the core programs are now soundly positioned to affect change. This is reflected in recent operational successes. The Adult Education and Workforce Systems both exceeded performance and were recently awarded an incentive grant award; while Vocational Rehabilitation has eliminated a persistent backlog of unserved participants through better planning and re-focusing on the fundamentals of the business.
- Accessibility to stakeholders, business leaders and key decision makers—collaboration and partnering are core strengths of Maine's WDS activities. Maine's close-knit workforce development communities foster an environment where business relationships can be easily maintained, resources mobilized quickly and access to key decision makers is abundant. This is a state with relatively little bureaucracy, which fosters access to decision makers and resources.

Weaknesses:

- Maine's large geographic size and dispersed population present barriers to the efficient delivery of services. As noted in the economic analysis section of this plan, jobs that were once abundant in the state's outlying areas have disappeared, leaving many communities in a state of economic hardship, with above average unemployment rates and scores of individuals in need of retraining and employment services. Delivering services to these rural areas is a challenge. Moreover, limited public transportation networks make it difficult for many, including those with barriers, to access employment opportunities.
- Lack of coordination, communication and alignment within the WDS. Maine has a variety of workforce development, education and training activities occurring within the state, but these programs and activities are typically governed by different federal agencies. This often results in a lack of coordination and alignment among workforce development programs. Maine is taking steps to better coordinate activities, starting with the creation of a statewide vision and goals for the WDS.
- Data—virtually all stakeholders recognize the importance of using valid and reliable information to drive decision making, program evaluation and to support policy initiatives. Unfortunately, the core partners are currently working with three separate and discreet

Management Information Systems. The realities of current financial constraints leave the state without the means to develop a system for integrating data.

- Maine has limited financial resources to address its many workforce development challenges. Under WIA, and now WIOA, federal program funds are allocated to states based on population size. Within these federal funds the allowable allocation for program administration has always been capped at 5 percent of the total. As a result, less populous states such as Maine have substantially lower levels of funding to cover the fixed costs and required administrative activities in order to be in compliance.

STATE WORKFORCE DEVELOPMENT CAPACITY

The range of workforce development programs and activities previously described represent a significant investment of both human and capital resources into Maine's workforce development system. Since 1998 when the Workforce Investment Act (WIA) was passed, the State has made concerted efforts to increase interagency collaboration to better coordinate federal employment services and training for adults, dislocated workers and youth, and adult education, as well as create additional access points for vocational rehabilitation services. These activities resulted in a developed network of physical assets, including strategically located one-stop affiliate centers; seven community colleges and seven University of Maine campuses. In addition, Maine's workforce development system includes 76 local Adult and Basic Education sites across the state.

Though the workforce system has made improvements since the passage of WIA there is a recognized need to increase capacity. The goal over the next four years is to establish access to all workforce system services regardless of where the individual client or employer is located. To reach this goal, the following steps will be taken:

- Expand ability of all partners in the network to inform clients of workforce system services. This will be the result of extensive cross-training.
- Assess the ability to increase access. The Adult Education System will work with Local Boards in the three regions and the one-stop operators to assess the ability to increase access to the one-stop system. For example, a number of adult education programs may be made available as itinerant sites to provide basic career services. This action can greatly expand the number and proximity of access points of contact for both employers and clients.
- Expand the use of technology. Given Maine's vast geographic size, it cannot be assumed that all who need to travel to the current comprehensive and affiliate sites are able to do so. To address the barriers of geography, childcare, transportation and schedules that many people face, services will be available digitally. These services will include up-to-date and comprehensive employment and training websites with links to partner websites. In addition, resources will be accessible through the use of videoconferencing and live chat.

STRATEGIC VISION AND GOALS

During May and June of 2015, a group of 60 workforce stakeholders, including administrators of the core programs, workforce developers, educators, advocates, and policy makers, convened for three full days to discuss the State's workforce development system (WDS) and to create a vision for a bright future.

Discussion centered on what success will look like for Maine's WDS in five to ten years and what will need to occur in order to make the vision a reality. A broad range of ideas were shared; many were challenged and some honed. Ultimately, it was discovered that participants shared many of the same ideals. From this unity arose a vision for Maine's WDS. The resulting vision addresses the requirements of WIOA and creates a meaningful plan for the future.

MAINE'S STRATEGIC VISION FOR 2020

Maine leads in talent, technology and innovation, attracting investment from all over the world. We partner strategically to compete globally. Our renowned work ethic, culture, and innovative approach to learning and working meet the needs of the global economy; creating a strong sense of community and quality of life. As a result, Maine's economy and communities are thriving.

Maine's economy is fueled by an education system which is inclusive and meets the needs of diverse learners. Through partnership with industries and the workforce development system, Maine workers are continuously well prepared with the skills necessary to succeed in current and future careers.

The Maine workforce development system is a highly visible, easily-accessed network of programs and activities designed to increase the employment, retention and earnings of Maine workers. It is data and demand driven, providing multiple points of seamless entry and service for job seekers and workers requiring help to obtain, maintain and advance employment. It supports the attainment of recognized credentials, which result in an improved quality of the workforce, meets the skill requirements of employers, and enhances the productivity and competitiveness of Maine.

GOALS

Maine will have an educated and skilled workforce that meets the needs of employers.

PERFORMANCE GOALS

Maine's federally required performance measures may be found in [Appendix VI](#).

ASSESSMENT

The Steering Committee will conduct an annual assessment regarding the state's progress in implementing this plan. The assessment will review progress, obstacles and necessary changes in course of action. In addition, the State will assess the overall effectiveness of the workforce development system as described below.

Maine's Workforce Longitudinal Data System may play an integral role in measuring long-term participant outcomes and in providing information that drives program evaluation and policy decisions. The system is designed to measure wage and employment outcomes of program participants by credential and program. A range of programs are currently part of the data sharing partnership, and additional partners will be added. Current partners include Maine's Community Colleges, the University of Maine System, Adult Education, Vocational Rehabilitation programs and MDOL.

Defining Industry Recognized Credentials and measuring the attainment of these credentials will also be an important aspect for assessing progress. Once credentials are defined and data sharing partnerships arranged, the Maine Workforce Longitudinal Data System may be used to measure the employment outcomes of participants earning these awards.

Maine will also utilize control group studies to assess performance, as described below.

Maine's economic analysis states that the majority of jobs that are projected to grow in Maine will require postsecondary education and training. Maine has utilized Individual Training Accounts (ITAs) to support WIA participant attainment of traditional two and four year college degrees. However, WIOA strongly emphasizes employer-based workforce preparation and promotes new education alliances intended to limit duplication of services and to increase the engagement of employers in developing standards and articulating pathways workers can take to attain entry to upper level skills.

Selecting a pool of individuals who successfully completed training during PY15, the state will analyze and compare the long-term employment and earnings outcomes of participants enrolled in employer-based training, (*On-the-Job Training, Registered Apprenticeship, Customized Training, or employer-funded certificate training*) with the outcomes of participants enrolled in traditional two or four year college degree or certificate programs.

Information used to evaluate the outcomes of each of the participant groups will include the costs borne by the WIOA programs, as follows:

- Full-cost of the formal component of participant training:
 - o For college bound trainees: tuition, fees, books, remedial or pre-requisite courses and other charges of the educational institution;
 - o For employer-based trainees: OJT wages, cost of any related classroom training or instruction, cost of customized training funded by WIOA;
 - o Full cost of supportive services funded for the full term of the training program.
 - o Percentage of staff time directly supporting the participant from the point of program entry to successful completion of training and including any follow-up services;
 - o Full amount and type of non-WIOA funds leveraged, such as: PELL, scholarships, individual contributions and employer wage and classroom cost match, including costs of employee benefits paid to participants while in training, if any.

Additional aspects that will be evaluated for each participant will include:

- Industry for which trainee was prepared;
- Length of time in formal training (program/OJT start to program/OJT end date);

- Length of time from completion of training to attainment of employment;
- Whether or not the training included both an experiential and academic component;
- Whether or not trainee attained a portable credential, degree, diploma, license or will attain a portable credential, such as a certificate of apprenticeship;
- Wages at second quarter after exit;
- Wages at sixth quarter after exit; and
- Wages at tenth quarter after exit.

In addition to participant analysis, employers offering the work-based training will be surveyed regarding their perspectives on the value and effectiveness of this approach. Employers will be asked to provide their input regarding the overall success of employees they hire just out of college with those they have hired and trained through WIOA supported work-based training. This input will be used to inform service providers who are developing work-based training programs for employers and participants.

Participants with similar socio-economic backgrounds and academic levels at entry will be randomly selected from across the state, using data captured through formal intake and assessment.

Because it is assumed that the number of employer-based training approaches will increase under WIOA, additional comparison cohort groups will be selected each year through PY17.

Data accumulated will be analyzed at the end of each program year and in total at the end of PY20. A report comparing the long-term employment and earnings outcomes of each of the two participant cohorts of the study will be produced. Results of the evaluation will be used to inform workforce development service providers and employers about the benefits and/or pitfalls of each of the approaches and to improve the practices involved with each of the approaches, including the following:

- Initial and ongoing involvement of the employer or industry for which employees from both cohorts are being educated and trained;
- Processes used to prepare and support participants throughout their preparation for training, training, and subsequent employment;
- Formulas for greatest return on investment and cost efficiencies identified;
- Level of relevance to the employer for each training approach;
- Level of skill quality produced as identified in earnings and employment of each approach
- Amount of non-WIOA funds leveraged with each approach;
- Overall lessons learned based on the findings including strengths and weaknesses of each approach for both the employer and the worker.

STATE STRATEGIES

Stakeholders of the WDS and state agencies with responsibility for the administration of core programs developed six strategic objectives to achieve the state's vision and goals. These strategies reflect Maine's unique economic, workforce, and workforce development characteristics; focus on delivering greater value to customers of the WDS; and target opportunities for greater alignment among programs and increased system-wide efficiencies. Maine's strategic objectives are discussed below and more fully elaborated on in the operating plan section of this document.

1. STRATEGIC OBJECTIVE: INCREASE THE RELEVANCE OF THE WDS TO EMPLOYERS

Creating a demand driven WDS is central to achieving Maine's vision of developing a more productive and competitive economy. For the economy to flourish, employers must have a ready supply of capable and skilled workers. To this end, Maine's strategic objectives begin with the recognition that the system must do a better job of assessing—and satisfying—the workforce and skill needs of businesses.

Developing and sustaining close relationships with employers is essential to increasing the value-add that the workforce system provides. Maine's Unified Plan focuses on developing and implementing a systematic approach to **1)** engaging employers; **2)** identifying and prioritizing employer needs, including current and projected skilled workforce needs by region; **3)** responding to employers with the appropriate resources and strategies; and **4)** creating a continuous feedback loop to ensure existing needs have been met and/or if new needs have emerged.

The establishment of broader and deeper sector partnerships will enable the WDS to develop a pipeline of workers in high growth, high demand fields, thereby reducing apparent skill-gaps and the time to fill positions.

2. STRATEGIC OBJECTIVE: PRODUCE AN EDUCATED AND SKILLED WORKFORCE

The success of Maine's economy will ultimately be determined by the strength and quality of its workforce. As part of this Unified Plan, Maine will build its workforce through a multi-faceted approach that includes developing career pathways that lead to in-demand jobs. To mitigate barriers to employment, the WDS will coordinate and align activities that will build the foundational skills of workers and individuals; improve the transitions between education and employment; foster greater occupational awareness; define certifications and industry recognized credentials; and develop a systematic means for the state to measure, gather and aggregate credential attainment and skill development.

3. STRATEGIC OBJECTIVE: ALIGN THE STATE'S COMMITMENT AND INVESTMENT IN MAINE'S WORKFORCE

Developing a high quality workforce—one that is globally competitive and continuously well prepared to succeed in current and future careers—will require the commitment and alignment of resources that extend beyond the public workforce system. For Maine to lead in talent, technology and innovation, all

stakeholders—employers, policy makers, legislators, and a myriad of other stakeholders—must be invested in the process and outcome.

Maine’s Plan solidifies and aligns these resources and investments. Maine’s State Board, which is comprised of all system partners and stakeholders, is focused on aligning resources to create a world-class workforce. The Board will work closely with policy makers to ensure that workforce development is the express priority in language and deed of the executive and legislative branches during the first session of the 128th legislature and each succeeding. Employers will be proactively engaged to more fully participate in and support workforce development. A Maine grant and resource collaborative will be established to leverage resources on behalf of shared customers and goals.

4. STRATEGIC OBJECTIVE: INCREASE WDS OPERATIONAL EFFECTIVENESS

Creating a workforce development system that is accessible, data and demand driven, and focused on enhancing the skills and credentials of Maine workers will require a more streamlined way of doing business. As a large geographic state with unique demographics and very limited resources, the workforce development system must be nimble, efficient and effective to meet the needs of current and future employers. Working together, the core partners are committed to aligning and integrating their systems to ensure optimal access for Maine’s workforce and employers. Initiatives will be pursued that improve customer navigation, data sharing, and continuous improvement through evaluation, accountability, and data driven decision making.

To achieve this objective, the core programs will employ a range of strategies that focus on alignment and integration of systems, services and operations.

Specifically, Maine will:

- **Seek to create a free exchange of data** among workforce development programs and core partners. Removing barriers to interagency data sharing will create enhanced opportunities for program evaluation, a key element in creating an environment of continuous improvement through evaluation, accountability, identification of best practices and data driven decision making.
- **Focus on increased integration** of core partner services at one-stop centers—Core partners have agreed on principles for assessment, common intake and individual service plans. An investment in front-end software will be made to accommodate common intake registration and universal access.
- **Make participant navigation easier**—Programs will be aligned so that they are more user friendly and accessible to all participants.
- **Invest in professional development**—Across the core programs and workforce development system.
- **Integrate and align systems** to create universal design to ensure optimal access for all.

5. STRATEGIC OBJECTIVE: GROW AND DIVERSIFY MAINE'S WORKFORCE THROUGH IMPROVED ACCESS AND ENGAGEMENT

Following decades of expansion, Maine's population and workforce are no longer growing. A contracting workforce acts as a drag on economic growth—it impacts how fast the economy can grow, the number of new jobs created, the ability of businesses to find and hire workers, and the attractiveness of Maine to businesses looking to expand operations. Ultimately, a declining population reduces the state's economic competitiveness. It also highlights the importance of ensuring younger workers have the skills and credentials necessary to replace those who are retiring.

To arrest declines in the workforce, Maine is developing practical solutions to reversing these demographic trends. Strategies will target disenfranchised populations, discouraged workers and previously untapped labor pools. The credentialing of foreign trained workers will be streamlined and outreach programs to service members and veterans will be extended. Pathways to quality, in-demand jobs will be created for all Mainers. Maine will also more aggressively seek to attract educated and trained workers to the state.

6. STRATEGIC OBJECTIVE: CREATE AND ALIGN OUR OUTREACH AND COMMUNICATIONS TO ACHIEVE THE VISION

Achieving Maine's vision and goals will require buy-in from employers, residents and stakeholders of the workforce development, education and training systems. As such, the state plan includes the development of a comprehensive communications strategy to ensure that the vision and goals are communicated in a coordinated fashion—both internally and externally.

Outreach and communications will include promotion of Maine's talent, technology and innovation to attract new business; ensure awareness of available services and how to access them; quickly bring new legislators and administrators up-to-date on the WDS; build and maintain active outreach to employers; and increase outreach to underserved communities.

STRATEGIES USED TO ALIGN THE CORE PROGRAMS AND STRENGTHEN WORKFORCE DEVELOPMENT ACTIVITIES

In December 2014, Maine's core partners began meeting to discuss the alignment of programs under WIOA. At the outset, all partners were 'at the table' and committed to the process of rethinking how the delivery of WDS services could be improved through integration and realignment of resources. One year and countless meetings later, the commitment among Maine's core partners to system improvement has remained steadfast.

Underlying the strategies that Maine has and is utilizing to align programs and achieve integrated customer services is:

- The recognition by core partners and system administrators that effective workforce development is critical to Maine's economic vitality;

- The recognition that for realignment to be effective, the process must be inclusive and result in greater coordination and alignment of workforce development, education and training activities.

Accordingly, the State's core programs adopted a three-fold strategy for aligning programs:

Stage 1: Convene stakeholders and establish a vision, goals and strategies— During Spring 2015, the State Board convened a broad group of workforce stakeholders, including administrators of the core programs, workforce developers, educators, policy makers, and representatives from State Board committees and councils for three full days to discuss the workforce development system and to create a vision for a bright Maine future. Participants discussed the economic, demographic and system challenges that may impede system realignment as well as potential solutions.

Stage 2: Hone the strategies and projects to support the vision and goals—Once the vision was established, the WIOA Steering Committee met regularly and often to hone strategies that would help Maine achieve its vision and goals.

Stage 3: Operationalize the plan—Once the vision, goals, strategies and projects were finalized, the Steering Committee and core partners focused on how the strategic objectives could be operationalized in light of Maine's unique needs and challenges and WIOA's requirements.

During these processes, the WIOA Steering Committee established guiding principles that served to inform the process of system realignment and integration.

CORE PROGRAM AND STEERING COMMITTEE GUIDING PRINCIPLES

- Create a customer centric approach (no wrong door) with universal access
- Strive for continuous improvement
- Utilize regular communication
- Eliminate unnecessary duplication
- Look for redundancies
- Analyze the functions
- Align staff resources
- Cross train

Requested Revision;

The State will bring together providers of adult education, postsecondary education, training, career and technical education, eligible providers, libraries, and workforce partners to work with employers, and office of economic development to identify educational and training elements that will be necessary to establish appropriate pathways to employment. It is critical that these groups meet to develop programs and services that are in alignment with available employment opportunities. In addition to the State Employment Partners (STEP), meetings will be held regularly with one-stop partners and the local workforce boards to prioritize needs and identify resources that can be brought to bear to address these needs.

With the establishment of a career pathways approach, educational and training providers will work with employers to identify sectors and identify the role various providers can play in aiding adults to pursue their career pathway for employment within that sector

OPERATING PLANNING ELEMENTS

STATE STRATEGY IMPLEMENTATION

STATE BOARD FUNCTIONS

Maine's State Workforce Development Board (hereafter referred to as the State Board) meets the WIOA state board composition requirements and will implement the functions under section 101 (d) of WIOA. The State Board will assist the Governor in:

- 1) The development, implementation and modification of the state plan;
- 2) The review of state policies and programs and recommendations on actions to align programs to support a streamlined system, including the review and provision of comments on the State Plans, if any, for programs and activities of one-stop partners that are not core programs;
- 3) The development and continuous improvement of the workforce system, including:
 - a. The identification of barriers and means to remove them to better coordinate, align and avoid duplication among programs and activities carried out through the system;
 - b. The development of strategies to support use of career pathways for the purpose of providing individuals, including low-skilled adults, youth, and individuals with barriers to employment, with workforce investment activities, education and supportive services to enter or retain employment;
 - c. The development of strategies for providing effective outreach to and improved access for individuals and employers who could benefit from services provided through the workforce development system;
 - d. The development and expansion of strategies for meeting the needs of employers, workers and jobseekers, particularly through industry or sector partnerships related to in-demand industry sectors and occupations;
 - e. The identification of regions, including planning regions, for the purposes of sec 106(a) and the designation of local areas under section 106, after consultation with local boards and chief elected officials;
 - f. The development and continuous improvement of the one-stop delivery system in local areas, including providing assistance to local boards, one-stop operators, partners, and providers with planning and delivering services, including training services and supportive services, to support effective delivery of services to workers, jobseekers, and employers; and
 - g. The development of strategies to support staff training and awareness across programs supported under the workforce development system;

- 4) The development and updating of comprehensive State performance accountability measures, including state adjusted levels of performance, to assess effectiveness of core programs in the State as required under section 116(b);
- 5) The identification and dissemination of information on best practices, including best practices for:
 - a. The effective operation of one-stop centers, relating to the use of business outreach, partnerships and service delivery strategies, including strategies for serving individuals with barriers to employment;
 - b. The development of effective local boards, which may include information on factors that contribute to enabling local boards to exceed negotiated local levels of performance, sustain fiscal integrity, and achieve other measures of effectiveness; and
 - c. Effective training programs that respond to real time labor market analysis, that effectively use direct assessment and prior learning assessment to measure an individual's prior knowledge, skills, competencies and experiences, and that evaluate such skills and competencies for adaptability, to support efficient placement into employment or career pathways;
- 6) The development and review of statewide policies affecting the coordinated provision of services through the State's one-stop system described in sec 121(e), including the development of:
 - a. Objective criteria and procedures for use by local boards in assessing the effectiveness and continuous improvement of one-stop centers;
 - b. Guidance for the allocation of one-stop center infrastructure funds under sec 121(h); and
 - c. Policies relating to the appropriate roles and contributions of entities carrying out one-stop partner programs within the one-stop delivery system, including approaches to facilitating equitable and efficient cost allocation of such system;
- 7) The development of strategies for technological improvements to facilitate access to and improve the quality of services and activities provided through the one-stop system, including improvements to:
 - a. Enhance digital literacy skills (as defined in sec 202 of the Museum and Library Services Act (20 U.S.C. 9101); referred to in this Act as "digital literacy skills");
 - b. Accelerate the acquisition of skills and recognized postsecondary credentials by participants;
 - c. Strengthen the professional development of providers and workforce professionals; and
 - d. Ensure such technology is accessible to individuals with disabilities and individuals residing in remote areas;

- 8) The development of strategies for aligning technology and data systems across one-stop partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures (including the design and implementation of common intake, data collection, case management information and performance accountability measurement, and reporting processes, and the incorporation of local input into such design and implementation, to improve coordination of services across one-stop partner programs);
- 9) The development of allocation formulas for the distribution of funds for employment and training activities for adults and youth workforce investment activities to local areas as permitted under sections 128(b)(3) and 133(b)(3);
- 10) The preparation of annual reports described in paragraphs (1) and (2) of section 116(d);
- 11) The development of the statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 491-2(e)); and
- 12) The development of such other policies as may promote statewide objectives for, and enhance the performance of, the workforce development system in the State.

Plan Revision;

In the summer of 2015 the WIA State Workforce Investment Board was transitioned into the WIOA State Workforce Development Board (SWDB). Board membership was adjusted to comply with WIOA required percentages of business representatives, workforce representatives, government and state agency representatives and representatives from community based organizations.

(See membership roster – please note SWB Director is not a voting member of the Board.)

The SWDB benefits from additional input from the Commissioners of Economic & Community Development, Health & Human Services, Corrections, and Transportation, as well as the President of the Community College System and the Chancellor of the University of Maine system. This advisory group in collaboration with the SWDB comprises the State Workforce Board.

The SWDB meets every other month (six times annually) and uses Roberts Rules of Order to assist in the decision making process as articulated in the SWDB By Laws. Also contained in the By Laws is a quorum requirement for the Board to take action - 50% of the appointed members and at least 50% of the quorum being business representatives. (<http://www.maine.gov/swb/documents/index.shtml>)

The SWDB is housed at the Maine Department of Labor and is currently staffed by a Director, a workforce development Program Coordinator and a Labor Program Specialist (3 FTEs).

The SWDB has six constituent committees that make recommendations to the Board about service delivery or policy related to the cohort group they represent – Apprenticeship, Commission on Disability & Employment, Older Workers, Veterans, Women's Employment Issues and Younger Workers. These committees meet four to eight times annually.

The SWDB and the State Workforce Agency (SWA - Maine Department of Labor) will work together to establish and convene workgroups that focus on required implementation and service delivery components of WIOA. Some groups will complete their work and be dissolved while other will need to

be on going for the foreseeable future. Service Providers and Local Workforce Development Board staff will be included on each workgroup as appropriate. The workgroups include;

- Program Policy Committee (Ongoing)
- WIOA State Plan Steering Committee
- State Plan Implementation Committee
- Staff Development / Cross Training
- America's Job Link Alliance (New database implementation)
- One Stop Certification
- Memorandums of Understanding
- Priority of Service
- Accessibility
- Employer Outreach
- Youth Service Delivery
- Integrated Intake
- Unemployment Insurance Linkages
- Eligible Training Provider List

As other needs are identified additional workgroups may be required.

Working closely with the SWA, Core Program staff and the workgroups, the SWDB will fulfill its responsibilities assisting the Governor with all the required functions in section 101(d) of WIOA.

IMPLEMENTATION OF STATE STRATEGY

The core partners spent numerous meetings discussing the implementation of the strategic objectives. To facilitate the discussion, the WIOA Steering Committee utilized specialized software to capture and organize the activities that core programs would participate in and fund as it pertained to the WIOA requirements for Unified Plan operating elements. This process was instrumental in identifying areas where efforts were being duplicated or could be improved to result in a more integrated delivery of services to customers. Combined with the work produced by other committees and groups, the following strategic objectives were developed.

1. STRATEGIC OBJECTIVE: INCREASE THE RELEVANCE OF THE WDS TO EMPLOYERS

Creating a demand driven WDS is central to achieving Maine's vision of developing a more productive workforce and competitive economy. For workers and the economy to flourish, employers must have a ready supply of skilled workers. Yet the message from employers is that many businesses have open positions that are persistently difficult to fill. These occupational/skill gaps constrain business growth and threaten mission critical operations. Moreover, given the projections for a shrinking population and workforce, the situation may become worse in the years ahead.

Maine's workforce system must be more responsive to the rapidly changing job market and the skilled workforce needs of employers. Cultivating and connecting pools of trained workers with employers is a strategic priority. The following strategies will be used to mitigate near and long term workforce shortages and skills gaps.

Strategies to mitigate shortages of skilled workers:

Immediate action steps:

- o Workforce partners will facilitate strategic relationships with employers, educators, one-stop centers and other potential sources of talent in order to connect businesses with skilled workers. Employers are best positioned to identify their skilled workforce needs; local workforce board staff will work with companies in targeted sectors to understand current and projected in-demand skills and credentials, human resource and other business needs. The partnership will engage postsecondary and other training providers to develop programs that align with demand. Local boards will assign the primary workforce contacts within the region for businesses.
- o Employers will be engaged with labor market information to identify where they may find the candidates for their specific and difficult to fill occupations. These analyses may provide employers with a better understanding of their potential labor supply and their wages.
- o Comprehensive business support and integrated service strategies will be offered when appropriate.
- o Internships will be utilized more aggressively to mitigate skill gaps.
- o Workforce partners will work with adult education, community college and university systems to cultivate the supply of skilled workers and increase awareness of occupations, career pathways, internship opportunities and credentials that are in-demand.
- o Educate employers on the variety of state and federal hiring incentives.

Ongoing action steps:

- o Local boards will work with employers to develop the optimal role for local business representatives and the Local Workforce Board in executing employer engagement strategies and sector partnerships.
- o Strategic partnerships will work with the community college, university system and other training providers to develop programs that align with employers' needs.
- o Develop MOUs with required educational partners to prioritize efforts.
- o Information generated from sector partnerships regarding skilled worker demand (current and projected) will be combined with occupational projections available at MDOL and other

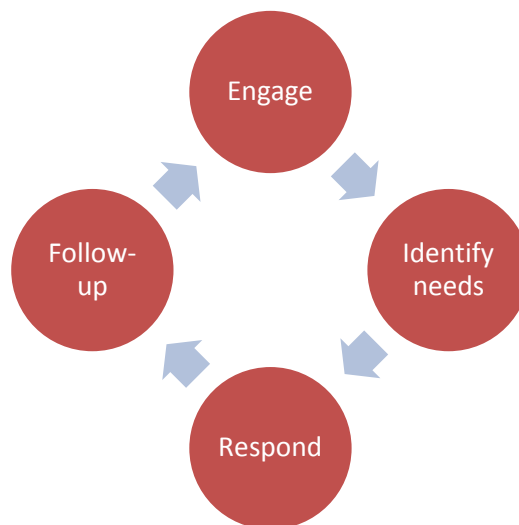
labor market information to develop a hierarchy of in-demand skills and occupations. This information will be used to inform and guide employment and training programs as well as prospective students and program participants.

- o Further develop industry-recognized credentials that are in-demand. Quantify the current and long term need.
- o Establish a system for measuring and evaluating the pipeline of participants receiving training.
- o Measure skill gains of those receiving training.
- o Develop a comprehensive Career Pathways System that aligns the efforts of education and training programs with current and projected in-demand occupations.
- o State Board will develop innovative strategies to encourage the in-migration of skilled workers to Maine.

The development and implementation of a systematic framework for engaging and responding to employers will also facilitate the alignment between the demand and supply for labor.

Developing and sustaining close relationships with employers is essential to increasing the value-add that the workforce system provides. Maine's Unified Plan focuses on developing and implementing a systematic approach to **1)** engaging employers; **2)** identifying and prioritizing employer needs, including current and projected skilled workforce needs by region; **3)** responding to employers with the appropriate resources and strategies; and **4)** creating a continuous feedback loop to ensure existing needs have been met and/or if new needs have emerged.

Increasing the Relevance of the WDS to Employers



ENGAGE EMPLOYERS

Employers will be engaged in a variety of ways, including industry partnerships, direct contact, job vacancy surveys (JVS), and through utilization and implementation of ongoing Employer Assistance initiatives already in practice and being implemented by core and other partners of Maine's one-stop system. The workforce system will also engage employers and postsecondary institutions in order to facilitate broader use of internships to foster better connections between employers and trained workers.

Industry/sector partnerships are central to Maine's employer engagement strategies. Broader and deeper regional sector partnerships will enable the WDS to develop a pipeline of workers in high-growth, high-demand fields, thereby reducing apparent skill-gaps and the time it takes to fill positions.

The Industry Partnership Approach emphasizes promotion and alignment of workforce training resources on behalf of high-growth industries, such as health care, professional services and tourism, yet stresses the importance of sustainment of mature industries that offer high-wage, high-skill jobs such as precision manufacturing and natural resource-based sectors, including: forestry, agriculture and aquaculture, as well as their value-added derivatives, such as food and lumber processing, paper manufacturing and wood renewable energy enterprises.

Direct contact with employers will also add value. Over 90 percent of Maine's employers are small businesses with 25 or fewer employees. These companies are the lifeblood of the economy and create a majority of jobs. Owner/operators of these establishments often wear multiple hats and have limited resources to navigate the gamut of services and programs available to them. Though all may not be able to participate in formal industry sector partnerships, they will be engaged through direct contact by the Governor's Account Executives, the Local Boards or one of the Business Services Representatives working within Maine's one-stop system.

Employers will continue to be engaged directly through:

- Local Board sponsored events
- CTE Industry Advisory Committees
- Postsecondary Industry Advisory Committees
- Business and Trade Associations
- Chambers of Commerce and Business Leadership Networks
- Job Fairs and direct recruiting at One-stop centers
- Industry specific Regional Project Advisory Groups (RPAG)

NEEDS ASSESSMENT

Properly assessing an employer's workforce and business service needs is essential to developing and providing effective solutions. To meet this higher standard of effectiveness, partners in the workforce development system will work together to assess and address the needs of Maine businesses. This collaborative approach will: eliminate duplication of efforts; ensure the

distribution of needs assessments developed from an employer perspective rather than a program-centric view; and enable assessment results to be shared with partner agencies. An essential understanding of the available menu of economic and workforce resources that the partners can coordinate and package to jointly meet the needs of business and workforce customers will be addressed through cross training and professional development.

Pending funding, the Center for Workforce Research and Information (CWRI) will annually survey businesses statewide and across regions to identify and quantify unfilled positions by occupation. The survey will ask employers to identify the qualifications necessary to fill open positions. This information will inform education and training activities regarding skill development needs of Maine's businesses and will assist local workforce boards and core partners in prioritizing training resources to assist the employers to address these needs. It is imperative that each service agency assessing the employer's need has an awareness of resources outside of traditional workforce system to deliver services in a way that address all of the challenges the company is facing, much the same way our system does now for workers.

RESPONDING TO EMPLOYERS' NEEDS

Once the business needs are assessed, the workforce system will respond by providing the necessary business services (contacts, referrals) and/or allocating training resources to help fill the unmet skill need.

FOLLOW-UP

A systematic process for following-up with employers will be developed and implemented to ensure the workforce system is meeting employers' needs and to identify changing skill requirements.

INCREASE THE RELEVANCE OF THE WDS TO EMPLOYERS—CORE PROGRAM ACTIVITIES TO IMPLEMENT THE STATE'S STRATEGY

Core programs will develop a coordinated approach to engaging employers and responding to their needs. In order to make the WDS more relevant to the employer, the WDS will work as a system and not as an army of separate service agencies each seeking to fill a particular need. Local areas and individual one-stop centers are partnering with in-house and outside agencies to package and provide a vast range of services to employers.

The following is an abbreviated list of some of these core program services:

- Referrals to services provided by small business and economic development districts, including the Department of Economic and Community Development, the Small Business Administration, Maine Small Business Development Centers, Coastal Enterprises, Inc., Councils of Government, Development Commissions and Corporations, and Maine Manufacturing Extension Partnership to name a few;
- Provision of services by the Maine Department of Labor, including: labor market information provided by CWRI, prevailing wage and workplace safety information and training provided by the Bureau of Labor Standards, employer tax information provided

by the Bureau of Unemployment Compensation, and the full range of services provided by Wagner-Peyser staff and WIOA formula funded programs;

- The Bureau of Rehabilitation Services (BRS), which also falls under the auspices of MDOL, provides a full menu of informational services and training to businesses regarding the benefits of and supports available for employing individuals with disabilities. BRS has been instrumental in connecting Maine employers to the national Business Leadership Network, a network of employers taking the lead in disability inclusion through their hiring practices;
- The Migrant Seasonal Farmworker program provides the farming industry with access to migrant and seasonal farm workers and advocates for safe and clean living and working environments for the workers who are hired through the H2B program.

Systems partners will continue to collaborate to engage employers in identified growth-industries. The State has received two job-driven National Emergency Grants (NEGs), the JD (Job Driven) NEG and the SP (Sector Partnership) NEG; these grants both enable Local Workforce Boards to focus on addressing the specific skill needs of growth industries/companies in Maine and/or the workforce preparation needs of Maine workers. The NEG resources will augment core program partner funds to provide work-based training opportunities to unemployed adults. A key focus of the SP NEG is to implement a significant employer outreach campaign using a statewide, multi-media approach designed to inform employers about how they can partner with workforce development system stakeholders to address their workforce needs.

The outreach campaign will include a blast of informational announcements designed to provide Maine employers with information and points of contact for a variety of workforce development services and resources. The outreach campaign will also involve development and delivery of oral presentations, and a series of industry-focused workshops about the following service packages:

- **Upskill Backfill.** This approach begins with an analysis of the specific skills current employees need to move up or laterally into their company's hard to fill job vacancies. Once the needed skills are identified, and with employer input, the appropriate core partners and other agencies will collaborate to design and deliver the required education and skills training.
- **Registered Apprenticeship (RA).** This industry-led employee training mechanism provides businesses with a formal, long-term method for ensuring new hires and existing employees will attain necessary skills. WIOA resources can now be more readily used to support Registered Apprenticeship. This will enable Maine to establish apprenticeship as a targeted outcome for WIOA participants and to expand the apprenticeship services presently available through State general funds. These services include assistance with developing skill standards and programs of related instruction for existing and emerging occupations, recruiting and screening applicants from Maine's one-stop system, and complying with complex affirmative action and EEO requirements

of sponsors of registered apprenticeship. As part of the outreach campaign, more employers will be made familiar with the benefits of Registered Apprenticeship.

Currently apprenticeship works jointly with the Maine Community College System to package training and education resources for some of Maine's major industry sectors, including precision manufacturing (battleship, submarine, aerospace and more), and partners with Adult Education for the healthcare industry.

- **Staff Development for core partners.** The core partners will work together to develop professional staff development, including specific trainings for business services and business outreach staff of the core partner programs on how to assess and package services to business clients. The design for the technical assistance will include consideration and agreement on how best to coordinate the specific resources each core partner can bring to the table. Input will also be sought from economic and small business development professionals, as well as industry and business leads from Maine's Community College and Career and Technical Education systems. The cross training approach will ensure that each partner receives the same message and information regarding resources. The training will also provide the partners with a shared toolbox of resources and will formalize relationships on behalf of employers in much the same way as MOUs currently formalize relationships between WDS partners on behalf of worker clients.

As this training is expanded to workforce development system partners throughout the state, it will result in the ability of multiple partners across agencies to collaborate to provide individual employers with an Integrated Service Strategy (ISS) that documents steps the employer and various providers will take and resources the employer and various providers will bring to support the strategy.

- **Addressing Skills Gaps.** Participant training resources of each core program will be packaged to address skill gaps identified by industry partnerships and individual employers. One-stop partners currently arrange WIOA formula-funded worker services to meet employer needs, such as on-the-job (OJT) and customized training (CT) and, in partnership with adult education, industry-specific, work-ready courses.
- **Promoting the use of Vocational Rehabilitation resources.** Professional development specific to training, placing and retaining individuals with disabilities.
- **Community Block Grants.** Educate municipalities on how to maximize their Community Development Block Grants (CDBG) to train low-income individuals for specific job vacancies.

Additional workforce system services include:

- Early engagement with youth and pre-employment career development activities.
- Educating employers on Labor Exchange Services. These services include the Maine Job Link serving over 20,000 active registrants at any one time, hosting industry specific job fairs, assisting employers in creating job task statements and job vacancy listings, and

participating in specialized recruitment strategies such as the recent *Hire a Vet* campaign.

INCREASE THE RELEVANCE OF THE WDS TO EMPLOYERS—ALIGNMENT WITH ACTIVITIES OUTSIDE OF THE PLAN

CWRI will annually conduct a Job Vacancy Survey (JVS) to help identify and quantify skill gaps in the workforce. This information will be instrumental in guiding local training efforts to match the unfilled skilled workforce needs of employers.

CWRI will also play a critical role in providing labor market information to local areas and industry partners. The information will inform case managers and participants about jobs that are in high-demand, about the employers hiring for those jobs, and the wages, benefits and types of education those jobs require.

The Maine Apprenticeship Program (MAP) will work with core partners to engage employers interested in assuring a future workforce. It will also focus on placing youth participants into pre-apprenticeship programs designed to prepare them to enter and succeed in registered apprenticeship programs and the related postsecondary education and training that make up industry-sponsored apprenticeship training.

Cross-agency partnerships will result in layoff aversion strategies employing skills gap analyses and effecting multi-agency collaboration for early intervention that will link struggling employers to business assistance programs and technical assistance on a just-in-time basis. WIOA, Rapid Response and set-aside funds may be used to train existing employees at risk of losing their jobs to better utilize new technologies through Incumbent Worker Training programs and delivered in partnership with Adult Education and Maine's Community College and University of Maine Systems.

In January 2013, the State Board implemented a policy establishing Chambers of Commerce as required partners of Maine's workforce development system. With the goal of increasing collaboration and fostering stronger partnerships between workforce development partners and employers, local areas look to the Chambers as vital resources for business inclusion and a means to convene and educate local businesses about the many opportunities for collaboration in developing a skilled workforce. Local boards entered into agreements with Chambers that articulated the relationship and the ways in which chamber members could elicit input from employers regarding labor force needs, including skill needs, local hiring trends and more.

The Bureau of Unemployment Compensation (BUC) allows workers enrolled in qualifying workforce training programs to forego the required job search while they are in training. Currently, the one-stop partners that provide the WIOA formula funded training and Registered Apprenticeship may approve a waiver for an enrolled participant. This practice will continue going forward but may be expanded to other partners offering approved training not funded by WIOA.

INCREASE THE RELEVANCE OF THE WDS TO EMPLOYERS—COORDINATION, ALIGNMENT AND PROVISION OF SERVICES TO INDIVIDUALS

Participants to be referred to and placed in On-the-Job or Customized Training, Pre- or regular apprenticeship, Ready2Work and other programs will be assessed and case managed by the various core partners involved.

Recruitment of participants from each of the core partners and/or outside partners will involve assessment of work history and work readiness skills required by the employer and required to succeed in the specific OJT, CT, apprenticeship or integrated education and employment activity.

Recognition of the learning styles and needs for supports of the individuals participating in such work-based training options will also be assessed and addressed and follow-up services and activities to ensure ongoing success will be built into the case management process.

INCREASE THE RELEVANCE OF THE WDS TO EMPLOYERS—COORDINATION, ALIGNMENT AND PROVISION OF SERVICES TO EMPLOYERS

Outreach to new businesses is also critical to development of long term relationships; this can be accomplished by providing a Services Welcome Package that explains the basics of becoming a workforce system partner, surveys immediate workforce needs and underscores information and services specific to their requirements. Such guides can apprise them of staff-assisted and online tools and resources that can help with everything from Development of Job Task Statements and information about Job Design and Reengineering, to resources that help address Human Resource and Succession Planning challenges and that ultimately enable them to analyze their workforce training needs.

Each Local Workforce Board has implemented a business service approaches that identifies the plethora of resources that can be accessed to assist expanding businesses with hiring, training and other needs and explains how one-stop staff partner with outside agencies to share and receive information on business needs, creating a no-wrong-door approach.

Local Workforce Boards and service providers collaborate with economic development partners to package resources for companies that are locating or expanding in Maine. Local Boards promote formal Business Services strategies that are implemented by staff in one-stops and outside partners, including the resources for preparing program participants for specific employer hiring opportunities. These tools include a brief questionnaire that guides the business representatives' initial discussions with businesses and assesses their needs.

INCREASE THE RELEVANCE OF THE WDS TO EMPLOYERS—PARTNER ENGAGEMENT WITH EDUCATIONAL INSTITUTIONS

The State's secondary and postsecondary institutions are committed to expanding services offered to meet the needs of current and developing industries for skilled workers. Examples of how this will be accomplished are outlined below.

Educational institutions will align training and education resources to address the skill needs of Maine industries. Each layer of the State funded educational system utilizes industry advisory

groups to continuously inform them about the ongoing skill needs of Maine's industry members, including the Career and Technical Education Centers (CTEs), Maine's Community College System (MCCS) and the University of Maine System (UMS).

All three institutional levels currently partner with the workforce development system to assess and address the workforce needs of individual companies to varying degrees. Career and Technical Education programs develop and teach to specific industry standards and representatives from both secondary and postsecondary Carl Perkins-funded programs have participated on projects for upskilling incumbent and new workers.

Internships will be utilized more aggressively to connect individuals in postsecondary training with employers. Internships can benefit employers seeking candidates with specific skills and credentials and are an effective strategy for keeping graduates in-state for employment. Internships provide students with first-hand knowledge of the opportunities available to them in Maine, and give employers access to new graduates with the skills and credentials they seek. The State Board is investigating strategies and policy actions to encourage the use of internships in order to bolster growth in the workforce.

The Maine Community College System's Business and Industry Program works to develop and deliver industry-specific training to businesses across Maine and New England. One of the programs offered is the Maine Quality Centers (MQC). The MQC program funds the cost of customized classroom training for new hires and/or incumbents whose positions will be backfilled once their skills have been upgraded. The MQC program is often packaged with WIOA funded OJT resources and the Bureau of Employment Services division of the Maine Department of Labor provides specialized recruitment services to the MQC to identify participants to fill the training slots.

The Maine Community College System has been a three-time recipient of TAA-CCT grants offered by the USDOL. Funds from these grants have been used by the system to develop new, employer-led training programs that are targeted to workers laid off from trade assistance certified firms.

The Adult Education program in Maine has developed and delivered numerous industry-recognized credential and certificate programs to participants of WIOA Title I and IV programs. Their use of a recent State Incentive award to initiate and fund a series of employer-based training programs that include an integrated education component (contextual and academic learning in a work-based environment) is modeling the ways in which WIOA programs will partner on behalf of employers and participants going forward. They have conducted similar programs for many years as key participants in Maine's Health Care Sector strategy, which supported interaction between industry members and all levels of Maine's educational institutions to address significant skill gaps facing that industry.

To meet Maine's need for credentialed workers, some system partners may allocate resources to expand college transition services and the use of college navigators. Navigators, or mentors, have proven to be an important support to both adults and youth transitioning to post-secondary education.

Maine's one-stop centers and Adult Education Programs have developed WorkReady programs designed to provide participants with the pre-employment competencies and soft skills required by employers. Some areas of the state are packaging WorkReady with academic skill training that has been customized for the employer. This training is funded and delivered through collaborations between these two partners.

Local workforce areas are partnering with Career and Technical Education Centers and high schools to offer a bridge program to the community college. This program allows CTE students to take college level classes while in the secondary program and earn credits toward a college degree. This practice introduces students to college level course requirements and alleviates the perception that college is beyond their reach.

Maine's Competitive Skills Scholarship Program (CSSP) rules have been revised to include the funding of college level classes for eligible high school students during their senior year.

With the help of a program sponsored by the Maine Chamber of Commerce and some industry associations, internship opportunities are being identified and filled by college students, a method which further solidifies the connection between theoretical and hands on application of new learning.

Supports provided by WIOA service providers and school districts will improve the odds that at-risk youth will complete high school. Additional supports and systems will also be directed toward youth who have already left school to prepare them with the education and job skills they require to engage in a career pathway.

INCREASE THE RELEVANCE OF THE WDS TO EMPLOYERS—LEVERAGING RESOURCES TO INCREASE EDUCATIONAL ACCESS

Most new grant opportunities now require collaborative approaches for accessing and utilizing the funds being offered. The grant opportunities also require that resources between and among disparate partners be leveraged to the fullest extent. Of critical importance in this approach are the new conversations between industry and members of the workforce and education fields. For example, new partnerships are being formed involving the Maine Departments of Transportation; Energy; Agriculture, Conservation and Forestry; and Marine Resources to address issues facing their sectors.

One strategy that is explained in detail under *Aligning the State's Commitment and Investment in Maine's Workforce*, is the establishment of a Maine Grant and Resource Collaborative (MGRC). The purpose of the collaborative is to share information about new resources and grant opportunities and to implement a warehouse of ready-to-use data to support writing and facilitating grants and grant collaboration.

INCREASE THE RELEVANCE OF THE WDS TO EMPLOYERS—IMPROVING ACCESS TO POSTSECONDARY CREDENTIALS

Training and education resources will be aligned to training needs based on data extrapolated from the Job Vacancy Survey.

Direct involvement with Regional Project Advisory Groups (resulting from SP-NEG and other initiatives) will inform system partners about the immediate skills needs of key Maine industries. The RPAGs will also be involved in identifying and endorsing new industry recognized credentials being developed and offered by Maine's educational institutions.

Newly trained employer resource/ business services representatives will be able to promote industry-led training initiatives, like the Registered Apprenticeship, Maine Quality Centers, and Discretionary Grant training initiatives that assist with the cost of tuition and wages and allow workers to achieve industry recognized credentials.

New articulation agreements between educational institutions will be developed and implemented to create career pathways that allow Maine workers and students to progress in skill and credential attainment in specific career trajectories.

INCREASE THE RELEVANCE OF THE WDS TO EMPLOYERS—COORDINATING WITH ECONOMIC DEVELOPMENT STRATEGIES

Workforce development strategies at the regional and local level are an integrated component of the Comprehensive Economic Development Strategies (CEDS) of the Economic Development Districts.

Workforce development resources are promoted by the Maine Department of Economic and Community Development by Account Executives who work hand-in-hand with workforce development partners across the State to address the workforce needs of Maine's employers.

Local Workforce Development Boards engage local and regional economic development partners in their local and regional planning efforts.

The Bureau of Employment Services works in partnership with the Governor's office and other entities to articulate the menu of workforce services that companies considering moving to Maine can take advantage of.

2. STRATEGIC OBJECTIVE: PRODUCE AN EDUCATED AND SKILLED WORKFORCE

Large proportions of adults in the United States and Maine have poor literacy, numeracy and problem solving skills. The October 2013, International Survey of Adult Skills pointed out that in the areas of cognitive and workplace skills needed for success in the 21st century economy, the United States ranked 11th of the 13 countries (listed in order: Japan, Finland, Netherlands, Germany, Australia, Canada, Korea, England/North Ireland, Poland, France, United States, Italy, Spain) surveyed in math. In literacy, the United States ranked 9th (listed in order: Japan, Finland, Netherlands, Australia, Canada, Korea, England/North Ireland, Germany, United States, Poland, France, Spain, Italy). These low skills are linked not only to employment outcomes, but also to personal and social well-being. Across the United States, for example, the odds of being in poor health are four times greater for low-skilled adults than for those with the highest proficiency – double the average across other industrialized countries.

The skills and abilities of the workforce also play a critical role in economic outcomes. Human capital drives productivity, business investment and economic competitiveness. Skilled and productive workers are more likely to find and remain in jobs, earn higher wages and incomes, and ultimately require lower levels of public assistance. A skilled and productive workforce will foster greater economic competitiveness, enabling Maine to better retain existing businesses—and draw in new ones that bring good jobs and attract new families. These actions will also help address Maine’s aging population, lack of population growth and contracting workforce problems. Given the far reaching benefits to Maine’s people and economy, the development of Maine’s human capital is a strategic imperative.

The current landscape suggests much work needs to be accomplished in developing Maine’s current and future workforce—

- One third of high school graduates do not pursue any training beyond high school;
- Of those that pursue postsecondary training, many require academic remediation;
- Of those that enroll in postsecondary training, many do not finish—just 26 percent of those that started an associate degree program finished within three years and forty-eight percent of those who started a University of Maine System bachelor’s degree program earned the credential;⁸
- Overall levels of educational attainment in Maine are below that of the New England region.

To facilitate the development of a high performance workforce, Maine will establish a comprehensive Career Pathways system that results in seamless transitions from the K-12, adult, postsecondary and workforce systems. As defined by WIOA, this Career Pathways system will be built on the integration of high quality and rigorous education (from foundational skills to credentials to advanced degrees) and training that align the efforts of education, employer groups, and workforce and training agencies with the employment needs of business and industry.. In collaboration with the State Board, key players at the Department of Education, the Maine

⁸ Center for Workforce Research and Information

Community College System, the University of Maine System, employer associations, Local Workforce Development Boards, Educate Maine, Maine Development Foundation and others will meet regularly to design, craft, and implement the shared vision. Increased postsecondary educational attainment aligned with current and future workforce needs will be a critical focus of these efforts.

Maine's Career Pathways approach will focus on building the educational, employability and occupational skills of the population and developing pathways that lead to in-demand credentials, marketable skills and jobs. These pathways will align education, training and employment services delivery systems to create more seamless paths for individuals to attain credentials and find in-demand jobs.

PRODUCE AN EDUCATED AND SKILLED WORKFORCE—CORE PROGRAM ACTIVITIES TO IMPLEMENT THE STATE'S STRATEGY

Action steps—⁹:

- Establish a team (Call it STEP or something else) representing multiple partners across education, business and workforce and government to focus on developing an education and skilled workforce vision;
- Adopt and articulate a shared vision of a system that clearly delineates each partner's role and responsibilities (e.g. through memoranda of understanding) and results in an educated and skilled workforce;
- Demonstrate leadership and commitment to institutionalizing career pathways through collaborative leadership and a commitment to building, sustaining, and scaling up career pathways. This approach becomes the way business is done on a regular basis;
- Focus on needed workforce credentials within key sectors as identified by employers.
- Ensure that education and workforce training initiatives, referred to as career pathways provide the knowledge and skills necessary for employability;
- ;
- Provide equal access to opportunities through the implementation of universal design;
- Use and promote data and continuous improvement strategies: Partners are data-driven and focus on continuously improving efforts by measuring participants' interim and ultimate outcomes as well as process indicators;
- Support professional development: Partners support robust and ongoing professional development for career pathways practitioners and administrators;

⁹ The tasks of the State Team were inspired by a paper written by CLASP, "*The Alliance for Quality Career Pathways Approach: Developing Criteria and Metrics for Quality Career Pathways*"

- Ensure senior or political leaders as well as other stakeholders in the state/region/ local areas are kept well informed and actively support the initiative;
- Develop a statewide goal for postsecondary credential attainment;
- Collaborate with the K-12 education system to promote awareness of in-demand occupations ;
- Research and identify industry recognized credentials relative to Maine.

In order to ensure equal participant access to postsecondary education and training pathways, state and local practitioners will mindfully reduce any barriers to the pathways and improve transition to education and employment through the use of accessible on ramps. These “on ramps” can take the shape of remedial education through foundational skill development, as well as multiple entry and exit points toward career goals. Pathways will also be characterized by multiple points of entry, flexible formats and competency based programming that focuses on learning outcomes and in-demand skills.

Foundational skills provide an individual with essential knowledge, skills and understanding that enable them to operate confidently, effectively and independently in life and work. The skills taught help students to participate and progress in education, training and employment. Working on foundational skills helps develop and secure the broader range of aptitudes, attitudes and behaviors that enable students to make a positive contribution to the communities in which they live and work.

The core programs will emphasize the development of foundational skills to ensure that individuals are properly prepared for entry and success in the workplace. Examples of core partner projects to support that preparation include WorkReady training; pre-apprenticeship and apprenticeship; integrated education and training (IET), which combines targeted classroom instruction with the development of a lattice of required occupational skills; employment services; as well as foundational skills education in the areas of reading, numeracy and literacy.

The core partners will also engage in robust dropout prevention efforts and the development of coordinated educational, employment and support services for populations with barriers.

Activities such as intensive academic and career exploration and advising by adult education and vocational rehabilitation, and career pathway awareness by employment services will be aligned.

PRODUCE AN EDUCATED AND SKILLED WORKFORCE –ALIGNMENT WITH ACTIVITIES OUTSIDE THE PLAN

In order to develop a Career Pathway system that is characterized by multiple entry and exit points, supportive and navigation services; activities provided through the core programs will be aligned with programs and activities outside the Unified Plan whenever feasible. These will

include, but not be limited to, registered apprenticeship, TANF, Jobs Corp, Department of Corrections, FSET and other one-stop partners.

The state team will take the lead on the development of articulation agreements and MOUs that delineate roles and responsibilities amongst educational and training providers. Additional agreements on methods of skills assessment and academic or technical standards will be vetted among education and training agencies, particularly with industry recognized credentials, in order to successfully measure skill attainment.

As a result of MOUs developed to govern these relationships, partners will be able to bundle a variety of programs and services that best meet client goals. Co-location of services at one-stop centers whenever possible will help facilitate access to career pathway services and information on foundational skills training programs.

PRODUCE AN EDUCATED AND SKILLED WORKFORCE –COORDINATION, ALIGNMENT AND PROVISION OF SERVICES TO INDIVIDUALS

As part of this Unified Plan, the core partners will strive for a statewide universal design approach that eliminates barriers to facilities, materials and services. Coordinated activities and resources will provide high quality, customer centered services to individuals. These activities will include:

- Learner-centered approaches to instruction and occupational training;
- Appropriate and meaningful assessments of participants' educational and occupational skills (including prior learning assessments) and needs (including accessibility needs for participants with disabilities);
- Supportive services, including academic supports (e.g., tutoring and advising); nonacademic supports (e.g., child care, transportation, and financial assistance); career exploration; and navigation assistance through the career pathway program and, ideally, into retained employment;
- Accessible buildings;
- Expanding the use of technology to increase access to workforce development services;
- Quality work experiences, including job placement assistance and, ideally, quality sector/occupation specific pre-employment work experiences (e.g., apprenticeships, internships).

The Career Pathways approach will also encourage the use of flexible formats and competency based programming. The state team will also investigate and incorporate best practices in the use of technology to extend Pathways and online learning opportunities to individuals in remote locations or with limited ability to access physical locations.

PRODUCE AN EDUCATED AND SKILLED WORKFORCE –COORDINATION, ALIGNMENT AND PROVISION OF SERVICES TO EMPLOYERS

Maine’s core partners believe that developing the skills and credentials of the workforce will benefit employers, as skilled and productive workers are the lifeblood of any business.

Through deeper and broader Industry Partnerships (discussed under “Increase the relevance of the workforce development system (WDS) to employers”), the state team will engage with employers to identify in-demand skills and qualifications and build a systematic structure for receiving feedback regarding employer’s skilled workforce needs. This engagement will result in education and training programs that are aligned with employer input, and as a result, relevant and directly applicable to Maine industries. In addition, by funding and aligning activities that develop the general skill levels of the population (numeracy, literacy, technology, etc.), the core programs and WDS will be increasing the long term value add of the workforce.

The state team will also encourage expansion of the number of registered apprenticeships and on-the-job opportunities, and incumbent worker training opportunities to advance to higher level positions, and expand pre-employment training to reduce costs of onboarding new employees.

PRODUCE AN EDUCATED AND SKILLED WORKFORCE—PARTNER ENGAGEMENT WITH EDUCATIONAL INSTITUTIONS

The United States is facing a workforce crisis due to the increasing numbers of adults with low levels in their foundational skills. Nationally, one in six has low literacy skills, one in three has low numeracy skills, and one-third of those with low foundational skills are immigrants (*Making Skills Everyone’s Business*, February 2015, Figures 3–4).

Maine businesses site the need for highly skilled workers. Yet census data shows that the postsecondary degree attainment rate is substantially lower here compared to New England, a fact which lowers Maine’s competitiveness in attracting and retaining employers. Coupled with a decreasing number of young people entering the workforce, Maine must take appropriate steps to educate and upskill adults.

Due to current funding limitations, Maine Adult Education programs are able to serve only 25,000 of the out-of-school youth and working aged adults in need of secondary credentials, postsecondary preparation programs, English as a Second Language instruction, and job skills acquisition assistance.

The state team will work with other educational agencies, workforce system partners, and industry stakeholders on strategies to address low levels of foundational skills and credential attainment that are barriers to employment. Included in the work of the state team will be the development of opportunities for the development of career pathways. Only by working together will the downward trend from secondary to postsecondary in credential attainment be reversed.

Outcomes will include:

- Establishment of MOUs amongst educational providers (such as the community college system, the university system, private postsecondary institutions, proprietary schools

and others) that include processes for referring clients to the most appropriate service provider to address the issue of foundational skills attainment;

- Engagement with employers to develop Career Pathways to serve the needs of area employers that progress from foundational skills curricula to higher level degree and certifications attainment;
- Expansion of English Language Acquisition offerings;
- Increased referrals between programs and services;
- Improved communication and knowledge sharing among programs and services;
- Initiation of a public communications plan regarding availability of services;
- Establishment of a continuum of educational and employment skills services and certifications along a workers career pathway;
- Improvement of transition services for adults and youth from education to employment;
- Increased educational attainment.

PRODUCE AN EDUCATED AND SKILLED WORKFORCE—LEVERAGING RESOURCES TO INCREASE EDUCATIONAL ACCESS

The issue of producing an educated and skilled workforce in Maine is not solely a foundational skills issue. Occupational projections to 2022 indicate that 60 percent of net job growth is expected to occur in positions requiring postsecondary education. There are currently an estimated 230,000 adults who have some college experience, but no degree (*Adult Baccalaureate Completion/Distance Education Report*, June 2013, UMS). Taking steps to reengage these adults in a Career Pathway must be another priority of Maine's workforce development system.

No one core partner, external agency or employer has the resources to address all of the concerns related to creating a skilled workforce. To address this reality, Maine is committed to the development of a thorough understanding of the resources that each participant brings to the system, as well as the requirements for their use. The core partners also recognize that only by leveraging the system's resources as a whole will the State be able to produce and maintain a highly educated and skilled workforce.

Educate Maine and Maine Development Foundation (MDF) are valuable educational and workforce system resources. The vision of Educate Maine, that "Maine's students and workers will be the best educated and highly skilled in the world," closely parallels that of Maine's workforce development system as outlined in this Unified Plan. This business led organization is committed to the areas of college and career readiness and increased educational attainment. Maine Development Foundation is a membership organization with a strategic focus on the State's long-term economic growth. An important MDF program is Next Step Maine. Next Step Maine is collaborating with business, community members and educational partners to increase the educational attainment of Maine's employees. The work these agencies are already doing in

convening stakeholders from business, industry, education and training will be valuable as all partners collaborate to leverage resources toward common workforce goals.

Since the initial development of the state plan, a core group of agencies, Maine Development Foundation (MDF) Educate Maine, FAME, the Maine State Chamber of Commerce, University Maine System and the Maine Community College System formed MaineSpark, a voluntary collaborative initiative. In addition to the core group, many other agencies, institutions, businesses and nongovernment organizations have also become involved. The state team looks forward to collaborating with MaineSpark in those areas where it is appropriate and feasible to advance common workforce and education objectives.

To address that common goal, the following need to occur:

- Adult Education will continue to receive the state funds needed to offer Maine College Transitions, a cost effective and successful college readiness program;
- Institutions of higher education will acknowledge that, whenever possible, referrals to adult education should be the first choice for the delivery of developmental courses
- Co-location of adult education programs on college campuses and the offering of college credit bearing classes at adult education sites will increase;
- Collaboration and MOUs with education and workforce partners to develop and align strategies to leverage resources;
- Employers will receive financial benefits for supporting educational opportunities for entry-level and incumbent workers (i.e. apprenticeship);
- Joint professional development for intake and advising staff of educational and workforce system partners to improve integration of services and the ability to engage any and all appropriate providers to best meet client needs;
- Elimination of barriers for evaluation of foreign secondary and postsecondary credentials;
- Articulation agreements between core partners and educational institutions, which make optimal use of the resources available to produce an educated and skilled workforce;
- Establish and work toward a statewide postsecondary credential attainment goal.

PRODUCE AN EDUCATED AND SKILLED WORKFORCE—IMPROVING ACCESS TO POSTSECONDARY CREDENTIALS

The accomplishment of this strategy begins when the client first enters into the educational and workforce development systems. Effective strategies, including intake, career and academic assessments, advising, and the identification of any needed support services, must occur to help a client identify their career goals. Timeliness is also a critical factor to address when aiding a student on their Career Pathway. To accelerate a student's credential attainment, Maine will implement Integrated Education and Training (IET) whenever feasible. This approach provides

adult education and literacy activities concurrently and contextually with workforce preparation activities for a specific occupation or credential.

As a result of MOUs developed to govern these relationships, the following services have been identified as essential to student persistence and success in reaching their career goals.

Improved and equal access to postsecondary credentials will result from:

- Clearly articulated Career Pathways established by educational institutions and employers that provide the step-by-steps to career attainment and advancement;
- Co-location of basic skills instruction at appropriate core partner facilities and institutions of higher education;
- Raised rigor of adult education instructional practices as a result of implementing research-based best practices and implementation of College and Career Readiness Standards for Adults;
- Establishment of interventions to help students avoid developmental education and move forward to degree attainment courses;
- Combining contextualized foundational skills with occupational and/or college coursework;
- Lowered costs to assess prior learning experiences for awarding of credit;
- Forgiveness of financial obligations to postsecondary institutions that may prevent readmission;
- Integration of foundational skills into credit-bearing classes to accelerate path to certificates and credentials through IET;
- Flexed schedules of educational and training offerings to reduce scheduling conflicts for working students;
- Expansion and promotion of use of technology and reasonable accommodations to broaden student access to educational offerings.

PRODUCE AN EDUCATED AND SKILLED WORKFORCE—COORDINATING WITH ECONOMIC STRATEGIES

Reaching the vision of a prosperous Maine economy depends upon the alignment and coordination of the efforts of state and local government, employers, and the workforce development and educational systems.

This coordination and alignment will include:

- Workforce and employer data driven decision making;
- Labor Market Information and data trends shared amidst all Core Partners;
- Promotion of Maine's education and training capacity;

- Development of a Workforce Development Directory that provides names and contact information for subject matter experts;
- Intentional education and training efforts aligned with sector needs;
- Open lines of informed communication between state and local economic development agencies, the workforce development system, education institutions, programs and partners to ensure employer awareness of workforce development system assets to employers.

3. STRATEGIC OBJECTIVE: ALIGN THE STATE'S COMMITMENT AND INVESTMENT IN MAINE'S WORKFORCE

Developing a high quality workforce—one that is globally competitive and continuously well prepared to succeed in current and future careers—requires the commitment and alignment of resources that extend beyond the public workforce system. For Maine to lead in talent, technology and innovation, all stakeholders—employers, policy makers, and legislators must be invested in the process and outcome.

ALIGN THE STATE'S COMMITMENT AND INVESTMENT IN MAINE'S WORKFORCE - CORE PROGRAM ACTIVITIES TO IMPLEMENT THE STATE'S STRATEGY

Commissioners of the core program are represented on the State Board. This ensures a level of equal representation and collaboration to initiate state level system changes. The State Board has also established a Program Policy Committee. This committee is made up of the program directors of the core partner agencies and other stakeholders. This group addresses and engages in deliberate discussions regarding alignment of core (and other) program policies, activities and resources on an on-going basis. The outcomes of this group are presented to the State Board for consideration and implementation.

ALIGN THE STATE'S COMMITMENT AND INVESTMENT IN MAINE'S WORKFORCE —ALIGN WITH ACTIVITIES OUTSIDE THE CORE PROGRAMS

As authorized by WIOA, the State Board is also comprised of non-required WIOA partners. Their expertise, knowledge and resources in the areas of educating and training a skilled workforce will be of great benefit.

The State Board will make use of every opportunity to educate the entire legislature about workforce development activities, challenges, and infrastructure. The State Board is required to submit an annual report to the governor and legislature regarding workforce development activity on each January 1. To create an additional opportunity to educate the legislature regarding the challenges and opportunities related to workforce development, the State Board will request time on the Labor Commerce Research & Economic Development Committee meeting agenda to present the annual report and answer questions.

The State Board will work with the Maine Development Foundation (MDF) to ensure that workforce development is addressed as part of the Maine Policy Leaders Academy program

curriculum and to provide opportunities for legislators to learn about workforce development activity happening across the state. The MDF administers the Maine Policy Leaders Academy, a non-partisan educational program for Legislators that focuses on the Maine economy. The program goal is better-informed decision-making by Maine's legislators who learn about Maine's dynamic economy and the drivers of long-term growth and what it takes to achieve job creation. The program also focuses on Maine's regional economies and the interdependence and differences among these regions, as well as how business operates and how investment decisions are made, so policy makers are aware of the impact of public policy decisions on businesses and regional economies.

ALIGN THE STATE'S COMMITMENT AND INVESTMENT IN MAINE'S WORKFORCE — COORDINATION, ALIGNMENT AND PROVISION OF SERVICES TO INDIVIDUALS AND EMPLOYERS

The State Board, core partners and one-stop partner agencies will work toward funding for the implementation of Title 26, Chapter 39, Maine Industry Partnerships, Sections 3301 – 3401 (this title may be accessed at, <http://www.mainelegislature.org/legis/statutes/26/title26sec3301.html>). This statute establishes a cooperative approach to ensuring that Maine offers and fills high-skill, high-demand, and livable-wage jobs required by Maine's industries. It provides clarity on the benefits of such a partnership, identifies roles and responsibilities, delineates action steps to be taken and articulates objectives to be met. The Statute explains how, at a minimum, agency stakeholders can and should collaborate, and how they may measure and evaluate success and develop and adopt rules.

The Center for Workforce Research and Information (CWRI), the labor market information organization within the State Workforce Agency, will annually conduct a job vacancy survey that will be used to foster greater alignment between the supply and demand for labor. The survey currently provides valuable information on unfilled positions by occupation and region. Going forward, CWRI will enhance the questionnaire to identify the skills that employers are seeking but find in short supply. To date, this information has been unavailable, which has made aligning supply and demand for labor challenging. Understanding both job positions and skills in demand will be instrumental in allocating training and education resources. This will result in more efficient delivery of services to both individuals and employers.

ALIGN THE STATE'S COMMITMENT AND INVESTMENT IN MAINE'S WORKFORCE — PARTNER ENGAGEMENT WITH EDUCATIONAL INSTITUTIONS

Maine will establish a grant and resource collaborative to strengthen the state's ability to compete for workforce system grants. The collaborative will establish relationships between state, regional and local agencies, nonprofits, private and public sector entities and other stakeholders.

The collaborative will increase the capacity of the stakeholders to nimbly compete for grants and/or resources in a manner that ensures alignment, prioritization and appropriate leveraging of shared investments. The collaborative will establish criteria for measuring success.

An effective grant and resource collaborative requires:

- A broad representation of stakeholders;
- A forum for information exchange and strategic planning regarding how, when and with whom we collaborate to compete for, or support attainment of, grants or philanthropic resources;
- An up-to-date clearing house of grant and resource opportunities;
- An up-to-date warehouse of ready-to-use information required by most grants (i.e.: stakeholder descriptions, stakeholder qualifications, state, regional, and local data pertaining to needs or capacity and/or where to access such data, etc.);
- Identification and clarity on the mission of the collaborative and development of by-laws, policies and procedures on how the collaborative will function;
- Education of collaborative members regarding successfully competing for resources;
- Talent/staff or access to talent/staff capable of facilitating information exchange and stakeholder collaboration to compete for specific grant opportunities; and
- Establishment of a resource exchange (one person's junk is another's treasure).

ALIGN THE STATE'S COMMITMENT AND INVESTMENT IN MAINE'S WORKFORCE —LEVERAGING RESOURCES TO INCREASE EDUCATIONAL ACCESS

All levels of Maine's education community will be represented on the State Board. The Commissioner of the Department of Education, the Chancellor of the University of Maine system and the President of the Community College system will all be voting members of the State Board.

Education representatives will participate in the visioning and development of the State's Strategic Workforce Plan. The three day Vision Session last summer hosted by the State Board included representatives from the University System, Community College system, Career & Technical Education and Adult Education.

ALIGN THE STATE'S COMMITMENT AND INVESTMENT IN MAINE'S WORKFORCE —IMPROVING ACCESS TO POSTSECONDARY CREDENTIALS

Maine has established a state goal of 60% of working-age adults holding a high-value certificate, college degree, vocational education or other industry-recognized credential by 2025. This has been codified in Maine Statute (Title 26, sec. 2006 (1)(K), enacted Public Laws 2017, c. 259).. The future success of Maine's economy is directly connected to having an educated and skilled workforce. As such, efforts must be made to increase the education attainment levels for all citizens as well as increasing skills and related credentials in demand by employers. The State Board, and local team will work to establish a realistic state degree and credential attainment goal that is supported by all stakeholders.

ALIGN THE STATE'S COMMITMENT AND INVESTMENT IN MAINE'S WORKFORCE —COORDINATING WITH ECONOMIC STRATEGIES

Maine will establish a State Board comprised of additional non-required WIOA partners who are involved in Education, Economic or Workforce Development, and have resources dedicated to educating and training a skilled workforce. The State Board, as required by WIOA, will have the benefit of additional knowledge, expertise, and resources related to educating and training a skilled workforce as a component of the State Board.

As noted in, *ALIGN THE STATE'S COMMITMENT AND INVESTMENT IN MAINE'S WORKFORCE —ALIGN WITH ACTIVITIES OUTSIDE THE CORE PROGRAMS*, the State Board will work with the Maine Development Foundation (MDF) to ensure that workforce development is addressed as part of the Maine Policy Leaders Academy program curriculum and to provide opportunities for Legislators to learn about workforce development activity happening across the state. The Maine Policy Leaders Academy delivers a non-partisan educational program on Maine's economy to Legislators. The program's goal is better-informed decision-making by Maine's Legislators who learn about Maine's dynamic economy, the drivers of long-term growth and what it takes to achieve job creation.

The State Board will also work to inform the Maine Legislature about workforce development activities, challenges, and infrastructure. The State Board submits an Annual Report to the Governor and Legislature regarding workforce development activity in the State for the previous year. The report is due January 1st each year; however, the Legislature is not in session on that date. Reports end up in a pile of competing papers waiting for Senators and Representatives to return.

To increase the likelihood of elected officials having the opportunity to be educated and to understand the challenges and opportunities related to workforce development, the State Board will request time on the Labor Commerce Research & Economic Development Committee meeting agenda to present the report directly to the committee and answer any questions related to the report.

Despite widespread support for Industry Partnership legislation, the statute was passed unfunded. The absence of financial resources greatly restricted the ability to accomplish the goals of this important workforce legislation. The proposed expanded State Board will be the ideal catalyst for moving this statute off the page and into action and for expanding on the work objectives already outlined therein. The statute at Title 26, Chapter 39, Sections 3301 through 3401 can be accessed at: <http://legislature.maine.gov/legis/statutes/26/title26sec3301.html>

4. STRATEGIC OBJECTIVE: INCREASE WDS OPERATIONAL EFFECTIVENESS

In order for Maine to achieve its vision, it is critical that the operational effectiveness of the workforce development system (WDS) increases. As a large geographic state with unique demographics and very limited resources, Maine needs to develop a nimble, efficient and effective approach to meet the workforce needs of current and future employers. Working together, the core partners are committed to aligning and integrating their systems to ensure optimal access for Maine's workforce and employers. To that end, initiatives will be pursued that improve customer

navigation, data sharing, and continuous improvement through evaluation, accountability, and data driven decision making.

INCREASE WDS OPERATIONAL EFFECTIVENESS—CORE PROGRAM ACTIVITIES TO IMPLEMENT THE PROGRAM

Maine's core programs will review policies and procedures, make modifications to improve shared customer flow and standardize practices on a statewide basis. These will be agreed upon in written Memoranda of Understanding and implemented through individualized service strategies for both workforce participants and employers. WDS public facing points of contact will have a broad base of knowledge that will increase effectiveness in connecting customers to needed services.

Data compilation and evaluation are the cornerstones to increase WDS operational effectiveness and the core programs will work to reduce barriers in data sharing while being vigilant about confidentiality and information security. This will result in a more accurate analysis of Maine's WDS, and support continuous improvement within and across programs.

INCREASE WDS OPERATIONAL EFFECTIVENESS—ALIGNMENT WITH ACTIVITIES OUTSIDE THE PLAN

To increase WDS operational effectiveness, the core partners will make optimal use of other resources that can support Maine's workforce and employers. Partnerships with other state agencies, such as the Departments of Health and Human Services and Economic and Community Development, are critical to maximizing federal and state resources while reducing duplicative or parallel efforts. Although out of the direct purview of the WDS, Maine's infrastructure directly impacts the success of Maine workers and employers; the core partners will work to ensure that activities conducted as part of the Unified State Plan are in alignment with the realities and opportunities of such things as transportation and broadband technology.

INCREASE WDS OPERATIONAL EFFECTIVENESS--COORDINATION, ALIGNMENT AND PROVISION OF SERVICES TO INDIVIDUALS

The core programs are in agreement about the importance of a coordinated customer service approach that reflects aligned and integrated goals to ensure the operational effectiveness of Maine's WDS. Specifically, a project has been identified that focuses upon the ease of participant navigation; articulates pathways from education to careers; makes effective use of the web for information and a broad range of learning experiences; and ultimately aligns programs, so that they are user friendly and easily accessible to participants, including those with disabilities. Direct input from workforce participants will ensure that the design is human-centered and effective. Individualized career plans will be the primary tool used to ensure that activities are coordinated and that resources are effectively used across programs to provide comprehensive and high quality services.

INCREASE WDS OPERATIONAL EFFECTIVENESS—COORDINATION, ALIGNMENT AND PROVISION OF SERVICES TO EMPLOYERS

The core programs are in agreement about the need to recognize employers as important WDS customers and intend to use local, regional and state plans to align programs and activities to best provide services to employers. Partnerships with businesses and sector strategies will assist the WDS in being knowledgeable about current and projected workforces needs, so that workforce training, education and employment placement are job-driven and forward thinking.

INCREASE WDS OPERATIONAL EFFECTIVENESS—PARTNER ENGAGEMENT WITH EDUCATIONAL INSTITUTIONS

Educational institutions are key partners of the core programs in Maine's WDS. This strategic objective intends to increase the effectiveness in how partners work together. Through the establishment of articulation agreements, joint professional development and a focus on best practices that reduce barriers to employment, partners will define and align the education system to meet the strategic vision. The State's education and training systems must provide job-driven instruction as part of a cohesive continuum that includes secondary schools, adult education, community colleges, and universities, as well as on-the-job training and apprenticeship.

INCREASE WDS OPERATIONAL EFFECTIVENESS—LEVERAGING RESOURCES TO INCREASE EDUCATIONAL ATTAINMENT

Maine's core partners have limited funding. Subsequently, all available resources must be accessed for Maine's workforce to increase its educational attainment and for the WDS to be as operationally effective as possible. Frontline case managers need to be fully knowledgeable of what is available and able to guide individuals to appropriate core program services, and other available benefits such as Federal Financial Aid, TANF/ASPIRE, and other grants. Data sharing and greater transparency of outcomes will assist in determining the best return on investments in developing an educated and skill workforce that meets the needs of Maine employers.

INCREASE WDS OPERATIONAL EFFECTIVENESS—IMPROVING ACCESS TO POSTSECONDARY CREDENTIALS

As mentioned previously, Maine has identified a project that focuses on the ease of participant navigation and articulates pathways from education to career to improve access to activities that lead to recognized postsecondary credentials. Articulation agreements will be developed to improve the admission practices for adult learners and establish better supports to successful completion. These steps will result in more workers being able to obtain the necessary credentials for career advancement. As part of increasing the WDS operational effectiveness, the core partners will address student loan debt issues that prohibit readmission and consider incentives for graduates to stay and work in Maine. Additionally, efforts will be made to improve the transition of students from high school to community college and university, including advocating for smoother credit transfers between institutions.

INCREASE WDS OPERATIONAL EFFECTIVENESS—COORDINATING WITH ECONOMIC STRATEGIES

For optimal effectiveness, WDS programs will take deliberate steps to align with regional economic development initiatives throughout the state. The WDS will collaborate with the Department of Economic and Community Development to support incentives for businesses to relocate or remain in Maine. Ongoing audits of existing programs will ensure either continuous improvement or elimination of activities that do not meet expected outcomes. Communication mechanisms will be enhanced to enhance data sharing for workforce preparation and economic development, specifically ensuring that it is available to the frontline employment counselors, job seekers, and employers.

5. STRATEGIC OBJECTIVE: GROW AND DIVERSIFY MAINE'S WORKFORCE THROUGH IMPROVED ACCESS AND ENGAGEMENT

Due to natural attrition and low levels of in-migration, Maine's population is no longer increasing. In addition, the age structure of the population is such that, the number expected to retire and flow out of the workforce over the next 20 years exceeds the number of youth that are projected to enter. These dynamics threaten Maine's economic vitality.

According to economic projections, six out of every seven job openings in Maine over the next several years will be to replace existing workers leaving the labor force. There must be a commitment to grow and diversify Maine's workforce to improve access and engagement by implementing two basic strategies: increasing participation in the workforce among the existing population, and attracting people from outside the state to live and work in Maine.

GROW AND DIVERSIFY MAINE'S WORKFORCE THROUGH IMPROVED ACCESS AND ENGAGEMENT—CORE PROGRAM ACTIVITIES TO IMPLEMENT THE STATE'S STRATEGIES

To meet this challenge, Maine's core programs are committed to grow and diversify Maine's workforce through improved access and engagement by developing strategies to engage populations that tend to have lower labor participation rates including, but not limited to, people with disabilities, veterans, women, older workers, people without a high school diploma, ex-offenders, individuals with language barriers, female heads of households with dependent children and out of school youth. Reflecting these ideas, state agencies are adopting the slogan, "We need every Mainer."

The State Board recognizes that innovative strategies and policies must also be created to attract new residents. Current policies such as Veteran's pensions being state tax exempt create powerful incentives to draw new Mainers. The State Board is investigating the factors that cause in-migration, researching best practices regarding relevant policy actions and considering strategies to incentivize the flow of individuals to Maine.

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Core programs will also offer increased support and engagement for Maine's growing foreign born populations-refugees, asylum seekers, and foreign trained professionals. Strategies to improve access for this population to core partners, one-stop partners and within the career centers and partner agency offices will include, but not be limited to:

- Printed workforce development system materials in multiple languages
- Availability of translation services
- Diversity and cultural awareness training for staff
- Development and implementation of robust referral protocols to adult education English language acquisition activities and to other agencies offering assistance with housing, immigration issues, foreign credential assessment, etc. as appropriate
- Seminars on becoming a successful employee in the Maine workplace
- Training for employers on benefits of diversifying their workforce
- Engagement with community and faith-based groups serving the ELL population to determine alignment of their services with those of the workforce development system

To grow the economy, transitioning these populations into employees must become a priority for policy makers and for employers.

Requested Revision;

English Language Learners receive services in Maine's One-Stop Centers and through the WIOA core and affiliated partner agencies. Posters in multiple languages describing agency services as well as the availability of translation services are prominently displayed. In addition, staff at all agencies will receive ongoing training on being culturally sensitive and welcoming. Many of the agencies in the workforce system already have bilingual staff on staff. To better serve non-English speakers, the One-stop Partner Committee will identify best practices to enabling English Language Learners to meet their educational, training and employment needs.

The new MIS/Job Bank system recently implemented throughout Maine One-Stop Centers is also accessible through the internet and has the ability to be switched into 30 different languages at the click of a mouse. This is a new feature that will allow all workers to access informational services on-line in their own language.

State Workforce Agency Policy on Language Access is as follows:

POLICY STATEMENT ON LANGUAGE ACCESS, TITLE VI

SUBJECT: Language Access Policy for Individuals Whose Primary Language is not English and Individuals who are Deaf or Hard of Hearing. This Policy and Procedure Statement is designed to provide equal access to programs, services, and benefits for those individuals who may be limited in speaking, writing and/or understanding English (Limited English Proficient), which includes those individuals who are deaf or hard of hearing.

BACKGROUND: Since the passage of the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990, great strides have been made toward the inclusion of all people in the mainstream of American life. All individuals are guaranteed access to public accommodations regardless of race, color, gender, religion, national origin, or physical or mental disability. In Maine, much work has been done to ensure the provision of qualified interpreters for people who are deaf or hard of hearing. The Department makes every effort to ensure equal access to services for all people served, regardless of communication circumstances.

The application of this policy shall be consistent with the provisions of the Civil Rights Act of 1964; the Americans with Disabilities Act of 1990; the Rehabilitation Act of 1973; Federal nondiscrimination rules; and Maine statutes regarding services to persons who are deaf or hard of hearing (34B M.R.S.A. §1218) and American Sign Language interpretation (32 M.R.S.A. §1521(5)).

POLICY STATEMENT: The Maine Department of Labor (MDOL) recognizes its obligation to provide linguistic access to services for individuals whose primary language is not English. Individuals for whom MDOL staff may need interpreter services include applicants, customers, family members, and/or companions. When MDOL staff does not speak the language needed, staff will inform the applicant/consumer that interpreter services are available to ensure equal access to programs and services provided by this Department and its contractors. Accordingly, it is the policy of MDOL to provide its staff with interpreter resources to be utilized in providing access to programs and services to Limited English Proficient persons as well as to persons who are deaf or hard of hearing. This policy outlines guidelines and procedures for the use of such interpreter services.

? All programs, benefits or services provided by MDOL shall be made available to all eligible persons regardless of their abilities to speak, write and/or understand English and who are deaf or hard of hearing.

? MDOL will provide interpreter services at no cost to individuals applying for or participating in MDOL programs.

? MDOL will have policies and procedures which combine the use of in-person and telephone interpreter services as well as translated material necessary for effective communication.

? MDOL is committed to the continued evaluation and improvement of these services, as well as education of staff in available resources and procedures.

? It is a goal of MDOL to employ bilingual/multilingual staff able to communicate directly in languages used in our various regions.

RATIONALE: This policy affirms MDOL's commitment to ensure equal access to benefits and services for Limited English Proficient individuals and persons who are deaf or hard of hearing. The procedures outlined below will ensure that information, services, programs, benefits, obligations, responsibilities and rights are communicated in languages that are understood by and are at no cost, and without significant delay to these individuals. This policy also provides for an effective exchange of information between staff and Limited English Proficient persons, and between staff persons who are deaf or hard of hearing, while services are being provided. The purpose of this policy is to ensure that no person is excluded from or denied equal access to benefits, programs and/or services due to linguistic barriers.

PROCEDURE STATEMENT

Access to the Department: The Department shall use available technologies and services to ensure access to MDOL programs, shall monitor ways that developing technologies and services can enhance access, and will ensure that staff has the equipment, training, and resources for communication for performance of their jobs.

1. In the reception areas of all MDOL buildings where customer services are provided, MDOL shall post and maintain signs in various languages, informing the public of interpreter services available at no charge to the public. Interpreter services include providing in-person or remote ASL (American Sign Language) interpreters and Limited English Proficient interpreter services, and making MDOL's employee language bank available.

Where facilities have communication equipment, such as Interpretype or assistive listening devices, staff shall ensure the equipment is available and operational for communication between customers and staff.

2. TTY (Telephone for the deaf) numbers must be included in any listing of Department telephone numbers. TTY numbers must be listed and clearly identified on all letterhead, business cards, brochures or fliers, facsimile cover pages, posters, web sites, or similar documents or communication tools whenever a telephone number is listed. Telephone listings and State or Departmental telephone directories must include TTY numbers.

3. TTY, and/or equivalent such as Nextalk, must be available and operational in all MDOL office locations and facilities. Staff must have instruction and demonstrated proficiency in TTY use and access to TTYs sufficient to perform their job tasks. Receptionists and switchboard operators, including those assigned back-up responsibilities, must be capable of receiving and initiating TTY calls and relay calls (including voice carryover and hearing carryover). Training and performance standards must include the handling of potential TTY calls ("silent calls"). TTYs must not be set on automatic answer in locations where voice telephones are answered by a staff person in accordance with State policy.

4. In offices where video communication equipment is installed, staff must have instruction and demonstrated proficiency to operate the equipment for communication, such as videophone calls, sufficient to perform their job tasks.

Language Assessment and Primary Language Identification

1. Initial contact – Staff, observing the following, should consider that an applicant/customer may be Limited English Proficient or deaf or hard of hearing:

- Family member speaks or companions are non-communicative,
- Speakers exhibit limited English skills (broken English) or use one-word answers, or
- Speakers have a heavy accent.

The MDOL employee should consult, if necessary, with other people in the office and referral sources to determine native or primary language.

2. Explain rights – If the applicant/customer is Limited English Proficient or deaf or hard of hearing, staff should explain to the individual the right to have a language interpreter service at no cost.

3. Notation – The staff person must make a distinctive note on the outside of the customer's paper file and/or on-line record that interpreter services will be needed, reading: "Needs Interpreter Services: Language _____"

4. When an employee becomes aware that effective communication is not occurring, appropriate interpreter services should be provided to ensure equal access.

5. Getting Interpreters – It is the responsibility of the MDOL contact /service provider to arrange for interpreters as follows:

a) If an in-house bilingual employee is available for the needed language and can provide immediate communication, staff should use him/her. The Department encourages bilingual employees to assist with translation. However, it is not intended for bilingual staff to provide ongoing interpretation.

b) Consider shifting caseloads to make best use of existing staff resources.

c) Contact an interpreter from the list of community interpreters. Otherwise, contact one of the Limited English Proficient interpreter services, which are available 24 hours a day, seven days a week. Follow the procedures in Attachment 1.

d) The division or bureau providing services to the applicant/customer is responsible for the cost of related interpretation fees. No contract is required.

6. Other translators – When an individual declines free interpreter service, MDOL shall use other persons who can provide effective communication between the parties. The staff person will write in the applicant's/customer's record, the name of the person interpreting. It is not recommended that a family member or friend be utilized unless other interpreter services have been offered and refused and both parties have agreed to the family member or friend. Minors (under 18 years old) may never be used as interpreters under any circumstances. An individual has the right to change his/her mind and request MDOL provide a different interpreter.

Staff Expectations

1. Staff members who are proficient in languages other than English, including ASL, are encouraged to utilize those languages in communicating directly with a customer, if it is the customer's choice.

2. Staff should avoid conflicts of interest and assignments that create the appearance of a conflict of interest. The roles assumed by staff in the provision of services to customers are incompatible with the interpreter role.

a. Even a qualified staff interpreter should not interpret at any meeting or situation on behalf of his or her own customers

b. MDOL staffs who also function as interpreters outside their roles in the Department may not accept paid interpreting assignments or jobs from provider agencies with whom the State contracts, except with specific written permission of the Bureau of Purchases.

3. Situations where staff may provide interpreting for others include:

a. Bilingual staff may assist with immediate communication as described in IV.B.5 & 6, above for arranging interpreter services.

b. Qualified staff interpreters may interpret at meetings involving customers carried on the caseloads of other Department staff.

c. Emergencies, during which life, health or safety of customers or others may be in immediate jeopardy, are sufficient justification to permit MDOL employees to utilize their best judgment and efforts to facilitate communication until such time as qualified interpreters become available in accordance with 32 MRSA §1525-A(2).

Printed Translation of Documents

In addition to the required initial contact sign posted in each reception area of MDOL buildings where customers are served, there may be a need to print certain other documents in various languages. Program managers will determine on a program-by-program basis which documents will be printed depending on the program customer's/applicants primary language and the number of customers needing language interpretation and whether the document is considered vital. It is not required that every document that may need to be translated in the future be identified by title or category now. Audio or video translations, if needed (in lieu of printed material) may be utilized. In the event no written translation of documents is available, MDOL will ensure that in-person translation or translation by telephone will be provided in a timely manner.

TR TRAINING

A. Training of Staff

Managers must ensure that staff members who may be called upon to utilize interpreter services under the requirements of this policy will be trained on the implementation of this policy as well as educated about the following:

§ The impact of ethnic and cultural differences and effective communication.

§ The crucial need for sensitivity and understanding of ethnic and cultural differences.

§ Definition of the role of the Title VI/EEO Coordinators.

§ How to use interpreter services effectively.

This training will be incorporated into New Employee Orientation and New Supervisory Training. Periodic review of this policy and identification of ongoing training needs will be developed on an on-going basis by each Bureau.

Interpreter Training, Qualifications and Confidentiality

MDOL shall take reasonable steps to screen self-identified bilingual staff members, interpreter agencies, and individuals from the general public that offer to be placed on MDOL' active list of interpreters. They will be screened to determine that they can:

? Fluently and accurately communicate in the languages(s) in which they claim proficiency.

? Interpret effectively to and from other languages and English.

? Interpret exact concepts. Interpreters should translate as literally as possible to avoid distorting the meaning of the interpretation. Interpreters should not interject something that was not said.

? Understand the obligation to maintain confidentiality.

Any in-person interpreter utilized by MDOL staff shall sign a statement certifying that they can interpret fluently in the language needed and indicate whether they can speak, write and/or understand the language (see Attachment 4). All in-person interpreters shall sign a Confidentiality Statement before services are rendered (see Attachment 5). A file copy of both documents shall be maintained by the division or institution employing the interpreter.

NOTE: When a MDOL staff member has reason to believe that an interpreter from a professional agency, a telephone interpreter service, or a MDOL bilingual staff member acting as an interpreter is not qualified or properly trained to serve as an interpreter or is hampering effective communication between MDOL and an individual who is Limited English Proficient or deaf/hard of hearing, MDOL shall obtain another interpreter.

COMPLAINT RIGHTS AND PROCESS

MDOL will take appropriate corrective action if a complaint or other information indicates a failure by any of its personnel to adhere to the Department Labor Language Access Policy.

All complainants must be given the complaint procedures and complaint form. (See attachments 7& 8). If a customer chooses to file a complaint, the Title VI Complaint/ Title II ADA form shall be completed and forwarded to the EEO Coordinator.

Translated materials and interpreter assistance will be provided during the complaint process.

The MDOL Title VI or ADA Coordinator has been designated to receive and respond to questions or concerns about the adequacy or availability of interpreter services and/or of translated documents at MDOL facilities.

All MDOL staff members who receive complaints from customers must forward them to their immediate supervisors and to the MDOL Title VI or ADA Coordinator.

The complaint procedure and complaint form shall be distributed to the Limited English Proficient individual in the appropriate language (if available); otherwise the complaint procedure will be communicated to the individual who is Limited English Proficient in their language in another effective manner on a case by case basis.

The MDOL Title VI or ADA Coordinator shall also give any person who wishes to file a complaint a copy of the Complaint Form. It shall be provided in the primary language of the Limited English Proficient person; if not available in that language, the Coordinator shall assist the person through an interpreter or interpreter service.

PUBLIC COMMUNICATION

A. Video programs, Noncommercial Sustaining Announcements and Public Service Announcements produced or used by MDOL on or after the date of this policy must be captioned. Labels and promotional material must clearly identify the presence of closed captioning. Material already existing as of the date of this policy need not be modified to include captioning except when necessary to provide effective communication.

B. Notices of conferences or workshops open to the general public with pre-registration must state that sign language and assistive listening devices are available upon request. Notices of events open to the general public without pre-registration must state that sign language interpreters and assistive listening devices will be available.

C. Printed material for the use of the general public must include the notation that the material is available in alternate formats upon request. Alternate formats may include translation of the material into a specific language other than English, large print, Braille, audio or electronic version, etc.

Distribution: All MDOL and Partners. Post on Bulletin Boards in all MDOL locations.

The Bureau of Rehabilitation Services has an established record of success in increasing access to employment for individuals with barriers, as well as conducting successful employer outreach. They will take the lead and work closely with other core partners in designing and implementing a coordinated approach to services. In Maine, the Bureau of Rehabilitation Services is housed under the Department of Labor and as such, already has an established presence at one-stops throughout the state. With the Bureau of Rehabilitation Service's guidance, core programs will develop an outreach plan to better support target populations. The outreach plan will include the following components:

- Integrated, comprehensive intake and assessment process;
- Case management system for navigational support;
- Shared vision of a career pathways system accessible for all participants;
- Identification of barriers specific to each group to better align strategies and provide support;
- Ensured accessibility of universal services among all core partners;
- Interagency professional development, training, and cross- information regarding accessibility practices and available services;
- Coordinated employer outreach and engagement.

To tap into the full potential of the overlooked populations of the labor pool, it is essential to develop a system where the coordination of services and a robust referral system are the norm. Central to the outreach plan outlined above is the development of a cross agency case management system for all program participants. The case management approach is especially relevant for participants with barriers to employment to ensure accessibility to universal services. Case managers will help participants navigate through the workforce development system and serve as liaisons between departments and agencies. Core partners are committed to working together to develop statewide, interagency training of frontline staff to ensure that all partners are aware of the programs and services offered within the workforce development system.

GROW AND DIVERSIFY MAINE'S WORKFORCE THROUGH IMPROVED ACCESS AND ENGAGEMENT—ALIGNMENT WITH ACTIVITIES OUTSIDE OF THE PLAN

Veterans and incarcerated individuals are just two of the target populations whose primary agencies are outside the core partners. As such, establishing strong partnerships with the Bureau of Maine Veterans Services and the Department of Corrections (DOC) is essential. For example, the Coastal Counties local workforce development region has a Veterans Services Workgroup.

The number of prisoners sentenced to the DOC each year from the courts has been approximately the same for several years and is anticipated to remain stable. In 2014 the MDOC received a total of 1,218 prisoners from the courts. With the average length of incarceration being 18 months, DOC anticipates releasing approximately 1,200 prisoners this year. Over the next 5 years, approximately 6,000 prisoners will be released from DOC and return to

communities all over the state. From the moment someone enters into the corrections system, efforts should be underway to provide them with the education and skills needed to prepare for employment.

Maine Adult Education works closely with the Department of Corrections to provide integrated and aligned professional development opportunities for Corrections educators. Existing MOUs at both the state and local level established high school equivalency education and testing in corrections facilities. Both agencies are working together on re-entry efforts to provide incarcerated individuals with a smoother, more fluid transfer from the corrections facilities to further education and training through adult education. Additionally, the Bureau of Rehabilitation Services has identified liaisons to each of Maine's correctional facilities as outlined in an MOU, which ensures that those with disabilities have the opportunity to access VR services upon their release from incarceration.

There is also a need for increased accessibility for Maine's growing ESOL populations. Refugees, asylum seekers, and foreign trained professionals face unique challenges to entering the workforce. Cumbersome credentialing issues and limited financial assistance to pay for prior learning assessments keep many new Mainers from accessing appropriate training and employment opportunities. In addition to creating additional opportunities for English language acquisition, core partners will engage with other WDS stakeholders to work with the state licensing department to try and streamline the foreign credentialing process.

Robust navigation services among all partners are essential to ensuring full accessibility for Maine's most in need. Core partners are committed to reaching out to the following programs to establish articulation agreements and MOUs where they do not exist and to strengthen them where they do. Programs included in outreach efforts include, but are not limited to, Catholic Charities, DHHS, Goodwill, the University and Community College Systems, LearningWorks, Coastal Enterprises, the Department of Corrections, National Farmworkers Jobs Program, Council for Adult and Experiential Learning (CAEL), Associates for Training and Development (A4TD) (SCSEP), faith based organizations, recovery centers and other community based organizations.

GROW AND DIVERSIFY MAINE'S WORKFORCE THROUGH IMPROVED ACCESS AND ENGAGEMENT—COORDINATION, ALIGNMENT AND PROVISION OF SERVICES TO INDIVIDUALS

In addition to the outreach plan designed specifically to ensure accessibility of programming among those most in need, Maine's core partners will strive for a statewide universal design of coordinated activities and resources to provide high quality, customer centered services to all individuals. Core partner coordinated activities include:

- Learner-centered approaches to instruction and occupational training;
- Appropriate and meaningful assessments of participants' educational and occupational skills (including prior learning assessments) and needs (including accessibility needs for participants with disabilities);
- Supportive services, including academic supports (e.g., tutoring and advising); nonacademic supports (e.g. child care, transportation, and financial assistance); career

exploration; and navigation assistance through the career pathway program and ideally, into retained employment;

- Expanded use of technology to increase access to workforce development services;
- Quality work experiences, including job placement assistance and ideally, quality sector/occupation specific pre-employment work experiences (e.g., apprenticeships, internships).

With this customized approach, all participants, including the target populations, are able to access the programming and services necessary to become fully engaged in the workforce system. For example, by working with individuals using various tools, such as Discovering Personal Genius and Customized Employment, the Bureau of Rehabilitation Services will encourage some individuals with significant disabilities to consider self-employment as a viable option with appropriate supports.

GROW AND DIVERSIFY MAINE'S WORKFORCE THROUGH IMPROVED ACCESS AND ENGAGEMENT—COORDINATION, ALIGNMENT AND PROVISION OF SERVICES TO EMPLOYERS

As spearheaded by the Bureau of Rehabilitation Services, the core partners will coordinate and align services to employers that will encourage and support them in the hiring of individuals with disabilities. Partners will inform employers of the value in Maine's Business Leadership Network, which is offered through the Maine State Chamber of Commerce and supported by the Maine Department of Labor and the Department of Health and Human Services. The Network provides a forum that encourages business to business discussions about hiring people with disabilities. The Bureau of Rehabilitation Services will also utilize in-house business relations specialists to help provide the needed connections between Vocational Rehabilitation staff, clients seeking employment, providers and employers.

Core partners are committed to providing a coordinated approach to simplify and streamline the flow of information to employers. For example, employers need clear, concise information regarding the hiring of foreign trained workers, including information on credentialing, as well as worker visa distinctions and refugee status definitions. A coordinated approach to integrated staff development throughout the core partners and a streamlined informational repository will give employers quick and easy access to the information on their own. This repository will also provide the same, consistent information throughout the workforce system.

Given the prospect of a declining population and workforce, businesses will be encouraged to adopt more flexible work policies to attract and maintain older or remote workers, and to utilize technology to overcome skill and geographic gaps.

Internships have also proven to be an effective strategy in keeping graduates in-state for employment. The State Board is investigating strategies and policy actions to encourage the use of internships in order to bolster growth in the workforce.

GROW AND DIVERSIFY MAINE'S WORKFORCE THROUGH IMPROVED ACCESS AND ENGAGEMENT—PARTNER ENGAGEMENT WITH EDUCATIONAL INSTITUTIONS

To grow Maine's skilled workforce, the core programs will reach out to all educational partners to create a team committed to working together to create a shared vision of universal accessibility to Maine's Workforce system.

Key components of this vision include:

- Increased awareness and understanding of the necessity of foundational skills attainment;
- A commitment to supporting all learners along their career pathway;
- Appropriate and meaningful assessments of participants' educational and occupational skills (including prior learning assessments) and needs (including accessibility needs) for participants with disabilities;
- Learner centered approaches to instruction and occupational training;
- Supportive services, including academic supports (e.g., tutoring and advising); nonacademic supports (e.g., child care, transportation, and financial assistance): career exploration; and navigation assistance through the career pathway program and, ideally, into retained employment;
- Streamlined credentialing of foreign trained professionals.

GROW AND DIVERSIFY MAINE'S WORKFORCE THROUGH IMPROVED ACCESS AND ENGAGEMENT—LEVERAGING RESOURCES TO INCREASE EDUCATIONAL ACCESS

The core partners recognize that only by leveraging the systems resources as a whole will the State be able to produce and maintain a highly educated and skilled workforce. Using a coordinated approach and utilizing resources from each core and workforce system partner, increased educational access can be achieved by addressing the following:

- Forgiveness of non-federal student financial obligations to postsecondary institutions that may prevent readmission;
- Explore options for employers incentives to support educational opportunities for entry-level and incumbent workers;
- Joint professional development for intake and advising staff of educational and workforce system partners to improve integration of services and the ability to engage any and all appropriate providers to best meet client needs;
- Greater access to Prior Learning Assessments;
- State resources to provide low and no-cost evaluations of foreign secondary and postsecondary credentials;
- Articulation agreements between core partners and educational institutions to increase referrals to adult education to optimize its use as a low cost alternative to developmental courses;

- Increased support for integrated education and training opportunities;
- Advances in technology and assistive devices used to improve access to skills training and employment for all, including individuals with disabilities.

GROW AND DIVERSIFY MAINE'S WORKFORCE THROUGH IMPROVED ACCESS AND ENGAGEMENT—IMPROVING ACCESS TO POSTSECONDARY CREDENTIALS

The accomplishment of this strategy begins while youth are still in high school and the adult client first enters into the postsecondary educational and workforce development systems. Effective strategies include intake, career and academic advising and assessments, career exploration, financial literacy counseling, development of goals and the identification of any needed support services.

The following have been identified as essential to improve access to postsecondary credentials:

- Establish enhanced integration of the efforts of the workforce system with the K-12 system to increase student awareness of careers and career pathways.
- Clearly articulated Career Pathways will be established by educational institutions and employers that outline the step-by-steps to career attainment and advancement;
- MOUs to govern the secondary, adult and postsecondary education and training relationships,
- Co-location of basic skills instruction at appropriate core partner facilities and institutions of higher education;
- College ready adult learners as the result of adult education's implementation of research-based best practices and College and Career Readiness Standards for Adults;
- Establishment of interventions to help students avoid developmental education and move forward to degree attainment courses;
- Combining contextualized foundational skills with occupational and/or college coursework.
- Integration of foundational skills into credit-bearing classes to accelerate path to certificates and credentials through Integrated Education and Training (IET);
- Flexed schedules of educational and training offerings to reduce scheduling conflicts for working students;
- Expansion and promotion of use of technology and reasonable accommodations to broaden student access to educational offerings;
- Increasing the availability of credit bearing college classes at adult education sites.

GROW AND DIVERSIFY MAINE’S WORKFORCE— COORDINATING WITH ECONOMIC DEVELOPMENT STRATEGIES

The State Board recognizes that, given the projected decline in Maine’s working age population, innovative strategies and policies must be created to attract new residents to the state. Accordingly, the Board is investigating the factors that cause in-migration, researching best practices regarding relevant policy actions and considering strategies to incentivize the flow of individuals to Maine.

6. STRATEGIC OBJECTIVE: CREATE AND ALIGN OUTREACH AND COMMUNICATIONS TO ACHIEVE THE VISION

The creation and implementation of a comprehensive Outreach and Communications plan is foundational to achieving the goals of Maine’s workforce development system. This plan must address the “need to know” of a variety of internal and external stakeholders: workforce development board members, employers, local and state agencies, municipalities, policy makers, potential and incumbent Maine workers, workforce system partners, postsecondary and training institutions, as well as employees of the core partners.

CREATE AND ALIGN OUTREACH AND COMMUNICATIONS TO ACHIEVE THE VISION— CORE PROGRAM ACTIVITIES TO IMPLEMENT THE STATE’S STRATEGY

The core partners are committed to ensuring that employees and clients of their agencies understand the vision for workforce development in Maine, the services that are available to users of the system, and the role and responsibilities of each partner relative to the success of the vision. To meet the strategy of Aligning Outreach and Communications, core partners will take the following steps:

- Create a WDS Message Coordinating Council staffed by representatives of each core partner, including a representative of the One-Stop Operators group;
- Provide extensive professional development and cross training for core partners so each can deliver a consistent message on WDS services and practices (i.e. data/resources, recruiting, training opportunities, educational opportunities, layoff assistance);
- Each core partner will contribute to a WDS informational website for external stakeholders;
- Create a map of committees that identifies membership, roles and responsibilities;
- Maintain a current intranet for informational updates for core partner employees;
- Develop marketing materials that highlight the core partner collaborative approach to service delivery;
- Post partner information on each core partner’s website;
- Create and disseminate WDS marketing materials in alternate formats that are accessible to workers and potential workers with disabilities;

- Create and disseminate WDS marketing materials for employers regarding disability related services;
- Coordinate partner approach to employer services.

CREATE AND ALIGN OUTREACH AND COMMUNICATIONS TO ACHIEVE THE VISION—ALIGNMENT WITH ACTIVITIES OUTSIDE OF THE PLAN

- Conduct WDS summits and seminars;
- Coordination of WDS services through clear communication and guidance to Corrections, Veterans and other special populations on how to access such services;
- Creation of a committee to deal with WIOA policy development and implementation to facilitate access to services;
- Establishment of MOUs with partner organizations;
- Create communication streams between and amongst local collaborating agencies.

CREATE AND ALIGN OUTREACH AND COMMUNICATIONS TO ACHIEVE THE VISION—COORDINATION, ALIGNMENT AND PROVISION OF SERVICES TO INDIVIDUALS

- Partners promote the WDS vision on promotional materials, websites, etc.;
- Client referrals for services are made to partner agencies when appropriate;
- Policy audits will be conducted to eliminate barriers to agency coordination of services.

CREATE AND ALIGN OUTREACH AND COMMUNICATIONS TO ACHIEVE THE VISION—COORDINATION, ALIGNMENT AND PROVISION OF SERVICES TO EMPLOYERS

- Convene a statewide employer focus group to share the WDS vision, learn their needs, inform them of services, and develop strategies for increasing employer engagement;
- Determine process for employer contact;
- Reduce duplication of services;
- Enhance WDS communication to employers to streamline their access to appropriate services.

CREATE AND ALIGN OUTREACH AND COMMUNICATIONS TO ACHIEVE THE VISION—PARTNER ENGAGEMENT WITH EDUCATIONAL INSTITUTIONS

- Engage with secondary schools to expand student awareness of Maine's career pathways, in-demand occupations and employment opportunities
- Involve postsecondary educational institutions and training organizations in the messaging of the WDS;
- Create and distribute common WDS message that clarifies the roles and services of each WDS partner for other educational institutions;
- Engage educational institutions in the development of career pathways;

- Create MOUs with postsecondary institutions and adult education regarding implementation of Ability to Benefit.

CREATE AND ALIGN OUTREACH AND COMMUNICATIONS TO ACHIEVE THE VISION—LEVERAGING RESOURCES TO INCREASE EDUCATIONAL ACCESS

- Explore uses of Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) funds to include more job training;
- Regular WDS communication to increase awareness of opportunities to braid funds to increase services;
- Sharing Transition Career Exploration Workshop (for students with disabilities) (TCEW) curriculum with schools for their use.

CREATE AND ALIGN OUTREACH AND COMMUNICATIONS TO ACHIEVE THE VISION—IMPROVING ACCESS TO POSTSECONDARY CREDENTIALS

- Develop and share a clear, concise consumer handbook with information on postsecondary services;
- Publicize no-cost and low-cost training opportunities;
- Promote availability for Vocational Rehabilitation to collaborate and coordinate with educational institutions in provision of services for students with disabilities.

CREATE AND ALIGN OUTREACH AND COMMUNICATIONS TO ACHIEVE THE VISION—COORDINATING WITH ECONOMIC DEVELOPMENT STRATEGIES

- Engage Maine's Department of Economic and Community Development (DECD) in all communication regarding WDS Mission;
- Promote the alignment between strategies of the WDS and DECD;
- Develop communications strategies that identify people with disabilities as a resource in economic development;
- Offer consistent messaging amongst all state agencies to promote WDS.

Requested Revision;

STATE OF MAINE

DEPARTMENT OF LABOR

BUREAU OF EMPLOYMENT SERVICES

55 STATE HOUSE STATION

AUGUSTA, MAINE 04333-0055

MAINE WORKFORCE DEVELOPMENT SYSTEM

Subject of Policy: Customer Co-Enrollment Policy No. PY16-06

To: State WDB

Local WDBs

Chief Elected Officials

WIOA Core & Required Partners

From:

Edward D. Upham, Director

Bureau of Employment Services

Issuance Date: TBD Status: DRAFT

References WIOA §107(d)(5) and §108 (b)(1)(F)(3)

Preamble to WIOA Final Regulations; 20 CFR 677.160(a)(1)(ii); 678.500 (b)(1)

TEGLs: 03-15; 08-15; and 04-16

Purpose: To provide guidance to WIOA partners regarding the purpose and practice of customer co-enrollment.

Background: Co-enrollment has long been encouraged by the USDOL between programs serving dislocated workers (Title I Dislocated Worker program, National Emergency Grants and Trade Adjustment Assistance for example); and Labor Exchange services for all Title I participants involved in job search activities. Co-enrollment permitted customers access to necessary services and resources that may not have been available through the other program, or allowed them to access services prior to approval of a specific program such as while waiting for a layoff event to be Trade Certified.

Under the Workforce Innovation and Opportunity Act (WIOA), co-enrollment is promoted as one method for aligning and coordinating services between core programs and to streamline services in order to promote efficiency and provide a seamless service experience for the customer.

Co-Enrollment: is defined as an enrollment in two or more WIOA programs, and/or State or Local grant-funded programs. A customer may be enrolled in another WIOA-funded program that does not require coordination of services between programs; however, coordinated services may be in the best interest of the customer. When this is the case the co-enrollment may be referred to as a Dual-enrollment or a Coordinated-Enrollment.

Coordinated- or Dual-enrollment allows service providers to leverage additional resources on behalf of the customers thus enhancing performance outcomes.

Coordinated co-enrollment is when the program staff, from each separate program work to together for the benefit of the customer to eliminate any unnecessary duplication of services and or to coordinate and streamline services such as working to decide which program will conduct an assessment, development an individual employment plan, assist with job search, or provide supportive or training services.

Coordinated co-enrollment may be used to expand the type and level of resources that can be dedicated on behalf of a participant, for example for OJT approved training for a TAA participant allows the TAA Program to reimburse employers up to 50 percent, but WIOA allows a reimbursement of up to 75 percent, a co-enrollment in WIOA Title I could leverage an additional 25 percent employer reimbursement bringing the total reimbursement to the employer up to 75 percent.

Coordinated co-enrollment requires program staff from each program to connect on behalf of participants; it should be clear to both the participant and partner staff which of the services identified in his or her individual plan will be provided by which partner. If some services have already been provided by one partner, the extent to which the other partner will recognize and accept the service outcome for the purpose of co-enrollment must also be spelled out, for example acceptance of the initial or comprehensive assessment that has already been conducted or the acceptance of the individual employment plan that has already been developed and already outlines a career pathway for the participant.

Coordinated Co-enrollment will require staff to:

- a. Determine, at time of intake, if a customer is already enrolled in another WIOA-funded program. Note: tracking and reporting of co-enrollment in other WIOA-funded programs is an annual reporting requirement for all Core WIOA programs.
- b. Initiate customer consent for staff from each program, in which a customer is already enrolled or being referred to, to discuss his/her individual plan and the type and level of services each program will provide to best meet his/her needs.
- c. In order to reduce confusion for the customer, the programs must determine which one is to be the primary enrolling entity (usually the provider who made the initial enrollment).
- d. The primary enrolling entity will be responsible for coordinating activities and ensuring all services are documented and IEP/ISS is updated as required by each program.
- e. Partners must discuss the level and type of information that will be shared between the partners, for example sharing of placement and outcome information.
- f. For the purpose of common exit, service providers must follow the State policy on common exit and if directed must establish a way to ensure that the participant does not exit one program until the services of the other program have been completed (with the exception of follow-up services). Note: Common Exit Policy has not yet been developed

Co-enrollment is strongly encouraged and/or required for use of certain WIOA funds for:

Integrated Education and Training: WIOA promotes the integration of adult education services with occupational education and training and workforce preparation, as well as the creation of career pathways for Youth in Title I WIOA Youth Programs. The definition of “career pathway” is codified in WIOA Section 3(7). Title II authorizes the use of funds for integrated education and training and workforce preparation activities.

Title I authorizes the use of Adult and Dislocated Worker Training funds for:

- Work readiness training that is provided in combination with occupational training; and
- Education and literacy activities, including English language acquisition and integrated education and training programs, provided concurrently or in combination with occupational training.

In addition, leveraging funding between WIOA Title II and the Title I Youth Program provides an opportunity to create a service strategy that concurrently enrolls OSY in education programs combined with workforce preparation and training. Partnering with Title II programs and leveraging resources effectively can assist local areas in meeting their requirement to develop and implement career pathways by aligning the employment, training, education, and supportive services youth need. (WIOA Section 107(d)(5))

Homeless Veterans Grantee participants are required to be enrolled in Employment Services, Jobs for State Veterans Grant and/or WIOA Title 1 Adult, DW or Youth programs.

MOUs:

Local Area may negotiate and articulate other co-enrollment practices by and between partner programs that improve streamlining and integration of services as part of the partner MOUs.

STATE OPERATING SYSTEMS AND POLICIES

STATE OPERATING SYSTEMS

Core partners of this Unified Plan utilize the following case management and management information systems (MIS): Adult Education uses MaineSTARS, Vocational Rehabilitation utilizes AWARE, and Wagner-Peyser and formula program providers utilize and the Maine Job Link (MJL) a product of America's Job Link Alliance that combines case management, performance tracking and reporting and labor exchange job match services in one system.

The aforementioned systems comply with current federal reporting requirements for each program. The data elements required for each program are being collected and will be used to support the coordinated implementation of Maine's strategic objectives.

MaineSTARS is a federally approved MIS system compliant with adult education's National Reporting System. Local adult education programs are required to use MaineSTARS for all intake, demographic, assessment, and attendance data. At the state level, aggregate numbers are compiled in MaineSTARS and used to perform data matches against Maine Department of Labor employment data, high school equivalency completion data, and the National Student Clearinghouse database for postsecondary enrollment.

The AWARE system collects and reports data required by the Rehabilitation Services Administration in the delivery of Vocational Rehabilitation services, as well as serving as a case management tool for the Division for the Blind and Visually Impaired and the Division of Vocational Rehabilitation. The system is maintained by its vendor, Alliance Enterprises, and has been updated to meet WIOA reporting requirements.

The Maine JobLink (MJL) system collects and dispatches the data required for current formula program performance reports. Reports are created for a variety of programs spanning formula and Wagner Peyser, to Trade and Apprenticeship. MJL also collects data pertaining to the WPRS RESEA program, the Migrant and Seasonal Farmworker National Farmworker Jobs Program (NFJP), the Jobs for Veteran's State Grant (JSVG) and other state funded programs such as the Competitive Skills Scholarship Program. Conversion to a modern web based data management reporting system was necessary to conform to the new WIOA requirements. Maine has migrated to America's Job Link Alliance (AJLA) .

While the case management and MIS systems comply with federal reporting requirements for each program, the interfaces between the systems are, at present, limited, and resources for new systems in a small state such as Maine are constrained (states with relatively small populations cannot cover the fixed costs of purchasing and maintaining operating systems as readily as larger states, which receive substantially higher funding allotments).

Recognizing that achieving the State's vision will require greater levels of integration among operating and case management systems, Maine's WIOA Steering Committee is implementing the following solutions:

- Maine’s WIOA Performance Accountability Group, a subcommittee of Maine’s WIOA Steering Committee, has completed an analysis of current systems and has developed a strategy for pulling data from the existing, disparate systems to meet federal WIOA reporting requirements. Part of this strategy has been moved forward as a result of the ability to apply for the special DWG grant to research and possibly purchase a system for integration of intake and other participant information across core programs. An RFP has been prepared and is almost ready to be released.
- Center for Workforce Research and Information (CWRI), MDOL’s labor market information provider, will add the data on participants of core partners to Maine’s workforce longitudinal data system, thereby linking the records of core program participants with their corresponding wage and employment records for program evaluation and reporting purposes; In addition, it is hoped they will use similar program tools to assist eligible training providers to conduct the UI wage match for all students to meet the requirement for annual ETPL reporting;
- Wagner-Peyser and formula funded programs upgraded their MIS system to America’s Job Links Alliance (AJLA). AJLA is a system that includes case management, labor exchange, eligible training provider list and other collection and extrapolation components required by WIOA. Most important, it currently has an interface with the new BUC system just launched and known as RE-EMPLOYME, it is also a tool used by a consortium of UI programs from other states. AJLA has the capacity to interface with other required programs, like CWRI, and can potentially interface with core partner systems (MaineSTARS and AWARE) to import and export data necessary to conduct an integrated intake/registration or possibly integrated case management to some level;
- A Request-For-Information process has begun to assess other front-end software solutions that pull data from existing legacy systems in order to support common intake, assessment and case management across core partner programs. See [Plans for Data Alignment and Integration](#)

In addition, Maine’s workforce longitudinal data system will be used to assist Eligible Training Providers in reporting performance outcome data required under WIOA.

STATE POLICIES

Administrators of the Maine’s core programs had extensive discussions regarding the policies and practices that will enable the State to achieve its strategic objectives. At the beginning of these discussions, it became apparent that establishing the basic operating principles, or the ‘must haves’ of an integrated workforce development system, will be essential to creating operational plans that implement the State’s strategies. The principles outline how services can be integrated and delivered to customers of the one-stop system with the goal of enhancing the effectiveness in serving clients, minimizing duplication of efforts and increasing customer satisfaction.

Following are the stages of customer flow that Maine’s core partner programs developed for one-stop centers.

- Initial Triage
- Intake
- Assessment by one of four core partners,

- Services and plan development

Initial Triage —The first point of contact for customer at a One-stop center must be knowledgeable, welcoming and capable of assessing the customer’s needs and circumstances (e.g. does the customer have a disability?). In addition to performing an initial triage” (a series of questions to identify what the customer’s needs and where to direct them) the initial contact person, or “navigator” will make the customer feel understood and connected. The navigator is responsible for directing customers to the optimal resources: intake, a specific program (referral) or the information center (self service).

Intake (the process of gathering the data to determine eligibility)—Maine will have a common intake system where relevant customer data is captured and is electronically available to all partners with the informed consent of the customer. This will reduce the need for customers to fill out intake forms multiple times, thereby increasing efficiency of operations and customer satisfaction. Common intake will also foster greater continuity of service.

Assessment—Currently, each core program has a unique assessment process, which requires customers to be re-assessed when they enroll in a different program. While the core programs share a common purpose in assessing clients, there exists little standardization in the tools and processes used.

Maine’s assessment process will be:

- o Standardized. Core partners will set standards for assessment tools that are accessible and to be used for specific purposes (i.e. CASAS for numeracy and literacy). Standardization will create opportunities for cost savings and enhance customer service;
- o Seamless. Core partners will be able to access customer assessments across programs. As clients move to new programs their test results will follow them electronically, eliminating the need for retaking the same test twice. Customers will only take tests when a different skill needs to be assessed. This modular system of assessment will minimize duplication of effort, streamline the customer experience and result in better communications among programs.
- o Integrated. Partners will recognize a customer’s assessment when it was conducted by another partner. This will minimize the retaking of tests and duplication of efforts.

Services and Plan Development (getting every customer employed or on a career path). Currently, a client’s plan is not routinely shared among partners, thus reinforcing the ‘siloes’ nature of the existing system. As part of this unified plan, policies will be developed to enable a client’s service plan to follow them (paper copy or scanned file) when they are referred to a new program.

POLICIES SUPPORTING THE ENACTMENT OF THESE BASIC PRINCIPLES

A range of policies (enumerated below) will be developed by the WIOA Steering Committee to support the aforementioned ‘must haves’:

- Policies governing—and optimizing—communication across and among programs and partners to foster better continuity of service and reduce ‘drop-out’ rates;
- Protocols for record sharing (or scanned sharing) of individualized service plans among partners;

- The development of a quasi-standard individualized service plans template (programs are expected to continue to use their proprietary framework);
- Policy on standards for assessments and protocols for inter-agency and inter-program assessment sharing;
- Policies for professional development to enable the:
 - o development of new skill sets for those operating as navigators;
 - o proper reading and interpretation of partner individualized service plans;
 - o proper interpretation of intake data;
 - o proper use of the front-end software;
 - o proper interpretation of assessment data.
- Policies governing the development of system improvement measures (measuring communication, drop outs, number of customers referred, etc.).

MOUs will also be developed and guide work that can be done by and between partners to align services and formalize referral processes and guidelines. Such agreements will also catalog and map out the parts of the workforce development system that will be made up of comprehensive one-stop centers, satellite one-stop centers, and various other points of service entry, such as partner service sites. The MOUs will be a major tool for articulating specific ways that resources, services, and information can be aligned and integrated and the level and extent to which each partner will jointly serve and or refer an individual customer.

STATE PROGRAM AND STATE BOARD OVERVIEW

STATE AGENCY ORGANIZATION

The organization and delivery systems for the core programs covered in this Unified Plan are described below.

ADULT, YOUTH, DISLOCATED WORKER PROGRAMS AND WAGNER-PEYSER PROGRAMS

The Bureau of Employment Services (BES) is the State Workforce Agency (SWA) within the Maine Department of Labor established to provide oversight and administration of state and federal workforce programs and to provide financial, administrative and policy support to Maine's one-stop system. The Bureau was established in 1996 by consolidating the Bureau of Employment and Training Programs and the Bureau of Employment Security's Job Service Division.

The BES provides labor exchange services at one-stop centers across the State and runs Maine Job Link. BES also administers the majority of USDOL funded Employment and Training programs including: Veterans Services, Trade Adjustment Assistance, Rapid Response, Ticket to Work, the Migrant Seasonal Farmworker Program and the Maine Apprenticeship Program. The BES is also responsible for administering the Competitive Skills Scholarship Program (CSSP) a program targeted to low income individuals to enable them to attain post-secondary credentials in high-demand, high-wage occupations

Bureau of Employment Services

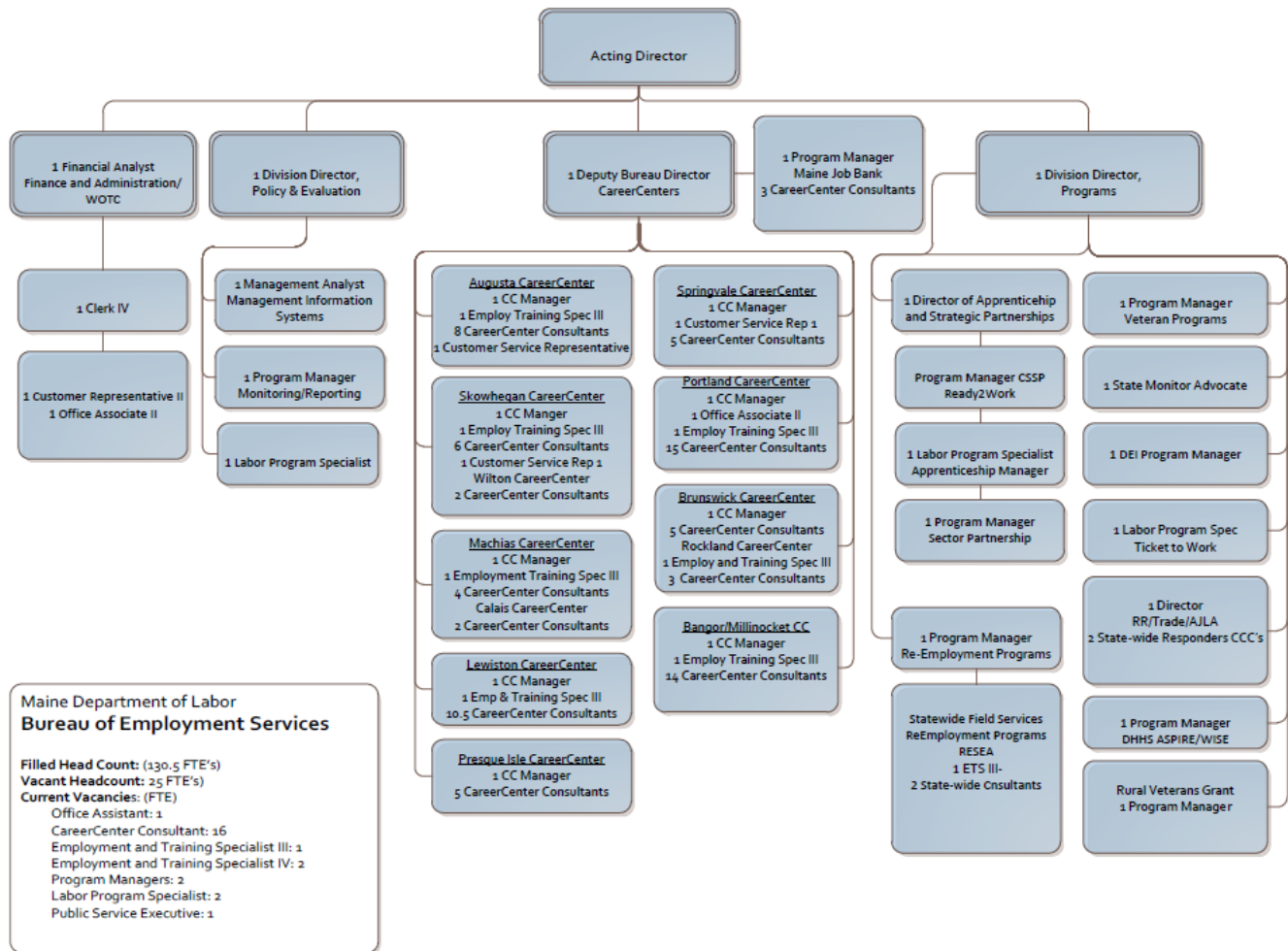


FIGURE 18: ORGANIZATIONAL STRUCTURE--EMPLOYMENT SERVICES

VOCATIONAL REHABILITATION

Within the Maine Department of Labor's Bureau of Rehabilitation Services, vocational rehabilitation services are delivered through the Division of Vocational Rehabilitation (DVR) and the Division for the Blind and Visually Impaired (DBVI). DVR and DBVI staff are regionally based in seven one-stop centers and provide statewide coverage.

Bureau of Rehabilitation Services

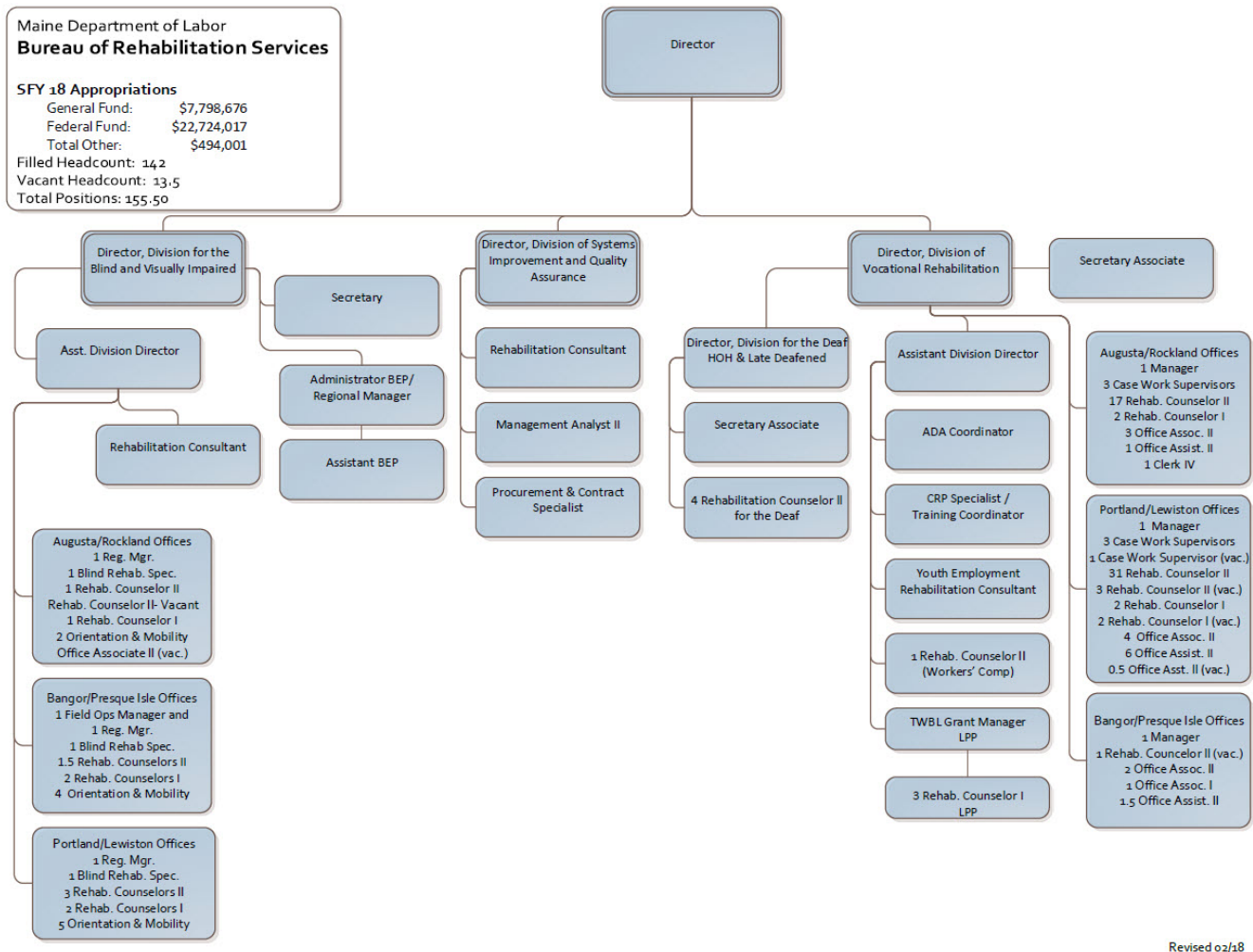


FIGURE 19: ORGANIZATIONAL STRUCTURE--REHABILITATION SERVICES

ADULT EDUCATION ORGANIZATIONAL STRUCTURE

The Office of Adult Education and Family Literacy is the state agency within the Maine Department of Education that provides services, instruction and vocational training primarily for individuals beyond the compulsory school age through a career pathways system. Elements of this system include learner intake, assessment, advising, instruction and individual learning plans; is guided by data management and analysis, annual monitoring and annual professional development plans; uses appropriately certified staff; is designed to meet identified local needs; and makes use of

partnerships and alignment with workforce development, postsecondary institutions and support services.

Maine Adult Education offers courses in literacy and adult basic education, English language acquisition, citizenship, high school completion, college transition, career exploration and preparation, job skills training and personal enrichment. In addition, support services, such as academic and career advising and financial literacy are provided. Maine Adult Education has over 76 programs located throughout the state administered through public school administrative units.

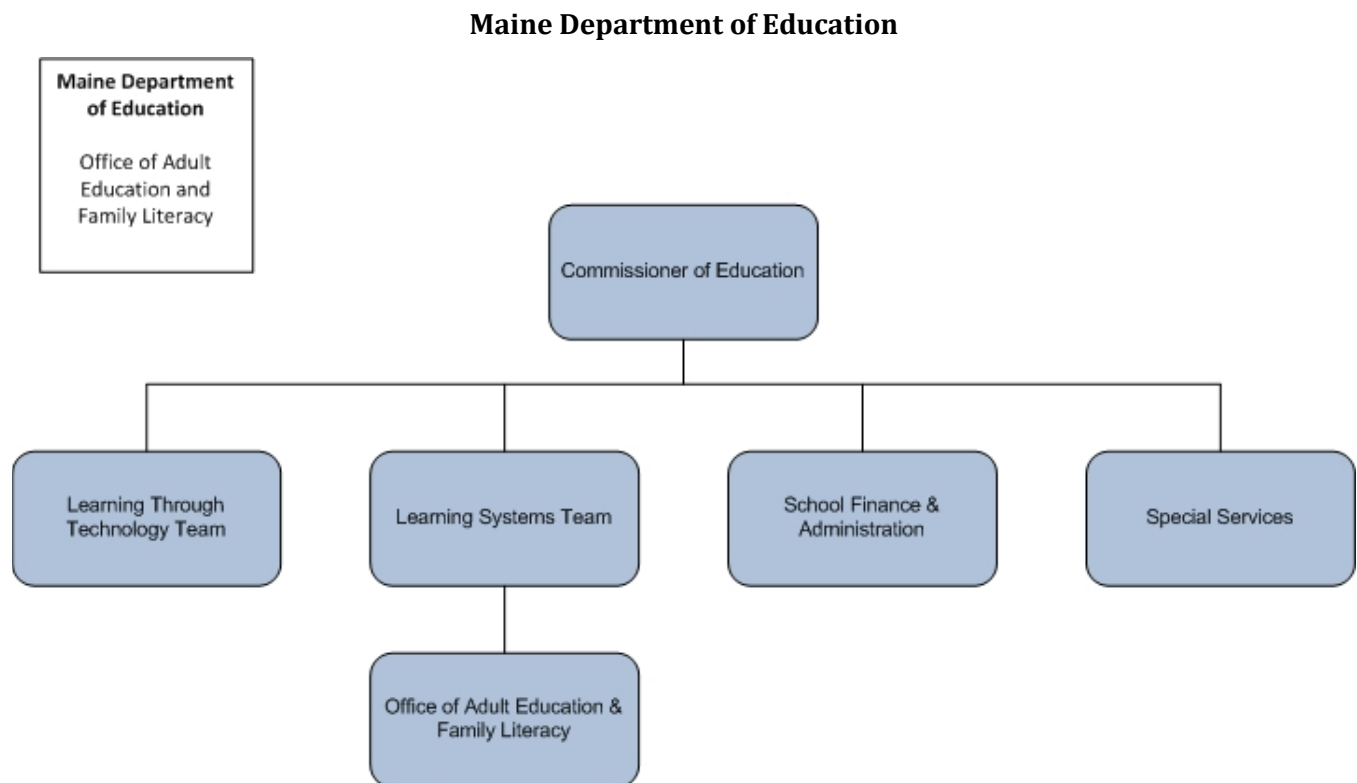


FIGURE 20: ORGANIZATIONAL STRUCTURE--ADULT EDUCATION

STATE BOARD

Maine's State Workforce Development Board (State Board) is responsible for the functions articulated in Section 101 of Subtitle-A, chapter one of WIOA. The State Board serves as a convener of workforce, education, and business stakeholders and seeks to align and improve employment and training activities and programs, in order to enhance the economic prosperity of Maine residents and enable business growth. The State Board implements Governor LePage's workforce development initiatives, ensures the workforce system is customer focused and takes a leadership role in aligning public investments with job training activities to ensure the workforce system is demand driven.

MEMBERSHIP ROSTER

The membership roster for the State Board, including members' organizational affiliations, is provided.

TABLE 9: STATE WORKFORCE DEVELOPMENT BOARD MEMBERSHIP ROSTER

State Workforce Development Board Members, 2018		
<u>NAME</u>	<u>COMPANY/ORGANIZATION</u>	<u>Affiliation</u>
Paul R. LePage	State of Maine	Governor
Fred Webber (Chair)	Maine Street Solutions	Business representative
Jon Mason	BIW	Business representative
Anania Peter	Anania & Associates	Business representative
Terry Young	Puritan Medical Products	Business representative
Ed McKersie	Pro Search	Business representative
Kevin Healey	Kennebec Savings Bank	Business representative
John Fortier	State Farm Insurance	Business representative
Thomas Davis	Are you Ready to Party	Business representative
Ryan Bushey	Louisiana Pacific	Business representative
Jeremy Kendall	Easter Seals Maine	Business representative
Scott Good	Crescendo Consulting	Business representative
Guy Langevin	Dead river	Business representative
Andrew Nichols	Elmet Technologies	Business representative
Robert Watson	Jotul North America	Business representative
Laura Zajac	Zajac, LLC	Business representative
John Butera	Labor	MDOL Commissioner
Robert Hasson	Education	MDOE Commissioner

State Workforce Development Board Members, 2018		
Tom Davis	Penobscot County	Chief Elected Official
David Duguay	Oxford County	Chief Elected Official
Jennifer McKenna	Plumbers/Pipefitters	Labor-mgt. apprenticeship program
John Leavitt	NE Region Council of Carpenters	Labor organization
Mel Clarrage	Association for the Blind of Maine	Community based org.
Tracey Cooley	Job Corps	Community based org.
Amy Volk	Senate	Senator
Ryan Fecteau	House	Representative
Garret Oswald	SWB	Director

In addition to the members listed above, the following commissioners and higher education representatives also provide input to the board:

TABLE 10: ADDITIONAL COMMISSIONERS AND HIGHER EDUCATION REPRESENTATIVES PROVIDING INPUT

Additional State Agency Commissioners and Higher Education Representatives Providing Input to the SWB		
<u>NAME</u>	<u>COMPANY/ORGANIZATION</u>	<u>Affiliation</u>
David Bernhardt	Maine Department of Transportation	Commissioner
George Gervais	Maine Department of Economic and Community Development	Commissioner
Ricker Hamilton	Health and Human Services	Commissioner
Joseph Fitzpatrick	Maine Department of Corrections	Commissioner
James Page	University of Maine System	Chancellor
Dereck Langhauser	Maine Community College System	President

BOARD ACTIVITIES

In addition to the activities described above, the State Board assists the Governor in the development, modification and implementation of a state plan. The State Board convenes member and stakeholder board meetings six times per year. Regular communications with board members are carried out via email every two weeks. The State Board also maintains a website, which contains meeting minutes, important news and other relevant information. The website serves as a communication tool with stakeholders and interested parties. State Board activities also include the production of an annual report and the coordination of other activities that are relevant to the development of the state's workforce. During the summer of 2015, the board hosted a three day workshop for the purpose of creating the state's vision for the Unified Plan.

ASSESSMENT OF PROGRAMS AND ONE-STOP PROGRAM PARTNERS

ASSESSMENT OF TITLE I- ADULT, DISLOCATED WORKER AND YOUTH PROGRAM SERVICES

Maine Bureau of Employment Services has established a schedule of formal monitoring, which includes a program and fiscal review of each of the Title IB programs annually. Maine's guidance on oversight and monitoring responsibilities spells out the roles and responsibilities of local area monitoring and identifies the criteria to be reviewed annually.

FINANCIAL RISK ASSESSMENT

These reviews ensure that expenditures meet the programmatic, performance, cost category and compliance requirements of WIOA. Fiscal reviews assess the quality of financial administration by reviewing and assuring that service providers have adequate internal controls and fiscal policies and procedures in place. Financial reviews are conducted using tools provided by the USDOL Employment and Training Administration. In addition to on-site fiscal reviews, the Department of Administrative and Financial Services (DAFS) also reviews the audit reports completed on local area and their sub-recipients. Bureau staff work very closely with DAFs staff to ensure that costs for which funds are being requested are allowable and documentation of such are clear and allocated appropriately.

Fiscal monitoring results in an informal exit interview at which identified findings and concerns are discussed and best practices lauded, which is followed up with a formal reporting that articulates specific findings, cites the regulations and/or policies pertaining to the finding, and details the specific action steps that must be taken to resolve the findings and the timelines in which the action steps must be completed.

Procurement practices and policies are also reviewed to ensure that the local area has clearly identified process for competitive procurement and appropriate agreement types are in place for pass-through awards. Contract documents are reviewed to ensure they contain the required citations and protocols for contract award decision makers are reviewed to ensure that controls around conflict of interest are appropriately administered.

Finally, the fiscal monitoring that the local areas conduct on their sub-recipients is also reviewed for the same purposes listed above.

LOCAL BOARD AND PROGRAM ASSESSMENT

The Bureau of Employment Services (BES) program monitoring tool is fashioned after the Core Monitoring Tool published by the USDOL-ETA. Each local area and its Title IB sub-recipients are monitored annually. Monitoring is conducted to ensure that the one-stop system is in compliance with the intent and substance of the rules governing funding streams, and to identify whether the systems are operating to achieve the State and local area or regional strategic workforce system goals. The monitoring tool used is designed to explore the working relationships between required partners within the system and in particular the core partners housed in the one-stops. Monitoring provides an opportunity to identify and share best practices across the State and to identify performance and compliance issues that need attention and address.

Each year Bureau of Employment Services conducts on-site monitoring of the local board during which local board governance is evaluated and local area sub-recipient monitoring activity is assessed. The local area governance review includes examination of board policies, board membership and formal Memoranda of Understanding with required partners. It also includes a review of board minutes, requests for proposal, service and sub-recipient contracts and an overview of quarterly reports and most recent progress in achieving planned service levels and performance goals. Inadequate policies and/or lack of required board membership are identified as findings and technical assistance is provided upon request.

The local area plan is reviewed against plan guidelines issued by the USDOL and the State Board. Plans that do not contain all of the required elements are not approved by the State Board until they comply with all of the requirements. Local areas are also evaluated on the process used to develop and create the local plan, to ensure that there has been adequate involvement of system partners in identifying and implementing strategies outlined in the plan and to ensure that the plan contains steps for implementation of identified strategies. Local board certification is approved only if the local board has an approved plan in place, meets negotiated performance measures, maintains required local board membership, addresses any outstanding findings or policy requirements and sustains fiscal integrity.

Methods the local board uses to communicate, educate and inform sub-recipients and system partners is also evaluated to understand local area effectiveness in meeting plan goals and promoting continuous improvements.

Local area sub-recipients are also monitored annually to ensure that the local board oversight is adequate and results in sub-recipient compliance. Sub-recipient monitoring includes intensive file reviews to ensure that adequate documentation of eligibility and participant services are in place. Program staff interviews are utilized to gauge whether program design and delivery is being conducted according to requirements and local area plans and participant interviews are conducted to gain insight on the participant's perspective and satisfaction with the service being provided. BES has made a practice of reviewing participant files on the MIS system prior to conducting the on-site paper file reviews to identify prospective issues with data element validation requirements.

Sometimes specific training programs are the focus of a review, such as On-the-Job Training, Customized Training and Work Experience contract reviews and interviews with employers providing the work-based training. Such contracts are reviewed for compliance with labor

standards and non-displacement requirements and also to ensure that the level and quality of the training is commensurate with the needs of the participants being trained.

Sub-recipient interviews allow the monitors to assess whether the service providers understand and are implementing service delivery according to the local area plan and whether they are familiar with and applying federal, state and local board policies correctly and meeting the requirements of specific programs. Tools that service providers use to conduct initial, comprehensive and academic assessments are also appraised as are the methods for providing and documenting provision of required services, including information about non-discrimination and customer complaint process, labor market and career information, and job search assistance processes.

Monitors examine whether or not all required aspects of each of the programs are being implemented and spending thresholds attained and/or spending limits adhered to. Youth services staff are asked to explain how they assess each youth participant's need for any of the required youth service elements and the number of enrolled youth who access each of the elements. Youth program case managers are interviewed to showcase how they develop an individual service strategy for a youth and whether they partner with outside entities to provide any of the service elements, such as Adult Mentoring. Work experience files and contracts are reviewed and staff members are asked to explain how Work Experience sites are monitored to determine that they are safe and to explain the process for addressing Work Experience site issues. Service providers must also provide an overview of how Work Experience site employers are educated about child labor law and safety requirements that may pertain to the particular site or participants. Youth policies are reviewed to identify whether and how they differ from Adult policies, such as supportive service policies or assessment and plan development methods.

Modification 2018; In January 2018, the State Workforce Board approved a motion by the Governor to implement a new policy that expands the definition of training services and requires 70% of the funds allocated to the Local Workforce Boards be expended on training. See Appendix XXV Minimum Training Expenditure Requirement for Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker Funding policy.

ASSESSMENT OF EMPLOYER SERVICES

One of the fundamental components of assessing quality of employer services is to identify if the information and services being provided by the formula program services providers and/or local board staff are being coordinated with similar outreach conducted by other one-stop system partners. Providers are asked to explain how they promote the services of the Maine Job Link and whether they collaborate with other Maine business assistance entities, such as the Department of Economic and Community Development's account executives or Maine's Small Business Development Centers or the Maine Community Colleges' Business and Professional services leads. Also assessed is the number of public training resources that are packaged or bundled on behalf of employers and whether or how pools of participants are assessed and screened for new hire OJT training to meet the needs of employers.

QUARTERLY PERFORMANCE ASSESSMENT

Local areas are required to submit quarterly reports that identify actual to planned service levels and levels of attainment of negotiated performance goals. Local areas submit both quantitative and qualitative components and are asked to identify at least one service success story from each program every quarter. Planned spending is also reviewed against actual using quarterly fiscal reports; if there are spending thresholds to be met or spending caps which cannot be exceeded, these reports are used to identify and address risk. Quarterly reporting allows us to address and understand issues regarding service or spending levels that are below or above planned levels. Bureau of Employment Services responses to quarterly reports may be in written or oral form; whenever there are common issues across multiple local areas at once, a group conference call is initiated to share data and brainstorm action steps to address the issues directly with local board staff.

DATA VALIDATION

Each year the BES conducts data validation, an activity that involves careful scrutiny of both paper and MIS files to ensure that data reported is valid and properly documented. After each round of data element validation is completed, the BES provides reports to each local area office that identifies any of validation errors (failures); shortly thereafter the BES also provides training to each local area to go over the errors, how to address them going forward and to refresh staff about all of the required tracking and documentation.

Requested Revision;

In addition to monitoring of One-Stop partner programs conducted by their own administrative entity, the level and ability of the partner programs to adhere to the activities identified in the local area MOU, that pertain to provision of and access to services and cross-agency referrals, will be reviewed as part of the MOU review process identified by each local board and as part of the annual monitoring process conducted by the MDOL (State Workforce Agency).

Local areas are required to provide an annual report on the progress of their local/regional strategic plan activities, including partner-related activities identified in the plans. These reports will also be used to evaluation and assess the efficacy of One-Stop Partner roles in the local systems.

The State Workforce Board has a subcommittee made up of Required One-Stop Partners. The committee was expanded significantly to include key optional partners who play a significant role in Maine's workforce system. The partners of this committee will meet quarterly and will inform the State Board of partnership and integration goals, successes and challenges. The committee includes the State or Regional administrative entity for each required and optional partner some of whom also sit on the State Board as required under WIOA, the members include: Local Board Directors, State Leads for: Labor Exchange, Veteran's Services, Vocational Rehabilitation, Unemployment Compensation, Adult Education, Job Corps, Community Services Block Grants, SCSEP, Trade Adjustment Assistance, and the Maine Community College System Carl Perkins Grant lead, and EMDC - the lead agency for the NFJP grant, the TANF program lead and Department of Corrections Employment and Training Programs. In addition, the committee includes: the Penobscot and Passamaquoddy Indian Nations, the Maine Competitive Skills Scholarship Program, the Maine Apprenticeship Program, the Maine Development Foundation, the Maine State Library System, New Ventures Maine, CAP Agencies, the University of Maine and the Department of Economic and Community Development.

The mission for this subcommittee is to provide leadership to their service providers in the local areas to implement and improve a customer-centric, seamless, integrated workforce system that meets the needs of workers, including those with barriers to employment and employers.

The State Workforce Development Board reviewed all of the criteria stipulated by WIOA and the final regulations that must be considered for One-Stop Certification; they felt it was already a very thorough list. They identified two additional items to be included as criteria for certification. The first area was outreach, the level, methods and outcomes of outreach efforts to both employers and target populations, particularly to employers with high-demand, high-wage job openings and particularly to targeted population that cannot readily access the one-stop services because they live in isolated areas or because they are currently incarcerated and waiting for release.

In addition to Outreach, the SWDB identified the ability of individual one-stops to meet or exceed performance measures so that not only local area performance can be compared but one-stop center performance can be compared and best practices identified and replicated and/or corrective action plan or additional resources and technical assistance can be applied to one-stops that are having difficulty meeting or exceeding performance measures.

A one-stop certification policy draft is being developed that will inform local boards of these two additional requirements and that will recap the WIOA requirements for One-Stop Certification. Once completed it will be included in the State Unified Plan.

ASSESSMENT OF TITLE III WAGNER-PEYSER PROGRAMS –ACCESSIBILITY - EEO PRACTICES

Wagner-Peyser programs are assessed at the same time as Title IB program reviews are being conducted. Staff members are interviewed regarding knowledge and practice of explaining job order procedures and job seeker registration services and are asked to explain the ways in which they provide employer assistance and help in creation and resolution of jobs orders. A review of orders and assessment of staff regarding EEO and affirmative action requirements is also conducted and random review of staff knowledge of these requirements and Wagner Peyser regulations are also melded into the question review process. Processes to provide initial assessment and appropriate referrals to Info Center customers and front end procedures are also reviewed. In some instances participants may also be interviewed either directly on site or via telephone.

Monitors use the Checklist provided under Section 188 to conduct the accessibility review.

Center accessibility requirements are also assessed and staff members are asked to explain how customers can access the assistive technology in the centers; all required posted information is examined to ensure that it reflects the most up-to-date version of the regulations and whether or not centers are able to provide the information in Braille and other languages besides printed English.

At least once annually a separate Equal Employment Opportunity review is conducted by the State EEO officer. The EEO officer reviews sub-recipient compliance with universal access and non-discrimination requirements through examination of participant applications and enrollments against demographic data. Likewise participant files are reviewed again to ensure that all staff assisted participants have been provided with the required EEO statement and their rights to file a

complaint. Upon completion of the review, providers are supplied with a formal report of review outcomes and a corrective action plan if there are findings.

CUSTOMER SATISFACTION

Job Seeker and employer customer satisfaction surveys are conducted at least once annually in addition to any local area customer satisfaction activities. These are conducted using survey monkey and may include short 10 minute phone interviews as well. In general the results provide us with information about the customer perceived value of required services and whether or not the services are meeting the needs of the customer. The quality of staff assistance is also ascertained through the questionnaire. The results of the service are explained in the Annual Report.

PERFORMANCE RESULTS

Each year new State performance goals for the Adult, Dislocated Worker, Youth and Wagner Peyser programs are negotiated with USDOL. In turn the Maine BES negotiates performance goals with each of the local areas who are also provided with data shared by USDOL on use of the regression model to project and propose appropriate levels of performance to be achieved. The ability to achieve proposed performance levels can be affected by a number of factors, including unanticipated series of mass layoffs, layoffs of low-skill workers in a high-skill job market, and rurality and lack of job openings in specific geographic areas.

Over the last three program years Maine has achieved or exceeded all of the required levels with the exception of PY14 in which it failed to achieve the negotiated Literacy Numeracy measure for youth. The following steps are being taken to improve the literacy numeracy rate of Maine's youth participants:

- Best practice sharing takes place on a bi-monthly basis at the Younger Workers Committee meetings. The members of this committee include leaders from Maine's WIOA youth service providers, Job Corps, Secondary Career and Technical Education programs, Adult Education, DHHS foster youth programs and more.
- In addition to this meeting, BES has initiated a regular WIOA youth lead meeting that also takes place on a bi-monthly basis. This team is made up of WIOA Core service provider leads serving youth and includes WIOA youth service staff, Adult Education and Vocational Rehabilitation. Activities for this team include: identifying and sharing best practices, understanding new requirements under WIOA, understanding how core partners work with youth, and brainstorming solutions to challenges.
- In identifying a solution to the Literacy/Numeracy gains issue, it was found that youth that are not fully engaged in a group cohort are less likely to come in for post-testing requirements as are homeless youth and youth involved with corrections. One strategy discussed was to incorporate more academics into activities, like work experience (as is required under WIOA), and to do so at a level that is appropriate for the particular youth participant; another is consideration of using incentives that reward youth who stick to and achieve the goals in the service strategy, which must include goals and methods for attaining skills gains and for post-test requirements.

- Finally, formal professional development for youth staff has been identified as a critical need for Maine's system, mainly because staff turnover is higher than ever (many long-term staff are retiring, and the wage levels for entry level youth case managers are not high enough to retain the special talent required of a youth counselor).

These teams have also discussed strategies and partnerships to engage more out-of-school youth. A list of partners who refer youth has been identified and shared, the WIOA youth team has also shared a list of formal agreements they have with outside partners who serve the same youth participants. Some team members also sit on the Maine Youth Transition Council, which coordinates services for youth transitioning out of foster care.

Requested Revision;

III.b.4.A: Assessment of Core Program Activities Using Annual Performance Accountability Assessment Results.

Now that all four core partners are required to report on the same performance outcomes, the State will be better able to compare outcomes for quality improvement purposes - based not only on the barriers of the individuals served, but on the type and level of services received through each core program.

Using specific reporting elements, such as co-enrollment, level and type of Career Services provided, level and type of Training Services provided (or not), amounts spent on each participant for each service type, participant demographics and local economic factors, the State will be able to develop a quality assessment tool that more deeply explores all of the data that may affect performance achievement.

The additional data will allow the State to compare the programs, service packages, co-enrollments and specific approaches of local areas (and individual service providers) that meet or exceed planned and negotiated measures with those of local areas that are having difficulty doing so. In doing this, the State will be able to promote and/or require local areas that are struggling to achieve negotiated measures to replicate the practices of local areas that are exceeding goals. Such strategies may include, expanding the number of participants taking part in multiple core programs services simultaneously, such as Adult Education and Title I services for education and training. It may also identify that professional staff development around participant and/or employer outreach needs to be addressed. Finally, it may be that State, local area or service provider policies are actually restricting service blending possibilities and that by adjusting these the providers will be better able to address participant needs and provide supports for improved employment opportunities and longer term employment success.

Once the State becomes adept at utilizing the Statistical Adjustment Model it will have the ability to identify factors that are beyond the local area's control, such as major downsizings, extreme rurality, higher levels of non-English speaking residents etc. and will be able to recommend proactive responses by core and other service partners in those areas that can begin to address those issues, by directing collaborative investments to improved English Literacy Programs that combine ESL and Occupational Training, or that establish partnerships that link individuals without access to service points, like One-Stops or affiliate sites because of extreme distances, through technology or new partnerships with Adult Education or Municipal Libraries.

Once the State becomes adept at utilizing the Statistical Adjustment Model it will have the ability to identify factors that are beyond the local area's control, such as major downsizings, extreme rurality, higher levels of non-English speaking residents etc. and will be able to recommend proactive responses by core and other service

partners in those areas that can begin to address those issues, by directing collaborative investments to improved English Literacy Programs that combine ESL and Occupational Training, or that establish partnerships that link individuals without access to service points, like One-Stops or affiliate sites because of extreme distances, through technology or new partnerships with Adult Education or Municipal Libraries.

Local Areas are conducting research around high-growth career pathways and training staff to utilize pathway models when providing LMI guidance and developing individual services strategies with participants. It is likely there is some direct correlation between clearly defined pathways (both at the individual and local area level) and improved employment attainment and retention outcomes.

Maine reviews performance on a quarterly and annual basis using a number of tools, from program and fiscal reports, to annual and desk top monitoring to anecdotal information sharing. By using all available assessment data, the State has been able to identify service models that result in better outcomes for high-risk youth that may be able to be replicated in some areas but not all. Several counties in Maine are so vast and sparsely populated (for example Aroostook County is the size of Rhode Island and Connecticut combined) that new and different ways of providing services need to be implemented to achieve required measures.

ASSESSMENT OF TITLE II—ADULT EDUCATION

TABLE 11: ADULT EDUCATION FEDERAL PARTICIPANT PERFORMANCE OUTCOMES

Maine Statewide Adult Education Federal Participant Performance and Outcome Rates*

Adult Basic and Secondary Educational Functioning Levels	FY15 Negotiated	FY15 Ac- tual	FY15 Outcome	FY16 Negotiated	FY16 Ac- tual	FY16 Outcome
Beginning ABE Literacy	37%	28%	Did Not Meet	37%	27%	Did Not Meet
Beginning Basic Education	42%	30%	Did Not Meet	38%	35%	Did Not Meet
Low Intermediate Basic Education	40%	32%	Did Not Meet	40%	34%	Did Not Meet
High Intermediate Basic Education	32%	23%	Did Not Meet	31%	25%	Did Not Meet
Low Adult Secondary Education	33%	23%	Did Not Meet	28%	19%	Did Not Meet

Adult Basic and Secondary Educational Functioning Levels	FY15 Negotiated	FY15 Ac- tual	FY15 Outcome	FY16 Negotiated	FY16 Ac- tual	FY16 Outcome
Beginning ESL Literacy	48%	31%	Did Not Meet	40%	43%	Exceeded
Low Beginning ESL	63%	43%	Did Not Meet	52%	56%	Exceeded
High Beginning ESL	47%	45%	Did Not Meet	41%	41%	Met
Low Intermediate ESL	39%	33%	Did Not Meet	39%	34%	Did Not Meet
High Intermediate ESL	41%	29%	Did Not Meet	34%	29%	Did Not Meet
Advanced ESL	24%	11%	Did Not Meet	19%	14%	Did Not Meet

Adult Basic and Secondary Educational Functioning Levels	FY15 Negotiated	FY15 Ac- tual	FY15 Outcome	FY16 Negotiated	FY16 Ac- tual	FY16 Outcome
Entered Employment	35%	41%	Exceeded	41%	46%	Exceeded
Retained Employment	70%	72%	Exceeded	69%	67%	Did Not Meet
Obtained HSE Credential or Its Equivalent	83%	97%	Exceeded	94%	92%	Did Not Meet
Entered Postsecondary Education	20%	20%	Met	22%	20%	Did Not Meet

In FY15, 100% of the employment, postsecondary entry, and credential attainment outcomes exceeded or met state targets. In FY16, statewide performance measures exceeded or met state targets in 27% of the educational functioning levels (3 out of 11 categories). The overall completion rate for all 11 levels in FY16 was 30% which did not meet the overall state target of 34%, but did increase from the previous year by 2 points (from 28% in FY15 to 30% in FY16). To improve performance measures and outcomes for all learners, the state continues to address strategies to improve posttest percentage rates, enhance Career Pathway services, and increase academic rigor through evidence-based instructional practices aligned with the college and career readiness standards.

ASSESSMENT OF TITLE IV PROGRAMS—REHABILITATION SERVICES

Within the Department of Labor's Bureau of Rehabilitation Services (BRS), Maine has two federally Designated State Units, the Division for the Blind and Visually Impaired (DBVI) and the Division of Vocational Rehabilitation (DVR), which deliver Vocational Rehabilitation (VR) services. Since the performance accountability measures required in Section 116(b) of WIOA were not included in the performance standards and indicators historically required of all VR agencies, BRS has been developing data sources to assess the performance of DBVI and DVR by these measures as they are defined by regulation. Initially, BRS will be using Maine Unemployment Insurance wage data to establish baseline and initial WIOA performance targets for employment retention and earnings. Given that this data set does not provide information on individuals who are placed in self-employment or other jobs, such as federal and out-of-state positions, BRS will be working with its core partners and the Rehabilitation Services Administration to develop alternate data sources that will provide a more complete report of the employment outcomes achieved by people with disabilities served by DVR and DBVI. Additionally, given the federal definition of the measures of credential attainment rate, skill gains, and effectiveness in serving, BRS is working on ways to capture, report and assess DVR and DBVI performance on these indicators, including through the Maine Department of Education and National Student Clearinghouse.

In the interim, BRS will be reporting the performance results of FY 2017 State Plan goals in the DBVI and DVR portions of this Unified State Plan. [See (p) Evaluation and Reports of Progress: VR and Supported Employment Goals.]

DISTRIBUTION OF FUNDS FOR CORE PROGRAMS

TITLE I PROGRAMS

ADULT AND YOUTH TRAINING FUNDS

ADULT FUNDS

Of the total amount of funds allocated for Adult Training under WIOA §132(b) (1), the State will reserve 5 percent for statewide activities including administration as permitted by WIOA §128(a). The remaining amount will be distributed to local areas within 30 days of receipt as required by WIOA §182(e).

33 1/3 percent of the federal allotment to Maine is allocated to local areas based on the relative number of unemployed individuals residing in areas of substantial unemployment in each local area as compared to the total number of such unemployed individuals in the State.

33 1/3 percent of the federal allotment to Maine is allocated to local areas based on the relative excess number of unemployed individuals who reside in each local area as compared to the total number of such unemployed individuals in the State. "Excess number" means the number of unemployed individuals in excess of 4.5 percent of the civilian labor force.

33 1/3 percent of the federal allotment to Maine is allocated to local areas based on the relative number of disadvantaged adults compared to the total number of disadvantaged adults in the State.

Data for the first two requirements will be produced by MDOL's Center for Workforce Information Services. Data for the third element will be provided by the Employment and Training Administration (ETA) from census data.

The State will employ the discretion given by the Secretary of Labor to utilize the "hold harmless" clause:

MINIMUM PERCENTAGE--No service delivery area within any State shall be allocated an amount equal to less than 90 percent of the average of its allocation percentage for the two preceding fiscal years prior to the fiscal year for which such determination is made. If the amounts appropriated pursuant to section 3(a)(1) for a fiscal year and available to carry out this part are not sufficient to provide an amount equal to at least 90 percent of such allocation percentage to each such area, the amounts allocated to each area shall be ratably reduced.

YOUTH FUNDS

Of the total amount of funds allocated for Youth training under WIOA §128, the State will reserve five percent for statewide activities including administration as permitted by WIOA §128(a). The remaining amount will be distributed to local areas according to WIA §128(b) (2):

33 1/3 percent of the federal allotment to Maine is allocated to local areas based on the relative number of unemployed individuals residing in areas of substantial unemployment in each local area as compared to the total number of such unemployed individuals in the State.

33 1/3 percent of the federal allotment to Maine is allocated to local areas based on the relative excess number of unemployed individuals who reside in each local area as compared to the

total number of such unemployed individuals in the State. “Excess number” means the number of unemployed individuals in excess of 4.5 percent of the civilian labor force.

33 1/3 percent of the federal allotment to Maine is allocated to local areas based on the relative number of disadvantaged youth compared to the total number of disadvantaged youth in the State.

The State will not employ the discretionary option described in WIOA §128(b) (3).

Data for the first two requirements will be produced by MDOL’s Center for Workforce Information Services. Data for the third element will be provided by the Employment and Training Administration (ETA) from census data.

The State will employ the discretion given by the Secretary of Labor to utilize the “hold harmless” clause described above.

Requested Revision;

As Maine follows the WIOA local area distribution formula, we are adding the “minimum percentage” component to the plan which delineates how funds are allocated to local areas for the Youth and Dislocated Worker Programs. The wording is exactly the same for both the Youth and Dislocated Worker allocation description.

Minimum Percentage – The Local Area will not receive an allocation percentage for a fiscal year that is less than ninety percent (90%) of the average allocation percentage of the local area for the two preceding fiscal years. Amounts necessary for increasing such allocations to local areas to comply with the preceding sentence shall be obtained by ratably reducing the allocations to be made to other local areas.

Modification 2018; The Maine Department of Labor provided the three local areas with partial PY17 Title IB WIOA funds at the request of the Governor. The Northeastern and Central Western Maine WDBs accepted the partial funding agreements but the Coastal Counties WDB did not.

The decision to disseminate only partial funding on a per quarter basis resulted in Coastal Counties initiating a lawsuit against the Governor and the Commissioner of Maine Department of Labor. While the suit was actively being addressed, dissemination of the remaining PY funds was delayed until the suit was resolved. The remaining award agreement are being processed in February of 2018. This has resulted in delay in some of the activities required by WIOA and proposed in the unified plan.

DISLOCATED WORKER TRAINING FUNDS

Of the total amount of funds allocated for Dislocated Worker training under WIOA §132(b) (2), the State will reserve 25 percent for statewide rapid response activities as permitted by WIOA §133(a) (2) and will reserve five percent for statewide activities including administration as permitted by WIOA §128(a).

The remaining amount will be distributed to local areas according to WIOA §133(b) (2) (B). The following four data elements will be used to calculate allocation percentages:

Insured unemployment- The average weekly number of continued unemployment insurance program claims (less partial) during the previous full year for which data is available for each

county is aggregated by local area and divided by the total to arrive at a percentage for each local area.

Unemployment concentrations- The annual average of unemployment for each county during the previous full year for which data is available is aggregated by local area and divided by the total to arrive at a percentage for each local area.

Declining industries data- The number of jobs lost between the previous full year for which data is available and the year five years previous to that year in both durable and non-durable goods manufacturing by county is aggregated by local area and divided by the total to arrive at a percentage for each local area.

Long-term unemployment data- The number of unemployment insurance program exhaustees during the previous full year for which data is available for each county is aggregated by local area and divided by the total to arrive at a percentage for each local area.

Data for these elements will be produced by MDOL's Center for Workforce Information Services. Each of the above elements is weighted equally.

The remaining factors named in §133(b)(2)(B)(ii), "plant closing and mass layoff data" and "farmer-rancher economic hardship data" will only be considered if proven to be useful for the distribution of funds to areas of need in Maine. Large plant closings have occurred in some Maine counties, but are not a predictor of the location of future large plant closings. Although ten years ago there were many farmers in certain areas of the state who were leaving agriculture, in the years since, there has been no wholesale dislocations which would require more attention to this occupation than others.

Requested Revision;

As Maine follows the WIOA local area distribution formula, we are adding the "minimum percentage" component to the plan which delineates how funds are allocated to local areas for the Youth and Dislocated Worker Programs. The wording is exactly the same for both the Youth and Dislocated Worker allocation description.

Minimum Percentage – The Local Area will not receive an allocation percentage for a fiscal year that is less than ninety percent (90%) of the average allocation percentage of the local area for the two preceding fiscal years. Amounts necessary for increasing such allocations to local areas to comply with the preceding sentence shall be obtained by ratably reducing the allocations to be made to other local areas.

ALLOCATION DISTRIBUTION

MDOL will reserve the 5 percent of the Adult, Youth, and Dislocated Worker allocation allowable for administration for mandated state administrative functions and additional required tasks including: the establishment and maintenance of a list of eligible training providers; conducting oversight and monitoring of local programs in coordination with the State Board and USDOL; providing technical assistance; and establishing and maintaining fiscal and management accountability information systems. Historically, MDOL has executed WIOA contracts with the Local Workforce Development Boards who in turn develop contracts with local service providers.

Allocation distributions have always been figured according to each individual county within a local area. These county allocations will continue to be used after the current PY15 four local area configuration changes in PY16 to become three local areas. The change to three local areas is the result of the chief elected officials and boards from Local Areas One and Two electing to consolidate into a single local area beginning on or around January 1, 2016.

The formulas for calculating the allocations based on ASU, Excess Unemployed, and Disadvantaged Adults will continue to be used in the county allocation formula as before.

The following charts provide a summary of the Program Year 2015 WIA Formula Distribution based on the current four local area configuration and on the soon to be three local area configuration.

TABLE 12: TITLE I ALLOCATION OF DISTRIBUTED FUNDS UNDER FOUR LOCAL AREAS

Maine 4 Local Area Allocation Chart						
	Fund	County	Youth \$	Adult \$	DW \$	
Local Area I	10% Admin	Aroostook	21,035	20,110	13,950	
		Washington	12,517	11,100	8,166	
	90% Program	Aroostook	189,318	180,991	125,548	
		Washington	112,655	99,902	73,496	
	Totals		\$335,525	\$312,103	\$ 221,160	\$ 868,788
Local Area II	10% Admin	Hancock	14,621	14,311	15,222	
		Penobscot	44,444	33,663	46,232	
		Piscataquis	5,058	5,041	2,501	
	90% Program	Hancock	131,587	128,801	137,002	
		Penobscot	399,993	302,972	416,084	
		Hancock	45,527	45,369	22,512	
	Totals		\$ 641,230	\$ 530,157	\$ 639,553	\$ 1,810,940
Local Area III	10% Admin	Androscoggin	23,415	20,977	17,846	
		Franklin	10,148	8,252	5,050	
		Kennebec	23,752	22,276	15,183	
		Oxford	13,586	14,540	8,500	
		Somerset	16,212	16,748	9,713	
	90% Program	Androscoggin	210,737	188,790	160,616	
		Franklin	91,328	74,267	45,451	
		Kennebec	213,765	200,482	136,645	
		Oxford	122,274	130,859	76,503	
		Somerset	145,909	150,733	87,416	
	Totals		\$ 871,126	\$ 827,922	\$ 562,923	\$ 2,261,971
Local Area IV	10% Admin	Cumberland	48,896	38,711	27,974	
		Knox	6,426	6,550	4,751	
		Lincoln	5,864	6,117	4,715	
		Sagadahoc	4,531	4,808	4,699	
		Waldo	9,435	9,341	5,954	
		York	31,409	30,911	43,047	
	90% Program	Cumberland	422,068	348,403	251,774	
		Knox	57,833	59,948	42,762	
		Lincoln	52,773	55,049	42,431	
		Sagadahoc	40,775	43,267	42,290	

Maine 4 Local Area Allocation Chart						
		Waldo	84,917	84,070	53,595	
		York	282,680	278,203	387,427	
	Totals		\$ 1,045, 560	\$ 964,379	\$ 911,420	\$ 2,921,359

TABLE 13: ALLOCATION OF DISTRIBUTED FUNDS, THREE LOCAL AREAS

Maine 3 Local Area Allocation Chart						
	Fund	County	Youth	Adult	DW	
New Local Area	10% Admin	Aroostook	21,035	20,110	13,950	
		Washington	12,517	11,100	8,166	
		Hancock	14,621	14,311	15,222	
		Penobscot	44,444	33,663	46,232	
		Piscataquis	5,058	5,041	2,501	
	90% Program	Aroostook	189318	180991	125549	
		Washington	112655	99902	73496	
		Hancock	131,587	128,801	137,002	
		Penobscot	399,993	302,971	416,084	
		Hancock	45,527	45,369	22,512	
	Totals		\$ 976,754	\$ 842,262	\$ 860712	\$ 2,679,728
Local Area III	10% Admin	Androscoggin	23,415	20,977	17,846	
		Franklin	10,148	8,252	5,050	
		Kennebec	23,752	22,276	15,183	
		Oxford	13,586	14,540	8,500	
		Somerset	16,212	16,748	9,713	
	90% Program	Androscoggin	210,737	188,790	160,616	
		Franklin	91,328	74,267	45,451	
		Kennebec	213,765	200,482	136,645	
		Oxford	122,274	130,859	76,503	
		Somerset	145,909	150,733	87,416	
	Totals		\$ 871,126	\$ 827,922	\$ 562,923	\$ 2,261,971
Local Area IV	10% Admin	Cumberland	48,896	38,711	27,974	
		Knox	6,426	6,550	4,751	
		Lincoln	5,864	6,117	4,715	
		Sagadahoc	4,531	4,808	4,699	
		Waldo	9,435	9,341	5,954	
		York	31,409	30,911	43,047	
	90% Program	Cumberland	422,068	348,403	251,774	
		Knox	57,833	59,948	42,762	
		Lincoln	52,773	55,049	42,431	
		Sagadahoc	40,775	43,267	42,290	
		Waldo	84,917	84,070	53,595	
		York	282,680	278,203	387,427	
	Totals		\$ 1,045, 560	\$ 964,379	\$ 911,420	\$ 2,921,359

TITLE II PROGRAMS

Through a competitive, multi-year grant process, eligible providers may apply for funds to provide adult education services. An eligible provider is an institution of higher education, agency that conducts apprenticeship programs, public or private providers of training services, local educational agency, community-based or faith-based organization, volunteer literacy organization, library, public housing authority, partnerships between an employer and an eligible provider or other nonprofit institution not in the list above that has the ability to provide adult education and literacy activities to eligible individuals.

Requested Revision;

Title II Adult Education and Family Literacy funds are used to provide adult literacy services throughout the State. Historically, adult education services have been provided in a variety of locations (i.e. public schools, libraries, career centers, municipal buildings and other facilities) in each of Maine's 16 counties. The need for literacy services of each county will be determined based on US Census and American Community Service data. Due to the rural nature of much of the state, proximity to services for adults within each county will also be considered.

Federal adult education and family literacy funds are received by the Maine Department of Education Office of Adult Education and Family Literacy. It is the responsibility of that state office agency to disseminate those funds to eligible providers and provide technical assessment and monitoring services. Agency eligible to apply for funding are those outlined in Title II and noted in the first paragraph of this section.

Maine Adult Education will prepare a competitive RFP process for a multi-year (at least three years with the ability to extend for up to two additional years) grant to deliver adult basic education services from July 1, 2019-June 2022. Based on grant scores, the Maine Office of Adult Education and Family Literacy uses a formula method to determine the amount of funding allocated to each sub-grantee. Other considerations include literacy rate of the area and performance indicators as outlined in Title II of WIOA. The formula will take into consideration local program performance in relation to meeting state targets and the need for services.

After the initial award year, sub-grantees will apply annually for continued funding.

AEFLA Competition Timeline:

September-October 2018 - Office of Adult Education creates RFP with input of local workforce boards

November 2018 – State office recruits readers/scorers. State office of adult education submit RFP to Office of Career, Technical and Adult Education (OCTAE) for review.

December 2018- January 2019- AEFLA RFP proceeds through state procurement process

February 2019 - Maine Department of Education publishes request for proposals for AEFLA funding. RFP development and alignment in agreement with all of the State of Maine procurement office procedures regarding public notice (posting in Kennebec Journal and on Procurement Office website), scoring, and contract awards will be adhered to.

January 2019 – Adult Education office conducts bidder's conference

April 2019– RFPs due

April 2019 – Reviewers read and score proposals

April – May 2019 – State Office insures that proposals meet all requirements and rank order proposals

May 2019 – State Office announces AEFLA awards

June 2019 – Contracts signed with sub-recipients

July 2019 – FY 20 grant cycle begins

Each eligible agency that applies must, in order to be considered for funding, as noted in paragraph two above, have demonstrated effectiveness in serving eligible adult learners (low levels of literacy, English language learners, learners with barriers) and the ability to meet the Thirteen Considerations of WIOA Title II. That effectiveness will be determined by the State from the submission of relevant data as part of the proposal process. Data will need to show numbers of low-level learners served, English language learners, educational gain, transition to employment and/or postsecondary or skills training. Proposals that are unable to provide evidence of adequate effectiveness will be eliminated.

Proposals will be assessed as to the applicant's ability to meet the Thirteen Considerations and other requirements of WIOA, demonstrate evidence of successful past performance in providing adult literacy services, programmatic alignment with local workforce board plan priorities, and the ability to successfully address the state's career pathways components. Additional WIOA requirements that must be met include the ability to offer programs that: lead to industry-recognized credentials; lead to postsecondary credentials; meet the educational and training needs of individuals with barriers; relate to in-demand industry sectors and occupations in Maine; and make use of technology to increase accessibility.

TITLE IV VOCATIONAL REHABILITATION

The State Legislature distributes funding for Vocational Rehabilitation services as part of the biennial budget. The amounts are generally based on the prior year allotment with adjustments made for Personal Services and funding requests submitted by the agency for specific purposes. These funding requests may or may not be approved by the Legislature. Each Vocational Rehabilitation division has their own individual general fund appropriation account within the biennial budget which is the basis of each individual account within the state's accounting system. The general fund appropriation is not shared between the two Vocational Rehabilitation divisions.

PROGRAM DATA

DATA ALIGNMENT & INTEGRATION

PLANS FOR INTEROPERABLE MANAGEMENT INFORMATION SYSTEMS FOR THE CORE PROGRAMS

Core partners of this Unified Plan presently utilize disparate case management and management information systems (MIS): Adult Education uses MaineSTARS, Vocational Rehabilitation utilizes AWARE, and Wagner-Peyser and formula program providers use the Maine JobLink, a product of America's Job Link Alliance (AJLA). As such, the interfaces between the core partner's information systems are currently limited. Moreover, resources for new systems or system enhancements in a small state such as Maine are constrained (states with relatively small populations cannot cover the fixed costs of purchasing and maintaining operating systems as readily as larger states, which receive substantially higher funding allotments). These facts notwithstanding, Maine's core partners recognize that achieving the type of integrated and efficient service levels articulated in this plan will require 'breaking down the data siloes' and achieving greater levels of system integration.

The inability of Maine's case management systems to share information inhibits the alignment and delivery of integrated services and limits the effectiveness of the WDS. At present, program and intake managers are unable to discern if a person entering a one-stop center has already received services from a core partner unless this information is self-disclosed by the individual. Since many participants do not self-disclose history of prior services, this can result in the participant being directed to resources they've already received. Recognizing these limitations, the core partners have agreed in principle to pursue a strategy that will enable existing, disparate systems to share data in order to improve the delivery of services.

Requested Revisions;

In an effort to improve the current inadequacies described above, Maine has developed a two tiered strategy for data alignment and integration. While planning a long-term, technological solution to integrate data systems for Core partner programs, a short term strategy will be implemented that maximizes the efficient exchange of common data elements and aligned assessments.

The data alignment workgroup includes representatives from each core partner who have been charged with identifying common data elements shared by all core programs. The workgroup has already begun crafting a common intake/referral template to reduce duplication and streamline the intake process. Toward this end, the core partners have also agreed to use the same educational assessment (the CASAS) for all programs and are currently negotiating how to best implement eCASAS technology to facilitate the alignment and sharing of educational assessments with program referrals. While this will not fully align all managed information and database systems, as a short term strategy, it has the potential to vastly improve participant experience by reducing duplication and increasing communication among the partners. It also aids in evaluation by creating a participant trail where referrals can be tracked and participant outcomes can be collected from partner agencies.

Ultimately, Maine will have to develop the capacity for core programs and other partners to share an integrated data system that will allow each agency to collect, utilize, protect, and report out data specific to their agency

while also begin able to share and utilize common data from other partner agencies. The core partners are committed to this process and have established a data systems workgroup containing members from each core partner tasked with researching available software and other technology solutions. It is still early in the process for systems alignment, but to date, the group has been formed and begun meeting. First steps in the timeline include researching available software and identifying which data system model might work best in Maine. Additional information regarding specific data system models is included in part two of the data alignment and integration section.

PLANS TO INTEGRATE DATA SYSTEMS TO FACILITATE STREAMLINED INTAKE & SERVICE DELIVERY

As part of this Unified Plan, Maine's WIOA Steering Committee will formally investigate software tools that facilitate common intake and other shared front-end activities. The core partners and Steering Committee are already aware that several open-source software products are on the market or in development. These systems are designed to 'sit on-top' and 'pull' information from existing legacy systems and allow data to flow among partners to create a 'common front door.' Other tools are designed for interagency collaboration and have been optimized for WIOA. These products also work with existing legacy systems, enabling referrals between agencies, sharing and tracking of assessments, tracking of clients who are referred, plus more. Early investigations reveal that these products are customizable, enabling states to determine the data elements captured. This type of functionality would address the state's need for better communication among case management and management information systems.

Achieving greater levels of front-end system integration will require:

- identifying the pieces of information within the core program's system that should be shared;
- establishing data sharing agreements;
- addressing the privacy and governance issues surrounding the use of the shared data;
- selecting a software tool most suited to address the partner's needs;
- identifying funding to support purchase and implementation of the strategy

As part of this unified plan, Maine's core programs will create a plan to address the preceding steps.

Requested Revision;

Maine is pursuing a data integration system that will allow each agency to use its existing system while still allowing a smooth sharing of common data elements for required reporting purposes. The goal is to provide a better quality of experience for the participant as they navigate through the system by reducing duplication and streamlining services.

The data systems workgroup has been established and is currently researching available software and technology that would help meet this goal. As described in documentation from the NRS, we are mindful that, "System architecture supports critical needs for data systems. Under WIOA states have an increased responsibility for data security and privacy of information as well as an expectation of coordination of data across agencies. This sets up a potential for creating and dealing with complex systems." Toward this end, the data systems

workgroup is giving careful consideration to each data systems option and conducting an examination of system outputs and data exchange requirements all while keeping in mind the security and privacy considerations of each partner agency.

As identified by the NRS, there are four models of data system integration: the Unified Data System, Back-end Integration, Front-end Integration, and the Interfacing System. Financial and time concerns make a unified system out of reach at this time. All other data systems are all still being considered. Because core partners have expressed an interest in maintaining their existing data systems the data systems workgroup is currently researching more of an interface data system with software that can combine common data elements at intake and “sit-on-top” of existing systems to pull out data and share it with other systems as necessary.

To fully optimize the exchange of data among agencies, WIOA partners have agreed that any data integration system must include the following:

- The ability to work with and leverage existing legacy systems and maintain state level ownership of all data.
- Data governance that maintains data security and personal privacy compliance.
- Agreements and comprehensive training that will maintain consistent definitions and protocols throughout the system.
- Reporting and analysis tools compliant with WIOA regulations including outcomes reporting.
- The ability to provide high level graphics/dashboards while allowing drill-downs to specific information depending on user roles and permissions.
- Integration of UI, ES, and workforce IT systems (AJLA) so they can “speak” to each other.
- The ability to expand to include additional workforce partners as the need arises.

Finding a system able to be customized to meet Maine’s workforce development needs as outlined above will allow core partners to track individual participation across all programs. By working through the implementation plan and timeline described below in part three, the data integration workgroup will align existing agency services to the extent actionable while also pursuing Maine’s long term data integration strategy.

Modification 2018; In the autumn of 2016, Maine received a \$1.1 million-dollar Reemployment and Systems Integration (RSI) Dislocated Worker grant (DWG) to investigate and implement a common registration and case management portal across the multiple core programs. The working group for this project have gathered information from other states on their pursuit of similar initiatives and worked with vendors to review available options for solutions. From this work, a request for proposals (RFP) has been developed which contains the State’s requirements for a system. Maine is requesting an extension of the funds beyond the anticipated end date in September 2018 to allow time to complete the RFP process, contract with a vendor and implement a solution.

THE STATE BOARD’S ROLE ASSISTING THE GOVERNOR IN ALIGNING TECHNOLOGY AND DATA SYSTEMS

The State Board (SWB) will assist the governor in aligning technology and data systems across partner programs. The SWB is active in establishing the parameters for new technology systems in

order to allow core partner systems to communicate. The Maine Department of Labor is implementing a new management information system, the Americas Job Link Alliance (AJLA), which will facilitate WIOA federal reporting. The State Board will also take a leadership role in establishing the parameters for new system software that will enable common intake and other shared front-end system activities.

The State Board will take a leadership role in advising the governor on technology systems for measuring the performance of programs and participants. Maine's workforce longitudinal data system will play an integral role in measuring the outcomes of participants over time in order to measure and direct resources more effectively.

The State Board also convenes the WIOA Steering Committee meetings and facilitates discussions in support of creating improved modes of service delivery to individuals, including those with barriers and who are unemployed. The core partners are also represented on the Steering Committee and through numerous meetings and discussions, a comprehensive strategy that reflects their input and the desire of the governor for increased efficiency of operations is being developed.

Requested Revision;

State Workforce Development Board leadership has been instrumental in developing a state strategy for aligning and integrating the complex data systems involved. Under their guidance, the WIOA steering committee was formed to develop and direct all areas of WIOA implementation. The committee has been working for over eighteen months to bring partners together, leverage resources and support, and to align systems and processes. In regards to data alignment and systems integration, the required one-stop partner programs have agreed to and are working toward the following implementation plan and timeline:

7/1/2016 – 12/31/2016:

- Create the MOU workgroup with representatives from required one-stop partners tasked with negotiating and creating essential MOU agreements for data sharing among the agencies as well as the privacy and security of participant data.
- From previous work gathering common data elements, the Data Alignment Workgroup begins creating initial common referral form and continues discussions around common or aligned intake forms.
- Performance Measures Reporting Workgroup continues discussions regarding required participant outcome reporting and opportunities for longitudinal data system.
- Data systems workgroup formed to research available solutions to integrated data systems.

1/1/2017 – 6/30/2017:

- Report out from all workgroups to the WIOA steering committee for input and to finalize decisions regarding data alignment and integration.
- Finalize MOU agreements among required one-stop partners and begin implementation of MOU agreements. Provide guidance for local level MOU agreements where necessary.

- Finalize common forms for current data systems and begin the professional development/cross-training process of partner agencies.
- Begin implementation of participant outcome reporting to the extent actionable under existing data systems while continuing to pursue longitudinal capabilities where possible.
- Continue identifying integrated technology needs and researching possible software and technology solutions. Pursue funding opportunities as they arise.

7/1/2017:

- Signed data sharing MOU agreements.
- Full implementation of common forms and one-stop partner alignment where applicable including the continuation of varied and multiple interagency professional development opportunities among the core partners for front-line staff.
- Short-term data alignment and integration strategy fully operational with full implementation of performance and outcome measures as possible with existing data systems.
- Continued work toward long-term data system integration as software technology and funding allows.

Mindful of the Governor's desire for improved efficiency among state agencies, the State Workforce Development Board recognizes that implementing the steps listed above will streamline services and greatly improve the overall experience and outcomes of unemployed individuals and all others participating in Maine's workforce development system.

DESCRIBE THE STATE'S PLANS TO DEVELOP REPORTS REQUIRED UNDER SECTION 116, PERFORMANCE ACCOUNTABILITY SYSTEM

Section 116 of the Workforce Innovation and Opportunity Act outlines the required reporting parameters for core partners. Currently, all core partners are collecting and reporting many similar performance measures by using the Unemployment Insurance (UI) database through the Maine Department of Labor. Employment data is obtained through a data match using participant social security numbers for all core partners, except the Bureau of Rehabilitation Services. However, since the Bureau of Rehabilitation Services is housed under the Department of Labor, employment performance measures will also be able to be obtained through a Social Security data match using the same Department of Labor UI database. The same can be said for median wage reporting requirements. Although median earnings are not currently being reported by any core program, median wage data is collected through the UI database, and as such the core programs will be able to report median earnings using the UI database once the definitions and reporting regulations are agreed to and finalized.

Some performance measures regarding credential attainment are currently collected by Adult Education, the Bureau of Rehabilitation Services, and Title I Youth Services programs. Credential

attainment for secondary school diplomas and high school equivalency will be obtained by accessing Adult Education's high school equivalency data to track credential attainment for the agencies with this requirement. Postsecondary enrollment information is currently obtained for adult education using the National Student Clearinghouse through the Department of Education to conduct a data match. Unfortunately, the credential data in its current state is incomplete and unable to meet the requirements of section 116 as it currently exists. Although the National Student Clearinghouse is a useful tool for tracking postsecondary enrollment, the database is not currently being used to track successful postsecondary completion nor does it include all recognized postsecondary education or training programs-two required data elements from section 116 of WIOA. To enable core programs to collect and report this required data, the WIOA Data workgroup is researching other available resources and examining ways several data sets may be able to be combined to compile the data necessary for the required performance measures. The core partners are also exploring ways to align the Department of Labor's expanded Workforce Data Quality Initiative (WDQI) with the new data requirements under WIOA.

Measurable skill gains are currently collected and reported for Adult Education using the federally approved CASAS assessment for the pre-and-post testing of participants. Once measurable skill gains are defined and assessments are created that meet the federal guidelines, adult education will adopt and implement pre-and-post testing with the new assessment to measure participant skill gains. Through the use of technology, core partners intend to coordinate and align measurable skills assessment by implementing one assessment tool that can be used by all partners. For example, use of the eCASAS assessments by all local Adult Education programs, one-stops, and other eligible training providers will enable the core partners to share the assessment data and meet reporting requirements.

None of the core partners are currently measuring or reporting indicators of effectiveness in serving employers. The core partners have agreed upon the need for both qualitative and quantitative measures. Once effectiveness has been defined and indicators of effectiveness have been identified, the core partners are committed to collecting and reporting the required measures.

ASSESSMENT OF PARTICIPANTS' POST-PROGRAM SUCCESS

Developing long-term participant outcomes is essential to creating a continuous cycle of program and system improvement. Moreover, as discussed in the first section of this Unified Plan (Economic and Workforce Analysis), Maine has a variety of workforce challenges that require measurement, tracking and assessment. As such, Maine's core partners are committed to producing an evaluation system that extends beyond what's required for federal reporting.

Maine's Workforce Longitudinal Data System will play an integral role in measuring long-term participant outcomes. This system links unit level participant records with their corresponding wage and employment data and was developed under grants from U.S. E.T.A and Maine's Statewide Longitudinal Data System, which is administered by the Maine Department of Education. The Workforce Longitudinal Data System presently measures first year wage and employment outcomes of university and community college graduates at the campus, credential and area of study level. As part of this plan, the system will be used to measure the outcomes of workforce

development system program participants. To do so, the WIOA Steering Committee, core program managers and the State Board will collaborate to define the data that is required to inform decision making and program improvement.

Other programs that are not presently using wage data for performance accountability evaluations will also be added to the wage-matching system. Maine's Department of Health and Human Services (DHHS), for example, is in the process of developing a data sharing Memorandum of Understanding (MOU) with Maine Department of Labor for the purposes of evaluating the outcomes of Department of Health and Human Services participants.

USE OF UNEMPLOYMENT INSURANCE WAGE RECORD DATA

A Maine Department of Labor Memorandum of Understanding regarding the use of Unemployment Insurance (UI) wage record data permits the department to use the data in three different ways. First, data will be used to measure and manage performance for: Title I-B Adult, Dislocated Worker and Youth programs, Wagner-Peyser, Trade, Work Opportunity Tax Credit (WOTC), National Dislocated Worker Grants and other Federal initiatives such as the Disability Employment Initiative. Second, wage data will be used for customizing and providing services to employers and, third, the data will be utilized to measure and evaluate long term outcomes and performance through the Maine Workforce Longitudinal Data System (MLWDS) on behalf the department, other agencies and educational institutions.

The department uses the wage data to monitor the status and progress of participants enrolled in the Title 1-B, Wagner-Peyser, Trade and WOTC programs for such purposes as: verifying work history, assessing suitability for enrollment and training, and confirming employment after program exit. Another use is to generate internal program performance and management reports and Federal reports. UI wage data access is also vital to wage verification as part of the annual data element validation process required by WIOA and the U.S. Department of Labor. Under WIOA, the UI wage data will also be utilized to determine the initial and continuing eligibility of training providers to receive WIOA training funds and to be included on Maine's Eligible Training Provider List as a means of assessing the effectiveness of the eligible programs. In addition, standard assessments and reports will posted on the web so that consumers will be able to easily access information that will assist them in making choices about the variety of education and training programs available in Maine, and the providers of those training programs.

Work-based experiences such as apprenticeship, work experience, On-the-Job Training (OJT), and other programs will be promoted and utilized by Maine Department of Labor staff in outreach to employers and the business community. Judicious use of wage data that maintains confidentiality can enhance the assessment of employer needs and provision of appropriate services. It can assist the workforce development system in educating employers on the return on investment of a better educated and trained workforce.

By funding the Maine Workforce Longitudinal Data System (MWLDS), Maine's policymakers have clearly signaled the move towards data-driven decision making in future rulemaking, goal setting and program evaluation. Standard reports from the MWLDS using UI wage data will be designed to provide information to evaluate the effectiveness of the training programs administered by the core

partners under WIOA. A primary goal is to develop reports that reflect the wage and employment outcomes for education and training programs over time to improve program performance and enhance customer choice. Standard reports will guide improvement of the workforce system by enabling administrators to evaluate program effectiveness and allocate limited public funds more effectively.

PRIVACY SAFEGUARDS

Personally identifiable information at the individual record level is protected by having all staff sign a confidentiality agreement and, when appropriate for non-departmental agencies, release of information forms signed by customers are obtained in order to release UI data to that agency. In terms of outside agencies personally identifiable information is protected by aggregating individual records and standardized confidentiality screening. MWLDS' public facing results are aggregated to protect the confidentiality of participants being measured. In addition, outcomes with fewer than 10 participants are suppressed for confidentiality purposes. Additionally, the Center for Workforce Research and Information is implementing additional privacy protections by adopting a System Security Plan based on FIPS 199/NIST 800-60 Vol2, Rev1 guidelines.

PRIORITY OF SERVICE FOR VETERANS

The State Board, Maine Department of Labor and Local Workforce Development areas are jointly required to develop and issue a "priority of service to veterans" policy that applies "to every qualified job training program funded, in whole or in part, by the Department" for which they have direct oversight and responsibility. Board level area policy must adhere to 20 CFR 1010 dated December 19, 2008 and TEGL No 14-08 dated March 18, 2009, and incorporate veteran priority into current WIOA priority of service policy. Veteran's priority of service definitions for covered and non-covered persons can be found at Priority of Service for Veterans and Eligible Spouses: Final Rule (<http://www.dol.gov/vets/>).

The State Board, Maine Department of Labor and Local Workforce Development area service providers are responsible for developing strategies and implementing the veterans' priority of service as defined and required by 38 U.S.C 4215(b) and 20 CFR Parts 1001 and 1010. Maine's one-stop system is the core mechanism that will support, expand and maintain services to the veteran population throughout the State. Eligible veterans or eligible spouses with significant barriers to employment as defined in Veterans' Program Letter (VPL) 03-14, Section 5, will receive "top priority."

Priority of service applies to Workforce Investment Act Adult, Dislocated and Youth Grants, National Emergency Grants, Demonstration Grants, Trade Adjustment Assistance, Wagner-Peyser, and other core programs funded by the U.S. Department of Labor and administered in Maine by the Maine Department of Labor (MDOL).

Maine Department of Labor and one-stop providers will take the necessary actions to ensure that priority of service opportunities are clearly visible and articulated to all customers who engage in one-stop services. At a minimum, "priority of service to veterans" will include adherence to and implementation of the following guidelines:

Outreach/Recruitment:

- Inclusion of information regarding veterans' priority of service in printed materials targeted to customers and employers;
- Inclusion of information regarding veterans' priority of service in presentations made to customers and employers;
- Addition of veterans' priority of service information to service providers, Maine one-stop centers and Department of Labor web sites; and
- Pro-active recruitment of veterans by targeted contact strategies or other strategies that focus on employers as well as job seeking veterans, particularly when the region is not in compliance with veterans' priority of service performance measures.

Notification:

- Addition of a veterans' priority of service rights statement to the complaint procedures provided to a Veteran customer; and/or
- Addition of a veterans' priority of service rights statement to the signature portion of the WIOA (or other covered) program paper intake forms or applications;
- Inclusion of information regarding veterans' priority of service at front desk reception areas, as well as in universal access information center locations;
- Provision of the opportunity for veterans and eligible spouses to make known their veteran status; and
- The Maine Job Link job notification system will inform eligible veterans of job opportunities first and on a more frequent basis than all other registrants

Intake/Registration for Services:

- Written policies to establish that service providers who receive WIOA funds for employment and training programs will be required to identify covered persons at the point of entry to programs and/or services, so that veterans and eligible spouses can take full advantage of the priority of service; and
- Written policies and procedures to ensure veterans and eligible spouses understand their entitlement to priority of service and the full array of employment and training services available. Policies will address eligibility requirements that veterans and eligible spouses must meet in order to gain entry into programs and be provided applicable services.

Eligibility for Services:

- Written policies and procedures to ensure veterans and eligible spouses meet the statutory eligibility requirements applicable to the specific employment and training program;
- Written policies and procedures to ensure veterans and eligible spouses are given priority of service where statutory or mandatory priorities are in effect and particularly, where Local Area service providers have instituted mandatory priorities due to limited funds;
- Written policies and procedures to ensure that veterans and eligible spouses receive access to services or resources earlier than non-covered persons, or before a non-covered person, if resources or services are limited; and

- Written policies that target special populations of veterans including Special Disabled Veterans, Campaign Badge Veterans, Disabled Veterans, and eligible spouses when services or resources are limited.

To determine whether veterans are receiving priority of service in core programs funded by the U.S. Department of Labor and administered by Maine Department of Labor, several measurements will be incorporated. Benchmarks will be established to provide a baseline to measure the impact of priority of service to covered participants: one will benchmark the covered participants using prior program year data.

Many veterans face difficult labor market transitions, particularly upon reentering civilian life and may require specialized employment and training services to boost their job prospects. Veterans Employment and Training Services (VETS) and Maine Department of Labor have established effective program designs that include other providers such as the Togus Veteran's Rehabilitation program. Additionally, veterans with more severe adjustment difficulties may require counseling, social services, and more in-depth support from specialists who are more familiar with their needs.

Maine's Local Veterans Employment Representatives (LVERs) are delegated the authority to generate the "Quarterly Reports on Services to Veterans." Nonetheless, the responsibility for the content of such reports remains with one-stop center managers. These reports focus on compliance with Federal law and regulations with respect to special services and priorities for veterans.

As new US Department of Labor and Maine Department of Labor veterans programs are introduced and implemented, the veterans' team and Wagner-Peyser staff will assist in delivering these services and programs to veterans.

Delivery of services through the one-stop system to veterans and eligible spouses is standardized to ensure that no veteran or eligible spouse is turned away without receiving some level of service. Stationed in key one-stop centers, Disabled Veterans Outreach Program specialists and Local Veterans Employment Representatives work exclusively with veterans and eligible spouses to facilitate their access to all programs and services for which they are eligible under the priority of service policy. These specialists provide one-on-one assistance that includes case management, assessment, planning, advocacy, job development, job matching, referral to other state and federal programs and follow-up.

As veterans and eligible spouses may be referred to any available employment and training service open to the general public regardless of funding source, it is important that all one-stop center staff establish and maintain effective working relationships with one-stop system partners and service networks. These relationships will strengthen coordination of interagency efforts to help support veteran service initiatives. Veterans' priority of service language will be integrated into financial and nonfinancial working agreements and Memoranda of Understanding with other organizations to ensure Maine's workforce development system is "Keeping the Promise!"

ADDRESSING THE ACCESSIBILITY OF THE ONE-STOP DELIVERY SYSTEM

UNIVERSAL ACCESS: A SUSTAINED EFFORT

Building on two rounds of funding under the Disability Employment Initiative (DEI), initial steps to provide more comprehensive physical and programmatic access have begun. The Disability Employment Initiative has increased understanding of sensitivity to the complexity of universal access. Given limited human and financial resources, Maine proposes to chart a five year course of improvement leading to institutionalized practices that ensure and sustain universal access.

A universal access working group composed of key personnel will be established to implement this effort. Initially, the group will have wide representation that includes the required WIOA partners, related partners/providers, and subject matter experts with backgrounds in accessibility, accommodations, and special populations. Working group membership/representation will be fluid, based on the issue or need being addressed.

A universal access coordinator will lead the work group. This dedicated staff position in the Bureau of Employment Services will provide technical assistance to aid the one-stop centers in achieving and sustaining universal access. This Bureau oversees physical access to one-stop centers, the customer complaint resolution process, policy development that affects the delivery of services, and monitoring/certification of one-stop centers. The universal access coordinator will provide technical assistance to aid the one-stop centers in achieving and sustaining universal access. The Bureau will establish MOU's or other agreements with Bureau of Rehabilitation Services, Bureau of Unemployment Compensation, the Adult Education program, Bureau of Human Resources, Office of Family Independence, Office of Adult and Disabled Services, and other non-labor agencies (i.e. Corrections) to establish commitments to system wide universal access.

To establish universal access as a policy and quality assurance initiative, the universal access coordinator will have the authority of a program manager working under the Division of Policy and Evaluation. Under the direction of the universal access coordinator, the work group will draft a five year plan to improve and sustain universal access and when indicated, make recommendations to the State Board through its program policy committee, and directly to the Commissioner of Labor, when indicated, to emphasize department wide authority and support for accessibility.

If warranted and if resources allow, the work group will conduct a staff development needs assessment. Planning will include initial and ongoing staff training and an updated assessment of physical accessibility for one-stop centers, WIOA partner provider facilities, vocational rehabilitation providers, and adult education programs. Policy issues will be identified; and guidance will be provided to one-stop centers, local workforce boards, and required partners. That guidance will be refined over time as policies are developed and monitoring/certification activities occur.

SECTION 188 CHECKLIST

The WIOA Section 188 Checklist developed by the USDOL Office of Civil Rights will be the guiding document for the working group. The checklist is considered a comprehensive overview of requirements and provides reliable advice on achieving and sustaining universal access.

LEVERAGING EXISTING RESOURCES AND CONSTITUENT COMMITTEES

Maine will build and maintain a system that includes access based on language, race, national origin, religion, culture/ethnicity, ability/disability, age, sex/gender identity, and all other protected classes under WIOA, the Americans with Disability Act, applicable state laws, and other federal laws related to public access and civil rights. The working group will establish minimum standards of access, based on the Section 188 Checklist, and issue guidance to the system and its partners to help them meet the standards.

The Maine State Board has several committees designed to address the workforce needs of specific constituencies, including women, older workers, younger workers, veterans, and people with disabilities. These committees will be asked to advise the universal design working group on programmatic and physical access and to assist with policies and operational guidance to assure that the one-stop system and its partners are accessible and meeting requirements. Other organizations serving and representing job-seeking constituencies, including migrant and seasonal workers, “displaced homemakers,” ex-offenders, populations whose identities are based on culture/ethnicity/religion, youth, people with disabilities, and older Mainers will be consulted and invited to participate in planning, policy review, staff training, testing and evaluating programmatic and physical access, including customer service. The State Rehabilitation Councils for the General and Blind VR programs, as well as related councils for the Deaf/Late Deafened/Hard of Hearing and Development Disabilities, will also be included. Focus groups and surveys of customers and larger affected populations will be used to determine if accessibility goals are being met.

Universal access for employers/businesses will be explored and addressed as well. Business organizations will be consulted for their input, and employer accessibility that falls under Section 188 will be assessed. Program or policy efforts that come from that assessment will be incorporated into the working group’s strategic plan.

CORE PRIORITIES

Developing a vision and working definition of universal access is essential. Maine does not have all the human and financial resources to implement and sustain universal access without a commitment to a long term initiative. Therefore, the initial priority is the development of a five-year strategic initiative, with each year’s efforts building on and refining prior efforts. The system’s vision of universal access will dictate the goal(s) and will provide the destination for the five year course. Determining how to best inspire system investment will be part of the working group’s charge. Staff training and initial policy development will follow quickly.

Training: Professional development for any major systems or operational change is one of the best guarantors of sustainability. With the goal of sustained competence related to serving diverse populations and with related policies in mind within the workforce development system and among partner agencies, the work group will develop a training plan that is compatible and synchronized with other staff training. The objective of the universal access training efforts is sustained competence related to serving diverse populations and knowledge of related policies across the system and among partner agencies.

Training for employees will include information on locating and providing access to needed resources such as translators and interpreters, transportation services, and alternative formats. The Section 188 Checklist will inform training topics and plans for managers, supervisors, and facility operations staff.

Initial training for staff and partners will include, at a minimum:

- General orientation to universal access, WIOA and other legal requirements;
- Customer service-both culturally sensitive service and general customer service;
- Resources within the system and in the larger community;
- Complaint resolution.

A variety of training approaches will be considered and deployed, depending on available financial and human resources, training topics, and other conditions. Co-training with and for partners will be considered to best use resources and help system partners' staffs to "be on the same page." Blending and braiding training resources will be a guiding principle.

All one-stop center staff will be trained and required to demonstrate competency in serving diverse populations and knowledge of related policies across the system and among partner agencies. One-stop center certification will depend on demonstrating that employees have achieved the required competencies in universal access.

Policies: Existing policies will be reviewed and updated to reflect WIOA intent and to meet the standards articulated in the Section 188 Checklist. Universal access policies that will govern one-stop center certification will be developed in collaboration with the Bureau of Employment Services' Division of Policy and Evaluation and the State Board Program Policy Committee.

Examples of immediate policy priorities include assistive technology and equipment responsibility, website/social media accessibility, programmatic and physical accessibility of workshops and events, service animal protocols, customer flow for the employment network, prohibition of automatic referrals to vocational rehabilitation, alternative formats for required tests/assessments, and consistent use of equal employment and accommodations tag lines. Program participation rules governing required orientation workshops, the RESEA program, and other mandatory programs will be examined to ensure full accessibility, especially access to alternative formats and accommodations. The feasibility of a central accommodations fund and various ways of ensuring/maintaining its solvency will also be explored.

DOMESTIC VIOLENCE AND OTHER CHALLENGES TO ACCESS

Maine is a leader among states in ensuring that domestic violence victims have legal protections to avoid job loss and loss of unemployment insurance benefits due to domestic violence counseling, treatment and court appointments. The universal access working group will examine how domestic violence affects physical and programmatic access to services and make any necessary changes to address this situation. Similarly, the working group will explore the potential implications of low literacy, financial hardship, and poor housing/homelessness on access to services. Policies and practices designed to mitigate the most challenging circumstances will be investigated in collaboration with low-income individuals, people who are homeless, and the organizations representing them.

MONITORING PROGRESS

The Section 188 checklist and policies will be used to monitor the system's progress toward universal access. Quantitative outcomes will be used, when practical, to assess system accessibility and utilization by WIOA's priority populations. Best practice models from other systems and other states will be researched and tailored to Maine whenever possible.

Requested Revision;

Building on our experience with the Disability Program Navigators grant and two rounds of the Disability Employment Initiative, the Bureau of Employment Services is already in the process of drafting, adopting, and promulgating two policies, one on nondiscrimination and one on accessibility, which will be distributed to local workforce development boards, their chief elected officials, one-stop operators/managers/staff, eligible training providers, and all entities awarded WIOA funds.

The policies will cover non-discrimination and access for all classes under Section 188. The policies define and prohibit discrimination, and will require, as appropriate, the provision of auxiliary aids, assistive technology, adaptive equipment, and accommodations, along with physical accessibility, technological/internet accessibility, EEO requirements, and public notice of the availability of auxiliary aids/services and accommodations.

The policies will also reference procedures for filing complaints, which are already contained in our Career-Center Customer Complaint Manual. Current staff people are familiar with the manual and it is available on the shared drive for reference. Staff training includes customer complaint protocols and is part of the core training that we plan to provide to required partners.

The policy also requires the State and Local Boards to post required notices, meeting agendas and minutes, and other information and to ensure that their websites, meeting spaces, and documents meet current accessibility standards.

Compliance with the policies will be required for one-stop certification. WDBs and operators will develop protocols to assist front-line staff in partner agencies on how to identify appropriate services for individuals and deliver them in an accessible and non-discriminatory fashion.

All front-line staff will be informed/reminded of the procedures for handling customer complaints related to discrimination or lack of access. Customer service training will be provided to all front line staff within three months of hire, and after that annually. Managers, in collaboration with BES and the WIOA staff development group, will be responsible for providing and documenting this training,

WDBs and operators will be responsible for developing mechanisms to deliver information on local workforce development system resources in an easy-to-access manner. They will conduct outreach to inform the public of these resources. Workforce development system partners and community agencies will also be informed of these resources and how to assist clients and participants in accessing and navigating the workforce system's resources.

In accordance with §678.800, WDBs will be responsible for ensuring that these provisions are implemented. Monitoring will include compliance with these policies. WDBs will assess their one-stops at least once every three years. They will also review and update any criteria when conducting any program reviews or when updating their local plans.

When monitoring or other activities reveal a need for system-wide technical assistance, policy updates, or concerns related to non-discrimination and accessibility, the Bureau of Employment Services may provide or assist with providing the necessary TA.

We will use the Section 188 checklist, Promising Practices In Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide, and the USDOL's Integrated Service Delivery Toolkit to assist system partners, providers, and local boards with guidance on developing their own monitoring tools.

Implementing and monitoring compliance with these policies will be overseen by a universal access coordinator and a core Universal Access work group of system stakeholders and subject matter experts from the larger community, including the Alpha One (independent living center), Disability Rights Maine, the state ADA coordinator, Maine CITE (designated adaptive technology provider for the Maine Department of Education), NAMI Maine, and other agencies and entities with relevant expertise in both accessibility and non-discrimination. Members of the state or local workforce boards will be included.

The Bureau of Employment Services will implement standard operating procedures that include a designated Assistive Technology specialist in each one-stop. The specialists' responsibilities will include routine inventories of equipment. One-stop managers will be responsible for ensuring that all assistive technology and adaptive equipment are functioning, and that adequate resources are available to replace/repair equipment, update assistive software, and obtain new equipment when needed.

The Bureau of Employment Services will also continue to operate a Ticket-to-Work workforce employment network through the one-stops, ensuring that people receiving federal SSI and DI benefits are served by the workforce system. One-stop managers will designate at least one Ticket-to-Work specialist in each office.

Staff training to ensure compliance with Section 188 and ADA/ADAA

As part of the state's implementation of WIOA, the Universal Access work group and the WIOA staff development group will be responsible for providing system-wide training to all required partners' management and staff. This training will be incorporated into the larger training plan for WIOA implementation.

The Universal Access work group will help the broader WIOA staff development group with integrating these trainings into its training plan for WIOA-required partners.

Training to be provided in the first six months to a year following approval of the state's WIOA strategic plan:

- Orientation to the Maine workforce development system's non-discrimination and accessibility policies, including WIOA section 188
- Orientation to the principles of universal access
- Customer service training that is culturally and disability sensitive, including an initial interviewing procedure to mitigate "automatic referrals" to vocational rehabilitation
- Basic disability awareness and etiquette
- ADA/ADAA and Maine Human Rights Act

- Job accommodations-legal requirements and how to assist customers (employers and jobseekers) with requesting and negotiating accommodations
- Encouraging disability disclosure in the CareerCenter, and how to correctly document the disclosure in the customer case management system
- Identification of language interpretation resources and how to access them for customer communications (both ASL and spoken languages)
- Use of assistive technology and adaptive equipment in the CareerCenter and customer access to additional assistive technology and adaptive equipment
- Customer complaint protocols
- General resources on disability and language access

Managers and supervisors, in collaboration with our WIOA staff development group, will provide training to new hires, and on an annual or biennial basis to all staff. The training will be recorded; and some training will be offered through online training providers, such as the New England ADA Technical Assistance Center and other regional ADATACs. The Bureau of Rehabilitation Services, Maine Department of Education, and other agencies (such as those named above as Universal Access work group members/resources) will provide, or help provide, training.

Examples of other training to be offered, either concurrently or after initial training has been completed.

- Hidden disabilities
- Deaf culture
- Blind culture
- Mental health first aid
- Service animals
- Accessing community resources
- Creating accessible documents

The WIOA staff development group will identify a method for documenting compliance with training requirements for implementation by supervisors and managers. Documentation will be a required element of one-stop certification and monitoring.

The Universal Access work group or its coordinator, in concert with the Bureau of Employment Services Director of Policy and Evaluation.

First three months:

- Universal Access Work Group formed, coordinator identified/designated
- Group meets, identifies its charge, and begins developing training plan

Months 6 – 12

- Training providers and modalities identified, plan drafted
- Training schedule developed
- First set of training provided to all staff

Year 2:

- Monitoring and one-stop certification tools related to section 188 developed
- Monitoring and certification tool tested, revised as needed
- Training revised as needed, based on initial delivery
- Training continues for new hires and incumbent staff

Years 3 – 5

- One stop certification and local monitoring conducted
- Issues identified in certification and monitoring process are addressed as appropriate (technical assistance, training revisions, policy revisions)
- Training revised as needed
- Training is now ongoing and routine
- WIOA state strategic plan updated as needed

COORDINATION WITH COMBINED STATE PLAN PROGRAMS

This section is not applicable to this Unified Plan.

COMMON ASSURANCES (FOR ALL PROGRAMS)

1. The Maine Department of Labor, Bureau of Employment Services (MDOL/BES) has drafted a conflict of interest policy that meets the requirements of WIOA and that identifies circumstances that may present a conflict of interest for members of a State Board, a Local Board, or an entity or class

of officials that the member represents, and procedures to resolve such conflicts. For a copy of this policy, please see [APPENDIX-VII](#) CONFLICT OF INTEREST POLICY

2. MDOL/BES has established a policy to provide the public (*including individuals with disabilities*) with access to State Workforce Board and Local Workforce Board meetings and minutes that record those meetings. The policy requires State and Local Boards to send out notices and post their agendas and meeting minutes on their websites and to ensure that both physical meeting spaces and website information and minutes are accessible to all. For a copy of this policy, see [APPENDIX-VIII](#).
3. Director-level State agency leads from the Wagner-Peyser, Title I-B Adult, Dislocated Worker and Youth programs, Vocational Rehabilitation, and Adult Education have reviewed and commented on the appropriate operational planning elements of the Unified Plan and have approved these elements as serving the needs of the populations served by those programs.
4.
 - a. The Maine Department of Labor assures that representatives of local boards and chief elected officials, businesses, labor organizations, institutions of higher education, the entities responsible for planning or administering the core programs, required one-stop partners, other primary stakeholders, including other organizations that provide services to individuals with barriers to employment, and the general public have been afforded the opportunity to provide input into the State's Unified Strategic Plan and that the Plan is available and accessible to the general public on the State Board's website.
 - b. The Maine Department of Labor assures that the State Workforce Board and State agency official(s) for the Unemployment Insurance Agency were provided multiple opportunities to review and comment on the State's Unified Strategic Plan.
5. The State assures that it has established fiscal control and fund accounting procedures that are necessary to ensure the proper disbursement of, and accounting for, funds received by the State through allotments made for the core programs to carry out workforce development activities. The Bureau of Employment Services of the Maine Department of Labor (MDOL), in collaboration with the Maine Department of Administrative and Financial Services (DAFS), has revised the MDOL Financial Manual that provides guidance to local areas and sub-recipients regarding fiscal controls and acceptable accounting processes required for the use of Title I-B Adult, Dislocated Worker and Youth formula funds. The manual contains all of the policies and financial accounting practices and procedures requirements.
6. The MDOL Financial Manual references the uniform guidance that recipients and sub-recipients of WIOA funds must follow, at 2 CFR 200 and 2900 and related Appendices. The Financial Manual emphasizes the uniform administrative requirements that recipients must adhere to and how expenditures must be reported and clarifies process requirements pertaining to procurement and fiscal reporting. The manual also details record retention, requirements for protection of personally identifiable and incident reporting. The manual is a policy document that directs local areas on the requirements that they have policies and processes in place as internal controls.

BES contracts with the Department of Administration and Financial Services (DAFS) to conduct annual fiscal monitoring of each local area's and their sub-recipient's administration of WIOA funds to ensure that they are in compliance with the Act and other Federal, State and Local policies and regulations. The annual reviews enable the Bureau to determine whether the sub-recipients are making expenditures against the proper cost categories and within required cost limitations specified in the Act and to ensure that sub-recipients are in compliance with 2 CFR 200 and 2900 and other fund-management requirements. During monitoring, local area and sub-recipient policies are evaluated for compliance with fiscal administrative requirements. Results of monitoring reviews enable the Bureau of Employment Services, on behalf of the Governor, to determine whether a local area is adequately addressing deficiencies and to determine that a local area has maintained fiscal integrity. In the event a local area is not in compliance the Bureau will require prompt corrective action and will provide the sub-recipient with specific steps that must be taken and will explain any processes or sanctions that may be imposed if compliance findings are not adequately addressed.

7. Each of the agencies within the Maine Department of Labor and Maine Department of Education take steps to ensure that they and the sub-recipients they oversee are in compliance with Section 188 and all nondiscrimination requirements. The plan contains the latest overarching plan for educating staff on all non-discrimination and accessibility requirements. In addition, to regular program and site monitoring, the State's EEO Officer conducts annual reviews of each local area to inspect files to assure nondiscrimination and assesses physical sites to ensure accessibility.
8. The Maine Department of Labor, Bureau of Employment Services, the State Workforce Agency, on behalf of the Governor, assures that funds received under WIOA to carry out core program activities (Adult, Dislocated Worker, Youth, Adult Literacy, Wagner Peyser, and Vocational Rehabilitation) will not be expended for any purpose other than those that have been authorized with respect to each of these programs under WIOA.
9. The core programs will make funds available (as determined by the State Board) to pay an appropriate share of the costs of carrying out performance activities and systems as set forth in section 116 of WIOA.
10. The WIOA Implementation and Policy committee is in the process of drafting policy recommendations for review by the State Workforce Board regarding the criteria local board will use to certify one-stops. Accessibility criterion and evaluation objectives will be included that assure that all comprehensive one-stop centers are compliant with the Americans with Disabilities Act of 1990.
11. The Maine Department of Labor, Bureau of Employment Services has implemented a policy regarding referral of Veterans with Significant Barriers to Employment (SBEs) to Disability Veterans Outreach Program services. Please see [APPENDIX- XI](#) for a copy of this policy.
12. Priority of service for veterans and eligible spouses is provided in accordance with 38 U.S.C. 4215 in development and delivery of all workforce development programs and services funded in whole or in part by the U. S. Department of Labor. Please see [APPENDIX-IX](#) for a copy of the Veteran's Preference Policy.

PROGRAM SPECIFIC REQUIREMENTS FOR CORE PROGRAMS

ADULT, DISLOCATED WORKER AND YOUTH ACTIVITIES

General Requirements (1) Regions and Local Workforce Development Areas:

Regions: With the assistance of the Local Boards and Chief Elected Officials, Maine has identified three planning regions; 1) Coastal Counties Region – made up of York, Cumberland, Sagadahoc, Lincoln, Knox and Waldo Counties; 2) Central Western Region – made up of Androscoggin, Franklin, Oxford, Somerset and Kennebec Counties; and 3) Northeastern Region – made up of Aroostook, Washington, Piscataquis, Penobscot and Hancock Counties.

After months of consulting with local board members and chief elected officials in the Tri-County and Aroostook/Washington County local areas consolidated. . The three local areas in Maine coincide with the three planning regions. Historically, Local Boards have been actively engaged in regional planning with their economic development district and community development counterparts. The Local Boards play a significant role in the development of each district's Community Economic Development Strategy (CEDS). When the requirement for identifying regions was made known, the State and Local Boards took the following elements under consideration:

- Equal distribution of Maine's seven economic development districts;
- Equal distribution of WIOA formula funds;
- Equal distribution of post-secondary education institutions;
- Inclusion of a major urban hub;
- Similar labor force distribution and commuting patterns;
- Equal share of Maine's traditional industry sectors;
- Equal distribution of emerging and technology-based industries;
- The fact that regional partnerships have already been formed and active for the purpose of workforce, economic and community development.

While the southern part of the State is more densely populated with workers, businesses and financial capital, it was critical that the State not be divided into two regions. The three region configuration is beneficial on a number of scales, not only for the reasons considered above, but also because of the previously established relationships between workforce development stakeholders. Please see [APPENDIX IV](#) – for the policy on designating regions.

Local Areas: As stated above, the Maine Department of Labor, Bureau of Employment Services (a.k.a. State Workforce Agency), consulted with local boards and chief elected officials regarding the requirements for initial local area designation under WIOA. Local Areas were reviewed as to whether they had:

- Been designated as a local area under WIA;
- A common economic development area;

- The Federal and non-Federal resources, including appropriate education and training institutions, to administer activities under WIOA Title I-B
- Performed successfully; and
- Sustained fiscal integrity.

To see the full definitions of requirements please see [APPENDIX V](#) for the policy on local area designation.

Local areas were evaluated as to whether they met each of the requirements for local area designation. All four local areas requested initial designation using the procedure identified in policy PY15-01, which was to submit a formal request for initial designation to the Commissioner of Maine Department of Labor, on behalf of the Governor, to include a statement from the Local Board Chair and Chief Elected Official that they are in agreement with the request and that the local area has met each of the requirements.

Because it was clear that the Aroostook/Washington local area did not receive sufficient funds to cover the cost of all required administrative functions, discussions ensued regarding consolidation of the Aroostook/Washington and Tri-County local areas, which would result in a five-county area. The Aroostook/Washington local area has been working to consolidate with Tri-County for almost six months. There are a number of contractual and financial issues that must be worked out for a smooth transition, but it is expected these two local areas will be consolidated in January, 2016 and will be known as the North-eastern Local Area and will be comprised of Aroostook, Washington, Hancock, Piscataquis and Penobscot Counties, which are the same counties identified for the Northeastern Region designation explained above.

Appeal Process: The appeal process for denial of local area status is outlined in Policy PY15-01 which states that if a request is not granted, any existing local area or local government entity requesting initial designation may, within thirty (30) days of denial, submit a written request for appeal to the State Board. The appeal must include a copy of the original request, a copy of the denial letter, and document sufficient evidence to establish that it meets the requirements for local area designation under WIOA and State Policy. Appeals must be submitted via certified mail to the director of the State Board.

Once the director receives the appeal the formal appeals process is initiated which is comprised of the following steps:

1. A hearing will be scheduled with an impartial hearings unit within 45 days of receipt of the appeal, during which the additional evidence in support of local area designation will be reviewed and considered.
2. A formal response to the appellant will be provided by the hearings unit via certified mail, within 45 days of the hearing. The formal response will cite the criteria considered in either approving or denying the appeal for local area designation.
3. If the appeal does not result in local area designation, the local board may appeal to the Secretary of the U.S. Department of Labor as follows:
4. Appeals to the Secretary must be filed, via certified mail - return receipt, no later than 30 days after receipt of notification of denial by the State Board and must be submitted to: **Secretary, U.S. Department of Labor, 200 Constitution Ave. NW, Washington, DC 20210, Attention: ASET.** A copy of this request must be submitted simultaneously to the State Board.

5. In the appeal to the Secretary, the appellant must establish that it was not accorded procedural rights under the appeal process set forth in the State Policy/Plan, and establish that it meets the requirements for designation in WIOA Sections 106(b)(2) or 106(b)(3) and 20 CFR 679-250.
6. The appellant will also be informed that if the Secretary determines that the appellant has met the burden of establishing that it was not accorded procedural rights under the appeal process set forth in the State Plan, or that it meets the requirements for designation under WIOA, the Secretary may require that the local area be designated as a local workforce investment area. The appellant will also be informed that the Secretary may consider any comments submitted by the State Board in response to the appeal made to the Secretary.
7. The appellant will also be informed that the Secretary will issue a written decision to the Governor. The appellant will be informed that the Commissioner of the Maine Department of Labor, on behalf of the Governor, will abide by the decision of the Secretary of the U.S. Department of Labor.

APPEAL PROCESS PERTAINING TO INFRASTRUCTURE COSTS –Policy is being developed

Requested Revision;

The Bureau of Employment Services has been working to educate Local Board Directors and Required Partners on all aspects of the required MOUs, including introducing them to the requirements for cost sharing agreements. The Bureau has been made aware that there will be forthcoming guidance in the form of a TEGL regarding infrastructure cost sharing.

The Bureau will develop the appeals process once it has thoroughly digested the guidance around cost sharing so that it can provide an appropriate series of steps for appeal. The appeals process will likely follow a standard format, with the required partner being requested to submit a written appeal to the State Board, within 30 days of the local board cost-sharing negotiations, documenting the rationale for the appeal. The State Board will review the appeal and decide if the local area was able to negotiate cost sharing agreements with the majority of partners without issue and will work with the local area to address the single partner appeal.

In the event multiple partners appeal it will be noted that the local area was unable to negotiate cost sharing agreements in genera and the Governor's cost sharing formula will be implemented. This is also still in the process of development and awaiting the expected TEGL. Once the Infrastructure cost sharing agreement policy has been drafted and reviewed by the State Board and the Governor's Cost Sharing Formula outlined and reviewed by the State Board these and a copy of the appeal process will be forwarded to USDOL and added to the State Unified Plan. MDOL appreciates any guidance that can be provided on this requirement.

General Requirements (2) Statewide Activities:

Policies: A number of policies in place under WIA are in the process of review and revision to ensure they comply with WIOA requirements. A new standing committee to the State Board has been established and is referred to as the WIOA Implementation and Policy Committee (WIPC). The role of the WIPC is to:

- Identify, develop, review, and approve policies and guidance issues required by WIOA;
- Assure the needs and interests of customers are the key beneficiaries of the policy agenda;

- Recommend policy to the State Board that informs system providers and supports the strategic goals of the State and Local Areas and Regions;
- Ensure that policies generated do not infringe on the authority of local areas or system partners.

Members of this committee include leads from Adult Education, Vocational Rehabilitation, Title I-B formula funded programs (Local Board Directors and Service Provider Directors), and Wagner Peyser; other partners or subject matter experts may be included in the policy review processes as deemed appropriate by the members of the WIPC.

The WIOA Implementation Policy Committee (WIPC) is committed to reviewing and updating the following existing policies:

- **Individual Training Accounts** *to be revised to include new ETPL and use for Youth program participants*
- **On-the-Job Training** *to be revised to include ETPL requirements and further spell out WIOA goals and requirements*
- **Monitoring and Oversight** *to be revised to accommodate specific compliance items identified under WIOA and strategies identified in the State Plan*
- **Sanctions** *to be revised to incorporate all appeals references*
- **Conflict of Interest** *to be revised to include demonstration of specific items that would be deemed to be conflict of interest*
- **Non-Discrimination** *to be revised to more fully incorporate new definitions, including same sex spouse in definition of “family” and gender identification stipulations*
- **Supportive Services** *to be revised to reference WIOA vs. WIA*
- **Needs Related Payments for Participants** *to be revised to reference WIOA vs. WIA*
- **Administrative Cost Limitations** *to be revised to reference uniform regulations under 2 CFR 200*
- **Work Opportunity Tax Credit** *to be revised in accordance with changes in the law*
- **Veteran’s Priority of Service** *to be revised to reference WIOA vs. WIA and to reference Adult priority of service policy and referral of Veterans with SBEs to DVOPs*
- **Referral of Veterans with SBEs to DVOPs** *to be established as a separate policy requiring local policy.*
- **Chambers of Commerce as Required Partners** *to be revised to reference State Workforce Board vs. SWIB.*
- **Promotion of Entrepreneurship** *to be revised to reference State Workforce Board vs. SWIB.*
- **Incumbent vs. Employed Worker Services** *to be revised to reference new requirements under WIOA and new separate policies on Incumbent and Underemployed Workers*
- **Customized Training** *to be revised to reference WIOA vs. WIA*
- **High-Risk Grantee Requirements** *to be revised to reference WIOA vs. WIA*
- **U.I. Job Search Waivers** *to be revised to reference WIOA vs. WIA*
- **Youth Requiring Additional Assistance Local Area Policy Requirements** *as required under WIOA*
- **Rapid Response Additional Request for Assistance Requirements and Process** *to be revised to reference WIOA vs. WIA*

The following new WIOA required policies are in the process of development and review and some are already approved and in place:

- **Local Area Designation** *spells out specific requirements under WIOA*
- **Local Board Membership** *spells out specific requirements under WIOA*
- **Local Board Certification** *spells out specific requirements under WIOA*
- **Priority of Service Adult Formula Funds** *spells out specific requirements under WIOA*
- **Eligible Training Provider Process** *spells out specific requirements under WIOA*
- **Establishing WIOA Regions** *spells out specific requirements used to identify planning regions as required under WIOA*
- **Accessibility Requirements** *to be developed and to spell out accessibility requirements as identified in the State Plan in regard to individuals with barriers such as disabilities, other languages, other cultures, and rural access.*
- **Incumbent Worker**
- **Underemployed Worker**
- **Transitional Jobs**
- **Integrated Intake** *to be developed by and between four core partners*
- **Shared Assessments** *to be developed by and between four core partners*
- **Shared Customer Service Plans** *to be developed by and between four core partners*
- **Shared Infrastructure Cost Plans** *to be developed by the State Workforce Board to direct local areas in processes that must be implemented if they are unable to attain agreement on local workforce development system infrastructure cost sharing.*
- **AJC Certification Criteria to be used by Local Boards** *in the process of development to be presented to the State Board*
- **Youth Service Provider Procurement Requirements** *in the process of development to be presented to the State Board*
- **Adult and DW Funds Transfer** *already developed and in the process of approval of the State Board*
- **Co-enrollment** *to be reviewed and agreed to by the four core partners*
- Some policies that were in draft form but never fully implemented will be revised or be rescinded:
- **Local Board Recognition** – *this policy has incorporated into the Local Board Certification Policy*
- **Use of Electronic Signature** – *this policy will need to be revamped to meet requirements of the new MIS system that will be in place in July 2016, the America's Job Link Alliance or AJLA system.*
- **Grant Collaboration** – *this policy was perceived as punitive rather than collaborative. A new initiative is being promoted under this strategic plan that will encourage collaboration on accessing grants leveraging funds.*

Policies to be rescinded:

- **OSOS Email User Accounts** – *this policy will be replaced with new policy associated with the new MIS system to be used for WIOA Title I-B case management and reporting and customer tracking under AJLA*

- **Date of Exit Requirements** - *this policy was implemented to ensure compliance with the 90 day no service exit criteria that our MIS system (OSOS) was unable to accommodate, the new AJLA system already assures exit after 90 days without service voiding the need for this policy.*
- **Minimum Training Expenditure Rate** - *Maine imposed a minimum spending threshold for the Adult and Dislocated worker programs which required service providers to utilize 40% of their funding on training (tuition, books, fees, OJT wages and support service costs while in training). Areas with the most funding were able to meet the requirement; however, some areas had to reduce staff and operating hours in order to meet the requirement. Not all local areas had the same level of overhead (number of CareerCenters) or funding (Maine is a small-funded state) so they had to make choices that negatively impacted staff-assisted services; which for some participants are of equal or greater importance.*

The requirement was intended to ensure higher credential attainment and earnings gains; however, regardless of amounts spent, the completion rates and credential attainment rates did not change significantly. Dislocated workers often didn't complete because they were enticed back to work and adults actually required more staff-assisted services to be successful. While we still feel it is important to set a goal, we now know that the specific amounts to be set may have to differ from one local area to another depending upon the differences in infrastructure costs and percentage of harder to serve customers involved.

Most importantly when we reviewed the percentage of participants enrolled in formal training before imposing the spending requirement and the numbers didn't change, regardless of the amount spent, with approximately 97% of all WIA customers enrolled training activities. We did find that the cost per participant went up significantly with the requirement.

We also learned that in some cases the requirement limited service provider flexibility in service planning because they would have to establish the 40% spending minimum up front regardless of the populations they would be serving. We now feel the best policy is to work with local areas to establish service spending goals and to focus on promoting program design that will result in desired outcomes such as training completion and credentials gains.

Policies regarding Title I-B funds and service provision under WIA were to be found in several different locations. Participant tracking and reporting requirements and some related policies were identified in the One-Stop Operating System Tracking Manual – this manual contained directives regarding use of the MIS system to achieve compliance with Federal and State funded programs. Topics covered everything from how to document participant eligibility, referrals and service activities, to placing job orders and documenting employer services and Registered Apprenticeship requirements. The manual will be replaced with the tools to be provided by AJLA the new MIS system for service tracking and reporting.

In addition to the Tracking Manual, the Maine Department of Labor published the MDOL financial manual, which included all directives and requirements for financial activity from allowable costs to reporting and spending requirements and processes for sanctioning non-compliance.

Policies that had been developed along the way and that were issued as individual directives were compiled separately and provided to impacted audiences, such as Local Boards and Service Providers as appropriate. These policies had been placed on the Maine DOL intranet site along with the financial and tracking manuals.

It is the goal of the WIPC that all policies pertaining to Maine's workforce development system for both Federal- and State-funded programs will reside on the internet, so that they will be able to be accessed by all workforce development professional staff and the public. The rules and policies of State-funded programs, including the Competitive Skills Scholarship Program and the Maine Apprenticeship Program, will also be included on this site; and in the future all policies and services pertaining to partner provided services and co-enrollment activities for core and other required partners will be included.

Use of Governor's Set Aside Funding:

Maine will utilize the Governor's Set-Aside funds for required and allowable statewide employment & training activities to facilitate the successful transition and implementation of WIOA,

Statewide employment & training activities include:

- o Rapid Response activities;
- o Providing assistance to State entities and agencies, local areas, and one-stop partners in carrying out the activities described in the State plan, including the coordination and alignment of data systems used to carry out the requirements of this Act;
- o Disseminating the State list of eligible providers of training services, including eligible providers of nontraditional training services and of apprenticeship programs, and information identifying eligible providers of on-the-job training, customized training, incumbent worker training, internships, paid or unpaid work experience opportunities, or transitional jobs;
- o Operating a fiscal and management accountability information system and carrying out monitoring and oversight of activities;
- o Implementing innovative programs and strategies designed to meet the needs of all Maine employers, as well as developing strategies for effectively serving individuals with barriers to employment and for coordinating programs and services among one-stop partners;
- o Improving coordination of employment and training activities with child support services, programs that serve individuals with disabilities, adult education and literacy activities, including financial literacy and activities in the corrections system that assist ex-offenders in reentering the workforce;
- o Conducting research and demonstration projects related to meeting the employment and education needs of adult and dislocated workers in Maine.

Rapid Response is a shared responsibility between the State Rapid Response Team, the Dislocated Worker Program service providers, and other state and local stakeholders.

The Maine Department of Labor is responsible for developing components of statewide and local Rapid Response activities; which include: providing resources to deliver Rapid Response services at the local level, developing budgets, structuring the Rapid Response process, coordinating the development of National Emergency Grant Applications, negotiating alliance-based contracts that support Rapid Response capacity,

and providing policy direction for Rapid Response delivery and its integration with Trade Adjustment Assistance (TAA) and WIOA dislocated worker programs.

Regional Rapid Response services are coordinated by the Rapid Response Coordinator through the Bureau of Employment Services central office. At the local level, two full-time regional Rapid Response representatives and staff from local CareerCenters provide services to employers and workers affected by lay-offs and mass closures occurring throughout the state.

In addition to provision of policy direction and functional oversight, the coordinator also provides statewide staff development and training. Local Rapid Response staff make initial and follow-up contacts with employers, provide referral services to economic development agencies, document visits and communicate them to appropriate local and State agencies, conduct reemployment orientations and workshops, and facilitate transition into training and job development activities offered by the local one-stop system.

Regional Rapid Response representatives are responsible for coordinating all Rapid Response sessions and ensuing transitional services for the affected workers. However, the full team of representatives may be called upon to act as a statewide team and respond in partnership on behalf of any local area or region that requires expanded assistance with Rapid Response service delivery and initial worker adjustment services.

Early Intervention: Maine has built an extremely effective communication system for identifying and responding to potential and actual dislocations. A number of avenues exist for identifying companies that may be impacted by downsizing, including:

- A confidential list that identifies companies from which UI has documented 20 or more initial claims;
- Formal notices required by the WARN act or the Maine Severance Law that are submitted by the affected company to the Dislocated Worker Unit and the Bureau of Labor Standards;
- Websites that monitor and package information about mergers, downsizing, development or investment in offshore facilities that affect the corporate parent companies of Maine subsidiaries are scanned on a regular basis, along with state and local press releases that provide similar information;
- Credible rumors and disclosures are routinely followed up on; and
- Early information sharing from economic development and other business assistance entities at the state, regional and local levels is also encouraged; they are usually the first to know when companies are facing issues that may result in job loss.
- WARN notices and credible rumors, or any information generated from the above sources; trigger an immediate contact with the affected company by the local representative, who gathers information about the nature and size of the layoff.

A formal Plant Brief guides the initial interview with the company and collects information that prompts specific response steps, as follows:

- Gathering of general company information, including type and sector that is used to track industry patterns;
- Reason for downsizing, which prompts a referral to one-stop system business assistance services.
- If trade adjustment assistance for firms is warranted a direct referral to NETAAC (A federal program that provides business assistance to trade-affected companies hoping to avert additional layoffs) may be triggered along with other services that may avert additional layoffs;
- Affirmative responses to Trade Petition questions result in facilitation of a petition for trade certification;
- Information regarding severance packages (i.e., number of weeks of vacation pay, average cost of health insurance and types of health packages to be offered by the company) provide guidance to prepare UI representatives for specific employee questions that may be fielded;
- Demographic information is gathered about the workers who will be attending the session in order to customize each session to the particular worker audience (i.e., age and education levels, length of time with company, language or other barriers and whether any affected are on active duty);
- Worker task statements are requested and used to scan for skill demand (or lack thereof) in the local labor market and to determine the anticipated retraining or skill development action steps that may be necessary for reemployment purposes; and

Company is asked to facilitate a worker needs survey that is examined for coordination of transitional resources and need for allocation of financial resources.

State Rapid Response staff determines the mix of appropriate responses. Businesses are informed of layoff aversion possibilities, such as employee buyouts, skill retooling where appropriate for layoff aversion purposes, and linking needs of the employer with State and local economic development programs and services. Private-sector local board members and elected officials could be asked to facilitate resolution of problems when there may be an opportunity to intervene to avert a lay off or shutdown. Information from the first contact is also provided directly to the Governor's office for similar reasons. Finally, the information is used to develop a customized package of services from Rapid Response orientations and workshops to training and then job development.

Maine has incorporated a "Jump Start" approach to Rapid Response allowing workers to pursue immediate readjustment/reemployment pathways. At the close of each initial Rapid Response session, participants are encouraged to sign up for next steps.

For those who feel confident to immediately seek new employment, a series of workshops designed to support this goal is offered. This series explains the labor market and how individual knowledge, skills, and abilities transfer to jobs in demand. It also informs the workers about where and how to look for job openings, how to complete applications, develop resumes, and how to excel at interviewing.

Outplacement is conducted almost immediately via referral to the jobs that have been identified through the initial labor market scan conducted usually by the Center for Workforce Research and Information and via customized job fairs – now also a part of the Rapid Response Jump Start for larger companies. Maine

CareerCenters promote the customized job fairs as a service to the affected company. Often affected companies are inundated with calls from other companies wishing to hire their exiting workers. The affected company is usually too overwhelmed to coordinate such services. The CareerCenters have been instrumental in taking on this additional task by coordinating job fairs that link the interested employers with the specific laid off workers. In several instances these have been offered right at the worksite of the affected company. These job fairs have proved successful with over 25 percent of employees gaining immediate reemployment and company allowing affected workers to attend the job fairs and workshops while on company time.

The second transition pathway is targeted to those who may have greater difficulty dealing with job loss and/or have broader barriers to immediate reemployment. This pathway links workers to a series of workshops covering such topics as coping with job loss, career decision making and understanding labor market trends, and gaining perspective through individual assessments leading to opportunities and resources for skills upgrade and retraining that will prepare them for demand occupations.

The “Jump Start” model uses the individual needs surveys to customize and schedule the above series prior to the initial session by requesting that the company encourage completion of the surveys in advance. Many companies have provided long term advance notice; in cases like these, the Rapid Response team is able to work with the company and affected workers on an ongoing basis to provide info sessions, workshops and/or TAA briefings at appropriate times and generally on company site and on company time.

The model also allows for exceptional information gathering for NEG request purposes and/or linkage with economic development activities that may benefit large numbers of affected workers. MDOL has also developed a formal NEG application process.

Affected workers from smaller layoffs, are offered similar service pathways, but may be referred to existing workshop series offered on an ongoing basis by their local CareerCenters. If the layoff occurs without our notification, each worker is contacted individually and invited to a formal Rapid Response info session or to an orientation to services offered on a regular basis by their regional CareerCenter. It is the goal of Maine’s Rapid Response program to contact every laid-off worker regardless of size of company closure or downsizing; each will be invited to access the full array of available services.

In addition to reemployment related services, it has been the custom of Maine’s Rapid Response team to link with the local community to launch or participate in Community Transition Teams on behalf of the affected workers. The activities of these teams include the following:

- Production of resource booklets that feature local community programs and services, printed and provided to each of the affected workers;
- Coordination of resource fairs that provide an opportunity for affected workers to access a range of services from heating and housing assistance to small business development assistance all in a One-stop location;
- Coordination of fundraising events from dinners and barbecues to dances and auctions from which the proceeds can go toward an emergency services fund for affected workers; and

- Coordination of a variety of non-employment related workshops such as consumer debt workshops offered by the regional credit union to health clinics and stress management workshops offered by local health service providers.

Maine's congressional staffers have been outstanding partners in this effort and recent collaboration between MDOL and congressional staffers had culminated in a formal plan for implementation of Community Action Teams across the state.

In the event of a natural disaster: In addition to utilizing community transition teams, the State Rapid Response lead and team members will work in collaboration with the Maine Emergency Management Association (MEMA), the State Agency with responsibility for lessening the effects of disaster on the lives and property of the people of the State through leadership, coordination and support in the four phases of emergency management: mitigation, preparedness, response and recovery. MEMA currently has a system in place that includes year round training of County level emergency management teams in emergency management techniques, processes and requirements. The Rapid Response team will deploy Rapid Response funds as appropriate for activities in support of MEMA, including outreach, response and recovery. Training funds will be deployed to hire temporary emergency workers as appropriate. Companies affected by the natural disaster will be provided with Rapid Response information and affected workers will be apprised of information on disaster unemployment assistance.

Coordination with Trade Adjustment Assistance (TAA): Members of the Rapid Response team also implement processes to initiate Trade Adjustment services on behalf of affected firms and workers. Team members assist firms and/or affected employees in submitting trade petitions. Affected workers are provided with cursory information about TAA during regular Rapid Response session and are apprised of informational activities that will take place if the firm is certified for trade adjustment assistance. Rapid Response and CareerCenter staff members are trained to provide information and ongoing services to trade affected workers and to work collaboratively with staff of the Adult and Dislocated worker programs to coordinate services for trade eligible participants. Prospective participants are informed about timeframes and deadlines and options for weekly TAA benefits and other services such as Alternative Trade Adjustment Assistance, Reemployment Trade Adjustment Assistance and TAA Relocation Allowance.

Informational materials are provided directly to affected workers for whom a trade petition is pending; these materials explain what the Trade Adjustment Assistance program is and outline the prospective benefits the program can provide and the criteria that affected workers must meet to avail themselves of the services. Once their firm has been certified a series of forums are provided to affected workers to explain the program in full and to answer questions and schedule next steps. Firms that have been affected are also referred to employer trade adjustment assistance for firms and other services as appropriate.

Local areas in need of additional Rapid Response funds to serve affected workers while a trade petition is pending can make a formal request for additional funds using a process identified in Policy PY13-11. This policy identifies the requirements of the Rapid Response Additional Assistance (RRAA) funds which state that funds requested can only be used for program and not administrative costs and that Local Areas must have expended at least 70% of local area DW funds and document that they have insufficient funds to serve the newly affected population. The RRAA funds may be used to bridge funding gaps pending approval of a

trade petition. Local areas may also apply for RRAA funds when the local area has experienced a steady increase in the number of unemployed individuals within a 120 day period due to natural disasters, plant closings, mass layoffs, or other events that don't qualify for a Trade Petition or a National Dislocated Worker Grant.

Adult and Dislocated Worker Services: Local providers of Adult and Dislocated Worker services work collaboratively with Wagner-Peyser providers, Veterans programs, Registered Apprenticeship and other State funded programs, such as the Competitive Skills Scholarship Program. Access to basic career services is available to all interested individuals at any of Maine's comprehensive and satellite one-stop centers.

Formula and Wagner-Peyser providers also collaborate to deliver Individualized Career Services and to ensure appropriate referrals to and from core and other WIOA required partner programs. Each of the core programs provides intake, assessment and individualized plan development services to eligible participants and have agreed to collaborate by sharing information resulting from these processes with each other on behalf of shared clients.

It is anticipated that the new America's Job Link Alliance case management and job bank system may provide a format for universal intake that can be used and accessed by each of the four core WIOA partners. Training services provided under the formula programs will be integrated with services of the Adult Education and Literacy and Vocational Rehabilitation providers as appropriate and on behalf of shared participants. Traditional training venues will continue to be provided such as Individual Training Accounts, but a stronger emphasis will be placed on utilization of employer-based training methods such as on-the-job training (OJT), customized training (CT), transitional jobs, registered apprenticeship, paid and unpaid internships and work experience for youth.

Registered Apprenticeship: Utilization of registered apprenticeship will continue to be a strategic priority for the State and will be emphasized as a required component of local area service delivery design. The Maine Apprenticeship Program has worked closely with high-growth industry sectors in Maine, such as health care, and have been instrumental in establishing career pathway approaches for low wage high demand occupations, such as Certified Nurse Assistant, that provide an upward mobility path. These approaches have included blending of resources from the Maine Apprenticeship Program tuition assistance funds, Title 1-B programs, the Competitive Skills Scholarship Program and the industry partners. The programs have also incorporated integrated education training modules that link work readiness, occupational skills, and academic skill components into a single cohesive program that has been co-designed by the employer. This type of approach has been promoted as a key approach in the Job-Driven and Sector-Partnership National Dislocated Worker Grants Maine has received. Apprenticeship sponsors are invited to list their programs on the Eligible Training Provider List; however, many of Maine's apprenticeship sponsors are very small businesses and prefer to stay off the list when they are not actively recruiting new apprentices.

As identified in the strategic portion of this plan, new approaches will be promoted using the Title I-B program funds, including upskill/backfill that will require utilization of resources that leverage employer funds and that include use of WIOA formula funds identified for incumbent worker training. Follow-up ser-

vices will also be stressed, as an integral component of a participant's service plan, to ensure proposed performance objectives will be met for those individuals who entered the program with significant barriers to employment and others who would benefit from follow-up services.

Eligible Training Provider List: The list of eligible training providers will be expanded to include apprenticeship sponsors that have elected to be on the ETPL and employers that have partnered successfully to provide on-the-job training (OJT), customized training (CT) and other employer-based training initiatives that have resulted in long-term employment and improved earning for participants. The current ETPL list resides on the Maine CareerCenter Website where it is accessed by participants. The new ETPL list will reside on the America's Job Link system currently in place since July 2016.

The Governor has designated the State Workforce Agency (the Maine Department of Labor – Bureau of Employment Services) to assist in carrying out the processes and procedures for determining eligibility of training providers and programs. Providers who are currently listed on the ETPL will be informed of the transition period and requirements for continued eligibility under WIOA and their ability to remain on the list until June 30, 2016, after which the timeline and procedure for continued eligibility will commence.

The procedure for initial and continued eligibility is in draft form at the present time. Initial discussions have taken place with the Local Boards who have agreed that the State Workforce Agency should continue to take the lead on processing and maintaining providers and programs on the ETPL. In the event that a request be submitted for a program that does not directly support the occupations or sectors identified as in-demand, the provider applicant will be required to seek approval from the Local Board in whose area the course of study or program will be offered. Local Boards will be able to ascertain from local service providers whether the program of study will result in attainment or retention of employment of a WIOA participant or registered apprentice; such a program and provider will be admitted to the list with conditional approval only as determined by the Local Board and this will be signified on the ETPL website. The State Board was informed of the ETPL requirements under WIOA at the November 2015 meeting and at which time they were apprised that research was being conducted regarding establishing minimum performance criteria for ETPL provider programs.

Bureau staff members researched the minimum criteria that other States had established and requested input directly from Maine's Community College System (MCCS). It was identified that currently providers of post-secondary education submit program completion information into the National Student Clearinghouse and that they have specific definitions of completion that include data pertaining to student transfers, which does not equate easily to how WIOA tracks participant completion rates. The minimum measures were all across the board from 20% completion to 75% completion rates as minimum requirements. Input from the MCCS reinforced the difficulty in both reporting and establishing minimum acceptable completion rate criteria when so many variables would not be able to be appropriately accounted for. In addition, most States did not incorporate quantitative minimum performance criteria into their ETPL requirements. As such, Maine will not be requiring any additional State minimum performance thresholds for eligible training providers.

The draft ETPL policy will be put out for public comment in February, 2016 at the same time that the Unified Plan is also distributed for public comment.

The list of eligible providers are currently downloaded into the workforce MIS system-MJL, which allows staff to link a WIOA participant to a specific provider and to record the name of the program of study the participant is engaged in; however, the report link currently only ties the participant to the provider and not the program. Maine implemented America's Job Link Alliance system in July 2016, it is expected that both the provider and program of study will be tied to the participant for reporting purposes as required under WIOA.

Providers applying for initial eligibility for their programs to be listed on the ETPL will be required to submit an application to the Maine Department of Labor, which includes the following verifiable information that:

1. Describes the program of training services to be offered;
2. Explains the length, cost and other pertinent information on how to access the program;
3. Indicates the degree to which the educational program relates to in-demand occupations and industry sectors in Maine;
4. Assures that the program meets meet educational licensing requirements of the Maine Department of Education or other required licensing entity;
5. Describes the type of industry-recognized credential (degree, diploma, certificate, license etc.) that program completers will achieve;
6. Explains the how/whether employed persons and individuals with barriers to employment can access the program and/or the ability of providers to provide the services directly to employed individuals;
7. Identifies whether the program can be accessed at alternatives locations or via the internet;
8. Provides verifiable performance information pertaining to one or more of the following:
 - a. the percentage of individuals who successfully complete the program;
 - b. the percentage of individuals who attain employment within one year of successful completion of the program; and/or
 - c. the median earnings of individuals who attain employment in training-related fields within one year successful completion of the program.

Requested Revision;

The State ETPL policy below identifies how Registered Apprenticeship Sponsors will be included in the ETP List. The Maine Department of Labor (MDOL) has responsibility for approving ETPs at the State level and for publishing the ETP list; in addition, MDOL oversees registered apprenticeship programs for the State of Maine. All apprenticeship sponsors will be listed on the ETPL unless they have individually requested to be removed from the program or if they have been deregistered or are no longer an active sponsor. State ETPL Policy is as follows:

Purpose:

This policy establishes the requirements for attaining status as an Eligible Training Provider (ETP) and outlines the process that providers of education and training services must follow to request initial and subsequent eligibility. The Eligible Training Provider List (ETPL) is used by training-eligible WIOA participants to select appropriate programs for which to utilize their, Workforce Innovation and Opportunity Act (WIOA) Title I-B funded, Individual Training Accounts (ITAs). ITAs are used to pay tuition and other education-related costs using WIOA

ITA funds can only be spent on programs that are listed as WIOA-Approved on the Eligible Training Provider List (ETPL).

Background:

Maine's ETPL site can be found at: <https://joblink.maine.gov/ada/r/training>. WIOA participants use performance information supplied by providers to select a program that best meets their needs. WIOA participants receive guidance from career consultants on how to use the ETPL to compare training programs by: cost, credential to be attained, rates of completion and employment and earnings outcomes.

PROVIDER / PROGRAM APPROVAL PROCESS:

Providers and programs are reviewed to identify if they meet the basic criteria, will prepare students for occupations that are in-demand in Maine, will result in attainment of industry-recognized credentials. If approved, the program will remain on the ETPL website for a period of one year. At the end of the initial year, the provider must reapply to keep the program active on the ETPL and must report specific performance information, on all students exiting the program study.

An Approved Program of Training is defined as one or more courses or classes, or a structured regimen, that provides occupational training and education services that lead to:

- (a) An industry-recognized certificate or certification, a certificate of completion of a registered apprenticeship, a State or Federally recognized license, an associate or baccalaureate degree;
- (b) A secondary school diploma or equivalent when such academic education is combined with occupational training consistent with 20 CFR 680.350;
- (c) Employment in an occupation that is in-demand in Maine; or
- (d) Measurable skill gains toward a credential described in (a), (b) or (c) above.

An Eligible Provider of Training is a provider that:

- (a) Is listed as WIOA-Approved on the Maine Eligible Training Provider List;
- (b) Provides an approved program of training services as defined above; and
- (c) Is one of the following:
 - 1. An institution of higher education that provides a program that leads to a recognized postsecondary credential;
 - 2. An entity that carries out a program registered under the National Apprenticeship Act (29 U.S.C.501 et seq.)
 - 3. A public or private provider of training services, which may include:
 - i. A community-based organization;

ii. A joint labor-management organization; and

iii. Eligible providers of adult education and literacy activities, under Title II of WIOA, if such activities are provided in combination with occupational training as per 20 CFR 680.350.

INITIAL ELIGIBILITY

With the exception of Maine providers of Registered Apprenticeship which are automatically listed on the ETPL, providers that have not previously listed programs on the ETPL must fully complete the provider application questionnaire on <https://joblink.maine.gov/ada/r/training> and provide:

1. A description of the program and the CIP Code Classification of Instructional Programs;
2. Complete information regarding:
 - a. The occupation(s) the program prepares students to enter employment in;
 - b. Whether the program meets the requirements of a Federal or State educational licensing, accreditation, or approval agency;
 - c. The cost of tuition, fees, books, labs, and other program costs;
 - d. The location(s) the program is offered;
 - e. Whether the program is offered via technology;
 - f. The percentage of participants who successfully complete the program and earn a credential;
 - g. The percentage of participants who attain employment after program completion;
 - h. The median earnings of participants who attain employment after completion of the program;
 - i. The level of engagement with business or industry in program development, approval, support;
 - j. The level of demand by Maine employers for the occupations the program prepares students for;
 - k. The type of credential, degree, diploma, certificate, or license the program prepares students for;
 - l. The level at which individuals, with disabilities, barriers to employment, or those who live in rural areas of the State and/or who are employed, can access the program;
 - m. The commitment to submit accurate performance reports required for continued eligibility; and
 - n. Any additional information regarding the program that should be considered for approval purposes.

Initial Approval Process Steps:

1. Create an account on Maine JobLink site at: <https://joblink.maine.gov/ada/r/training> and establish a user name and password;
2. Enter all of the required program information and submit for approval
3. The MDOL approval review process may take from 1 to 15 business days. Inquiries may be forwarded to ET-PLInfo.DOL@maine.gov
4. The provider will receive approval or denial status information
5. Initial approval is valid for one year from the date of approval, after which the provider must reapply for continued eligibility and submit the required performance data.
6. If a program is not initially approved, the provider may:
 - a. Consult with the Local Workforce Development Board to identify if there are extenuating circumstances that would support program approval at the local level; or
 - b. File an appeal to the MDOL by following the appeal process defined below.

CONTINUED ELIGIBILITY:

Continued eligibility is dependent upon whether the program of study is still deemed necessary to prepare students for jobs that are in-demand in Maine and the provider's ability to submit accurate and timely performance information on all students exiting the program of study as required below.

Eligible Training Provider (ETP) performance reports are intended to provide critical information regarding the employment, earnings, and credentials outcomes attained by individuals in the programs of study deemed eligible to receive funding under WIOA Title I-B Adult and Dislocated Worker programs. The purpose of these reports is to assist WIOA participants, and members of the general public, in identifying effective training programs and providers. It is expected the reports will also benefit providers by widely disseminating information on their programs.

Eligible Training Provider Annual Performance Reports:

For continued eligibility, providers must report the following information on an annual basis, on all individuals engaged in the approved program of study:

1. The total number of students exiting the program of study;
2. The percentage who were in unsubsidized employment during the second quarter after program exit;
3. The percentage who were in unsubsidized employment during the fourth quarter after program exit;
4. The median earnings of those in unsubsidized employment during the second quarter after program exit; and
5. The percentage who attained a recognized post-secondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within 1 year after exit from the program.

Programs receiving continued eligibility/approval will remain on the ETPL for a period of two years.

Assistance with Annual Performance Reporting:

Providers that don't already have valid performance reporting mechanisms in place to provide the employment outcome data as required above may request technical assistance from the MDOL. The Center for Workforce Research & Information (CWRI) is working to expand capacity to conduct wage match criteria and produce the required reports for eligible providers. For more information on this process and required data-sharing agreement please see the contact information below.

MDOL Reporting of WIOA Title I-B participants:

The MDOL will provide required performance reports on enrolled WIOA participants in each of the approved programs, disaggregated by count of participant with respect to barriers to employment, age, sex and race and ethnicity.

REGISTERED APPRENTICESHIP PROGRAMS:

Apprenticeship Programs registered with the USDOL or the MDOL are automatically eligible to be included on the ETPL as long as they remain registered or until the program sponsor notifies the State they no longer want to be included in the list. Programs will be reviewed once every two years to ensure they are still registered. Registered Apprenticeship programs that are deregistered or no longer active will be removed from the ETPL.

In order for a WIOA eligible individual to utilize WIOA Title I-B training funds toward the cost of apprenticeship training, the Registered Apprenticeship program must be listed on the ETPL. WIOA participants may use Title I-B training funds toward the cost of:

- a. Pre-apprenticeship training (a program or set of strategies designed to prepare an individual to enter and succeed in a registered apprenticeship program in partnership with one or more registered apprenticeship sponsors);
- b. Tuition for required related instruction courses;
- c. Supportive services to enable the individual to participate in training activities; and
- d. Costs of work-based training options such as partial wage reimbursement for initial On-the-Job Training.

Apprenticeship program sponsors who do not wish their programs to be listed on the ETPL can submit a request for removal from the list to the contact person listed below.

STATE and LOCAL ROLES:

The approval process is a coordinated effort between the Local Workforce Development Boards and the Maine Department of Labor.

Northeastern WDB

Aroostook, Hancock, Penobscot,

Piscataquis, & Washington Counties

JRussell@northeasternwdb.org

Central Western Maine WDB

Androscoggin, Franklin, Kennebec,

Oxford, & Somerset Counties

Vacant

Coastal Counties WDB

Cumberland, Knox, Lincoln, Sagadahoc

Waldo, & York Counties

AMancusi@coastalcounties.org

Local Boards play a critical role in this process by approving specific training programs for their local areas, and in determining initial and subsequent eligibility criteria tied to performance outcomes. Local Boards determine whether there are sufficient eligible providers of training services in their area, make recommendations to the MDOL regarding the approval process, and may require additional criteria or set higher levels of performance for their local areas as they deem appropriate. Local areas work to ensure the dissemination of the ETPL throughout the local one-stop system and its appropriate use.

MDOL, as the State workforce agency, is responsible for: establishing ETPL criteria, identifying the roles of State and Local areas in the approval process, governing the eligibility of providers to receive WIOA Title I-B funds, overseeing the approval process, maintaining the ETPL and disseminating it via the Maine JobLink website, coordinating performance reporting assistance between providers and the Center for Workforce Research and Information (CWRI), establishing and overseeing that ETPL performance levels are appropriate, verifying the accuracy of information provided, and removing programs for which it is determined the provider has intentionally provided inaccurate information or substantially violated the requirements of WIOA.

EXCEPTIONS:

Providers of training that occurs through training contracts, such as On-the-Job Training, Customized Training, Incumbent Worker Training, Transitional Job Training or other specially contracted training services are not required to be listed on the ETPL.

DENIAL / LOSS OF ELIGIBILITY

Programs may be denied if they do not meet the definition of an “Eligible Provider” or if it is determined the program of study will not result in employment in an occupation that is in high-demand in the State or Local Area.

Providers that have intentionally supplied inaccurate performance information or that have substantially violated any WIOA regulations will be terminated from the list for a period of not less than 2 years and may be liable to repay the training funds it has received on behalf of WIOA eligible students.

OUT OF STATE RECIPROCITY

Programs approved in other States, will be considered eligible to receive WIOA Title I-B training funds from Maine, provided the MDOL has a reciprocity agreement with that State. Out of State, Internet-Based programs will only be considered for inclusion on the ETPL with a special approval from the Local Board Director of each local area.

ETPL APPEAL PROCESS:

Programs that have been denied WIOA eligibility by both the MDOL and the Local Board, may appeal in writing to the contact person listed below, within 30 days of the Local Board denial. The appeal must provide specific documentation on how the provider and/or program meet requirements for eligibility and inclusion on the ETPL laid out in this guidance. A decision by the Executive Committee of the State Workforce Development Board (SWDB) will be rendered within 15 working days from receipt of the appeal. The SWDB decision will be final.

Contact:

Ginny Carroll, Division Director

Bureau of Employment Services

55 SHS, Augusta, Maine 04333-0055

207-623-7974

Virginia.A.Carroll@maine.gov

Priority of Service: A draft policy has been put before the WIOA Implementation and Policy Committee that articulates the requirements for providing priority of service to adults who are recipients of public assistance, low income individuals or who are basic skills deficient. The policy requires that Local Board in turn, initiate a policy regarding priority for adult participants that may include individuals with additional barriers to employment. The Bureau of Employment Services (BES), on a quarterly basis, will review the percentage of adult participants who are enrolled and fall within the priority parameters in each local area. The percentages will be reviewed against previous quarters. During the last four quarters cumulatively, 97% of individuals enrolled in the Adult program under WIA met one or more of the three priority criteria. Please see [APPENDIX-X](#) for the policy on priority of service for Adults.

Local Area Fund Transfer: The State has implemented a policy on transfer of funds between the Adult and Dislocated Worker programs. The policy explains the process for requesting the transfer and for tracking

expenditures accordingly. The policy also requires that the evidence that the Local Board has been informed of and approved the proposed transfer and that a rationale be provided regarding the benefits to participants resulting from the transfer. Please see [APPENDIX-XIV](#) for the policy on transfer of funds.

Youth Program Services: The WIOA youth committee is in the process of compiling and formalizing a recommendation to the State Workforce Board regarding criteria that Local Boards will be required to use in awarding grants to service providers for provision of youth workforce investment activities and services, on a competitive basis.

Youth Service Criteria: At a minimum, providers must be able to provide some or all of the required services and activities expected under WIOA, including: providing basic information and referrals to prospective youth participants and ensuring that any youth applicant that does not meet enrollment requirements is provided with referral for further assessment as necessary and referral to appropriate programs; maintaining Out-of-School (OSY) and youth work experience minimum spending thresholds; providing access to all of the WIOA youth program service elements; determining youth eligibility for program services, ensuring that you services inform or establish the youth on or along a career pathway, provision of assessments, including assessment of basic skills, occupational skills, prior work experience, employability, occupational interests and aptitudes (including aptitudes and interest in non-traditional jobs), need for supportive services and need for any of the youth service elements; development of service strategies for each youth participant that is directly linked to one or more of the performance indicators and that incorporate two or more of the youth service elements; and provision of activities that lead to attainment of a secondary school diploma or its equivalent or prepare the youth for entry into post-secondary education training opportunities.

Local Boards will be encouraged to consider the following qualities when selecting youth service providers:

- Program offers service that are age and needs appropriate;
- Program involves youth and family members in program design;
- Program provides significant opportunity for youth to interact with positive, adult role models;
- Program emphasizes responsibility and accountability and holds participants to high standards;
- Program has already established relationships with business and community member who play a direct role in the program design and delivery;
- Program places a strong focus on youth leadership and civic and community responsibility;
- Program ensures accessibility for all youth.

Requested Revision;

Purpose: To provide guidance to local areas and local youth committees regarding additional youth service provider criteria established by the State Workforce Development Board.

Background: In addition to the requirements delineated under WIOA Section 129 and Final Regulations 20 CFR 681.400-510 the State Workforce Development Board has identified that the following criteria be met by Youth Service Providers:

A. For the purpose of identifying appropriate youth service elements and career pathways for each youth participant, the youth provider must be able to provide an objective assessment of each youth that includes an assessment of:

- a. Academic and literacy levels, including English language proficiency;
- b. Pre-employment competencies and employability skills;
- c. Prior work experience;
- d. Occupational Skills, aptitudes (including occupational interests, work preferences, and aptitude for and interest in non-traditional occupations for women);
- e. Development needs;
- f. Supportive services needs that will enable them to successfully participate in all aspects of the youth program;
- g. Barriers to employment and/or barriers to transitioning successfully into post-secondary education.
- h. Need for specific youth service elements;
- i. Need for and referral to any of the following programs/services:
 - i. Mental health services
 - ii. Substance abuse counseling
 - iii. Temporary Assistance for Needy Families
 - iv. Supplemental Nutrition Assistance Program
 - v. Housing and Homeless Assistance Programs
 - vi. Programs that address juvenile recidivism
 - vii. Programs providing assistance to individuals with disabilities
 - viii. Parenting and childcare programs
 - ix. Programs that provide guidance to youth whose parent/guardian is incarcerated or affected by addiction or mental illness.

B. Offer services that are age-, needs-, and ability-appropriate, including appropriate accommodations for individuals with disabilities.

C. In partnership with the youth, develop a youth employment plan that clearly identifies goals and benchmarks, and activities and service elements that will launch the youth on a career pathway and that will result in the

youth meeting or exceeding locally negotiated performance measures, including skills gains, credential attainment, employment or transition to post-secondary training or education.

D. Establish opportunities for the involvement of family members, community service members, and others who play a critical role in the youth's success.

E. Establish opportunities for the youth to practice leadership and citizenship skills, including providing peer mentoring, project leadership, and community service activities.

F. Demonstrate strong business/employer involvement including specific examples of long-term relationships with employers who provide:

a. Work experience opportunities that include regular assessment of work readiness and employment competency skills;

b. Opportunities for job shadowing or informational interviewing;

c. Occupationally specific internships or On-the-Job Training opportunities;

d. Practice employment interviews that result in constructive feedback for youth;

e. Adult mentoring;

f. Actual employment opportunities;

g. Apprenticeship and pre-apprenticeship opportunities;

h. Participation in youth career exploration events and job fairs;

i. Participation in youth committees and other youth advisory boards.

G. Demonstrate a strong outreach plan that identifies examples of significant outreach to targeted youth populations such as Juvenile justice system, foster care system, Adult Education programs serving youth without secondary diplomas, high-school truancy officers, etc.

H. Demonstrate an atmosphere of inclusion, appreciation of diversity and commitment to youth advocacy through examples and anecdotal evidence of such.

I. Demonstrate significant relationships with, and ability to package the services of, a variety of community organizations that serve at-risk youth through memoranda of understanding, contracts or other documentation of such relationships, including relationships with Adult Education, Vocational Rehabilitation, Juvenile Justice System, DHHS, Post-secondary Education, Employer organizations, and other.

J. Demonstrate the ability to offer work-based learning experiences that clearly emphasize the connection between academic knowledge and work activities, through examples of work-site agreements and youth WE task statements.

K. Provide evidence of ability to provide accessible facilities, programs and accommodations for special needs youth.

L. Provide evidence of establishing high expectations for youth participants including evidence showing the majority of youth participants complete who enter the program participate in and complete all activities identified on the youth employment plan or youth service strategy.

M. Clearly identify how all required youth service elements will be made available to youth participants, either through direct provision or through partnerships, MOUs, or other methods, to include provision of:

- a. Tutoring and/or Study Skills;
- b. Access to drop out recovery programs or alternative education;
- c. Work-based learning;
- d. Occupational Skills Training;
- e. Education offered concurrently with and in the same context as occupational training;
- f. Leadership development;
- g. Adult Mentoring;
- h. Support Services;
- i. Follow-up Services;
- j. Comprehensive guidance and counseling;
- k. Financial Literacy;
- l. Entrepreneurial Skills/ Training;
- m. Labor market information and career guidance and counseling; and
- n. Activities that prepare youth for entry into post-secondary education.

N. Provide evidence of high level of professionalism of youth service staff, including specific education credentials and experience of youth service staff and a commitment to provision of staff development opportunities.

Youth Service Elements: The Bureau of Employment Services will incorporate all of the required components into its monitoring processes to ensure that youth are assessed for and provided with access to each of the fourteen youth service elements and that staff of the providers of those services have the required skills and proficiencies. The one-stop certification process will also include assessment of quality of youth service design and delivery.

Requested Revision;

Please see the Youth Service Provider Criteria Policy attached in the response to VI.C.1 which identifies requirements for providing youth with required program elements.

The policy on **youth who require additional assistance** in place under WIA is in the process of being revised; Local Areas will be required, in turn, to revise their policies on this subject.

Requested Revision;

STATE OF MAINE

DEPARTMENT OF LABOR

BUREAU OF EMPLOYMENT SERVICES

55 STATE HOUSE STATION

AUGUSTA, MAINE 04333-0055

MAINE WORKFORCE DEVELOPMENT SYSTEM

Subject of Policy: Youth Requires Additional Assistance Policy No. PY16-05

To: State WDB

Local WDBs

Chief Elected Officials

From:

Edward D. Upham, Director

Bureau of Employment Services

Issuance Date: 08-28-16 Status: ACTIVE

Reference: WIOA §129(a)(1)(B) (iii)(VIII); 129(a)(1)(C)(iii)(VII); and 129(a)(3)(B); 20 CFR 681.300 and 681.310

Purpose: To provide guidance to Local Boards and WIOA Youth Service Providers regarding youth eligibility under the Youth barrier: "Low income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment."

Background: Under the Workforce Investment Act (WIA) local boards were required to implement policy that defined eligibility using the barrier for “youth who requires additional assistance,” referenced then as the sixth barrier. Local board definitions were required to identify barriers that were different from those already articulated in WIA and to list documents that would be required to validate the specific youth barrier(s) defined.

The Workforce Innovation and Opportunity Act (WIOA) identifies additional barriers for eligibility for In-school (ISY) and Out-of-School (OSY) Youth programs.

Policy: Local Boards must:

1. Review and revise their current policy for “Youth requires additional assistance...” to ensure that the local definition does not duplicate any youth barriers already identified by WIOA and to ensure that youth service providers are made aware of the limitation on use of the locally defined barrier for In-School Youth.
2. Refer to the policy as the Local Definition of Youth Requires Additional Assistance and not the “sixth barrier” as it is no longer the sixth barrier.
3. Articulate the specific barrier definition and the documentation providers must use to validate the barrier.
4. Identify that the new policy goes into place as of July 1, 2016.
5. Identify that the local barrier can only be used as an eligibility barrier for up to 5% of In-School Youth and must establish a method of tracking to ensure that the barrier is not used for more than 5% of ISY participants.
6. Must provide a copy of the new policy to Maine Department of Labor once it has been reviewed and approved by the Local Board
7. Must provide evidence that local area youth service provider staff have been made aware of the new policy and are able to implement it accordingly.

Contact:

Ginny Carroll, Division Director

Bureau of Employment Services

Maine Department of Labor

55 SHS, Augusta ME 04333-0055

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Definitions: The Maine Department of Education does not have a definition entitled: not attending or attending school; however, under State Statute Title 20-A, Part 3, Chapter 211, Subchapter 1, Section 5001-A **compulsory attendance is defined as:**

“Attendance at school shall be required of person in the State as follows:

1. Requirement - Persons 7 years of age or older and persons under 17 years of age shall attend a public day school during the time it is in regular session.
2. Exceptions- Attendance at school shall not be required of the following:
 - A. A person who graduates from high school before that person’s 17th birthday;
 - B. A person who has:
 - 1.Reached the age of 15 years or completed the 9th grade;
 - 2.Permission to leave school from that person’s parent;
 - 3.Been approved by the principal for a suitable program of work and study or training;
 - 4.Permission to leave school from the school board or its designee; and
 - 5.Agreed in writing with that person’s parent and the school board or its designee to meet annually until that person’s 17th birthday to review that person’s educational needs. When the request to be excused from school has been denied pursuant to this paragraph, the student’s parent may appeal to the commissioner.
 - C. [2003, c. 688, Pt. H, §3, (AFF); 2003, c. 688, Pt. H, §2 (RP).]
 - D. A person who has matriculated and is attending an accredited, post-secondary degree-granting institution as a full-time student. An exception to attendance in public school under this paragraph must be approved by the commissioner; or
 - E. A person enrolled in an online learning program or course.

The State does not have a specific definition of “Basic Skills Deficient” and defers to the definition provided under WIOA.

TITLE 1-B ASSURANCES

1. The Bureau of Employment Services of the Maine Department of Labor has implemented a policy to ensure that Adult program funds provide a priority in the delivery of career and training services to individuals who are low income, public assistance recipients or basic skills deficient. Please see [APPENDIX-X](#) – for the policy on Adult priority of service.
2. The Bureau of Employment Services of the Maine Department of Labor has implemented a policy to ensure that local areas have a process in place for referring veterans with significant barriers to employment to career services provided by the JSVG program’s Disabled Veterans’ Outreach Program (DVOP) specialist. Please see [APPENDIX-XI](#) – referring veteran’s with significant barriers to employment to DVOPs
3. The State Board has implemented a written policy and procedures setting forth the criteria to be used by Chief Elected Officials for the appointment of local workforce development board members. Please see [APPENDIX-XII](#) – for the local board membership policy.
4. The State Board has drafted a policy and procedures to ensure local workforce development boards are certified by the Governor every two years in accordance with WIOA Section 107 (c) (2). Please see [APPENDIX-XIII](#) for the local board certification policy.
5. The State of Maine does not use an alternative entity in place of the State Board.

6. The Maine Department of Labor distributes adult and dislocated worker program funds using the formulas delineated in WIOA Section 133 (b) (2) (A) and (B). Maine does not utilize the discretionary allocation method described in Section 133(b) (3). In the event the State identifies funds that may be made available for reallocation from one local area to another local area the State will follow the reallocation procedures delineated under WIOA Section 133 (c).
7. Through annual and ongoing monitoring and review processes, the Bureau of Employment Services of the Maine Department of Labor assures that WIOA Title I funds are not used to promote or deter union organizing in accordance with WIOA Section 181 (b) (7).
8. The Maine Department of Labor distributes youth funds using the formulas delineated in WIOA Section 128 (a) and (b). Maine does not utilize the discretionary allocation method identified in Section 128 (b) (3). In the event the State identifies funds that may be made available for reallocation from one local area to another local area, the State will follow the reallocation procedures delineated under WIOA Section 128 (c).
9. The Maine Department of Labor administers the following federally-funded programs: Vocational Rehabilitation, Wagner-Peyser, and the Adult, Dislocated Worker and Youth formula programs under Title I of WIOA. In addition, the Maine Department of Labor oversees implementation State Statutes regarding provision of vocational rehabilitation services to eligible individuals with disabilities. Maine assures that State Vocational Rehabilitation Statutes work in tandem with and cooperatively with the requirements for services of individuals with disabilities identified under Title I of WIOA.
10. The Maine Department of Labor assures that it will report on the impact and outcomes of any approved waivers in its WIOA Annual Report; the MDOL has not requested any waivers under WIOA at this time.
11. The Bureau of Employment Services of the Maine Department of Labor assures that it has taken action to secure compliance with the Uniform Guidance at 2 CFR 200 and 2 CFR 2900. The Bureau has contracted with the Maine Department of Administrative and Financial Services to conduct annual and as needed financial monitoring of recipients and sub-recipients of WIOA Title I funds to ensure compliance with WIOA and OMB requirements, as well as to ensure that any procurement transactions to be conducted between local boards and the Maine Department of Labor will be conducted on a cost-reimbursement basis. Currently, the Maine Department of Labor awards only pass-through funds to local boards.

WAGNER-PEYSER ACT PROGRAM (EMPLOYMENT SERVICES)

Employment Service Professional Staff Development: Maine will develop and maintain Employment Service staff knowledge and skills through program-specific training activities. To ensure staff is able to provide high quality services to job seekers and employers, regular informational and training sessions will be delivered both in-person and using distance learning technology. Sessions will be delivered yearly at minimum, and as frequently as quarterly depending on the program and staff needs. A yearly assessment of skill development needs will be done to identify future training sessions on topics such as interviewing, use of social media as a job search tool, resume styles, assessment tools, career-development, packaging services for job seekers and employers, and presentation skills. Population-driven training such as deaf culture, approaches to best serve those with mental illness, assisting those with criminal records, etc. will be identified and delivered to assist staff in providing the best possible service to all customers. These training activities will enable staff to assist job seekers with knowing and improving their skills and finding the

best career path/job option available as well as assisting businesses in finding and/or developing a skilled workforce.

Strategies Supporting Training and Awareness across Core Programs and U.I.: The State Bureau of Unemployment Compensation and the Bureau of Employment Services (Wagner-Peyser, Trade, Veteran Program, and State Monitor Advocate) staffers have a strong working relationship. Unemployment team members meet with Employment Service CareerCenter Managers on a monthly basis to discuss how the bureaus can best collaboratively serve the claimant population and support the Unemployment Insurance Program.

A minimum of two front-line staff as well as the Employment Services' CareerCenter Manager in each one-stop are fully trained on UI eligibility and UI issue identification as a result of intensive WPRS and RE-SEA/REA staff training.

Staff members have received training on Maine's UI Web Portal and are competent in assisting individuals with filing for UI and accessing their accounts through the portal. In addition, Maine's Bureau of Unemployment Insurance has five UI-related videos on their website that staff members have access to and are encouraged to view.

The State will develop a training plan to ensure one-stop staff members are familiar with UI basics as well as the UI work requirements and penalties of noncompliance. Training will also be developed to ensure that UI workers are familiar with one-stop services and can make appropriate referrals at the time of initial or subsequent claims.

One-stop Provision of Meaningful Assistance in Filing Claims for Unemployment Compensation:

Maine will meet the needs of customers requesting assistance with UI claims in a two-pronged approach. Appropriately informed one-stop staff will provide basic information and assistance in the one-stop by answering basic questions, assisting customers with creating a UI Portal account, filing a web claim, filing a claim via phone through Maine's interactive voice response system, filing claims with a claims representative, accessing individualized information, and managing their UI accounts through the UI web portal. If an individual is unable to file a UI claim due to significant barriers that prevent the utilization of online tools (such as language or disability), the customer will be assisted by one-stop staff or be directed to a phone line dedicated to serving the needs of customers requiring more meaningful and personal assistance.

The Bureau of Unemployment Compensation (BUC) will provide a dedicated phone in each of the one-stop centers to help customers with claims and to answer specific questions about individual claims. The BUC staff assigned to the phone line will be able to respond to inquiries about such things as overpayment debts, work search audits, how to access accounts online and use the self-service tools on the web or how to connect with a specific claim adjudicator to respond to a fact-finding notice. When the phone is picked up it automatically dials directly to the claim center contact line. A dedicated staff person will be assigned fulltime to answer the incoming calls. In instances where the staff person is on the telephone with another customer the caller may need to leave a message but a return call will be made to the caller within a short period of time.

Strategy for providing reemployment assistance to UI claimants and other unemployed individuals:

A major component of Maine's Employment Services focuses on the UI population. Maine's Bureau of Unemployment Compensation and Bureau of Employment Services are committed to working collaboratively to ensure that unemployed workers are treated as job seekers and not just claimants. Claimants are required to register for Maine's Job Link (Maine's labor exchange system) and to actively use the system to look for work. Both UI and Employment Services are undergoing system transitions that will result in an immediate connection to labor exchange for all UI claimants. Upon implementation of the two systems, a claimant's work history will be matched with available jobs in Maine's Job Link and the claimant will be notified of the job potential during the initial claim.

Maine's UI team is actively involved in decision-making regarding Maine's new job bank design to ensure it best compliments and enhances efforts to improve claimant job placement rates and reduce average benefit durations. Beginning with implementation of the new job bank, claimants and other job seekers will develop a resume as part of their registration for labor exchange. The resume will be printable for use in job search and it will be added to a resume bank available to employers to search for potential employees. This feature will ensure claimants and other job seekers start their efforts with a professionally appearing resume and an automatic connection to employers in need of workers.

Maine is implementing a common triage process to ensure that all visitors to a one-stop are given individual attention, made aware of available services, and referred to appropriate information and/or services. This process centers on information that a one-stop staff will gather from each visitor. Answers to questions will trigger what information, services, and/or referrals are immediately offered. Staff across the state will use the same staff interview guide which was developed with suggestions on how to respond to needs identified during interview. *Ex: Need: Identify what career(s) best suited to me. Response: O-Net, CWRI, My Skills My Future, My Next Move, Careerinfonet, Career workshop.*

All customers will be informed of the menu of services available to them including information on:

- Upcoming Job Fairs
- Job Search workshops
- Job Search tools
- Self-Employment
- Training/college options/opportunities
- Apprenticeship
- On The Job Training Information and Referrals
- Veteran Services
- College Financial Aid Information & FASFA Workshop Referrals
- Vocational Rehabilitation
- Housing
- Child Care
- Unemployment Compensation
- Temporary Assistance For Needy Families (TANF)
- Preparation for Hi-Set Exam
- Health Care / Affordable Care Act

- General Assistance Program Information & Referrals

The Maine Bureau of Unemployment Compensation (BUC) and the Bureau of Employment Services (BES) work collaboratively in provision of Maine's Worker Profiling Reemployment Services program. The Bureau's work closely together to ensure unemployed workers return to work, reduce the overall length of unemployment, lower exhaustion rates and result in a higher reemployment rate than those who do not receive these services.

Worker Profiling Reemployment Services deliver services to those claimants profiled as "most likely to exhaust" their benefits. Claimants that first meet Maine's Profiling model, are randomly selected and required to participate in WPRS to receive intensive career services. BES provides targeted claimants with relevant reemployment services and assessments to help minimize the length of unemployment.

The BUC will notify identified claimants by letter of their requirement and responsibility to attend WPRS provided through Bureau of Employment Services. Selected participants are required to participate in all services under the WPRS design. Specialized WPRS CareerCenter Consultants have knowledge of identifying potential eligibility issues. Individuals who fail to participate in WPRS services would be automatically set up for a fact-finding.

The CareerCenter will administer WPRS by providing an additional level of service to all selected participants as needed. Introduction to a variety of reemployment services and options; development, expansion, or continuation of Individual Reemployment Plans, and provide a relevant referral for completion.

All participants gain an introduction to a broad spectrum of CareerCenter services to include:

- Staff assistance in acquiring needed reemployment and training services;
- Counseling in career decision-making and higher learning;
- Common intake and eligibility determinations for Workforce Investment Opportunity Act and other programs;
- Access to job related computer applications, such as key boarding, word processing, and computer boot camp;
- Information about Maine Labor Laws;
- Information on how to access supportive services, orientations to training, and all other programs offered by CareerCenter partners;
- Access to Maine's Job Link, and general internet access;
- Core assessments that link vocational aptitudes and abilities to jobs;

The structured format design utilizes active engagement in development of individualized Reemployment Plans, enabling participants to independently activate/update Maine Job Link Profile. Laptops, as needed, are made available for job search activities, including internet job searches, and job application submission. WPRS Consultants work with individual participants to address and define needs and services. Upon comprehensive conclusion of the WPRS, these individuals have acknowledged and accepted their "relevant referral" (next steps to Reemployment Goal) and completed this portion of the Worker Profiling Reemployment Services session.

Each WPRS participant will receive:

- Development, review, and recommendations on an individualized, structured Reemployment Plan (IRP)
- An introduction and orientation to all of the services the CareerCenter has to offer, including self-directed options and specific program eligibility
- Relevant Local Labor Market Information, including live use of Maine's Center for Workforce Research and Information website
- Enhanced profile assistance in Maine's Job Link
- Individualized and relevant referrals to services, jobs, other agencies, and more for additional reemployment resources
- Participation in reemployment services at levels appropriate to meet individual participant needs that may include the following
 - Guide to Job Hunting in Maine booklet
 - Tools, tips and strategies on conducting a successful job search
 - Information on how to obtain further skill assessments and individualized job search services
 - Introduction to USDOL's online assessment and job search tools, such as MySkills MyFuture™, O*NET tool, and My Next Move (aka Career Profiler)
 - Coordination of activities with other programs and services
- All participants will receive at least one of the following career services based on need:
 - o Referral to training or other workforce activities including WIOA
 - o Labor exchange-in-demand industries
 - o Information on availability of community based or WIOA support services
 - o Financial aid resources outside of WIOA
 - o Financial literacy services
 - o Career readiness including resume writing and interviewing

Use of Wagner-Peyser Funds to Support UI Claimants: Maine requires all UI claimants to register for Maine's Job Link. Once registered, job seekers will receive notification of job matches, browse for jobs, upload their resume, and receive job referrals. In addition, job bank registrants are sent e-mail blasts notifying them of job fairs, special recruitments, critical need jobs, and other job search related information. UI call centers are regularly informed of job orders on the job bank and use this information during claim calls to steer claimants toward immediate job openings and one-stop services.

Each one-stop information center offers an 'unemployment compensation' section dedicated to UI resources. Claimants visiting one-stops can partake of self-service activities by using resources such as computers and phones to conduct job searches, respond to employment opportunities, and manage their UI claim through Maine's UI portal. In addition to self-service options, claimants can also receive staff-assisted services, such as: job search workshops, assistance accessing and navigating Maine's Job Link and the UI web portal, individualized labor market information, referral to veteran services, and referral to education, training, and supportive services.

There is a dedicated, auto-dial UI phone in each one-stop that is monitored by UI staff and available to claimants who have specific UI issues that cannot be addressed by one-stop staff. Maine's one-stop workers provide the public face-to-face interaction for the Maine Department of Labor. Because Maine's UI system is web and call-center-based, claimants who desire or require in-person interactions or assistance will visit a one-stop. Wagner-Peyser field staff provide a great deal of UI assistance such as: answering basic questions, supplying written UI information, assisting claimants in creating their UI web portal accounts, filing a claim, using computer or phone to contact the claims center, sorting out paperwork to send/fax to claims center, and providing hope and encouragement to claimants.

In addition, the Bureau of Unemployment Compensation and the Bureau of Employment Services have a strong working relationship. Unemployment staff members meet with Employment Service Managers on a monthly basis to discuss how the bureaus can best collaboratively serve the claimant population and support the Unemployment Insurance Program. UI staff and Employment Services staff are familiar with each other's programs and often communicate on strategies as well as program-specific issues and questions. UI staff members have privileges to the Employment Services' one-stop operating system (case management system) as well as the staff-side of Maine's Job Link. Access to these systems allows UI staff to monitor claimants' Wagner-Peyser/Job Link work search activities.

Registration of UI claimants with the State's employment service if required by State law:

Maine Revised Statutes Title 26, Chapter 13, Subchapter 6, Section 1192, sets requirements for UI claimants to be registered for work with the employment office as evidenced by the following excerpt from Statute:

"Has registered for work: The individual has registered for work at, and continued to report at, an employment office in accordance with rules the commission adopts, except that the commission may, by rule, waive or alter either or both of the requirements of this subsection as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which the commission finds that compliance with the requirements would be oppressive, or would be inconsistent with the purposes of this chapter. A rule under this subsection may not conflict with section 1191, subsection 1.

The individual must actively seek work each week in which a claim for benefits is filed unless the individual is participating in approved training under subsection 6 or work search has been waived in accordance with rules adopted by the commission and provide evidence of work search efforts in a manner and form as prescribed by the Department of Labor. Failure to provide required work search documentation results in a denial of benefits in accordance with section 1194, subsection 2 for the week or weeks for which no documentation was provided unless the department determines there is good cause for the individual's failure to comply with this requirement;"

Administration of the Work Test for State UI system: Claimants are required to register with Maine's Job Link (Maine's labor exchange system) and to actively use the system to look for work. Through interfaces between Maine's UI and job bank systems, UI claims takers and web application processes allow the UI staff to determine whether a claimant is registered with Maine's Job Link. Claimants who are not registered are directed to the job bank to register before they can file a claim. Both UI and Employment Services are undergoing system transitions that will result in an immediate connection to labor exchange for all UI

claimants. Upon implementation of the two systems, a claimant's work history will be matched with available jobs in Maine's Job Link and the claimant will be notified of the job potential during the initial claim.

Provision of Referrals and Assistance with Access to Training and Education Programs: All customers visiting the one-stop centers have access to available resources including training and education. Information is available in orientation packets passed to customers, printed materials stocked in information centers, software, links, and documents available on information center computers and on Maine's Career-Center website. A new triage process is being implemented that makes immediate referrals to services and asks the customer to register in Maine's Job Link. Currently, the job bank registration uploads into the State's One-stop Operating System and provides the beginning of a WIOA Title I application. Once Maine's new job bank/case management system is implemented, customers will complete an initial application that will register them for the job bank, determine eligibility for WIOA title I programs, and create a resume. Workshop curriculum, includes orientation to CareerCenter services and an opportunity for referral to one-stop and other community services.

Agricultural Outreach Plan (AOP)

Assessment of Need: Maine's Migrant Seasonal Farm Workers (MSFWs) cycle through various crop harvests including blueberry, broccoli, field vegetable, apple, and poultry industry operations during Maine's short agricultural production season. MSFWs also work off-season as it relates to holiday wreath making and seafood processing. The chart below shows the numbers of MSFWs that were provided with some level of service during 2014-15. This assistance includes job referral information, answering questions on worker wage deductions, provision of housing standards information and working conditions requirements and issues pertaining to discrimination.

TABLE 14 SERVICES PROVIDED TO MIGRANT SEASONAL FARM WORKERS 2014-2015

2014-15	Registered In MJB (self-identified)*	Referred to jobs	Provided Services	Referred to Supportive Services	Case Management Counseling	Received Job Development Contact	Contacted by SMA outreach
July-Sept 2014	91	0	18	0	6	4	250
Oct-Dec 2014	216	0	34	1	9	7	36
Jan-Mar 2015	430	2	79	3	19	16	0
April-Jun 2015	507	5	113	7	25	19	140
The numbers above are based on service transactions provided to job seekers who register and self-identify as MSFW and are active on the Maine JobLink (MJL) . Job seekers on the MJL that do not receive services for 90 days, become inactive. Returning job seekers who reactivate their accounts count as new registrants with new service transactions. Total number of services is always equal to or greater than the number of individuals served. The quarters above are 'rolling-quarters' in that services reported each quarter are an accumulation of the quarters preceding the reporting period.							

Maine's agricultural sector is large and diverse, contributing significantly to Maine's overall economy. Data in the 2012 Census of Agriculture by the USDA National Agricultural Statistics Service lists 8,173 farms in

Maine. Most Maine farms are small family-operated enterprises employing few people beyond family members; the median size of farms is 67 acres. The 2012 census lists 2,415 Maine farms reporting a total of 15,072 workers (hired farm labor excluding contract workers). However, 4,229 farms reported 10,698 unpaid workers (agricultural workers not on the payroll who performed activities or worked on a farm or ranch), essentially reflecting the number of family members working on farms and leaving 4,374 paid workers. In light of this, 125 farms reported hiring 2,706 migrant workers. In effect, nearly 62% of paid hired farmworkers reported by Maine farm operations are migrant workers.

Comparing last year to this year, the State Monitor Advocate sees that increasing mechanization is causing a slight decrease in the annual number of MSFWs needed by the blueberry harvesting sector and a shift of workers to the freezing/packing plants. A good example of this is reflected in an ad-hoc survey of largest blueberry growers conducted in the fall of 2014 after the harvest. The nine employers surveyed reported hiring a total of 1,522 MSFWs for harvesting and processing purposes. Broccoli producers reported that their labor needs have remained constant and they do project the need for additional labor next year. Apple orchards and packing houses also report flat numbers and do not foresee increasing labor need. The larger Apple producers use the H-2A program for harvest purposes and rely on returning local seasonal and permanent help in the packing houses. Throughout the state, a select number of growers of diversified crops, including vegetables, use foreign H-2A labor in small quantities to supplement the available returning local seasonal field help. Overall many sectors of Maine's agricultural producers are hiring fewer workers even when it comes to local seasonal labor. This is evident in the conversion of family and larger farms turning to 'agro-tourism' and 'pick-your-own' systems as a strategy to sustain farms. The conversion to 'pick-your-own' also makes it unnecessary to plan for additional labor needs, with farms able to rely on a small static number of permanent and local seasonal labor.

TABLE 15 SERVICE TRANSACTIONS FOR MAINE MSFWs

Crop	Total MSFWs 2015 Agricultural Season April - November	Projected MSFWs 2016 Agricultural Season April - November
Blueberries	1652	1600
Broccoli	289	290
Seafood processing	25	30
Apple	172	175
Diversified Crop, mixed vegetable	93	100

Eastern Maine Development Corporation (EMDC), the National Farmworkers Jobs Program (NFJP) grant operator in Maine (WIA Section 167) was awarded PY 2014 funding to help address the myriad of critical issues faced by farmworkers and their families. NFJP served 283 MSFWs during PY2014. The NFJP is a required partner of the one-stop delivery system and is responsible for making the full range of services available through the one-stop nearest to farmworkers.

To ensure that all services are focused on the customer's needs, services are provided through a case-management approach. Services received may include: basic and individualized career services, training services and support services including emergency assistance. Key issues negatively impacting this population are lack of education, poverty, unstable employment, access to housing, transportation and healthcare and limited English proficiency. Individuals who have earned more than 50% of their income from agricultural labor are encouraged, along with their dependents, to apply for services.

Outreach Activities: Services provided to migrant and seasonal farm workers and agricultural employers are supported by Wagner-Peyser Act funds. The State Monitor Advocate, along with merit staff, provides a full range of services in the one-stops throughout the state. Approximately \$100,000 of Wagner-Peyser Act funding is used to support the cost of one State Monitor Advocate and activities provided by employment and training staff throughout Maine's one-stop CareerCenters to provide services to MSFW and agriculture employees. Wagner-Peyser Act funds are applied to salaries, fringe benefits, communications, travel and other staff-related expenses required to conduct outreach and deliver services. In a PY14 Agricultural Outreach Plan modification MDOL proposed, and was approved to restructure the State Monitor Advocate position. As such, the State Monitor Advocate (SMA) position is now a half-time position.

SMA duties continue to be the same, including outreach required of all SMAs. The SMA also manages the Employment Service (ES) Complaint System under W-P funding. In addition, the person in the half-time SMA role spends the other half of the time: attending to the Foreign Labor Certification (FLC) related job orders for H-2A and H-2B; providing reviews of Agricultural Clearance Orders (ETA-790) intended for H-2A, and providing guidance and oversight to H-2A unit staff conducting farm labor camp inspections related to H-2A FLC applications. The combination of SMA duties, ES Complaint system and Foreign Labor related activities, as proposed in the modification, substantively support one full-time employee (FTE).

The chart below shows the projected numbers of MSFWs projected to receive services under Wagner-Peyser in upcoming 2015/2016. As discussed earlier, farmworker numbers in general and MSFW numbers have remained static, with no anticipated change over the next five years. One-stops throughout the State are the primary source for provision of services to the MSFW population. Examples of these services include: registration with the Maine Job Link (MJL) , job referrals, job counseling and referrals to supportive services.

TABLE 16 WAGNER-PEYSER SERVICE GOALS FOR 2015-2016

2015-16	Registered in MJB (self-identified)	Referred to Jobs	Provided services	Referred to Supportive services	Case management counseling	Received Job Development Contact	Contacted by SMA through outreach
July-Sept*	101	3	28	0	6	4	281
Oct-Dec	230	5	44	2	6	5	20
Jan-March	400	7	30	2	15	8	20
April-June	475	10	75	6	20	35	75
*this Quarter actual reported value							

Outreach activities will be consistent with 20 CFR Part 653.107 and will serve to implement strategies aimed to identify, document, and track MSFWs as they access the full range of employment and training services within the one-stop centers. The SMA's outreach will focus on locating and contacting farm workers not reached through normal intake activities. The outreach efforts will implement compliance requirements in providing qualitative equivalent and quantitatively proportionate service delivery to MSFWs

The SMA will coordinate MSFW outreach plans with local offices nearest the greater area of agricultural activities relative to the crop's peak season. For example, the Machias CareerCenter based in Washington County with close proximity to the blueberry barrens, sends two staff members to labor camps. The SMA will contact MSFWs during the agricultural peak harvest season of blueberry, apple, and broccoli, while conducting field visits in Androscoggin, Oxford, Washington and Aroostook counties. These counties see the bulk of Maine's MSFW population. Additional outreach may take place in other counties as based on employer needs and the influx of workers into those areas, with particularly areas with H-2A local offices whose neighboring agricultural employers file H-2A job orders and may have referrals to those orders. The local offices are encouraged to carry out active referrals until the employer's H2A workers depart for the work site (at least two days before the employer's set Start date for work on the job order). During field visits, worker rights and support services and informational brochures in Spanish, English, and Haitian Creole are distributed. Information on agricultural employment, as well as referral to other services such as health services are made available to the workers and their families as needed. The table below shows the State Monitor Advocate's schedule for field visits during PY15-16 and the number of MSFWs estimated to be contacted.

TABLE 17 STATE MONITOR ADVOCATE FIELD VISIT SCHEDULE

	July September	October - December	January -March	April –June	Total
Field Checks	35	28	0	15	78
# MSFWs contacted	400	275	0	75	750

The number of MSFWs to be contacted each year, over the next five year term, by Wagner-Peyser staff is expected to be around 1,100 workers. These contacts occur during outreach and field checks, including random unannounced visits to labor camps and work areas where MSFWs may be present. The State Monitor Advocate looks to identify issues that may include: apparent violations in working conditions, the proper display of mandatory/informational posters, wages, housing standards, water quality, and more. The number of worksites visited, locations, and supervisor contact names are recorded along with the time of the visit, observations made, available services discussed with MSFWs, number of MSFWs contacted, names of MSFWs requesting services, and follow-up arrangements established. A copy of the field report is filed at the administrative office of the Bureau of Employment Services.

Outreach functions are tied to the service delivery areas where farm workers and agricultural employers live, work and/or congregate. Service delivery strategies aim to assist farm workers efforts to achieve integration and self-sufficiency. Outreach efforts seek to provide a full range of services and resources to the agricultural communities including, but not limited to, skills assessments, career guidance, basic skills remediation and vocational training, educational opportunities, job search assistance and supportive services.

Outreach staff will gain extensive knowledge of farm work in order to ensure high levels of awareness and sensitivity to the socio-economic and cultural nuances that exists within the agricultural communities. The SMA is bilingual (English/Spanish) which remains representative of the farm worker population in the Maine's service delivery areas though there is an increase of Haitian speaking migrant crews finding work here.

Requested Revisions;

Outreach activities will be consistent with 20 CFR Part 653.107 and will serve to implement strategies aimed to identify, document, and track MSFW's as they access the full range of employment and training services within the One Stop Career Centers. In accordance with Part 653.107 (k), outreach workers will be trained in local office procedures and in the services, benefits, and protections afforded MSFWs by the ES. They will also be trained in procedure for the informal resolution of complaints. The program for such training shall be formulated by the State Administrator, pursuant to uniform guidelines developed by ETA, and each state's program shall be reviewed and commented in advance by the State MSFW Monitor Advocate (SMA). The SMA attends annually scheduled training conferences on a national level offered by the office of the National Monitor Advocate, and on a Regional level offered by the Regional Monitor Advocate. Both venues provide opportunity to engage with Federal agencies collaborating with MSFW activities, provide resource materials for reference, and while reviewing statutory requirements. The SMA is bilingual (English/Spanish) which remains representative of the farm worker population in the Maine's service delivery areas though there is an increase of Haitian speaking migrant crews finding work here.

Requested Revisions;

Many years ago, Title I, II, III and IV staff were trained across the state to provide outreach and employer needs assessments and to package resources of both the WIA services and to make specific referrals to non-workforce related services as necessary. Over time, key staff has retired and administrations and local areas have changed resulting in the need to take a new look at staff development priorities.

The following is the vision for Employer Outreach Specialists for our system:

- Staff is aware of and understands industries and employers in the local area –is informed and can talk about their goods and services, know their challenges and opportunities, how they recruit, and what education and training is needed to fill their jobs.
- Businesses know the services available through the one-stop system and how to contact a system business representative regarding their immediate AND longer-term workforce development needs.
- System partners including local staff, LWDBs, and MDOL Program Managers are packaging each other's services in a seamless way.
- o OJT services often packaged with Apprenticeship, when appropriate for both the job seeker and employer
- o Training opportunities for multiple openings are often funded by multiple funding sources (WIOA, grants, CSSP, apprenticeship, Quality Center Funds, DECD funds, etc.).
- o Recruitment activities include Maine JobLink postings so Veteran's get priority and openings are made available to all populations.

- o As a part of the overall outreach strategy, include activities to engage veterans, individuals with disabilities, new Mainers, adult learners, and other populations as part of the norm when filling job/training opportunities
- o Hard to fill positions are topics of discussion with business reps from all partners – common brainstorms/problem solving.
- o Education partners are at the table to hear challenges and develop educational/training responses to support businesses.
- System partners share responsibility for responding to businesses within 48 hours of receiving a referral, providing outstanding customer service, and achieving positive outcomes for each other's efforts.

Expectations of Business Relations Representatives include the ability to provide a customer-centric approach:

- Build strong relationships with businesses – get to know them.
- Ask many questions and listen rather than sell programs.
- Focus on needs of employers rather than our programs or open slots.
- Strive for best service to business regardless of whose program best meets needs.
- Learn and stay current with partner programs, grants, and offerings.
- Communicate with partners – Develop strong and consistent communications with each other – talk about plans for business outreach, what you are hearing, who you've talked to, etc.
- Collaboratively build response to business needs by integrating/packaging services.
- Trust each other – be trustworthy.

Outreach to Job Seekers –Wagner Peyser staff act as the initial interface with most job seeker participants entering the system, they conduct initial triage and provide resource navigation and referral services so it is imperative that they have the skills necessary to do this in a customer-centric way and in accordance with Section 188 and the requirements identified in the Local Area MOUs regarding referrals and access to system partner services. In addition, staff needs to be trained to effectively relay all of the required information such as that listed under Basic Career Services. To ensure all staff is adequately trained and have the professional skills necessary to provide services in this way a state-level professional development team was formed to evaluate WIOA-related staff development needs and identify and access resources to accomplish staff development goals identified.

The professional development team has been meeting for several months now. Staff members have been polled regarding what they perceive they need for professional development and WIOA related training and managers have also identified specific WIOA required knowledge. The following immediate training needs for Wagner Peyser staff some of which have already been addressed:

- WIOA intake & eligibility

- Confidentiality & Personally Identifiable Information
- Partner Services
- Accessibility Basics (Policies, Final Regulations, both individuals with disabilities and other languages/cultures)
- Resources
- Use of new outreach technology
- Basic Career Services
- Standardized initial assessment process
- Standardized referral process
- Understanding customer flow for integrated service delivery
- Equal Opportunity and Non-discrimination
- LMI for job seekers
- LMI for employers
- NTO Basics
- Apprenticeship Basics
- Adult Education Basics
- VR Basics
- ETPL for workforce professionals

Continued development on:

- O*NET & other online career guidance resources
- Professional Certifications for workforce professionals such as:
 - o Appreciative Advising
 - o Economic Development
 - o Workforce Development
 - o Program Evaluation

- o Project Management
- o Accessibility Certification
- o Conflict Resolution
- o Ethical Communications
- o Understanding the Culture of Poverty
- o E-Learning made easy
- o Professional Writing
- o And more.

The State Monitor Advocate and outreach staff will partner with organizations and agencies serving the agricultural employment community to ensure that the needs and concerns of these workers receive consideration in the development and implementation of integrated service plans.

Strategies will include:

- Increase the number of MSFWs who participate in labor exchange activities;
- Increase the number of agricultural employers utilizing the labor exchange services;
- Promote the use of the Agricultural Recruitment System (ARS);
- Encourage participation of MSFW's seeking transition to higher-wage jobs and permanent non-agricultural employment; and
- Enhance collaboration with MSFW service provider organizations.

The State Monitor Advocate and members of a nearby one-stop centers, NFJP, Maine Migrant Health Program (www.mainemigrant.org), Pine Tree Legal Assistance, (www.ptla.org), Maine Department of Health and Human Services (DHHS) food stamp program, Downeast Health Services' Women Infants and Children (WIC) program (www.downeasthealth.org), and Maine Department of Education's Migrant Education Program (<http://www.maine.gov/doe/migrant/index.html>) coordinate a collaborative resource center called "The Raker's Center" which is open from the end of July until mid-August. Located in the center of the blueberry barrens, the Raker's Center is where blueberry field workers (rakers) find a wide array of educational, occupational, health, and social service supports. MSFWs visiting the Raker's Center may receive food assistance, gas vouchers, emergency auto repair, emergency lodging, tents, clothing and personal care items, job search services, and referrals to social services.

Services provided to MSFWs and Agricultural Employers through the one-stop Delivery System: The full range of employment and training services delineated under WIOA Title I-B are to be provided to MSFWs. One of the roles of the State Monitor Advocate and the WIOA 167 grantee is to make job opportunities available to workers. In addition to field visits, staff members monitor the local offices for compliance with regulations in serving MSFWs. The table below shows the Monitor Advocate's annual schedule for monitoring local offices.

TABLE 18 STATE MONITOR ADVOCATE LOCAL OFFICE MONITORING SCHEDULE

SMA Local Office Monitoring Schedule	
ES OFFICE	Monitoring Timeframe
Presque Isle	June-July
Calais, Machias & Bangor	August
Skowhegan, Wilton	September
Rockland	May
Brunswick	May
Portland	July
Augusta	June
Lewiston	September-October
Springvale	April - May
Norway	September

Requested Revision:

The SMA coordinates MSFW outreach plans with local offices nearest the greater area of agricultural activities relative to the crop's peak season. For example the Machias CareerCenter, based in Northeastern Workforce Development Board covering Washington County, and due to its proximity to the blue berry barrens, sends two staff members to labor camps. The two are merit-staff are full-time members of the One-Stop having full knowledge of local office procedures and of the services, benefits, and protections to be afforded to MSFWs. Staff are trained during the annually scheduled One-Stop office review by the SMA*. Training includes review of the Judge Ritchey Court Order, definition and identification of MSFWs, basic outreach field methodology, including making oral presentations to groups of MSFWs at their working, living, or gathering areas on the services available at the local One-Stop. At their local office, Staff are provide with laminated "At a Glance" fact sheets, one on the ES complaint System, the other on "Identifying MSFWS and Migrant Food Processing Workers". In the field, staff conducting outreach will have available printed CareerCenter informational material to provide to MSFWs, log sheets to record contacts, as well as ES complaint information to inform MSFWs of their rights to file complaints. Staff are familiar with and work very closely with non-governmental organizations providing services to MSFWs, as well as the NFJP 167 Grantee. Several of those organizations often use extra space at the Machias CareerCenter to conduct meetings with MSFWs.

The outreach staff will gain extensive knowledge of farm work in order to insure high levels of awareness and sensitivity to the socio-economic and cultural nuances that exists within the agricultural communities. However, it must be underscored that the two local office staff of the Machias CareerCenter that go out to the blueberry labor camps are first and foremost staff of the CareerCenter and not full-time or part time Outreach Workers, as such regularly attend trainings and are provided resources on the ES system, across core programs including the UI program. In effect, due to Maine's low MSFW population, even during peak agricultural season, there are no regularly active outreach workers assisting the SMA.

* The table below shows the Monitor Advocate's annual schedule for monitoring local offices.

SMA Local Office Monitoring Schedule**ES OFFICE Monitoring Timeframe**

Presque Isle June-July

Calais August

Machias August

Bangor August

Skowhegan September

Wilton September

Rockland May

Brunswick May

Portland July

Augusta June

Lewiston September-October

Springvale April-May

Norway September

Career Centers, in collaboration with the State Monitor Advocate, coordinate service delivery including, but not limited to:

- o Provision of a full range of employment services, benefit, and protections on a basis that is qualitatively equivalent and quantitatively proportionate to services provided to non-MSFWs;
- o Access to and use of job order information effectively;
- o Assistance in accessing self-assisted services via electronic technologies;
- o Individual referrals to agricultural and non-agricultural jobs, occupational training and support services, as well as assessments and testing, career counseling and other job development services;
- o Provision of information on labor rights, protections, and responsibilities with respect to terms and conditions of employment;
- o Assistance in the preparation and filing of employment and non-employment related complaints;
- o Accepting and referring labor-related complaints and apparent violations in accordance with established policies and procedures;
- o Referrals of individuals and family members to supportive services for which they may be eligible;
- o Assisting with posting resumes on-line and conducting on-line job searches; and
- o Facilitating communication between Limited-English Proficient individuals referred to jobs and employers.

Requested Revision;

Local offices, or Maine's CareerCenters will continue to help agricultural employers in obtaining workers to harvest their crops, referring job seekers to regular job orders as well as H-2A related job order. U.S. workers must be given hiring priority to H2A related jobs. The range of services to Agricultural employers extend beyond assistance with job orders and referrals. Employers are invited to participate in job fairs, work with Career Center business liaison to create recruitment plans, potential training opportunities, and possible use of the Agricultural Recruitment System (ARS). Maine labor exchange system upgrade continues to connect employers to workers and is a bridge between local office staff and employer, facilitating direct service provision for employer account management, job seeker resume review, or job order enhancement.

The State Monitor Advocate (SMA) will also provide technical services and convene information meetings for foreign labor stakeholders, agricultural employers, and service providers interested in the H-2A foreign labor certification program. The SMA provides assistance to Agricultural Employers during field visits by distributing informational brochures as well as required posters; assessing employer's labor needs, and taking job information, and recommending the Agricultural Recruitment System should local workers not be readily available.

The Bureau of Employment Services implements the Employment Service (ES) Complaint System (per 20 CFR Subpart E §658.400 – 658.418) for retrieval of complaints that are filed at local one-stops and at the Central Office. The State Monitor Advocate also functions as the Complaint Resolution Administrator and has direct responsibility of the ES Complaint System process, field check and Apparent Violation forms. The State Monitor Advocate files records of all complaints as well as correspondence between parties and notes from all investigations for a period of three years. The State Monitor Advocate reviews these files quarterly to ensure compliance with appropriate complaint resolution processes and adherence to customer satisfaction principles. The SMA prepares and submits the Quarterly Complaint System Activity Report, which includes local office complaint logs, to U. S. Department of Labor, ETA Region I Office and provides a copy of the report to the Bureau Director and the State EEO Coordinator.

One-stop centers will continue to help agricultural employers in obtaining workers to harvest their crops. U.S. workers must be given hiring priority for jobs. As mentioned earlier H-2A local offices are those offices whose neighboring agricultural employers file H-2A job order and may have referrals to that order. The local office should carry out active referrals until the employer's H2A workers depart for the work site (at least two days before the employer's set Start date for work on the job order). The State Monitor Advocate (SMA) will oversee the Foreign Labor related activities pertaining to processing the Agricultural Clearance order ETA form 790 for H-2A In addition the SMA will be the liaison on this process with the US DOL Office of Foreign Labor Certification and related processing center. The SMA will also provide technical services and convene information meetings for foreign labor stakeholders, agricultural employers, and service providers.

When an employer requests foreign workers through the H2-A or H2-B program, the SMA oversees procedures described below to advertise the job opening. The H-2A is governed under US DOL ETA 20 CFR Part 655 and Wage & Hour Division 29 CFR Part 501, Temporary Agricultural Employment of H-2A Aliens in the United States; Final Rule February 12, 2010. The H-2A non-immigrant worker visa program enables United

States (U.S.) agricultural employers to employ foreign workers on a temporary basis to perform agricultural labor or services.

Section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (INA or the Act), 8 U.S.C.

1101(a)(15)(H)(ii)(a); see also 8 U.S.C.1184(c)(1) and 1188. The INA authorizes the Secretary of the Department of Homeland Security (DHS) to permit employers to import foreign workers to perform temporary agricultural labor or services of a temporary or seasonal nature if the Secretary of the US DOL (Secretary) certifies that:

- o There are not sufficient U.S. workers who are able, willing, and qualified, and who will be available at the time and place needed to perform the labor or services involved in the petition; and
- o The employment of the alien in such labor or services will not adversely affect the wages and working conditions of workers in the United States similarly employed.

In Maine, the H-2A related job orders are administered through MDOL/BES. Job openings intended for H-2A labor certification program are entered on America's Job Link through the Maine Job Link (MJL). They can be seen by potential workers in all 50 states. The SMA reviews the H-2A related Agricultural Clearance Order form ETA 790 for accuracy and compliance with the H-2A federal regulations before the job order is uploaded on the Maine Job Link H-2A staff, and prior to employers forwarding a request for foreign workers to the USDOL ETA Office of Foreign Labor Certification H-2A National Processing Center. The jobs are also entered into the Interstate Clearance System to Florida, Vermont and New Hampshire. These are supply states that often have workers who are willing to move to accept employment on a seasonal basis. The Interstate Clearance System is an agreement between states that have a shortage of workers and those States that have a surplus. The state with the shortage sends information on the job and what the employer is willing to provide in order to recruit workers. The surplus state informs local offices that have a surplus of agriculture workers of the job opportunities and see if any wish to relocate for the harvest season.

Other Requirements: The State Monitor Advocate was directly involved with writing this Agricultural Outreach Plan (AOP). Once the AOP is reviewed, the SMA will be afforded the opportunity approve the plan.

The state solicited information and suggestions from the WIOA 167 National Farmworker Jobs Program (NFJP) grantee, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. The State provided a proposed plan to the following entities: the Maine Migrant Health Program, the Maine Department of Health & Human Services local offices in agricultural areas, the Refugee and Human Rights Clinic Program, the University of Maine School of Law, the Immigrant and Legal Advocacy Project, Mano en Mano (migrant worker family center), the National Farmworker Jobs Program 160 grantee – Eastern Maine Development Corporation, the Maine Department of Education – English as Second Language program, the Pesticide Program, the Maine Board of Pesticides Control, U.S. Department of Housing and Urban Development – Bangor office (migrant housing program), and Pine Tree Legal (Farm worker's Division). MDOL will execute an MOU with EMDC which is the 167 Grantee for the NFJP. The Memorandum of Understanding between MDOL and Eastern Maine Development Corporation (EMDC), the WIOA 167 National Farmworker Job Program grantee, will facilitate the exchange of data pertaining to services provided to MSFWs.

WAGNER-PEYSER ACT ASSURANCES

WP Assurance-1 Wagner-Peyser Employment Services are co-located with Vocational Rehabilitation Services in all current one-stop centers and are co-located with Title I-B service providers in all but two one-stop centers at which they have scheduled times and presence as needed.

WP Assurance-2 The Maine Department of Labor, Bureau of Employment Services, also referred to as the State Workforce Agency, is in compliance with the requirements under proposed 20 CFR 653.111 as it does not have any significant Migrant Seasonal Farm Worker (MSFW) one-stop centers. However, Maine's one-stops have access to Spanish speaking staff and multilingual service line in place to MSFW participants whenever necessary.

WP Assurance-3 State of Maine statute identifies criteria pertaining to agency collaboration for individuals with disabilities receiving vocational rehabilitation services. Vocational Rehabilitation and Wagner Peyser services are both housed under the Maine Department of Labor. Maine Revised Statute: Title 26, Chapter 19, Section 12, Subchapter 2, Article 1, Section 1411-D articulates these requirements and can be found at: <http://www.mainelegislature.org/legis/statutes/26/title26sec1411-D.html>.

WP Assurance-4 State, merit-based employees of the Maine Department of Labor provide Wagner-Peyser Act funded labor exchange activities in accordance with the requirements of the Wagner Peyser Act.

ADULT EDUCATION AND LITERACY PROGRAMS

OVERVIEW

Maine Adult Education (MAE) is best described as an education, life and career pathways system that prepares adults for postsecondary education and/or employment. Public school based adult education is part of the Maine Department of Education (MDOE) and administered by the State Office of Adult Education and Family Literacy. Over seventy-six statewide providers offer courses in literacy and adult basic education, English language acquisition, citizenship, high school completion, college transition, career preparation and personal enrichment. These local programs provide services at a variety of locations, including correctional facilities; use a variety of instructional strategies, including face-to-face and distance technology; and are funded by a combination of federal, state and local dollars. Programs use these funds leverage additional grants and contracts.

In support of the mission and purpose of Maine Adult Education, the following language is included in State Statute. “Since education is a lifelong process, it is declared to be the policy of the State to provide and encourage the growth of educational opportunities and, where applicable, to ensure career, citizenship and college readiness for all adults.”

In 2012 a language change in statute made this clarification:

“Adult Education” means an education program primarily operated for individuals beyond the compulsory school age that is administered by school administrative units through a career pathways and service system and includes intake, assessment, advising, instruction, and individual learning plans; is guided by data management and analysis, annual monitoring and annual professional development plans; uses appropriately certified staff; is designed to meet identified local needs; and makes use of partnerships and alignment with workforce development, postsecondary institutions and support services.

To ensure that local providers receiving state and or federal dollars meet the requirements of Maine Statute Title 20-A, Chapter 315: Adult Education §8601-A, sub-§(2013), each eligible agency annually completes, and submits a Career Pathways (CP) Plan to the state office for approval. The plan outlines how the provider will meet the goals of Maine’s Career Pathways system and WIOA.

The Career Pathways goals are:

- 1) Making use of the Career Pathways Plan as a strategic planning tool; documenting comprehensive career pathway approaches that align and bridge training, education, employment and supportive services at the local and state levels; partnering with employers; and enabling individuals to move beyond adult basic education and succeed in postsecondary education, earn industry-recognized credentials, and advance along a career path;
- 2) Integrating adult basic education and occupational skills training to enable individuals to increase their educational learning gains and earn industry-recognized credentials while completing basic skills training;
- 3) Connecting the multiple systems and structures that serve individuals with lower skills through mechanisms such as coordinating Workforce Innovation and Opportunity Act funding for Titles I and II

to support effective contextualized programs that result in increased mastery of basic skills and the attainment of credentials that are relevant to employers; and

4) Partnering with and leveraging resources from other federally and state funded programs as well as those identified in Partnerships and Alignment, Component 1 of Maine's CP plan.

In actuality, inclusion of the required implementation of the career pathways system of practice laid the groundwork for the rigorous, research-based instruction, college and career readiness services, accountability, and collaborations that are integral to the successful implementation of the educational and employment goals of WIOA. When WIOA passed, the components of Maine's career pathways plans were adjusted to align with career pathways as defined in WIOA as well as the Title II Thirteen Considerations for Adult Education and Family Literacy Act (AEFLA) funding. Though not all local programs have the financial and staff resources to provide comprehensive instructional and support services on their own, they must still document how they will partner with other adult education providers and partner agencies to fulfill the CP plan components and the Thirteen Considerations of WIOA.

Maine Career Pathways Plan Components are:

- Partnerships and Alignment,
- Intake,
- Career Planning and Advisement,
- Individual Learning Plans,
- Ongoing Assessment and Learning,
- Rigorous Educational Programming that includes at least three of the following as well as details on how they align with WIOA requirements of transitioning to postsecondary and employment:
 - o *Literacy instruction or instruction in English as a Second Language* – This instruction, based on individual needs and goals, is targeted for adults whose skills in reading, writing, numeracy, speaking or listening are below the 12th grade level. It includes adult basic education (focus on grade levels 0-8) and English as a second language. Together, these two groups represented over 80 percent of adult learners in Maine for FY15. Level is determined by administering the CASAS Assessment to both English as a second language and adult basic education learners within the first twelve hours of program entry. Courses are offered statewide at over seventy-six locations and delivered primarily through a managed enrollment model of small group instruction although one-on-one tutoring, language labs, and more traditional classes are also available depending on location. For FY15 over 5,000 learners were enrolled in these programs broken down as follows: ABE- 3,031 learners (53 percent), ASE – 1,078 learners (nineteen percent) and ESL – 1,621 learners (28 percent).
 - o *High school completion courses* – Adult high school completion classes and preparation courses for high school equivalency assessment are available without cost to Maine adults. Instruction in both secondary completion pathways is aligned with CCRS and state learning results.

Maine's high school equivalency diploma is available to adults who are at least 18 years of age who have passed a standardized assessment. Test exceptions may be made for 17 year-olds if they have already been out of school for a year or have a superintendent's recommendation due to immediate need. Equivalency candidates must participate in an approved preparation program or provide other evidence that they are adequately prepared to be test. Maine's high school equivalency diplomas have the legal status of high school diplomas. In FY15 a total of 1,650 adults earned a high school credential through adult education. This includes 1,290 adults who passed a high school equivalency test and 360 adults who earned their adult education diploma.

The required number of credits needed to graduate varies depending on the local school system. However, the state approved minimum is 16 credits for adult students born prior to October 15, 1970. For adults born after that date, the number of required credits must align with their local high school requirements. The minimum course of study and credits must include:

- English – 4 credits
 - Social Studies – 2 credits
 - Mathematics – 2 credits
 - Science – 1 credit, with laboratory study recommended
 - Out-of-school experiences – 6 credits
 - Either Fine Arts, Computer, Health, Consumer Economics, or Career Exploration/Personal Development – 1 credit
- o *College transition courses* – Accessible to adults at all 76 local adult education sites on a class by class basis, or by enrolling in the comprehensive Maine College Transitions Program (MCT). MCT offers additional support to learners transitioning to college by integrating academic advising and career planning services, financial aid assistance, college planning and ACCUPLACER testing with academic instruction and preparation. In FY15, 1,996 learners participated in college transition courses. According to the most recent outcome data, 36 percent of Maine College Transitions learners went on to attend postsecondary within twelve months of leaving the program.
 - o *Enrichment courses* – Hundreds of these classes are offered throughout the state year-round. They are often an entry point for adults to learn about our wide range of services. These courses reflect community interests, build support and are self-sustaining through user fees. In school year 2014-2015, there were 36,461 unique adults, many of whom register for multiple classes, who participated.
 - o *Adult workforce training and retraining* – In the 2014-2015 school year, 4,089 learners participated in 953 workforce training courses ranging from short-term specialized certificate trainings to comprehensive credential programs at over 50 locations throughout the state. These courses include workplace activities offered in collaboration with an employer, employee organization or in combination with basic academic skills, critical

thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education, training or employment; and

- o *Adult Career and Technical Education*- Involves organized educational activities that offer a sequence of academic and technical courses that prepare participants for further education and careers that do not need a baccalaureate, master or doctoral degree.
- Research-based Instruction – STAR, Adult Numeracy Initiative, Integrated Education and Training, College and Career Readiness Standards, Reading Apprenticeship Program.
- Support Services - Support services improve persistence and student success, especially for students with barriers, as they progress through education and training programs and transition into employment. Adult education programs are expected to have Memorandum of Understanding with related agencies capable of providing services such as; employment services, transportation, childcare, financial literacy and community linkages (i.e.: substance abuse counseling, mental health system services and housing.),
- Data Management - Maine Adult Education strives to promote the use of data to inform programming and instructional practices. Local programs are required to enter and maintain all program data in Maine’s managed information system, MaineSTARS, with the expectation that program services will be guided by student achievement and persistence data as well as current local labor market and employment data to ensure programming meets the needs of the local community. Learner data to be collected and maintained includes demographic, assessment, participation, and outcome data. Program data reports are due in the fall, in the spring, and at the end of the academic year. Local programs outline data management practices and needs as well as data driven programming decisions in the annual Career Pathways plan.
- Program Monitoring and Evaluation – MAE uses a continuous improvement monitoring process at that state level to determine effectiveness of local programs. The State’s data system is National Reporting System compliant and allows for real-time viewing of program data. Complete details regarding the State’s assessment and monitoring system are included in the Assessing Quality section of this plan, page 20.
- Professional Development for Instructors and Staff - Adult learners today require a higher level of academic rigor and support than previously required. This reality is based on such factors as the implementation of rigorous standards aligned to the Common Core State Standards, a more rigorous high school equivalency test, labor market changes, and technology developments. Maine’s adult education practitioners and programs need access to professional development that is responsive to this demand for increased academic rigor and support.

Maine’s transition to a career pathways system of services is changing the perception of adult education services. It is no longer viewed as only a place for adults who cannot read or who need a high school credential. While those services remain at the core of adult education, the Maine Adult Education system is increasingly recognized as an essential partner in the pathway of adults to postsecondary

credentials and employment. Adult Education is taking its place as the link to the life, educational, training and employment goals of Maine's adults.

Examples of this expanded role for adult education are seen in such programs as Maine Adult College Transition (MCT), and WorkReady, as well as in the ever expanding uses of technology for instruction. Maine College Transitions provides comprehensive academic preparation courses, academic and career advisement, financial planning, study skills and adapting to college culture services to assist students with their transition to college. In 2014, Maine College Transition was expanded to include all Maine Adult Education providers, including two correctional facilities. This expansion increased the capacity of the system and also made it possible for adults to access these college preparation classes and services regardless of their location. In the fall of 2014 there were 1,176 students enrolled in Maine College Transition, an increase of over 300 from the prior year. Longitudinal Maine College Transition data validates the ability of program graduates to successfully enter postsecondary and persist to credential attainment.

In 2008, Maine Adult Education collaborated with the state's four local workforce development boards to create WorkReady, a standards-based workforce preparation program of soft (employability) skills. Upon meeting WorkReady standards, participants are awarded a state-recognized credential issued by the Maine Department of Education. There are currently 25 approved WorkReady programs with trained facilitators offering the training throughout Maine at adult education sites, career centers, correctional facilities, and health and human services offices. In the 2014-2015 academic year, 393 students were enrolled in WorkReady and 90 percent earned the credential. Going forward, the goal is to expand WorkReady and embed employability skills into Integrated Education and Training (IET) and other programs of study to increase the job readiness of program participants.

Maine Adult Education programs make extensive use of technology to mitigate the common barriers to participation of childcare and distance. In addition to offering basic adult education services, local adult education programs are increasingly partnering with postsecondary institutions to offer college level courses via technology. In the last four years approximately 150 adult education teachers were trained in technology integration in the classroom, incorporating blended learning, and becoming proficient with other technology trends and best practices. The increased levels of comfort and expertise of instructors in resulting in students who are better prepared to navigate educational opportunities offered via technology.

(A) ALIGNING OF CONTENT STANDARDS

Describe how the eligible agency will, by July 1, 2016, align its content standards for adult education with State-adopted challenging academic content standards, as adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 6311 (b)(1)).

Alignment of adult education curricula and instruction with state-adopted academic standards (the Maine Learning Results since 1997) is not new to Maine Adult Education. Providers that issue an adult high school credential must align with the required standards and learning outcomes of their corresponding high school. In 2011, the Maine Learning Results were updated to include Common Core State Standards (CCSS) for English language arts and math and were implemented in the 2013-14 school year. This presented a challenge for adult education as the CCSS were not normed for adult learners.

In the spring of 2013, the U.S.D.O.E. Office of Career, Technical and Adult Education (OCTAE) released the College and Career Readiness Standards (CCRS) for Adults. These research-based standards are drawn from those common core standards that are most relevant for adults to meet 21st century college and career readiness skills. Maine Adult Education adopted the CCRS with the goal of statewide integration into instructional practice by SY2016-2017. The College and Career Readiness Standards were approved by the Maine Department of Education Office of the Commissioner in March of 2014 and by the State Board of Education in October of 2014. Maine is also one of 12 states chosen to participate in OCTAE's 2-year College and Career Readiness – Standards in Action project. Support and technical assistance from that participation has greatly enhanced the ability to move the standards work forward.

Extensive professional development in the college and career standards for instructors in the areas of reading and language arts and mathematics began in the spring of 2014. Targeted professional development in these standards for instructors in the areas of high school equivalency and English language acquisition began in 2015. Professional development efforts will be ongoing.

The adoption and implementation of College and Career Readiness Standards for Adults enables all providers funded by WIOA and state literacy funds to meet both the state and federal requirements for research-based, rigorous instruction that prepares adults for postsecondary education, training and employment. Implementation of CCRS also maintains alignment with State-adopted K-12 content standards and clarifies for students, institutions of higher education, as well as employers, that Maine Adult Education is a standards-based pathway to postsecondary education and training and career.

The 2015-2016 Maine Adult Education State Transition Plan requires local programs to transition toward full implementation of College and Career Readiness Standards. To satisfy this requirement, local program teachers and administrators attended CCRS professional development sessions and provided evidence of the use of the standards in the classroom. In addition to State offered training, local practitioners are informed of, and encouraged to participate in standards-training conducted by their local school district as well as regional and national opportunities. To receive state and federal funding, CCRS implementation must be apparent in lesson plans and instructional delivery during program monitoring. Maine Adult Education also requires local providers to contextualize instruction and make use of research-based best practices in all content areas, including mathematics and reading,

and in the implementation of Integrated Education and Training (IET) and Integrated English Literacy and Civics Education (IEL/Civics).

In addition to adoption and implementation of college and career readiness standards in the K-12 and adult education systems, Maine has been moving toward a learner-centered, competency or proficiency-based system in which learners advance only when they have demonstrated mastery of defined learning outcomes. This has created a new imperative for alignment for all the stakeholders in education, including adult education programs. To meet these rigorous benchmarks, adult education providers are exploring and working with their local school administrative unit on how to move toward an aligned student-centered approach known as competency or proficiency-based pathways, through which student learning is marked by mastery rather than seat time. This system has the potential to open new opportunities for students to learn — and demonstrate their learning — in meaningful ways that build toward their ultimate readiness for college and careers. Students in competency-based learning environments should be able to access engaging learning opportunities that are grounded in application and relevant to their career aspirations and employment prospects. Competency-based strategies provide flexibility in the way that credit can be earned or awarded, provide students with personalized learning opportunities and in many cases, accelerate progress toward reaching their educational and learning goals.

For Maine Adult Education, these strategies will include rigorous, standards-based classroom instruction; distance, online, and blended learning instructional environments; dual enrollment in postsecondary; and project-based and community-based learning, among others. The goal of these strategies, combined with contextualized content relevant to their unique needs, is to enhance student engagement.

(B) LOCAL ACTIVITIES

Describe how the State will, using the considerations specified in section 231(e) of WIOA, fund each eligible provider to establish or operate programs that provide adult education and literacy activities, including programs that provide such activities concurrently. The Unified or Combined State Plan must include at a minimum the scope, content and organization of local activities.

In the 2015-2016 Maine Adult Education State Transition Plan, local programs receiving federal funds were required to begin implementation of three major WIOA requirements as part of their 2015-2016 AEFLA Continuation Grants. Those three areas were:

(1) Alignment and Partnerships, especially with Local Workforce Boards and other adult education programs. As part of the transition plan, each AEFLA program had to explain how they would work more closely with their Local Workforce Board, one-stop partners, and other adult education programs for education/workforce alignment. With limited resources amongst the core partners to meet Maine's need for skilled workers, steps must be taken to increase alignment and collaboration. Many of Maine's adult education programs are small, rural, and do not have the capacity on their own to address the varied educational and training needs of those they serve. Local programs detailed new, regional collaborations to share resources to ensure access to the

educational and workforce services adults need regardless of the size or location of the service provider.

(2) Rigorous, researched based instruction (CCRS, Integrated Education and Training (IET) and/or IEL/Civics.

CCRS

Implementation of College and Career Readiness Standards (CCRS) in Maine began in 2014. As noted in the section *Aligning Content Standards* (see page 158), all local adult education providers are to have CCRS in place by the conclusion of the 2016-2017 academic year. The 3-year implementation timeline was established to enable programs to begin their transition as local resources allowed. However, those programs receiving AEFLA funding had to meet the accelerated transition and implementation timeline outlined in the 2015-2016 Transition Plan.

To support the inclusion of CCRS into EL Civics and ELL classrooms, special attention has been paid to supporting programs in these areas. Trainings on integrating CCRS into the ESL classroom and Sheltered Instructional Observation Protocol, a research-based and validated model that allows English learners to acquire academic knowledge as they develop English language proficiency are a part of Maine's College and Career Readiness Implementation. These efforts are also a part of this Plan as a focus of the State's leadership activities.

Integrated Education and Training (IET)

In alignment with WIOA, the Maine Adult Education Career Pathways system expects local programs to make use of an integrated education and training (IET) model that combines educational supports in a skills training program. In the summer of 2015, MAE issued a Request for Proposals for IET Pilot grants and received 11 proposals. Of those, five were funded using WIA incentive funds.

The RFP defines the IET Service approach as follows: "provides adult education and literacy activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement."

Proposals were required to include strategies to:

- Develop and strengthen career pathways enabling entry-level workers to improve skills and advance to higher –wage jobs;
- Partner with an employer(s) and postsecondary academic institution and/or training provider to develop and deliver the IET curriculum and delivery model based on identified employer needs;
- Inform and/or collaborate with the boards of the local workforce development areas designated pursuant to the federal Workforce Investment Act of 1998, Public Law 105-220, business education partnerships, postsecondary educational institutions, and

career counselors for the purpose of addressing the challenges of connecting disadvantaged adults to careers; and,

- Recruit and train a diverse pool of persons seeking jobs, including veterans, and individuals with barriers to employment; Integrate employability skills training that meet the needs of the employer (i.e. integrated WorkReady)

The funded proposals address employment needs in the following industries: customer service, manufacturing, construction, healthcare and transportation and propose to train approximately 200 individuals for employment with the partner employers who have positions available. The proposals also included a mix of training for new hires and incumbent workers.

All of the proposals describe a process for developing and strengthening the career pathway of the participants to improve skills and advance to higher wage jobs and include certifications and credentials such as: high school equivalency diploma, OSHA, CDL, CNA, Certified Residential Medication Aide (CRMA), National Center for Construction Education and Research (NCCER), Boiler Operators License and customized WorkReady (Maine's employability skills credential.) Some of the pilots also offer completers college credits. Data collected, maintained and reported by these 5 pilot projects will be used to increase potential for project replication in other programs and industries.

In addition, the Maine Department of Adult Education will provide professional development to Adult Education programs and partners to help them support student success through integration of key academic content with other (usually occupational) courses by implementing common IET models, allowing programs to choose the best method to meet their students' needs. These include:

- Team teaching-a basic skills and/or ELL instructor paired with a content specialist simultaneously teaching in the same learning environment.
- Alternating Teaching – basic skills and/or ELL instructor and content specialist working with the same cohort at different times.
- Contextualized Teaching- basic skills and/or ELL instructor teaching academic subjects in the context of a specific vocation or industry.

Integrated English Literacy and Civics Education

Between 2000-2013, the foreign-born population in Maine increased by 22.7 percent, and in 2013, immigrants made up 3.4 percent of Maine's 1.3 million residents (approximately 45,000). Refugees in Maine have come from over 30 countries. According to the Migration Policy Institute, Maine's immigrant population is largest in the counties of: Cumberland, York, Penobscot, Androscoggin, Aroostook and Kennebec.

Currently, Maine's federal English Literacy/Civics funds are divided between two major resettlement communities of Portland and Lewiston and serve 328 students. They deliver an integrated program of services that incorporates English Literacy and Civics Education. Because Maine's growing refugee and immigrant populations are beginning to move to many different communities in search of employment opportunities, local providers that do not receive EL

Civics dollars are braiding state and local funds, private grant dollars, and making use of volunteers to provide English Speakers of Other Languages (ESOL) Literacy classes, citizenship training, and other classes that address the communication skills adults use daily in their roles as worker, family member and citizen.

In some areas, adult education programs have begun integrating employability skills and business engagement in their ESOL programs. With the passage of WIOA and inclusion of IEL/Civics, local programs will be called upon to deliver effective program that combines literacy skills and citizenship education with workforce training.

(3) *Robust programming to align with their Local Workforce Board's plan, state requirements and 13 considerations.* The working relationship and alignment between the 76 adult education programs and the three local workforce boards varies greatly across the state. Although some adult education providers and local boards have a history of working together to address local employer and training needs, there was never a general expectation to align local educational activities with workforce priorities. In the Transitional Plan, each AEFLA program had to explain the steps they would take to initiate or strengthen the relationship with their Local Workforce Board and one-stop partners for workforce alignment. In addition, local providers were expected to develop meaningful MOUs with their one-stop partners. Local providers also received training on how the Thirteen Considerations for AEFLA funding aligned with the components of the career pathways plans.

Realizing that local programs would be unable to meet all of the requirements of the Thirteen Considerations in the transitional year, providers were required to explain how they would prepare for full implementation. In addition, local providers were required to describe in both the Transition Plan and Career Pathways plan the steps they would take to meet Maine Adult Education's targeted WIOA priorities in the 2015-2016 Transitional Plan. Continued funding for 2016-2017 will be dependent on how well the funded programs demonstrated progress toward satisfying the required WIOA targets and their plans to further enhance delivery of workforce training, employability skills and foundational skills.

In the fall of 2018, Maine Adult Education will conduct an open competition for WIOA Title II Adult Basic Education and Literacy Services funds. Announcement of the availability of funds will follow State of Maine Division of Purchases guidelines. The notification of funds process includes a posting on the Division of Purchases website as well as a legal notice in the *Kennebec Journal*. The anticipated due date for Request for Proposals (RFPs) is late winter of 2019. Successful applicants will be notified in the spring of 2019. Grantees will receive a contract for three years, July 1, 2019 to June 30, 2022 with the ability to extend for up to two additional years based on outcomes. In preparation for the competition, the state office will publicize and conduct information meetings regarding Maine's State Plan for Adult Education and the Thirteen Considerations for funding

The AEFLA award process will begin with the local workforce development board (LWD) review of the proposal for alignment with the workforce development and training priorities as outlined in the Local Workforce Development area plan. Signed documentation will be included as an Assurance of the submission and review. At least one eligible agency will be funded in each local workforce area. All applicants for the Title II Adult Basic Education and Literacy Services funds are expected to demonstrate how they will successfully implement activities and services that will address the following areas as

defined in Section 203(2) as well as how they will align with the Thirteen Considerations in Section 231(e).

Adult education;

Literacy;

Workplace adult education and literacy activities;

Family literacy activities;

English language acquisition activities;

Integrated English literacy and civics education;

Workforce preparation activities; or

Integrated education and training that – Provides adult education and literacy activities, concurrently and contextually with both workforce preparation activities and workforce training for a specific occupation or occupational cluster, and is provided for the purpose of educational and career advancement.

Thirteen Considerations:

1. The degree to which the eligible provider would be responsive to –
 - a. Regional needs as identified in the local plan under section 108: and
 - b. Serving individuals in the community who were identified in such plan as most in need of adult education and literacy activities, including individuals –
 - i. Who have low levels of literacy skills; or
 - ii. Who are English language learners;
2. The ability of the eligible provider to serve eligible individuals with disabilities, including eligible individuals with learning disabilities:
3. Past effectiveness of the eligible provider in improving the literacy of eligible individuals, to meet State-adjusted levels of performance for the primary indicators of performance described in section 116, especially with respect to eligible individuals who have low levels of literacy;
4. The extent to which the eligible provider demonstrates alignment between proposed activities and services and the strategy and goals of the local plan under section 108, as well as the activities and services of the one-stop partners;
5. Whether the eligible provider's program –
 - a. Is of sufficient intensity and quality, and based on the most rigorous research available so that participants achieve substantial learning gains; and
 - b. Uses instructional practices that include the essential components of reading instruction;

6. Whether the eligible provider's activities, including whether reading, writing, speaking, mathematics, and English language acquisition instruction delivered by the eligible provider, are based on the best practices derived from the most rigorous research available and appropriate, including scientifically valid research and effective educational practice;
7. Whether the eligible provider's activities effectively use technology, services, and delivery systems, including distance education in a manner sufficient to increase the amount and quality of learning and how such technology, services, and systems lead to improved performance;
8. Whether the eligible provider's activities provide learning in context, including through integrated education and training, so that an individual acquires the skills needed to transition to and complete postsecondary education and training programs, obtain and advance in employment leading to economic self-sufficiency, and to exercise the rights and responsibilities of citizenship;
9. Whether the eligible provider's activities are delivered by well-trained instructors, counselors, and administrators who meet any minimum qualifications established by the State, where applicable, and who have access to high quality professional development, including through electronic means;
10. Whether the eligible provider's activities coordinate with other available education, training, and social service resources in the community, such as by establishing strong links with elementary schools and secondary schools, postsecondary educational institutions, institutions of higher education, local workforce development boards, one-stop centers, job training programs, and social service agencies, business, industry, labor organizations, community-based organizations, nonprofit organizations, and intermediaries, for the development of career pathways;
11. Whether the eligible provider's activities offer flexible schedules and coordination with Federal, State, and local support services (such as child care, transportation, mental health services, and career planning) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs.
12. Whether the eligible provider maintains a high-quality information management system that has the capacity to report measurable participant outcomes (consistent with section 116) and to monitor program performance; and
13. Whether the local areas in which the eligible provider is located have a demonstrated need for additional English language acquisition programs and civics education programs.

In addition to detailing how the applicant intends to fulfil the requirements of the Request for Proposal, applicants will provide evidence of their effectiveness in serving adult learners, especially those with barriers. Applicants will submit documentation for the past two years detailing learner outcomes in the areas of: educational gain; qualification of instructors in working with adult learners and especially those with barriers; learner transitions to employment, postsecondary educational and training programs; high school completion; implementation of college and career readiness standards and Integrated Education

and Training; as well as all other Request for Proposal performance, organizational and financial requirements.

SPECIAL RULE

No eligible agency shall use any funds made available under this title for adult education and literacy activities for the purpose of supporting or providing programs, services, or activities for individuals who are under the age of 16 and are enrolled or required to be enrolled in secondary school under State law, except that such agency may use such funds for such purpose if such programs, services, or activities are related to family literacy activities. In providing family literacy activities under this title, an eligible provider shall attempt to coordinate with programs and services that are not assisted under this title prior to using funds for adult education and literacy activities under this title for activities other than activities for eligible individuals.

(C) CORRECTIONS EDUCATION AND OTHER EDUCATION OF INSTITUTIONALIZED INDIVIDUALS

Describe how the State will establish and operate programs under section 225 of WIOA for corrections education and education of other institutionalized individuals, including how it will fund, in accordance with the requirements of title II subtitle C, and of the following academic programs for:

Adult education and literacy activities;

Special education, as determined by the eligible agency;

Secondary school credit;

Integrated education and training;

Career pathways;

Concurrent enrollment;

Peer tutoring; and

Transition to re-entry initiatives and other post release service with the goal of reducing recidivism.

Each eligible agency using funds provided under Programs for Corrections Education and Other Institutionalized Individuals to carry out a program for criminal offenders within a correctional institution must give priority to serving individuals who are likely to leave the correctional institution within five years of participation in the program.

Maine Adult Education has a strong collaboration with correctional institutions and has increased both educational programming and instructor professional development opportunities within the past two years. Examples of this partnership include recent efforts between local adult education programs and department of corrections facilities to enhance coordination and delivery of educational and career pathway programming. As a result of this integrated Career Planning process, adult education programs providing services to Maine county jails have educational

programs that are aligned, are using the same assessment tools, and are entering data in the State's adult education longitudinal data system, MaineSTARS.

Adult Education services are available in state prisons, county correctional institutions, local jails, youth facilities and reentry centers. AEFLA funds are used to provide educational programming to eligible learners in the following areas: adult basic education, literacy, English language acquisition, adult secondary school completion and high school equivalency preparation, college transition, integrated education and training, and workforce preparation. Individuals expected to be released within five years receive priority of service. As of June 30, 2015 there were 998 individuals registered in MaineSTARS who were identified as being a student in a correctional facility.

To better serve incarcerated individuals, Maine Adult Education is committed to making the partnership with corrections even stronger by focusing efforts on:

- o Increasing support and attention to reentry activities. Priority will be given to those who are likely to leave the correctional institution within five years of participation in the program. Of those currently incarcerated in local and county jails, 100 percent are scheduled to leave the facility within five years. For those in DOC facilities, 90 percent were sentenced to five years or less. When all sentences to DOC are averaged, the average length of incarceration is 18 months.
- o Increasing capacity to serve low level learners. DOC has recently undertaken the goal of administering the CASAS appraisal in math and reading as part of the intake process for all prisoners entering the system. Currently 76 percent of prisoners tested were below the CASAS score of 236 in math and below 236 in reading. There is a need for more intensive service and supports to enable these learners to advance to Adult Secondary Education (ASE low).
- o Enhancing access to College and Career Readiness educational opportunities and workforce preparation activities.
- o Expanding access to support services that enable these individuals to transition to full, productive members of our communities.

Prisoners in Prerelease are served in five facilities that offer educational programming that offer them the opportunity to earn a high school credential. In 2014, 400 incarcerated individuals earned their high school equivalency credential. Depending on the facility, there are also a variety of vocational programs. Building on the successful integration of educational services, attention will now be given to increasing advising and career pathways services. As part of those career pathways services, WorkReady, a standards-based employment skills program leading to a state recognized credential is presently offered in the Maine State Prison, Maine Correctional Center, Bolduc Correctional Facility, and the Southern Maine Reentry Center as well as six county jails. To reduce recidivism, the goals of the adult education and DOC partnership includes a continued emphasis on an integrated and aligned approach to program services and skills training opportunities to ease the stress of transitioning back into the community, and to create a *gentle handoff* approach.

Maine Adult Education is committed to increasing the integrated, professional development opportunities available to all workforce development partners, including corrections. At the same

time, the Department of Corrections made the commitment to have its educational programs meet all the performance standards of an approved adult education program. Efforts to intensify the integration of professional development between adult education and corrections included a daylong Maine Corrections Education Forum. The forum brought together Corrections and Adult Education personnel and resulted in the establishment of several integrated workgroups charged with the mission of improving the coordination of intake, assessment, and reentry efforts between the agencies. For the first time in memory, DOC also organized an Education Steering Committee to bring state staff together for planning and training.

Corrections personnel are invited to, and attend adult education professional development programs offered by the state office. Topics have included training in College and Career Readiness Standards, Maine College Transitions, high school equivalency preparation, and MaineSTARS. The Department of Corrections has also contracted with local adult education programs to provide assessment services in two of its “unfenced” prerelease centers, with plans in place to contract for those services at the remaining centers. Corrections educational personnel also attend, and present at the Maine Adult Education Association Annual Conference.

To further establish successful alignment with adult education the Maine Department of Corrections Education Steering Committee also chose to use the Career Pathways Plan format and process as a strategic planning tool as they restructure educational programs for the State’s correctional facilities.

(D) INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION

Describe how the State will establish and operate Integrated English Literacy and Civics Education programs under Section 243 of WIOA, for English Language learners who are adults, including professionals with degrees and credentials in their native countries.

Section 243 of Title II AEFLA focuses on combining Integrated English Literacy and Civics Education with integrated education and training activities. Specifically, section 243 states:

(c) Goal. Each program that receives funding under this section shall be designed to— (1) prepare adults who are English language learners for, and place such adults in, unsubsidized employment in in-demand industries and occupations that lead to economic self-sufficiency; and (2) integrate with the local workforce development system and its functions to carry out the activities of the program.

Under the Workforce Investment Act (WIA), Maine’s federal EL Civics grant was divided between the two major resettlement communities of Portland and Lewiston and served over 300 students annually. However, due to the influx of immigrants and refugees to adult education programs throughout the state, many English language learners have benefitted from braided federal, state, local and private grant dollars and received English language and citizenship services. There are a few Maine models in place where EL Civics programs combined with educational and training initiatives to award credentials and prepare participants for employment with local businesses. In the spirit of WIOA, adult education, New Mainers Resource Center, postsecondary institutions and Catholic Charities are working to address the foreign-earned credential issue.

Included in the AEFLA Request for Proposals will be the requirement for applicants to explain how they will assist immigrants and other English language learners meet the integration of education, English literacy, civics education and training activities as described in Section 243 of title II. In adherence to the Thirteen Considerations on eligibility, the grant review process will take into consideration whether or not the applicant is located in an area that has a demonstrated need for additional English language acquisition programs and civics education programs.

(E) STATE LEADERSHIP

Describe how the State will use the funds to carry out the required and permissible State Leadership activities under section 223 of WIOA.

(1) Required Activities

- A) *The alignment of adult education and literacy activities with other core programs and one-stop partners, including eligible providers, including the development of career pathways to provide access to employment and training services for individuals in adult education and literacy activities.*

There is a precedent for collaboration, coordination and alignment of services amongst core and one-stop partners in Maine. For the last three years the Commissioners of Labor, Education and Health and Human Services have met monthly to address alignment of services. At the state level, adult education and postsecondary leaders are working together to address the issue of adult degree completion and identify what each institution can do to help solve the problem. The establishment of career pathways is seen as the most viable solution for creating awareness of employment and relevant training/education opportunities.

Local adult education administrators have already been meeting with their colleagues from workforce development, DHHS and other support service agencies to collaboratively address local needs. Regional and state level training has been held to assist the groups in working cooperatively. One challenge to address is the inconsistent level of participation and effectiveness across the state. Currently, local adult education programs are required to have authentic, working MOUs in place with their area workforce and support service providers as well as with postsecondary institutions to satisfy that the requirements of the Career Pathway Plan.

The commitment of the core partners to agency and program alignment has been a guiding principal throughout the past 11 months of working together. As a result of that commitment, **Collaborating with core programs** is clearly identified as a critical component of each Strategic Objective in the Unified Plan. Overarching strategies to align the core programs are found on pages 55 and 56 of the Unified Plan.

Adult Education leadership funds will be directed to efforts that bring state and local administrators and staff from the core partners together for cross training on implementation of the workforce development system as outlined in the Unified State Plan, referrals, intake, orientation, common assessments, development of actionable and meaningful MOUs, data sharing, and other transition services.

B) The establishment and operation of high quality professional development programs to improve instruction provided pursuant to required local activities, including instruction incorporating the essential components of reading instruction as such components relate to adults, instruction related to the specific needs of adult learners, instruction provided by volunteers or by personnel, and dissemination of information about models and promising practices related to such programs.

The goal of Maine Adult Educations professional development system is to provide Maine's adult educators with the skills and supports they need to assimilate new learning and effectively implement new content/strategies. Technical assistance is delivered in a collegial environment that is intellectually stimulating, builds confidence, and values the participants. This type of continuous improvement model supports instructors, staff and administrators in their development of professional and leadership skills that in turn, maximizes the potential for success of the adults they serve. To make the most efficient use of leadership funds, a variety of professional development formats and delivery systems are utilized, including:

- Investing in a teacher-trainer model that builds local capacity;
- Supporting a State office professional development coordinator who creates, delivers, brokers and shares professional development and training opportunities for both paid and volunteer instructional staff;
- Offering a variety of delivery platforms. Webinars, video-conferences, blended learning formats, asynchronous courses, and regional meetings are used to help overcome the geographic challenges of delivering statewide training in a large, rural, state;
- Developing and supporting educational leadership in programs in order to build the capacity of administrators to effectively lead their staff and manage their programs;
- Using the State's adult education listserv to disseminate information about regional and national training opportunities, articles of interest, and encourage discourse and sharing of best practice among practitioners; and
- Utilizing the Maine Professional Development Portal, a web-based tool used to list professional development opportunities, register participants and serve as a repository for participant transcripts (www.pdportal.maineadulted.org)

The goal of Maine Adult Educations professional development system is to provide Maine's adult educators with the skills and supports they need to be intellectually stimulated, have confidence in their abilities, and feel valued, all within a collegial atmosphere. This type of continual learning environment supports instructors, staff and administers in their development of professional and leadership skills that in turn, maximize the potential for success of the adults they serve.

Each year local programs survey staff to determine professional development needs. The results become part of the annual Career Pathways Plan that is submitted to the State. The State office uses the survey results to address the locally identified needs. In addition, the State office offers training in best practices to address areas of weakness evident from program monitoring and to align with federal adult education initiatives. Targeted professional development is planned to address the areas of CCR

standards, distance learning and technology integration, IET, instructional strategies, use of data for program improvement and decision making, college transitions, IEL/Civics, and employability skills.

C) The provision of technical assistance to eligible providers of adult education and literacy activities receiving funds under this title, including –

- i. The development and dissemination of instructional and programmatic practices based on the most rigorous or scientifically valid research available and appropriate in reading, writing, speaking, mathematics, English language acquisition programs, distance education, and staff training;*

Based on needs assessment of local program professional development surveys and compliance with federal and state requirements, MAE will offer training opportunities in rigorous and scientifically valid instructional practices and learning theories, data collection and management, assessment, academic and career advising, job skills and college transition.

Technical assistance is also planned in:

- CCRS implementation as approved in Maine’s CCR-SIA Sustainability Plan
- Research-based professional development in mathematics. Maine trained its first Adult Numeracy Instruction (ANI) cohort in SY2014-2015 and plans to train another ANI cohort along with an additional cohort to focus on algebraic concepts. ANI addresses all content strands at all levels, which involves incorporating increasingly sophisticated concepts of number sense; geometry; data, statistics, and graphs; and algebra at each level of math instruction. Recent research has identified conceptual understanding in mathematics as a key concept in mastering the College and Career Readiness Standards. Technical assistance to address this will be provided to help instructors promote conceptual understanding with their adult students at all levels of mathematics.
- Research-based professional development in reading. Maine will implement the Reading Apprenticeship Program (RAP), a research-based and research-proven instructional framework for improving adult reading. Through a train the trainer model, instructor capacity will be built in the essential components of reading instruction or the explicit and systematic instruction including the following: phonemic awareness; phonics; vocabulary development; reading fluency, including oral reading skills; and reading comprehension strategies.

Maine adult education will expand (currently 15) the number of adult education programs implementing Student Achievement in Reading (STAR). STAR supports evidence-based reading instruction which integrates research-based principles with practitioner experience. Maine has one nationally certified STAR trainer and will add another, who will provide STAR training to participating programs and to new instructors and programs. Regional booster trainings and follow-up support are provided around the state.

- Research-based professional development in writing. The state will continue to provide professional development for instructors regarding the rigors of writing to meet college and career readiness standards.
- ii. *The role of eligible providers as a one-stop partner to provide access to employment, education, and training services* – The core partners are committed to cross agency professional development efforts at both the state and local levels. Steps will be taken to ensure that staff at all agencies is informed of partner services and able to help adults seamlessly access employment and workforce services.

And

- iii. *Assistance in the use of technology, including for staff training, to eligible providers, especially the use of technology to improve system efficiencies.* Maine Adult Education will continue to make use of technology to provide instruction and professional development. Local programs already use video conferencing technology to instruction students in their programs and also those adults enrolled who live in other parts of the state. Technical assistance will be made available related to the use and instructional possibilities of such equipment and also in the development of effective online courses and culture. Maine Adult Education also has access, availability and expertise with technology that surpasses the other partners. Adult education will provide technical assistance opportunities to the core partners for greater efficiency in serving clients.

D) The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities and the dissemination of information about models and proven promises within the State.

Maine Adult Education implements a Continuous Improvement Monitoring Process for evaluating adult education programs. Conducted under a case management model with local programs divided amongst state staff, the monitoring process consists of three key components: on-going, data-based desk audits; educational program reviews; and on-site program monitoring. The case management approach results in deepened relationships between the state office and with local programs as well as better overall understanding of the programs. *Annual Evaluations*

The State Office reviews each program for compliance with the Maine State Legislature's definition (LD 1780) of adult education as a system of career pathways services. Local programs annually complete Career Pathways Plans to detail how their programs will meet career pathways requirements. In addition to meeting the WIOA definition of Career Pathway, the Career Pathways plan is also aligned to AEFLA's Thirteen Considerations. Programs that aren't rigorously meeting Career Pathways Plan components are given additional technical assistance to help them to come into full compliance.

Data-based Desk Audits

Student performance data and other program information are reviewed regularly by the adult education state office data coordinator. This data review guides ongoing conversations with local programs. All programs receiving AEFLA or state funds must enter student data at least monthly into MaineSTARS, an NRS compliant managed information system. Local programs must collect and

document student information regarding student goals, educational functioning level, progress and achievements. Programs review their data at least quarterly to ensure completeness, accuracy and to determine their standing progress in regards to projected program outcome targets. MaineSTARS generates annual reports on student performance measures for National Reporting Service measures. The State data coordinator creates and distributes program specific report cards which compare local program data with state targets.

On-site Reviews

The State Office conducts on-site reviews at least every five years using a peer participant model guided by a review instrument tailored to programs funded by AEFLA. The on-site program reviews provide an additional effective tool for continuous improvement. The key benefits of this monitoring strategy are:

- Self-assessment by local programs,
- Cross fertilization of information for best practices and strategies,
- Development of baseline for program improvement, and
- Staff development and technical assistance.

An on-site visit may also be triggered based on the Maine Adult Education Risk-based Monitoring System indicators.

(2) Permissible Activities

A) The support of State or regional networks of literacy resource centers.

Maine adult education leadership funds are used primarily to fund a state level professional development coordinator position and to implement the train the trainer model for required trainers. The state office has found this to be a much more effective system in terms of costs and use of resources than the former centralized literacy resource center. The current model will continue as it has demonstrative effective in building capacity. Local adult education programs are also grouped into regional alliances. The state supports the professional development needs within specific alliances through customized training.

B) The development and implementation of technology applications, translation technology, or distance education, including professional development to support the use of instructional technology.

Maine uses instructional technology as a conventional and standard modality for delivering professional development. Using an industry recognized learning management system, traditional professional development content is being translated into blended, synchronous and asynchronous learning opportunities. The state office is modeling effective integration of instructional technology and supporting training for practitioners ready to incorporate this modality into instructional practice. Additional, the state office has partnered with the Center for Applied Special Technology, or CAST. CAST is a recognized leader in the field of Universal Design for Learning. This partnership involves consultation and training in creating and delivering digital learning experiences that expand access to learning for all individuals. The state office and local programs also partner with the Bureau of Rehabilitation Services.

C) Developing and disseminating curricula, including curricula incorporating the essential components of reading instruction as such components relate to adults.

Maine adult education is currently building capacity by training local teacher leaders in the research-based programs of STAR Reading and Reading Apprenticeship. Both programs are research-based and meet the highest standards for reliability and validity. Because Maine is a local control state and educational statutes assert it is the right of local school units and not the state to develop and/or adopt curricula, the adult education state office does not disseminate curricula, but does make recommendations and provide high quality professional growth opportunities.

D) Developing content and models for integrated education and training and career pathways.

For the last three years Maine adult education programs have been using a template to capture how they will address the components of a career pathways system. Extensive training was offered initially to convert the programs to this new service delivery approach. Plans are updated and submitted for approval each year. Local programs are now working with postsecondary partners and local workforce boards to determine appropriate alignment of educational pathways to career pathways. In 2015-2016, five local programs piloted IET activities. These pilots will be evaluated and presented to the field to take IET to scale.

E) The provision of assistance to eligible providers in developing and implementing programs that achieve the objectives of this title and in measuring the progress of those programs in achieving such objectives, including meeting the State adjusted levels of performance described in section 116(b)(3).

State assistance is provided to local programs to address required data elements and to implement best practices that will ensure measuring progress accurately. Monthly DATA DRIVEN webinars will be conducted by the state adult education data coordinator as well as regular in-person trainings to address data professional development needs as necessary. Program monitoring is also conducted and includes local site visits and real-time desk audits. Required data reports identify problems as they arise to ensure timely assistance is given to eligible providers. Funding to eligible providers is based on program outcomes including overall educational gain percentages and employment and college placement outcomes as defined in WIOA section 116 (b)(3).

F) The development and implementation of a system to assist in the transition from adult education to postsecondary education, including linkages with postsecondary educational institutions or institutions of higher education.

The Maine College Transitions Program (MCT) is accessible to adults at all 76 local program sites. MCT offers college preparatory coursework and additional supports to learners. These include integrating academic advising and career planning services, financial aid assistance, college planning and tours, and ACCUPLACER testing.

G) Integration of literacy and English language instruction with occupational skill training, including promoting linkages with employers.

For the last two years Portland Adult Education has been operating a New Mainers Resource Center. They were integrating language and occupational skills while working with employers before they knew there was IEL/Civics combined with IET. The success of these programs will be shared with other local programs in our attempts to bring this model to scale in areas where there are enough English language learners.

H) Activities to promote workplace adult education and literacy activities.

Maine adult education has offered a Department of Education WorkReady certificate since 2000. This 60-hours standards based curricula was prepared in cooperation with local workforce boards and employers. The core curricula can be enhanced with the addition of hard skills to fit the needs of specific employers. The program is offered by trained facilitators at a number of locations such as adult education programs, career centers, correctional facilities, high schools, career and technical education sites, and social service offices. The next area of focus for FY 2016-2018 is to broaden the approach to focus on employability skills and the embedding of these skills in all instructional areas.

- l) Identifying curriculum frameworks and aligning rigorous content standards that –*
 - i. specify what adult learners should know and be able to do in the areas of reading and language arts, mathematics, and English language acquisition; and take into consideration the following: state adopted academic standards; the current adult skills and literacy assessments used in the state or outlying area; the primary indicators of performance described in section 116; standards and academic requirements for enrollment in non-remedial, for-credit courses in postsecondary educational institutions or institutions of higher education supported by the state or outlying area; where appropriate, the content of occupational and industry skills standards widely used by business and industry in the state or outlying area.*

In 2014, Maine Adult Education adopted the College and Career Readiness Standards (CCRS) with the goal of statewide integration into instructional practices by SY2016-17. These standards focus on high-level reading skills, critical thinking, comprehension of concepts, and applications to real world situations. In mathematics, this looks like mastering underlying concepts, procedures, and applications of math to real world problems. Math lessons are coherent as students develop skills, building on previous knowledge. In ELA/literacy, CCRS manifests itself in teaching for complexity, evidence and knowledge with more complex texts, confirming that students identify evidence in the text to support their ideas and responses. In English language acquisition, local programs are striving to support students in achievement of functional levels of literacy and numeracy that will enable them to gain employment and postsecondary training. State stress will now be on sustainability of CCRS concepts in programs where all teachers are training and becoming more adept and integrating these standards in their curricula and lessons.

All local adult education programs in Maine are required to use CASAS tools for student assessment of educational functioning level and diagnostics. CASAS pretesting and posttesting are used to document educational gain as described in Section 116 as a primary indicator of performance. Additional assessments include the CASAS Employability, ACCUPLACER and HiSET equivalency test to provide specialized diagnostic information for college and career readiness and high school equivalency.

The goal of the Maine College Transition program is to transition adults into postsecondary without the need for remedial courses once they enroll. Local programs will be trained to develop courses and experiences that address being successful in the college culture, possessing sufficient levels of digital literacy, and how to finance postsecondary education and/or training in a responsible way. These topics are in response to requests from our postsecondary partners. In response to needs expressed by postsecondary partners.

Additionally, within the Maine Department of Education, the dialogue between adult education and Career and Technical Education will be expanded to allow for the exploration of career pathways and additional vocational inventories in advising adult learners. The Maine Unified Plan also points

to new partnerships and activities between adult education and the Maine Department of Labor that will include cross agency professional development to enhance collaboration and alignment.

J) Developing and piloting of strategies for improving teacher quality and effectiveness.

Maine has developed two opportunities to orient new practitioners to the adult education profession. An asynchronous online course, *Navigating the Waters of Maine Adult Education*, offers a broad overview of the adult education landscape in Maine to new teachers, administrators and support staff. An extension activity of this course will be a book study launching Fall 2016 of the *New Teacher of Adults*, authored by two of Maine's leaders in adult education, Dr. E. Michael Brady and longtime adult education instructor and program director Allen Lampert. This four week study will build a community of practice for new practitioners and encourage dialog and sharing of best practices among the participants. Additionally, members of the state team, the PD Coordinator and the Director of Special Projects, have been following and attending the Teacher Induction Toolkit offered through LINCS with the intent to pilot the Induction Toolkit in 2017.

K) The development and implementation of programs and services to meet the needs of adult learners with learning disabilities or English language learners, which may include new and promising assessments tools and strategies that are based on scientifically valid research, where appropriate, and identify the needs and capture the gains of such students at the lowest achievement levels.

Partnerships are crucial in guaranteeing equal access to all learners and in providing high quality services to meet the needs of adult learners with disabilities and those at the most basic literacy levels. As core partners, the Bureau of Rehabilitation Services and Adult Education work more closely to cross develop an effective referral system and train staff to use it appropriately. Planning is already underway for the Bureau of Rehabilitation Services to provide professional development for eligible providers including accessibility workshops directed to local adult education program staff. The state office of adult education provides CASAS diagnostic training to help all eligible providers to identify skill needs to target instruction and increase the academic gains of learners at the most basic levels. Strengthening partnerships with Literacy Volunteers and the Barbara Bush Family Literacy Foundation will continue to be a focus to help local programs access both services and professional development opportunities. Literacy volunteers provide one-on-one learner instructional support to eligible providers. The Barbara Bush Literacy Foundation provides training opportunities including a day long literacy conference targeted to local adult education providers.

L) Outreach to instructors, students, and employers.

Due to its large geographic size and areas of low population density, Maine adult education will expand its outreach to instructors, students and employers through increased uses of technology. A professional development portal is maintained with current professional growth opportunities and training events. Practitioners can learn about, register, and track their professional growth experiences through this digital interface. The state office is developing a pilot for a calendaring and organizational feature that will enable users to see several months of planned activities at a glance. The offerings will be coded by professional role and by educational strand (i.e. foundational skills, English language acquisition, secondary, workforce). A Maine Adult Education listserv, moderated by the state team, is a communication board where upcoming events, professional discourse, and relevant news and articles are posted and distributed to practitioners.

Professional development on increasing the use of social media at the local program level to reach students will also be supported. A partnership with the Finance Authority of Maine on a marketing

campaign designed to target students and inform them of postsecondary transition opportunities will be put into place.

Coordinated outreach to employers revolves around core partnerships where a common objective is to sustain Maine's commitment to aligning resources with employer-identified needs. Both the state office and local programs will need to receive training on the tools being developed by the Maine Department of Labor to fulfill this commitment. Examples of these next steps are the annual job vacancy surveys that identify and quantify skill gaps and then align and guide local education efforts accordingly and implementation of an outreach campaign that provides information on accessing workforce development services and resources including analysis of skill gaps, joint staff development with core partners and apprenticeship models. Local workforce development boards are key to coordinating the outreach efforts.

M) Other activities of statewide significance that promote the purpose of this title.

1. The state team special projects coordinator will sit on the one-stop centers service provider committee for each local workforce board. This step expands the partnership between the state office and the local workforce boards in sharing information an alignment of services on a statewide basis. This is in addition to the inclusion of a local literacy program director on the board of each local workforce area.
2. Developing the capacity of the adult education professional development portal to display professional development opportunities offered by the other core partners. This major step will facilitate the deliberate cross training of staff and well as informally when staff chose a core partner professional development opportunity that fits their needs.
3. Active engagement of the state adult education office in the Adult Degree Completion Committee. This group, comprised of representatives from the university and community college system offices, philanthropy, industry and private groups, has as its purpose to increase the number of adults in Maine earning degrees and certifications. Involvement in this group will ensure the interests of thousands of Maine adults who need foundational skills to access postsecondary remain a part of the planning process as solutions and strategies are developed.

(F) ASSESSING QUALITY

Describe how the eligible agency will assess the quality of providers of adult education and literacy activities under title II and take actions to improve such quality, including providing the activities described in section 223(a)(1)(B) of WIOA.

Local providers are required to meet all of the standards established in the RFP and in the Career Pathways plans. Ongoing desk monitoring informs the state regarding program progress. In addition, timely progress reports must be submitted. If a local program does not meet performance goals, reporting schedules, budget adherence, or delivery of funded services, the state office steps in to determine what steps might be needed for program improvement. Depending on the severity and type of quality issue(s) being addressed, a program might be involved in an improvement plan or a corrective action plan.

An improvement plan program includes action steps a program must take to address items that are generally related to how the program is being operationalized and outcomes. The Corrective action plan is for more serious issues of state or federal non-compliance. The provider involved in a corrective

action plan must should provide a response within 30 calendar days of the request and once approved, begin corrective steps.

ADULT BASIC EDUCATION AND LITERACY PROGRAMS CERTIFICATIONS

Adult Basic Education's certifications and assurances may be found in Appendix XV.

VOCATIONAL REHABILITATION

State plans for the Division for the Blind and Visually Impaired (DBVI) and the Division of Vocational Rehabilitation (DVR) are publicly available at the links provided below. Public hearings were initially held for these plans on the afternoon on Wednesday, January 20, 2016, for DBVI and the afternoon of Monday, January 25, 2016 for DVR.

Following the public hearing period, input from State Rehabilitation Councils (SRC's) and Vocational Rehabilitation's responses to the public comments will be incorporated into the plans. Modifications of the VR portions of the state plans were shared with the SRC's and opportunity for public comment made available as part of the Unified State Plan review and modification process.

DBVI - http://www.maine.gov/rehab/dbvi/state_plan/index.shtml

DVR- <http://www.maine.gov/rehab/dvr/stateplan/index.shtml>

VOCATIONAL REHABILITATION CERTIFICATIONS AND ASSURANCES

VOCATIONAL REHABILITATION CERTIFICATIONS AND ASSURANCES CERTIFICATIONS

States must provide written and signed certifications that:	
1.	The Maine Department of Labor is authorized to submit the VR services portion of the Unified or Combined State Plan under title I of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended by WIOA, ¹⁰ and its supplement under title VI of the Rehabilitation Act ¹¹ ;
2.	As a condition for the receipt of Federal funds under title I of the Rehabilitation Act for the provision of VR services, the Department of Labor ¹² agrees to operate and administer the State VR Services Program in accordance with the VR services portion of the Unified or Combined State Plan ¹³ , the Rehabilitation Act, and all applicable regulations ¹⁴ , policies, and procedures established by the Secretary of Education. Funds made available under section 111 of the Rehabilitation Act are used solely for the provision of VR services and the administration of the VR services portion of the Unified or Combined State Plan;

¹⁰ Public Law 113-128.

¹¹ Unless otherwise stated, "Rehabilitation Act" means the Rehabilitation Act of 1973, as amended by WIOA, signed into law on July 22, 2014.

¹² All references in this plan to "designated State agency" or to "the State agency" relate to the agency identified in this paragraph.

¹³ No funds under title I of the Rehabilitation Act may be awarded without an approved VR services portion of the Unified or Combined State Plan in accordance with section 101(a) of the Rehabilitation Act.

¹⁴ Applicable regulations, in part, include the Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 76, 77, 79, 81, and 82; 2 CFR part 200 as adopted by 2 CFR part 3485; and the State VR Services Program regulations.

3.	As a condition for the receipt of Federal funds under title VI of the Rehabilitation Act for supported employment services, the designated State agency agrees to operate and administer the State Supported Employment Services Program in accordance with the supplement to the VR services portion of the Unified or Combined State Plan ¹⁵ , the Rehabilitation Act, and all applicable regulations ¹⁶ , policies, and procedures established by the Secretary of Education. Funds made available under title VI are used solely for the provision of supported employment services and the administration of the supplement to the VR services portion of the Unified or Combined State Plan;
4.	The designated State agency and/or the designated State unit has the authority under State law to perform the functions of the State regarding the VR services portion of the Unified or Combined State Plan and its supplement;
5.	The State legally may carry out each provision of the VR services portion of the Unified or Combined State Plan and its supplement.
6.	All provisions of the VR services portion of the Unified or Combined State Plan and its supplement are consistent with State law.
7.	The Commissioner has the authority under State law to receive, hold, and disburse Federal funds made available under the VR services portion of the Unified or Combined State Plan and its supplement;
8.	The Commissioner has the authority to submit the VR services portion of the Unified or Combined State Plan and the supplement for Supported Employment services;
9.	The agency that submits the VR services portion of the Unified or Combined State Plan and its supplement has adopted or otherwise formally approved the plan and its supplement.

ASSURANCES

The designated State agency or designated State unit, as appropriate and identified in the State certifications included with this VR services portion of the Unified or Combined State Plan and its supplement, through signature of the authorized individual, assures the Commissioner of the Rehabilitation Services Administration (RSA), that it will comply with all of the requirements of the VR services portion of the Unified or Combined State Plan and its supplement, as set forth in sections 101(a) and 606 of the Rehabilitation Act. The individual authorized to submit the VR services portion of the Unified or Combined State Plan and its supplement makes the following assurances:

The State Plan must provide assurances that:

¹⁵ No funds under title VI of the Rehabilitation Act may be awarded without an approved supplement to the VR services portion of the Unified or Combined State Plan in accordance with section 606(a) of the Rehabilitation Act.

¹⁶ Applicable regulations, in part, include the citations in footnote 6.

1.	Public Comment on Policies and Procedures: The designated State agency assures it will comply with all statutory and regulatory requirements for public participation in the VR Services Portion of the Unified or Combined State Plan, as required by section 101(a)(16)(A) of the Rehabilitation Act.
2.	Submission of the VR services portion of the Unified or Combined State Plan and Its Supplement: The designated State unit assures it will comply with all requirements pertaining to the submission and revisions of the VR services portion of the Unified or Combined State Plan and its supplement for the State Supported Employment Services program, as required by sections 101(a)(1), (22), (23), and 606(a) of the Rehabilitation Act; section 102 of WIOA in the case of the submission of a unified plan; section 103 of WIOA in the case of a submission of a Combined State Plan; 34 CFR 76.140.
3.	Administration of the VR services portion of the Unified or Combined State Plan: The designated State agency or designated State unit, as appropriate, assures it will comply with the requirements related to: (a) The establishment of the designated State agency and designated State unit, as required by section 101(a) (2) of the Rehabilitation Act. (b) The establishment of either a State independent commission or State Rehabilitation Council, as required by section 101(a) (21) of the Rehabilitation Act. The designated State agency or designated State unit, as applicable (Option A or B must be selected): (B) has established a State Rehabilitation Council (c) Consultations regarding the administration of the VR services portion of the Unified or Combined State Plan, in accordance with section 101(a) (16) (B) of the Rehabilitation Act. The non-Federal share, as described in 34 CFR 361.60. (d) The local administration of the VR services portion of the Unified or Combined State Plan, in accordance with section 101(a)(2)(A) of the Rehabilitation Act. Select yes or no, as appropriate, to identify if the designated State agency allows for the local administration of VR funds, (No) (e) The shared funding and administration of joint programs, in accordance with section 101(a) (2) (A) (ii) of the Rehabilitation Act. Select yes or no, as appropriate, to identify if the designated State agency allows for the shared funding and administration of joint programs, (No) (f) Statewideness and waivers of statewideness requirements, as set forth in section 101(a) (4) of the Rehabilitation Act. Is the designated State agency is requesting or maintaining a waiver of state-wideness for one or more services provided under the VR services portion of the Unified or Combined State Plan? (No) See Section 2 of this VR services portion of the Unified or Combined State Plan. (g) The descriptions for cooperation, collaboration, and coordination, as required by sections 101(a) (11), (24) (B), and 606(b) of the Rehabilitation Act. (h) All required methods of administration, as required by section 101(a) (6) of the Rehabilitation Act. (i) The requirements for the comprehensive system of personnel development, as set forth in section 101(a) (7) of the Rehabilitation Act. (j) The compilation and submission to the Commissioner of statewide assessments, estimates, State goals and priorities, strategies, and progress reports, as appropriate, and as required by sections 101(a)(15), 105(c)(2), and 606(b)(8) of the Rehabilitation Act.

	(k) The reservation and use of a portion of the funds allotted to the State under section 110 of the Rehabilitation Act for the development and implementation of innovative approaches to expand and improve the provision of VR services to individuals with disabilities, particularly individuals with the most significant disabilities. (l) The submission of reports as required by section 101(a) (10) of the Rehabilitation Act.
4.	Administration of the Provision of VR Services: The designated State agency, or designated State unit, as appropriate, assures that it will: (a) Comply with all requirements regarding information and referral services in accordance with sections 101(a) (5) (D) and (20) of the Rehabilitation Act. (b) Impose no duration of residence requirement as part of determining an individual's eligibility for VR services or that excludes from services under the plan any individual who is present in the State in accordance with section 101(a) (12) of the Rehabilitation Act. (c) Provide the full range of services listed in section 103(a) of the Rehabilitation Act as appropriate, to all eligible individuals with disabilities in the State who apply for services in accordance with section 101(a)(5) of the Rehabilitation Act? (Yes) (d) Comply with all required available comparable services and benefits, determined to be available to the individual in accordance with section 101(a) (8) of the Rehabilitation Act. (e) Comply with the requirements for the development of an individualized plan for employment in accordance with section 102(b) of the Rehabilitation Act. (f) Comply with requirements regarding the provisions of informed choice for all applicants and eligible individuals in accordance with section 102(d) of the Rehabilitation Act. (g) Provide vocational rehabilitation services to American Indians who are individuals with disabilities residing in the State, in accordance with section 101(a) (13) of the Rehabilitation Act. (h) Comply with the requirements for the conduct of semiannual or annual review, as appropriate, for individuals employed either in an extended employment setting in a community rehabilitation program or any other employment under section 14(c) of the Fair Labor Standards Act, as required by section 101(a) (14) of the Rehabilitation Act. (i) Meet the requirements in sections 101(a)(17) and 103(b)(2) of the Rehabilitation Act if the State elects to construct, under special circumstances, facilities for community rehabilitation programs.
5.	Program Administration for the Supported Employment Title VI Supplement: (a) The designated State unit assures that it will include in the VR services portion of the Unified or Combined State Plan all information required by section 606 of the Rehabilitation Act. (b) The designated State agency assures that it will submit reports in such form and in accordance with such procedures as the Commissioner may require and collects the information required by section 101(a) (10) of the Rehabilitation Act separately for individuals receiving supported employment services under title I and individuals receiving supported employment services under title VI of the Rehabilitation Act.
6.	(a) Financial Administration: The designated State agency assures that it will expend no more than 2.5 percent of the State's allotment under title VI for administrative costs of carrying out this program; and, the designated State agency or agencies will provide,

	directly or indirectly through public or private entities, non-Federal contributions in an amount that is not less than 10 percent of the costs of carrying out supported employment services provided to youth with the most significant disabilities with the funds reserved for such purpose under section 603(d) of the Rehabilitation Act, in accordance with section 606(b)(7)(G) and (H) of the Rehabilitation Act. (b) The designated State agency assures that it will use funds made available under title VI of the Rehabilitation Act only to provide supported employment services to individuals with the most significant disabilities, including extended services to youth with the most significant disabilities, who are eligible to receive such services; and, that such funds are used only to supplement and not supplant the funds provided under Title I of the Rehabilitation Act, when providing supported employment services specified in the individualized plan for employment, in accordance with section 606(b)(7)(A) and (D), of the Rehabilitation Act.
7.	(a) Provision of Supported Employment Services: The designated State agency assures that it will provide supported employment services as defined in section 7(39) of the Rehabilitation Act. (b) The designated State agency assures that: i. The comprehensive assessment of individuals with significant disabilities conducted under section 102(b)(1) of the Rehabilitation Act and funded under title I of the Rehabilitation Act includes consideration of supported employment as an appropriate employment outcome, in accordance with the requirements of section 606(b)(7)(B) of the Rehabilitation Act. ii. An individualized plan for employment that meets the requirements of section 102(b) of the Rehabilitation Act, which is developed and updated with title I funds, in accordance with sections 102(b)(3)(F) and 606(b)(6)(C) and (E) of the Rehabilitation Act.

~End~

APPENDIX I—WIOA STEERING COMMITTEE MEETINGS

November 24, 2014
December 19, 2014
January 8, 2015
January 22, 2015
January 29, 2015
February 18, 2015
March 2015 (WIOA Workgroups Formed)
April 7, 2015
May 5, 2015
May 18-19, 2015 (Visioning Meeting Day 1 & 2)
June 2, 2015
June 25 (Vision Meeting Day 3)
July 7, 2015
July 27, 2015
August 6, 2015
August 20, 2015
September 3, 2015
September 24, 2015
October 8, 2015
October 22, 2015
November 12, 2015
November 19, 2015
December 3, 2015
December 17, 2015
January 5, 2016
January 12, 2016
February 4, 2016
February 11, 2016
February 16, 2016

APPENDIX II—VISION MEETING ATTENDEES

Don Berry Maine Apprenticeship Council /AFL-CIO	Jane Blackwood Adult Education Region 1
Mike Bourret Coastal Counties Workforce Board	William Burney Housing Urban Development
Beth Campbell Portland Adult Education Region 4	Ginny Carroll Bureau of Employment Services
Aaron Chadborn Office of the Governor	Mel Clarrage State Independent Living Council
Jay Collier Project Login	Scott Cuddy TriCounty Workforce Board (LA-2)
Kathy Despres' State Rehabilitation Council DBVI/ CARES, Inc.	Megan Dichter Maine Department of Education
Phil Dionne Older Workers Committee	Torry Eaton – TriCounty Workforce Board (LA-2)
George Edwards International Association of Machinists	Jon Farley – TriCounty Workforce Board (LA-2)
Karen D. Fraser Maine Vocational Rehabilitation Services	Richard Freund – Deputy Commissioner of Labor
Amy Gallant AARP	Eva Giles Lewiston Adult Education Region 3
Margaret Harvey Maine Department of Education	Kelley Heath Maine State Adult Education
Betsy Hopkins Maine Vocational Rehabilitation Services	Jim Howard Maine Department of Corrections
Nichole Jamison Maine Bureau of Employment Services	Betty Johnson Coastal Counties Workforce, Inc.
Jennifer Kimble Commission on Disability & Employment / MMC	John Leavitt Carpenter's Union #1996 (ME)
Paul Leparulo State Board	Jim McGowan Maine Community College System
Gary McGrane Central/Western Maine Workforce Board	Janet McKenney Maine State Library
Dawn Mealey Maine Bureau of Employment Services	Paulette Millette York County Community College
Cheryl Moran State Board Staff	Nicole Morin-Scribner St. Mary's Hospital
Dale Morrell Central/Western Maine Workforce Board	Gilda Nardone Women's Employment Issues Committee / New Ventures
Kelly Osborn State Rehabilitation Council DVR Goodwill Industries of Northern New England	Garret Oswald – State Board
Jeanne Paquette Commissioner of Labor	Amertah Perman Maine Development Foundation
Jennifer Peters Aroostook-Washington Workforce Board	Judy Plummer-Beale Maine Department of Corrections
Tammy Rabideau Waterville Public Library	Liz Ray Department of Health & Human Services
Sarah Ross Kennebec Valley Council of Governments	Joanna Russell TriCounty Workforce Board
Carol Sanborn International Association of Machinists	Gail Senese, PhD Maine State Adult Education
Denise Smith Younger Workers Committee / EMDC	Jeffrey R. Sneddon Central/Western Maine Workforce Board
Heather Stott Goodwill Industries Northern New England	Sally Sutton New Mainers Resource Center
Susan Swanton Maine Marine Trade Association	Lydia Sy Coastal Counties Workforce Board
Ray Therrien Mt. Blue Adult Education Region 3	James Trundy Western Maine Community Action
Steve Wallace Veterans' Committee / YMCA	Fred Webber State Board Chair

APPENDIX III—RECOMMENDATION FOR PERSONS WITH DISABILITIES

Recommendations from State Workforce Board Committees to the Workforce Development System Regarding Services to People with Disabilities

In the current and future Maine economy, and in the interest of having Maine residents available and appropriately skilled to fill existing and new jobs as employers need them, the workforce development system (WDS) must improve its accessibility to and engagement of people with disabilities.

People with disabilities make up 14% of Maine’s working age population; this is a large and potential labor force that should be able to easily access and navigate services in the WDS. People with disabilities are a diverse group of individuals (including Women, Older Workers, Veterans, and Youth) with differing skills, interests, talents, and abilities. They experience barriers to employment similar to other Mainers (e.g., availability of child-care or transportation), but may have additional barriers related to their disability (e.g., communication difficulty, lack of awareness or experience in the working world, and worries that working could jeopardize their health insurance). **It will be critical for all workforce development system partners to effectively engage people facing these barriers and assist them in accessing and navigating services that will facilitate entry or re-entry into the workforce.**

The Commission on Disability and Employment, The Maine Apprenticeship Council, the Veterans Employment Committee, The Women’s Employment Issues Committee, the Older Workers and Younger Workers Committees, all subcommittees of the State Workforce Board, make the following recommendations for the WDS to accomplish this:

1. Capitalize on the mandate from the Workforce Innovation and Opportunity Act (WIOA) for “Career Center certification” to include criteria, and assess progress related to access, participation, and outcomes for people with disabilities. Utilize the WIOA Section 188 guide/checklist provided by USDOL to develop this certification.
2. Eliminate the practice of automatic referral to Vocational Rehabilitation (VR) based solely on an individual’s observable or disclosed disability; recognize that not every person with a disability will require VR-level services to obtain employment. The need for VR services should be identified during WDS intake/assessment, and referral made at that time.
3. Develop a protocol to assist front-line staff at any WDS partner agency in identifying available and appropriate services, remembering that “everybody is ready for something,” and “there is something here [in the WDS system] for everybody.”
4. Provide front-line staff with customer service training in the first three months of hire, and after that at least annually, which will equip staff to effectively engage the individual seeking assistance, staffing the initial point of contact at each CareerCenter with a consistent, highly-qualified employee.

5. Develop a mechanism by which information on local WDS resources are easily accessed. Conduct outreach to inform the public of this information.
6. Assist community agencies to develop a basic understanding of resources available in the WDS, and how to assist all clients/participants in accessing/navigating WDS resources.
7. Assist WDS Partners to develop a basic understanding of resources available through community agencies, and how to assist WDS participants in accessing/navigating community resources.

On behalf of the State Workforce Board Committees, we support the above recommendations for the WDS.

Don Berry, Chair
Maine Apprenticeship Council

Jennifer Kimble, Chair
Council Commission on Disability & Employment

Phil Dionne, Chair
Older Workers

Steve Wallace, Chair
Veterans Employment

Gilda Nardone, Chair
Women's Employment Issues

Denise Smith, Chair,
Younger Workers

APPENDIX IV—POLICY ON REGIONS



Paul R. LePage

STATE OF MAINE
DEPARTMENT OF LABOR
BUREAU OF EMPLOYMENT SERVICES
55 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0055

Jeanne S. Paquette
COMMISSIONER

Subject of Policy:	Regions Established Under WIOA	Policy No.	PY15-09
To:	- Local Workforce Development Boards - Chief Elected Officials - OneStop Operators & Managers - Required Partners	From:	Richard Freund, Acting Bureau Director and Deputy Commissioner of Labor
Issuance Date:	November 20, 2015	Status:	Active
Reference/ Authority:	- WIOA Sections 106(a) and 106(b)(1)(B) - Proposed Rule 20 CFR 679-210		

Purpose:

This policy identifies planning regions within the State as required by WIOA and articulates the criteria the State considered in identifying such regions for the purpose of administering WIOA Subtitle-B and regional planning.

Background:

Per WIOA Section 106(a) and 106(b), in order for a State to receive an allotment under Section 127(b) (*Youth formula funds*) or 132(b) (*Adult and DW formula funds*) and as part of the process for developing the State plan and after consulting with local boards (LBs) and chief elected officials (CEOs), the State shall identify regions in the State.

Such regions must be consistent with labor market areas in the State, regional economic development areas in the State, and ensure the availability of Federal and non-Federal resources necessary to effectively administer activities under Subtitle B (*Adult, DW & Youth formula programs*) and other applicable provisions of WIOA, including whether such regions have an appropriate mix of education and training providers.

Through a series of meetings and sessions, Local Board Directors and Chief Elected Officials consulted with the Bureau of Employment Services. The State Workforce Board was also consulted during the November 20, 2015 meeting. All parties agreed to the makeup of these regions.

Policy:

The State will consist of three regions each comprising at least one Local Area and a roughly equal number of Maine Counties.

REGIONS

Northeastern – shall be made up of Aroostook, Washington, Piscataquis, Penobscot and Hancock counties.

Central Western – shall be made up of Kennebec, Somerset, Androscoggin, Oxford, and Franklin counties.

Coastal Counties – shall be made up of Knox, Waldo, Lincoln, Sagadahoc, Cumberland and York counties.

Several aspects were considered in determining the division of the State into these three regions:

- A. Economic Development Districts in Maine are divided almost equally among the three regions with some regions sharing a district;

Northeastern	Central Western	Coastal Counties
NMDC Northern ME Development Commission EMDC Eastern ME Development Corp.	KVCOG Kennebec Valley Council of Govts. AVCOG Androscoggin Valley Council of Govts.	MCOG Midcoast Council of Govts. GPCOG Greater Portland Council of Govts.
SMPDC Southern ME Planning & Development Commission		

B. Similar amounts of Federal WIOA resources are allocated to each Region;

Northeastern	Central Western	Coastal Counties
\$2,679, 730	\$2,261,970	\$2,921,420

C. Roughly equal access to institutions of higher education is available in each region;

Northeastern	Central Western	Coastal Counties
Beal College College of the Atlantic Eastern Maine Community College Husson College Northern Maine Community College University of Maine Fort Kent University of Maine Machias University of Maine Orono University of Maine Presque Isle Washington County Community College	Bates College Central Maine Community College Colby College Kaplan University Kennebec Valley Community College Thomas College University of Maine Augusta University of Maine Farmington	Bowdoin College Kaplan University Maine College of Art Maine Maritime Academy Southern Maine Community College St. Josephs College Unity College University of New England University of Southern Maine York County Community College

D. Each region contains at least one major urban hub; and

Northeastern	Central Western	Coastal Counties
Bangor	Lewiston / Auburn	Portland

E. Commuting patterns are similar for all three regions;

Labor Force (Primary Jobs) Commuting Patterns	Northeastern	Central Western	Coastal Counties
Live and Work in Region	82.4%	70.6%	81.0%
Live & Work in region at wages of \$1250/month or less	23.3%	21.2%	20.4%
Live & Work in region at wages of \$1250 to \$3333/month	45.2%	46.6%	39.5%
Live & Work in region at wages of \$3333/month or above	31.4%	32.2%	40.0%
Age 29 or younger	19.9%	19.5%	20.0%
Age 30-54	53.5%	55.1%	54.2%
Age 55 or older	26.5%	25.3%	25.8%
Work Outside Region	17.6%	29.4%	19.3%
Work Outside their region at wages of \$1250/month or less	26.1%	22.7%	21.0%

Work Outside their region at wages of 1251 to \$3333/month	41.6%	40.6%	38.3%
Work Outside their region at wages of \$3333/month or above	32.2%	36.7%	40.7%
Age 29 or younger	24.8%	22.9%	21.8%
Age 30-54	51.7%	53.5%	53.3%
Age 55 or older	23.5%	23.6%	24.9%
Live Outside but Work in Region	14.5%	24.6%	19.4%
Live Outside but work in region at wages of \$1250/month or less	27.4%	22.1%	23.2%
Live Outside but work in region at wages of \$1250 to \$3333/month	41.1%	41.8%	39.8%
Live Outside but work in region at wages of \$3333/month or above	31.5%	36.1%	37.0%
Age 29 or younger	26.0%	21.5%	23.7%
Age 30-54	49.1%	52.9%	53.4%
Age 55 or older	24.9%	25.6%	22.9%

- F. Traditional Maine industry sectors cross all three regions;
- G. Emerging and technology-based industries are spread across all three regions;
- H. Regional partnerships have already been formed for the purpose of workforce, economic and community planning in each region.

Local Boards and Chief Elected Officials within each Region will be required to prepare a regional plan* that incorporates local plan elements and engages partners in a regional planning process that results in establishment of:

- Regional service strategies, using cooperative service delivery agreements;
- Development and implementation of sector strategies for in-demand sectors or occupations within the region;
- Establishment of administrative cost arrangements, including the pooling of funds for administrative costs between Local Areas within a region that has more than one Local Area;
- Coordination of transportation and other supportive services, as appropriate, for the region;
- Coordination of services with regional economic development districts and providers; and
- Establish agreement concerning how the planning region will collectively negotiate and reach agreement with the Governor on local levels of performance for, and report on, the performance accountability measures described in Section 116(c) for Local Areas within a planning region.

*Specific guidance on the required components of a Local/Regional plan is identified in WIOA Section 108 and will be further defined in ensuing policy or guidance.

Questions may be directed to:

Ginny Carroll
 Director-Division of Policy & Evaluation
 Maine Department of Labor
 55 SHS, Augusta, ME 04333-0055
 207-623-7974
Virginia.A.Carroll@maine.gov

APPENDIX V—LOCAL AREA DESIGNATION POLICY



Paul R. LePage

STATE OF MAINE
DEPARTMENT OF LABOR
BUREAU OF EMPLOYMENT SERVICES
55 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0055

Jeanne S. Paquette
COMMISSIONER

Subject of Policy:	Initial Local Area Designation under WIOA	Policy No.	PY15-01
To:	- Local Workforce Development Boards - Chief Elected Officials	From:	Richard Freund, Acting Bureau Director and Deputy Commissioner of Labor
Issuance Date	May 29, 2015	Status	Active
Reference/ Authority:	- WIA Section 116 - WIOA Section 106(b) - TEGL 37-10; TEGL 27-14; TEGL 30-14 20 CFR 661.250 through 661.280 20 CFR 667.200 through 667.860 <i>proposed</i> 20 CFR 683.540 <i>proposed</i>		
Terms: WIA means the Workforce Investment Act of 1998 WIOA means the Workforce Innovation and Opportunity Act Local Area means a Local Workforce Investment Area (LWIA) as identified under WIA and referred to as a Local Workforce Development Area (LWDA) under WIOA Local Board means a Local Workforce Development Board (LWIB) as identified under WIA and referred to as a Local Workforce Development Board (LWDB) under WIOA State Workforce Agency means the Maine Department of Labor, Bureau of Employment Services (MDOL) on behalf of the Governor CEO means Chief Elected Official under WIOA formerly referred to as Chief Local Elected Official under WIA CORE partners means the following programs: Wagner Peyser, Adult, Youth, Dislocated Worker, Adult Education, and Vocational Rehabilitation			

Purpose:

This policy provides the procedures and requirements by which local areas designated under WIA may request initial designation under the Workforce Innovation and Opportunity Act (WIOA) and by which any new local government entity may request initial designation as a local area under WIOA.

Per WIOA Section 106(b) the Governor must designate local workforce development areas in order for the State to receive Adult, Dislocated Worker and Youth formula funding under Title I, subtitle B of WIOA. The purpose of a local workforce development area is to serve as a jurisdiction for the administration of workforce development activities using Adult, Dislocated Worker and Youth formula funds allocated by the State and to coordinate efforts related to the other CORE programs at the local community level.

Policy:

The Maine Department of Labor (MDOL) - Bureau of Employment Services (BES), on behalf of the Governor, will consult with State and Local Workforce Development Boards and Chief Elected Officials regarding this policy and will post this policy for public comment for a period of 15 work days.

As required under the WIA Section 116 and under WIOA Section 106 (b) and as iterated in each of the State Strategic Plans since 2000, the substantive requirements for initial designation of a local workforce development area are as follows:

- The local area is consistent with local labor market area;
- The local area has a common economic development area;
- The local area has the Federal and non-Federal resources, including appropriate education and training institutions, to administer activities under WIOA subtitle B.

A request for local area designation by any unit of general government may be approved at any time provided the State Board determines that the local area meets the above requirements.

If a local area initially designated under WIA submits a request for initial designation under WIOA, the MDOL, on behalf of the Governor, will accept and approve the request provided that during the two program years prior to enactment of WIOA (*July 22, 2014*), the following criteria have been met:

1. The local area was designated as a local area under WIA and met the substantive requirements listed above;
2. The local area performed successfully; and
3. The local area sustained fiscal integrity.

If the local area is approved for initial designation based on the above, the period of initial designation applies to program years 2015 and 2016 (PY15 and PY16).

The above terms are defined as follows:

Performed successfully – means that during the two program years prior to enactment of WIOA, the local area met or exceeded the common measures negotiated under WIA.

- The term **met performance criteria** means the local area attained at least 80% of the negotiated performance measure for each or any of the nine common measures categories under WIA
- The term **exceeded performance criteria** means the local area achieved more than 100% of the negotiated performance measure for each or any of the nine common measures categories under WIA.
- The term **failed performance criteria** means the local area did not achieve at least 80% of the negotiated performance measure for each or any of the nine common measures categories and continued to fail for each of the two years prior to enactment of WIOA.

Sustained Fiscal Integrity – means that during the two program years prior to enactment of WIOA, the local area administered WIA funds in a manner consistent with uniform administrative requirements as promulgated in rules of the Federal Office of Management and Budget and in accordance with criteria identified in the MDOL Financial Policy Manual. Sustained fiscal integrity is based on any of the following:

- a. **Misexpenditure of funds due to willful disregard of the requirements of the provision involved;** which may include expenditure of funds:
 - for wage and salary costs of individuals whose salaries and fringe exceed the total compensation threshold identified in 2 CFR §170.330 Appendix-A paragraph e.5,
 - on any cost deemed unallowable per 2 CFR 200.420 thru 200.520 ,
 - in excess of allowable thresholds per WIA and/or State and/or Local Policy,
 - for costs identified as unallowed per 20 CFR 683.250 (*proposed*),

Willful disregard may also include Fraud, Nonfeasance, or Malfeasance, for an expanded definition of this component see to page 57 of the MDOL Financial Policy Manual.

b. Been deemed Grossly Negligent: Gross negligence or gross mismanagement pertains to actions or situations arising out of management ineptitude or oversight and leading to a major violation of policy, process, regulations or contract/grant provisions. Such actions have the potential to: severely hamper accomplishment of program goals, waste government resources, and jeopardize future support for a particular project, including but not limited to un-auditable records, unsupported costs, highly inaccurate fiscal reports or program reports, payroll discrepancies, payroll deductions not paid to the IRS and lack of good internal control procedures, per the MDOL Financial Policy Manual.

c. Complied with Accepted Standards of Administration.

Accepted standards of administration pertain to local area adherence to standards of financial administration as identified throughout 2 CFR 200 and as identified in the MDOL Financial Policy Manual, and which include:

1. Financial Reporting: Accurate, current, and complete disclosure of the financial activities of each grant awarded must be made as required by the terms of the grant. All allowable costs must be traceable to the accounting records. See Section B of the MDOL financial manual for additional reporting requirements.
2. Accounting Records: Records must be maintained that identify the source and expenditure of grant funds. The records must contain information pertaining to the award and authorization, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income. The records must be maintained in accordance with Generally Accepted Accounting Principles.
3. Internal Control: Effective controls and accountability must be maintained for cash, real and personal property, and other assets. All such assets must be adequately safeguarded and used solely for authorized purposes.
4. Budget Control: To ensure that overspending does not occur, actual expenditures or outlays must be compared with budgeted amounts for each grant award. Financial information must be related to performance or productivity data, including the development of unit-cost information when specifically required in the grant.
5. Allowable Costs: The sub-recipient must determine what costs are allowable in accordance with OMB cost principles; grant regulations, and the terms of the grant award. In addition, no grant may pay more than its fair share of the costs (allocability). See Section E of the MDOL Financial Manual for further information on cost principles and Section F for further information on allowable costs.
6. Source Documentation: Accounting records must be supported by source documentation such as cancelled checks, invoices, purchase orders, paid bills, payrolls, time and attendance records, and award documents. The source documentation must relate directly to the costs claimed on the drawdown requests and quarterly financial reports.
7. Cash Management: Procedures for minimizing cash-on-hand must be established by each sub-recipient. See Section D of the MDOL Financial Manual for cash management requirements.
8. Adherence to Contract Requirements: Sub-recipients must adhere to all requirements delineated in the contract/grant including Federal and State requirements as laid out in each Rider of the contract/grant.

The State, at any time subsequent to an award, may review the administrative and financial management system of a sub-recipient to ensure that the sub-recipient has processes and procedures in place that clearly document adherence to the eight aforementioned standards.

MDOL Action:

On behalf of the Governor, MDOL Commissioner John Butera, will receive and review requests for local area designation. Requests are to be submitted to MDOL prior to March 1, 2016. MDOL encourages local areas that were active under WIA to submit requests for designation under WIOA as soon as possible. Requests for local area designation will be reviewed once the consultation process has been completed and comments have been considered.

Consultation Process Timeline:

May 29, 2015 – Consultation with State Workforce Development Board

June 1, 2015 –Submit policy to local boards and CEOs for review

June 1, 2015 - Publish policy for public comment for a period of 15 work days, closing on June 19, 2015

Between June 8 and June 26, 2015 conduct conference calls and/or meetings to consult with local area boards, board directors and CEOs on the requirements for initial local area designation under WIOA.

Procedure for submitting a request for local area designation:

Requests must be submitted via email to: John Butera, Labor Commissioner: John.Butera@maine.gov

The email subject line must read “**2015 Local Area Request for Initial Designation.**”

The email must include:

- A statement requesting initial LWDA designation under WIOA; and
- A Statement from the LWIB Chair (on behalf of board members) and the CEO that they are in agreement with the request being submitted; and

Please cc the following individuals in the email request:

- ✓ Richard Freund, Acting Bureau Director Richard.Freund@maine.gov
- ✓ Garret Oswald, SWIB Director Garret.J.Oswald@maine.gov
- ✓ The Board Chair for the local area
- ✓ The CEO for the local area

Appeals:

Any local area that requests but is not granted initial designation, may, within thirty days of denial, submit a written request for appeal to the SWIB at swib.dol@maine.gov. Appellants must submit the appeal in writing and include a copy of the original request, a copy of the denial letter, and provide sufficient evidence to establish that it meets the requirements for local area designation under WIOA. Appeals must be submitted via certified mail to: Garret Oswald, SWIB Director, 120 State House Station, Augusta, Maine 04333-0120

Questions and comments may be directed via email to:

Ginny Carroll, Division Director Virginia.A.Carroll@maine.gov

APPENDIX VI—FEDERAL PERFORMANCE GOALS

The performance measures described in this appendix are defined by Section 116 of the Workforce Innovation and Opportunity Act. These measures reflect the minimum federal reporting requirements for core programs

What will WIOA Measure?

Based on the proposed WIOA reporting tool, the **Participant Individual Record Layout (PIRL)** the following data will be captured on prospective WIOA participants: State of residence, age, gender, ethnicity, native origin, employment status at program entry, and displaced homemaker status. In addition the tool will capture whether the individual is: low income, a recipient of public assistance, an individual with a disability, an ex-offender, homeless, a youth in foster care, an English language learner, an individual with low literacy levels, an individual with cultural barriers, a migrant or seasonal farmworker, an individual who will exhaust TANF within two years, a single parent, an individual who has been unemployed for 26 weeks or longer, a high school completer or will capture the highest grade completed and what his or her school status at participation is (i.e.: highest grade completed).

This and other information will be used to determine if the individual is eligible for any of the Core programs (Adult, Dislocated Worker, Youth Formula programs, Adult Education, Wagner-Peyser and/or Vocational Rehabilitation).

Performance-related participant data will also be captured, including:

- Whether or not, **during participation** the participant received or was enrolled in:
 - Training services that lead to a credential
 - Training services that don't lead to a credential
 - Education that leads to a post-secondary credential or employment
 - Secondary education at or above the 9th grade level
- Whether or not, **after exit** from the program the participant:
 - Was enrolled in education or training leading to a post-secondary credential
 - Was employed during the first, second, third, or fourth quarters after exit
 - The type of employment after exit (apprenticeship, military, competitive integrated employment)
 - The type of wage data used to determine employment status after exit
 - The total earnings during the first, second, third and fourth quarters after exit
- Whether or not the employment was related to the training
- Whether or not the employment was directly related to the training
- The type of credential earned (*recognized diploma, degree, industry-recognized certificate, completion of a registered apprenticeship, a State or Federal occupational license, an associate or a baccalaureate degree*)

And

- Whether or not the individual attained a skills gains as follows:
 - Achievement of at least one educational functioning level of a participant in an education program that provides instruction below the post-secondary level.

- o Attainment of a high school diploma or its equivalent
- o Transcript or report card for either secondary or post-secondary education for 1 academic year (or 24 credit hours) that shows a participant is achieving the state units policies for academic standards
- o Satisfactory or better progress report, towards established milestones from an employer/training provider who is providing training such as completion of an OJT or completion of one year of registered apprenticeship.
- o Successful completion of an exam that is required for a particular occupation, progress in attaining technical or occupational skills as evidenced by trade-related benchmarks such as knowledge-based exams.

Rationale for proposed performance goals for WIOA Adult, Dislocated Worker and Youth programs

As noted in the NPRMs, baseline data will be required to populate the statistical adjustment model that eventually gets selected by USDOL. In order to populate this portion of the strategic plan prior to receipt of any guidance or final definitions from USDOL, an analysis was conducted using data pertaining to WIA participants to gauge potential achievable performance goals under WIOA.

Date ranges used were those of the current WIA Common Measures in order that that same population was used for the comparison. Although the statistical adjustment model will be run at the end of each performance period to make characteristic-based adjustments to the measures, the characteristics of local areas' actual enrollment populations in a program year is an unknown variable and goals should be set as reasonable and attainable without assuming significant adjustment due to characteristics of the individuals served.

ADULT ENTERED EMPLOYMENT vs. EMPLOYED

WIA Common Measures reports an Adult Entered Employment Rate derived of those who were not working prior to the program and are now reporting wages in the first quarter after exit. WIOA reports on the number of individuals employed in the second quarter after exit, regardless of their employment status prior to enrollment.

This shift adds an additional 97 individuals to the numerator and 125 to the denominator for the Adult Program. Unofficial ad hoc report data was used to examine the Entered Employment Rate vs. the Employed Rate between 10/01/13 and 09/30/14 with comparison results as follows:

Local Area	WIA EE Rate	WIOA E Rate	Difference
1	74.55%	72.97%	-1.57%
2	66.67%	71.43%	4.76%
3	74.49%	77.34%	2.85%
4	73.01%	73.02%	0.02%
		State Average	1.52%

ADULT AVERAGE EARNINGS vs. MEDIAN EARNINGS

WIA common measures computes Average Earnings of wages reported in the second and third quarter after exit for those individuals who were employed in the first quarter after exit. WIOA will report the Median Wages for earnings in the second quarter after exit. In order to compare a reasonably similar quantity the Median wage was multiplied by 2 in this analysis to provide a six month earnings figure.

Using the methodology for the period of 04/01/13 through 03/31/14 the statewide Median Earnings were \$565 less than the average second and third quarter wages. The date ranges used for the WIA Entered Employment Rate vs. the WIOA Employed Rate were 04/01/13 through 03/31/14 as follows:

Local Area	Avg. Earnings 2 nd & 3 rd Qtr	2 nd Qtr Median Earnings	Median Earnings x 6 mos.	Difference
1	\$11,377.96	\$5,718.08	\$11,436.16	\$58.20
2	\$11,026.90	\$5,036.95	\$10,073.90	-\$953.00
3	\$10,243.90	\$4,753.75	\$8,507.50	-\$736.40
4	\$12,379.22	\$5,878.65	\$11,757.30	-\$621.92
			State Average	-\$563.28

RETENTION vs. EMPLOYED IN FOURTH QUARTER AFTER EXIT

WIA measures retention as “of those employed in the first quarter after exit, those who remain employed in both the second and third quarters after exit” which narrows the subset captured to only those who were working in the first quarter after exit. WIOA will be simply looking at the number of those individuals employed in the fourth quarter after exit, minus any global exclusion.

The long range forecast for the reporting period currently used for retention includes those separated between 01/01/13 and 03/31/14. Applying this date range to “Employed in the Fourth Quarter” looks like this for the Adult population:

Local Area	WIA EE Rate	WIOA E Rate	Difference
1	88.14%	70.83%	-17.30%
2	84.21%	73.71%	-7.50%
3	88.17%	71.30%	-16.87%
4	83.08%	64.29%	-18.79%
		State Average	-15.11%

ADULT SUMMARY

The shift from Entered Employment in the first quarter after exit to Employed in the second quarter produces relatively similar outcomes and negotiated measures similar to the current measures and does not appear that threatening.

Average Earnings vs. Median Earnings indicate a slight drop so it is important to keep in mind that the measure only looks at a quarter closer to entering new employment rather than a two quarter view that carries earnings further out and perhaps beyond any probationary hiring or training period.

Retention vs. Employed in the fourth quarter is more troubling given that this measure looks at the complete pool minus global exclusions and not just those who were previously reported as employed, this presents a double jeopardy scenario and could yield significantly lower performance. On average, based on the current Adult population, performance could drop by over 15%; which suggests that the Fourth Quarter Employed rate is the area that would require the strongest negotiations for a rate that is reasonable and attainable.

DISLOCATED WORKER ENTERED EMPLOYMENT vs. EMPLOYED

WIA Common Measures reports the Dislocated Worker Entered Employment Rate as those who were not working prior to the program and are now reporting wages in the first quarter after exit. WIOA reports on the number of individuals employed in the second quarter after exit, regardless of their employment status prior to enrollment. This shift adds an additional five individuals to the numerator and 20 to the denominator for the Dislocated Worker program.

The date range used for the Entered Employment Rate vs. Employed Rate was 10/01/13 to 09/30/14 for the Dislocated Worker Program by Local Area:

Local Area	WIA EE Rate	WIOA Emp. Rate	Difference
1	69.00%	74.47%	5.47%
2	86.20%	77.17%	-9.03%
3	77.90%	77.32%	-0.58%
4	76.90%	74.88%	-2.02%
		State Average	-1.54%

DISLOCATED WORKER EARNINGS COMPARISON

The date range used for the Entered Employment Rate vs. the Employed Rate was 04/01/13 to 03/31/14. For the Dislocated Worker Program by Local Workforce Area the difference was as follows:

Local Area	Avg. Earnings 2 nd & 3 rd Qtr	2 nd Qtr Median Earnings	Median Earnings x 6 mos.	Difference
1	\$14,176.63	\$7,424.84	\$14,849.68	\$673.05
2	\$12,234.64	\$6,292.32	\$12,584.64	\$350.00
3	\$12,153.13	\$5,911.75	\$11,823.50	-\$329.63
4	\$14,097.26	\$6,307.50	\$12,615.00	-\$1,482.26
			State Average	-\$197.21

DISLOCATED WORKER FORECAST

The reporting period currently used for Retention includes those separated between 04/01/13 and 03/31/14. Applying this date range to Employed in fourth quarter results in the following for the Dislocated Worker population:

Local Area	WIA EE Rate	WIOA Emp. Rate	Difference
1	87.50%	78.72%	-8.78%
2	95.45%	77.33%	-18.21%
3	92.47%	76.11%	-16.37%

Local Area	WIA EE Rate	WIOA Emp. Rate	Difference
4	87.23%	79.00%	-8.23%
		State Average	-12.87%

DISLOCATED WORKER SUMMARY

As with the Adult program, the shift from Entered Employment in the first quarter after exit to Employed in the second quarter after exit produces relatively similar outcomes. The difference of 9.03% in Local Area 2 would suggest individuals who did not retain employment between the first and second quarters after exit. Average Earnings vs. Median Earnings indicates a significant drop. Similarly to the Adult population, the number of Dislocated Workers employed in the fourth quarter is the figure to watch as it has an almost 13% lower rate under the WIOA measurement.

In addition to the data cited above, the employment measures do factor in seasonal employment. A significant number of jobs in Maine are seasonal in nature and employment may even be split throughout the annual period. It is not clear how the new WIOA measures will take this into consideration and it may also have an effect on the proposed measures. For example if an individual attains a seasonal job during the first quarter after exit but is laid off temporarily during the end of the second quarter after exit the earnings and employment gains will not be identified or realized as part of the measure.

YOUTH MEASURES

Technically retention is not a part of WIA Common Measures for Youth yet the data is available and merits comparison. The reporting period currently used for Retention includes those youth separated between 04/01/13 and 03/31/14. Applying this date range to Employed in the fourth quarter looks like this for the Youth population:

Local Area	WIA EE Rate	WIOA Emp. Rate	Difference
1	85.0%	86.1%	1.1%%
2	82.1%	64.0%	-18.1%
3	68.9%	55.8%	-13.1%
4	72.3%	56.0%	-16.3%
		State Average	-11.6%

This change from first quarter Entered Employment to second quarter Employed Rate has a more significant impact on the Youth program. Statewide the performance decline could be as much as 8% given youth who are not retained in post-secondary education or employment beyond the first quarter after exit. There is no comparison under Common Measures for youth earnings to the new WIOA Median Earnings measure. Like the Adult and Dislocated Worker programs, the Youth program will likely see the biggest challenge in the years ahead in the measure for attaining fourth quarter Employment/Education measure.

YOUTH SUMMARY

The change from first quarter Entered Employment to second quarter Employed has a more significant impact on the youth program. Statewide performance decline could be as much as 8% given Youth who are not retained in post-secondary education or employment beyond the first quarter after exit. There is no comparison under Common Measures to the new WIOA Median Earning measure. Like the Adult and Dislocated Worker programs, the Youth program will likely see its biggest challenge in the years ahead in attaining the WIOA fourth quarter Employment/Education measure.

CONCLUSION

This preliminary view of the potential impact of the new WIOA performance measures causes great concern for the Bureau of Employment Services in properly identifying proposed goals under WIOA. The fact that variables and formulas for reporting WIOA performance have not yet been identified make it very difficult to propose performance goals; however, because employment and retention rates will differ drastically between WIA and WIOA, the Bureau of Employment Services is proposing the following WIOA measures as reasonable and attainable:

Performance Goals for the Core Programs

Include the State's expected levels of performance relating to the performance accountability measures based on primary indicators of performance described in section 116(b) (2)(A) of WIOA.

	Projecte d Bas eline	PY 2016 / FY 2017			PY 2017 / FY 2018		
		Pro- posed	Negoti- ated	Proposed Final Change in Per- formance	Pro- posed	Negoti- ated	Proposed Final Change in Per- formance
Employment (Second Quarter after Exit)							
Adults		72.0%			72.0%		
Dislocated Workers		74.0%			74.0%		
Youth (Employed/In Training/Ed. 2nd Qtr)		55.0%			55.0%		
Wagner-Peyser / Labor Exchange		53.0%			53.0%		
Adult Education		32.0%			34.0%		
Rehabilitative Services		35.0%			35.0%		
Employment (Fourth Quarter after Exit)							
Adults		68.0%			68.0%		
Dislocated Workers		72.0%			72.0%		
Youth (Employed/In Training/Ed. 4th Qtr)		57.0%			57.0%		
Wagner-Peyser / Labor Exchange		70.0%			70.0%		
Adult Education		35.0%			37.0%		
Rehabilitative Services		35.0%			35.0%		
Median Earnings (Second Quarter after Exit)							

Adults		\$5,250			\$6,250		
Dislocated Workers		\$6,250			\$6,250		
Youth		\$2,000			\$2,000		
Wagner-Peyser / Labor Exchange		\$4,300			\$4,300		
Adult Education	Needs more discussion - TBD soon						
Rehabilitative Services		\$3,000			\$3,000		
Credential Attainment Rate							
Adults		68.0%			68.0%		
Dislocated Workers		54.0%			54.0%		
Youth		60.0%			60.0%		
Wagner-Peyser / Labor Exchange							
Adult Education		28.0%			30.0%		
Rehabilitative Services		12.0%			14.0%		
Measureable Skill Gains							
Adults	Waiting for more guidance - TBD						
Dislocated Workers	Waiting for more guidance - TBD						
Youth	Waiting for more guidance - TBD						
Wagner-Peyser / Labor Exchange							
Adult Education		25.0%			27.0%		
Rehabilitative Services	Waiting for more guidance - TBD						
Effectiveness in Serving Employers							

Adults	Waiting for more guidance - TBD						
Dislocated Workers	Waiting for more guidance - TBD						
Youth	Waiting for more guidance - TBD						
Wagner-Peyser / Labor Exchange	Waiting for more guidance - TBD						
Adult Education	Waiting for more guidance - TBD						
Rehabilitative Services	Waiting for more guidance - TBD						
Combined Federal Partner Measures							
1							
2							
3							
etc.							
State / Governor Education and Work-force Measures							
1							
2							
3							
etc.							

APPENDIX VII—CONFLICT OF INTEREST POLICY



Paul R. LePage

STATE OF MAINE
DEPARTMENT OF LABOR
BUREAU OF EMPLOYMENT SERVICES
55 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0055

Jeanne S. Paquette
COMMISSIONER

Policy Subject:	CONFLICT OF INTEREST	Policy No.	PY15-07
To:	- Chief Elected Officials - Workforce Development Boards - WIOA Financial Administrators/ Fiscal Agents - CareerCenter Managers & Staff - One-Stop Operators	From:	Richard Freund Acting Director - Bureau Employment Services & Deputy Commissioner of Labor
Issuance Date:	January 19, 2016	Status:	DRAFT
Reference/ Authority:	- WIOA Public Law 113-128 enacted July 22, 2014 - TEGL 27-14 - WIOA §§ 101(f) ♦ 102(b)(E)(i) ♦ 107(h) ♦ 121 (d)(4)(A) - NPRMs 20 CFR §§ 679.430 ♦ 683.200 (c)(5) & (g) & (h) 2 CFR 200.112 & 200.318		

Purpose:

This purpose of this policy is to inform entities within Maine's workforce development system, who are involved in oversight, administration, and/or provision of one-stop system services, about the requirements pertaining to conflict of interest. This policy is intended to supplement but not replace any applicable State or Federal laws governing conflict of interest.

Background:

The integrity of, and public trust in, Maine's one-stop delivery system relies on the good character of all entities entrusted with funds and responsibility for guiding, overseeing, and/or delivering services. It is incumbent upon those in such positions to avoid even the perceived appearance of conflict of interest. This guidance is to safeguard that any individual with decision-making capacity will not engage in any activity for which a conflict of interest (*real, implied, apparent, or potential*) is involved. This includes decisions involving the selection, award, or administration of grants, subgrants, or contracts, or any parts thereof, that are supported by Federal or State funds.

POLICY

Board and Committee Members:

No State or Local Board member, or standing committee member shall cast a vote on, nor participate in any decision-making capacity, on the provision of services by such member (or any organization that member directly represents), nor on any matter which would provide any direct financial or personal benefit to that member or a member of his/her immediate family. When a board member abstains from voting in such instances, it must be reflected in the formal minutes of the meeting. Neither membership on such board or standing committee, by itself, violates these conflict of interest provisions.

Board and committee members and chief elected officials must be informed of and educated about situations that could be perceived as a conflict of interest and the requirements of this policy and must sign a statement affirming their understanding of these requirements and their agreement to formally disclose any potential conflict of interest while performing their duties.

Awardees/Contractors/One-Stop Operators

Awardees, contractors, and grant recipients of WIOA funds must disclose, in writing, any potential conflict of interest, including any conflict of interest arising from the relationships of the one-stop operator with any particular training service provider or other service provider.

Staff Members:

Career Consultants, Career Specialists, and others with case management capacity, must not enroll, case manage, or otherwise work directly with family members as participants, applicants, or registrants. When a family member is in need of services, he or she must be assigned to a different caseworker (preferably at a different service site) to avoid any real or perceived conflict of interest. Family includes any staff members' spouse, parents, children, brothers or sisters and spouses of such parents, children, brothers or sisters.

Duty to Disclose:

Any individual who suspects that his or her personal or financial advantage may be considered a conflict of interest, real or perceived, must disclose all material facts to the director and members of the board or committee or to the agency manager, as appropriate. If the facts demonstrate that a real or perceived conflict of interest exists, the board chair or agency manager may require that the individual recuse him or herself from involvement in, or discussion or vote on the matter at hand and will ensure that such recusal is documented in writing in the minutes of the meeting or other pertinent agency document file.

Multiple Roles

Local organizations often function simultaneously in a variety of roles, including local fiscal agent, local board staff, one-stop operator, and direct provider of career services or training services. Any organization that has been selected or otherwise designated to perform more than one of these functions must develop a written agreement with the Local Board and Chief Elected Official that clarifies how it will carry out its responsibilities while demonstrating compliance with WIOA regulations, relevant OMB circulars, and this conflict of interest policy.

Nepotism

No individual may be placed in a WIOA employment activity if a member of that person's immediate family is directly supervised by or directly supervises that individual. To the extent that a local requirement regarding Nepotism is more restrictive than this provision the local requirement must be followed.

Competitive Selection/ Procurement

As required under 2 CFR 200.318, entities authorized to award contracts on a competitive basis must maintain written standards of conduct covering conflicts of interest and governing the activities of its employees and/or members engaged in the selection, award or administration of a contract funded with State or Federal funds. No employee, officer or agent may participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest. Such conflict arises when the employee, officer or agent or any member of his or her immediate family, his or her partner or an organization which employs or is about to employ any of these parties, has a financial or other interest in or a tangible personal benefit from such contract.

Entities with decision making authority over WIOA funds must not solicit or personally accept gratuities, favors, or anything of monetary value from any actual or potential contractor, subgrantee, vendor or participant.

Mandatory Disclosure:

All recipients of Federal awards must disclose, as required under 2 CFR 200.113, in a timely manner, in writing to the awarding agency or pass-through entity, any and all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Failure to make required disclosures can result in temporary withholding of cash payments, disallowed costs, suspension or termination of the award, and other remedies for non-compliance including suspension and debarment.

Local Board Policy Requirements:

Local Boards must implement a conflict of interest policy that meets these requirements and must obtain a signed conflict of interest form, from each board member and chief elected official, that is dated and that affirms their understanding of and agreement to the requirement to formally disclose any potential conflict of interest and to abstain from voting or participating in the selection or awarding of contracts to service providers should such conflict of interest, perceived or real, be evident.

Sample Conflict of Interest Policy Acknowledgement Form

I have read and understand the Conflict of Interest Policy adopted by the _____ Local Workforce Development Board and understand my responsibility as a voting board member or staff member to the board to formally disclose any perceived or real conflict of interest that may arise during my duties as a board member or staff member to the board.

Name _____ Title _____

Signature: _____ Date: _____

Sample Conflict of Interest Disclosure Form for Board Members and Officers

Are you aware of any relationship or transaction of the _____ Local Workforce Development Board which involves or could ultimately harm or benefit financially or otherwise:

- Yourself
- Any member of your immediate family (defined as your spouse, parents, children, brothers, sisters and spouses of these individuals); or
- Any organization in which you or an immediate family member is a director, trustee, officer, member, or partner. [Volunteer service on a board or not-for-profit corporation need not be disclosed].

If yes, please list all such relationships or transactions, including specific information concerning the essential financial terms of any contract or transaction (description of services, duration, consideration, or price) and whether approval of the transaction has been obtained from the board of directors.

Please fill out completely or indicate "None":

- a. Listed below are all corporations, partnerships or other business entities in which I am a director, officer, member, partner or manager, or in which I or any member of my immediate family has a substantial financial interest.
Entity, Position, Self or Family
- b. All other not-for-profit institutions of which I am a trustee, director, or officer which have a substantial likelihood of being harmed or benefited by any action or policy of this board or agency. Entity, Position
- c. All trusts of which I am a trustee, or which benefit me or any member of my immediate family, which have a substantial likelihood of being harmed or benefited by any action or policy of this board or agency.
Entity, Trustee/Beneficiary, Self or Family

For more information contact:

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Bureau Employment Services
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APPENDIX VIII—ACCESS TO BOARD INFORMATION



Paul R. LePage

STATE WORKFORCE INVESTMENT BOARD
120 STATE HOUSE STATION
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Policy Subject	Sunshine Provision Access to State and Local Board Information	Policy No:	PY15-06
To:	- State Workforce Development Board - Local Workforce Development Boards - Chief Elected Officials	From:	Garret Oswald, Director State Workforce Investment Board
Issued On:	February 24, 2016	Status	DRAFT
Authority:	- WIOA Sections: 101(g) ; 102(b)(2)(E)(ii); 107(d)(7) and (d)(13); and 107(e); - NPRM 20 CFR 679.140 and 679.390		

Purpose:

The Workforce Innovation and Opportunity Act (WIOA) requires State and Local Boards to conduct their business in an open manner. This policy identifies requirements for ensuring public access to State and Local Workforce Board information and activities.

Policy:

State and Local Boards must make the following information available to the public (including individuals with disabilities), on a regular basis, through electronic means and open meetings:

- Information regarding the activities of the State or Local Board, including:
 - Information on the State or Local/Regional Plan and prior to submission;
 - Information on any modifications to such plan;
 - Information regarding Board Membership, including WIOA required affiliation,
 - Information on Board Meetings (Dates, Times, Locations, Agendas);
 - Minutes of Board Meetings (including documents referenced as part of those meetings);
 - Board By-Laws (to include CEO By-Laws);

In addition, Local Boards must also provide:

- Information regarding the selection and designation of one-stop operators; and
- Information regarding the award of grants or contracts to eligible providers of youth workforce investment activities.

Information Accessibility:

Information posted on State or Local Board websites must be accessible to all individuals, including individuals with disabilities and individuals in remote areas. Boards must ensure, to the greatest extent possible, that data posted electronically meets the ADA Section 508 standards. It is recommended that Boards use Section 508 checklists as a reference for meeting this requirement: <http://www.hhs.gov/web/section-508/making-files-accessible/checklist/word/index.html>.

In order to ensure that members of the public in remote areas have access to this information, it is recommended that links to State and Local Board Websites be provided in one-stop information centers on the public-use computers in those centers and, as appropriate, on the public-use computers of local public libraries.

Contact:

Garret Oswald, SWDB Director
120 State House Station
Augusta, Maine 04333-0120
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207-621-5087

APPENDIX IX—PRIORITY OF SERVICE FOR VETERANS AND THEIR SPOUSES POLICY



Paul R. LePage

STATE OF MAINE
DEPARTMENT OF LABOR
BUREAU OF EMPLOYMENT SERVICES
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Jeanne S. Paquette
COMMISSIONER

Subject of Policy:	Priority of Service for Veterans and Eligible Spouses	Policy No.	PY15-23
To:	- Local Board Directors - Formula Program Directors - Workforce Program Directors - BES CareerCenter Managers - BRS Directors	From:	Richard Freund, Acting Bureau Director and Deputy Commissioner of La- bor
Issuance Date:	December 28, 2015	Status:	ACTIVE
Definitions:	<i>Are included after the Policy section</i>	Rescinds	Policy 09-04
Reference/Author- ity:	- Jobs for Veterans Act (PL 107-288) at 38 U.S.C. 4215 - WIOA Section 102(b)(2)(C)(vi)		

Purpose:

The purpose of this policy is to outline requirements for implementation of priority of service to veterans and eligible spouses for all USDOL and MDOL funded workforce development programs.

Background:

On November 7, 2002, the Jobs for Veterans Act (JVA), Public Law (P.L.) 107-288 was signed into law. One provision of the JVA, codified at 38 U.S.C. 4215, establishes a Priority of Service requirement for covered persons in qualified job training programs. While recipients of USDOL funds for qualified job training programs have been required to provide priority of service since 2002, the publication of 20 CFR Part 1010, Priority of Service for Covered Persons Final Rule, which took effect on January 19, 2009, signaled that recipients of USDOL funds for these job training programs should review, and if necessary, enhance their current policies and procedures to ensure that adequate protocols are in place to ensure that priority is given veterans and eligible spouses.

Policy:

Requirement: Priority of service means that covered persons are given priority over non-covered persons for the receipt of employment, training, and placement services funded in whole or in part by USDOL, including: Wagner-Peyser, Trade Adjustment Assistance, Workforce Innovation and Opportunity Act, Senior Community Service Employment Program, Indian and Native American Programs, Migrant and Seasonal Farmworkers, USDOL funded Discretionary Grants, National Dislocated Worker Grants and MDOL funded workforce development programs. All funded grant recipients must comply with locally developed priority of service policies. All program operators are required to ensure that priority of service is applied to all sub-recipients of USDOL and MDOL funds.

A. Development of Local Priority of Service Policy: Each local workforce development board is required to develop and implement a priority of service policy that includes:

- How the local area will ensure veterans and eligible spouses are notified of their entitlement to priority of service, the full array of employment, training and placement services available and applicable eligibility requirements for programs and services.
- How the local area will assist individuals in identifying themselves as veterans or eligible spouses at the point of entry to the system or priority.

- How the local area will monitor the area's implementation of priority of service, including how monitoring is a shared responsibility between the service providers and partners participating in the local workforce development area.

Physical copies of the local Priority of Service policy shall be maintained at all service delivery points and posted in such a way that it makes it possible for members of the general public to have easy access to them. Furthermore service provider staff must be trained on the implementation of priority of services for veterans and eligible spouses.

Notification of Priority of Service: Within the local priority of service policy, areas must develop and implement processes to notify covered persons who physically access the workforce development system through one-stops and/or affiliate sites and/or who access the system through the internet, with timely and useful information on priority of service. This may be accomplished through inclusion of or written procedures as follows:

Outreach/Recruitment:

- Inclusion of information regarding veterans' priority of service in printed materials targeted to customers and employers;
- Inclusion of information regarding veterans' priority of service in presentations made to customers and employers;
- Addition of veterans' priority of service information to LWDBs, Service Providers, Maine CareerCenter and Department of Labor websites; and
- Pro-active recruitment of veterans by targeted contact strategies or other strategies, particularly when a region is not in compliance with veterans' priority of service performance measures;
- Assurances that labor exchange activities and services, including posting of and searches for resumes and jobs and job matching services are conducted so that veterans' receive priority;

Formal Notification:

- Addition of a veterans' priority of service rights statement to the complaint procedures provided to a veteran customer; and/or
- Addition of a veterans' priority of service rights statement to the signature portion of the WIOA paper intake or application forms;
- Inclusion of information regarding Veteran's priority of service at front desk reception areas, as well as universal access information center locations;
- Provision of opportunity for veterans and eligible spouses to make their veteran status known;
- The Maine Job Link notification system will inform eligible veterans of job opportunities first and on a more frequent basis than all other registrants.

Intake/Registration for Services:

- Written policies to establish that service providers who receive WIOA funds will be required to identify covered persons at the point of entry to programs and/or services, so that veterans and eligible spouses can take full advantage of the priority of service.
- Written policies and procedures that ensure veterans and eligible spouses understand their entitlement to priority of service and the full array of employment and training services available. Such policies will address eligibility requirements that veterans and eligible spouses must meet in order to gain entry into programs and be provided applicable services.

Eligibility for Services:

- Written policies and procedures to ensure veterans and eligible spouses meet the statutory eligibility requirements applicable to the specific employment and training program.

- Written policies and procedures to ensure veterans and eligible spouses are given priority of service where statutory or mandatory priorities are in effect and particularly where local areas have instituted mandatory priorities.
- Written policies and procedures to ensure that veterans and eligible spouses receive access to service or resources earlier than non-covered persons, or before a non-covered person, if resources or services are limited.
- Written policies that target special populations of veterans, including Special Disabled Veterans, Campaign Badge Veterans, Disabled Veterans and eligible spouses when services or resources are limited.

To determine whether veterans are receiving priority of service in core programs funded by the U.S. Department of Labor and administered in Maine by the Maine Department of Labor (MDOL), several measurements will be incorporated. The following benchmarks were established to provide a baseline from which to measure the impact of priority of service to covered participants:

- A. Benchmark the number of covered participants in core programs for program year 2008.
 - B. During each successive program year, identify how many participants were enrolled in core, intensive and training services during this period.
 - C. During each successive program year, identify how many covered veterans and/or eligible spouses were enrolled in core/basic, intensive/individualized career and training services during this period.
 - D. Determine that all eligible veterans and/or eligible spouses are registered for training first and that the remaining slots/funds may be used to register non-covered persons for training.
1. LWDBs must develop and issue local policy to providers to ensure that the priority of service for Veterans requirements are included in all written agreements for services (plans, contracts and subcontracts).
 2. MDOL, in conjunction with Maine's DVET (Director of Veteran Employment and Training Services), will monitor LWDB issuance, implementation and compliance of the priority of service statute and policy. LWDBs are subsequently required to conduct the same monitoring with any and all contractors receiving Department of Labor funds. DVOP Specialists and LVERs are responsible for advocating for veterans and monitoring the priority of service principle within the Maine's workforce development network. Any case where a Veteran or eligible spouse is denied services over a non-veteran will be documented and brought to the attention of the Bureau of Employment Services for review and further action as appropriate.

Monitoring Compliance with State Plan: Monitoring compliance with the state plan will meet legislated oversight requirements and support the State Workforce Development Boards requirement of accountability. Monitoring compliance fulfills the mandate of the State oversight agency (MDOL BES) to ensure that statutes, regulation, and policies are being followed.

The Bureau of Employment Services anticipates using its comprehensive monitoring plan to review compliance with laws, regulations, state policies, and state and local plans pertaining to veterans' priority of service. This comprehensive plan covers all programs for which the BES has administrative responsibilities and monitoring obligations including WIOA formula grants, American, National Dislocated Worker Grants, Trade Assistance Adjustment Act and CSSP programs and services.

Identifying and Informing Covered Persons

- The regulations require all recipients of funds for qualified job training programs to identify covered persons at the *point of entry* to programs and/or services so they can take full advantage of priority of service. Point of entry includes physical locations, such as One-Stop Career Centers, as well as web sites and other virtual service delivery resources.
- The regulations require all recipients to implement policies to ensure that covered persons are aware of:
 - o Their entitlement to priority of service;

- o The full array of programs and services available to them; and,
- o Any applicable eligibility requirements for those programs and/or services.

Implementing Priority of Service

- The regulations provide that priority of service means the right of eligible covered persons to take precedence over eligible non-covered persons in obtaining services. They further specify that taking precedence may mean:
 - o The covered person receives access to the service or resource earlier in time than the non-covered person; or
 - o If the service or resource is limited, the covered person receives access to the service or resource instead of or before the non-covered person.
- The regulations specify how priority of service is to be applied across three different types of qualified job training programs:
 - o Universal access programs that do not target specific groups;
 - o Discretionary targeting programs that focus on certain groups but are not mandated to serve target group members before other eligible individuals; and,
 - o Statutory targeting programs that are mandated by federal law to provide priority or preference to certain groups.

Responsibilities of States and Localities

- States must develop policies for the delivery of priority of service by:
 - o State Workforce Agencies;
 - o Local Workforce Development Boards; and,
 - o One-Stop Career Centers.
- The State's policies must require Local Workforce Development Boards to develop policies for delivery of priority of service by:
 - o Local One-Stop Career Centers; and,
 - o Local workforce preparation and training providers.

Monitoring Compliance with Priority of Service

- DOL will monitor recipients of funds for qualified job training programs to ensure that covered persons are made aware of and provided priority of service.
- Monitoring will be performed jointly by the Veterans' Employment and Training Service (VETS) and the DOL agency responsible for administering the program.
- If monitoring identifies non-compliance with priority of service, the results of the monitoring: 1) will be handled in accord with each program's compliance review procedures; and, 2) may lead to imposition of a corrective action plan.

Data Collection and Reporting on Priority of Service

- The regulations refer to covered persons at the point of entry as *covered entrants*.
- Those qualified job training programs that have served an average of 1,000 or more covered persons per year over the three most recent years of operation are required to collect and report data on covered entrants.
- Six programs currently meet the size threshold for reporting on covered entrants: 1) WIA Adult; 2) WIA Dislocated Worker; 3) National Emergency Grants; 4) Wagner-Peyser State Grants; 5) Trade Adjustment Assistance (TAA); and, 6) Senior Community Service Employment Program.
- The Information Collection Request (ICR) accompanying the regulations provides that those programs that meet the size threshold will be required to: a) implement reporting on covered entrants; and, b) apply the new definitions for veterans and eligible spouses in their existing reporting on covered participants.
- The ICR further provides that programs below the size threshold will be required to apply the new definitions for veterans and eligible spouses in their existing reporting on covered participants.

The means for affording veterans priority in labor exchange referrals is through "first opportunity." When a job match is made to a new job order, the applicant database is first searched for disabled veterans and non-disabled veterans. When veterans are identified, they are provided referrals to positions prior to referrals being made to the general public. Disabled veterans receive first priority. The priority service requirement is communicated to Career-Center managers who, in turn, communicate it to all staff. DVOPs and LVERs are responsible for advocating for veterans and monitoring the priority of service principle. Any case where a veteran is denied services over a non-veteran will be documented and appropriate follow-up will occur.

Definitions

Key Definitions

- **Covered person** – The regulations adopt and apply this statutory term, which includes *eligible spouses*, as defined by the statute, and *veteran*, as defined by the regulations.
- **Disable Veteran** – A veteran who is entitled to compensation (or who, except for the receipt of military retired pay, would be entitled to compensation) under the Department of Veteran Affairs, or a veteran who was discharged or released from active duty because of a service-connected disability.
- **Disabled Veterans' Outreach Program (DVOP) specialist**: The individual who provides intensive/individualized career services and facilitates placement to meet the employment needs of veterans;
- **Eligible Spouse** – An individual who is one of the following:
 - a. The spouse of any person who died of a service-connected disability.
 - b. The spouse of any member of the Armed Forces serving on active duty who, at the time of application for assistance, is listed in one or more of the following categories and has been so listed for a total of more than 90 days;
 - Missing in Action;
 - Captured in the line of duty by a hostile force;
 - Forcibly detained or interned in the line of duty by a foreign government or power for a total of more than 90 days; or
 - The spouse of any person who has a total 100% disability permanent in nature resulting from a service connected or the spouse of a veteran who died while a disability so evaluated was in existence.
- **Eligible Veteran** a person who
 - a. served on active duty for a period of more than 180 days and was discharged or released with other than a dishonorable discharge;
 - b. Was discharged or released from active duty because of a service connected disability; or
 - c. Is a member of a reserve component under an order to active duty pursuant to section 12301 (a), (d), or (g), 12302 or 12304 of U.S.C. Title 10, served on active duty during a period of war or in a campaign or expedition for which a campaign badge was authorized, and was discharged or released from such duty with other than dishonorable discharge.

Contact:

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APPENDIX X—ADULT PRIORITY OF SERVICE



Paul R. LePage

STATE OF MAINE
DEPARTMENT OF LABOR
BUREAU OF EMPLOYMENT SERVICES
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Subject of Policy:	Priority of Service - Adult Formula Funds	Policy No.	PY15-03
To:	- Local Workforce Development Boards - Chief Elected Officials - CareerCenters - Core Partners	From:	Richard Freund, Acting Bureau Director and Deputy Commissioner of Labor
Issuance Date	March 8, 2016	Status	ACTIVE
Reference/ Authority:	- WIOA Section 3- Definitions - WIOA Section 134(c)(3)(E) & NPRM 20 CFR 680.600 - TEGL 03-15		

Purpose:

This policy outlines requirements for ensuring individuals who are low income, recipients of public assistance, and who are basic skills deficient get priority for receipt of individualized career or training services using WIOA Title-I Adult formula funds.

Background: The Workforce Investment Act of 1998 required that if funds allocated to a local area for adult employment and training activities were limited, priority of service was to be provided to recipients of public assistance and other low-income individuals for intensive services and training services.

WIOA makes several changes to the priority of service requirement by adding individuals who are basic skills deficient as a priority population and removing the provision stating priority of service is only applied if funding is limited. WIOA requires that certain individuals receive priority of service regardless of funding levels.

Veterans and eligible spouses continue to receive priority of service for all Department of Labor (DOL) funded programs among all participants. This requirement remains the same, is not affected by the passage of WIOA, and must still be applied in accordance with guidance previously issued by the U.S. Department of Labor and Maine Department of Labor.

Policy:

Priority of service for Adult Program Participants requirement:

As stated in WIOA Section 134(c)(3)(E), with respect to provision of individualized career services and training services funded with WIOA Title I -Adult funds, priority of service must be given to:

- a. Recipients of public assistance;
- b. Other low-income individuals; and
- c. Individuals who are basic skills deficient.

Sequence of priority for all populations served:

The following sequence of priority will apply:

1. **First priority** will be provided to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient in the local area who are covered persons with respect to veterans' priority. Per 683.230 when past income is an eligibility determinant for a veteran, any amounts received as military pay or allowances by any person who served on active duty and certain other specified benefits must be disregarded for the veteran and for other individuals for whom those amounts would normally be applied in making an eligibility determination for the purpose of determining if the veteran or covered person is a low-income individual.
2. **Second priority** will be provided to recipients of public assistance, other low-income individuals and individuals who are basic skills deficient who are not covered veterans;
3. **Third priority** will be covered persons with respect to the veterans' priority, those covered persons not considered to be recipients of public assistance, low-income or basic skills deficient - who meet one or more of the barriers to employment identified as a priority by the local area, as defined in local board policy.
4. **Fourth priority** will be with respect to non-veterans, who are not recipients of public assistance, low income, or basic skills deficient but who meet one or more of the barriers to employment identified as a priority by the local area, as defined in local board policy.
5. **Fifth priority** will be with respect to adults with other barriers as identified in Local Board policy.

Dislocated Workers/Youth

Priority of service does not apply to the dislocated worker or youth populations.

People with Disabilities Income Status

For the purpose of establishing income eligibility for priority of service, people with disabilities are considered a household of one. As outlined in WIOA Section 3(36) (A) (vi), a person with a disability can be considered a low-income individual under the priority of service if the individual's own income meets the income requirement described in WIOA Section 3(36) (A) (ii), even if the individual is a member of a family whose income exceeds the poverty line or is 70 percent of the Lower Living Standard Income Level.

Services Subject to Priority of Service

Individualized career services and training services, outlined in WIOA Section 134(c) (2) (A) (xii), are subject to priority of service. Basic career services, outlined in WIOA Section 134(c) (2) (A) (i)-(xi), are not subject to the priority of service as they must be made available to all.

Local Board Discretion to Include Other Populations

The Local Board has discretion to identify populations in the local area who are not low income, basic skills deficient, or recipients of public assistance but who are individuals documented as having other barriers to employment.

Local Board Policy Required

Local Boards must establish local policy regarding the determination and implementation of a priority of service specific to the local area.

State Review of Priority Implementation

The Bureau of Employment Services will, at the culmination of the third quarter of each program year, review the percentage of Adult participants, who are low income, recipients of public assistance, or basic skills deficient, to compare with previous program years and to support that priority for these populations is indeed being provided.

Related Terms and Definitions:

Basic Skills Deficient – An individual that is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society (WIOA Section 3[5]). Or an individual that has English reading, writing or computing skills at or below the 8th grade functioning level as identified using a standardized test such as the CASAS.

Individual with a Barrier to Employment – The term “individual with a barrier to employment” as defined in WIOA Section 3(24) means a member of one or more of the following populations:

- Displaced Homemakers
- Low Income Individuals
- Indians, Alaska Natives, and Native Hawaiians, as such terms are defined in WIOA Section 166
- Individuals with Disabilities, including youth who are individuals with disabilities
- Older Individuals
- Ex-Offenders
- Homeless individuals
- Youth who are in or have aged out of the foster care system
- Eligible migrant and seasonal farmworkers, as defined in WIOA section 167(i)
- Individuals within 2 years of exhausting lifetime eligibility under TANF (Part-A of the Social Security Act 42 U.S.C 601 et seq.)
- Single parents (including single pregnant women)
- Long-term unemployed individuals
- Individuals who are English language learners and have low levels of literacy
- Individuals facing substantial cultural barriers
- Veterans or other individuals identified as having Significant Barriers to Employment

Individual with a Disability – The term “individual with a disability” means a person with a disability as defined in Section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102). Disability means:

- A physical or mental impairment that substantially limits one or more major life activities,
- A record of such an impairment, or
- Being regarded as having such an impairment (*established if the individual has been subject to an action prohibited under the law because of actual or perceived physical or mental impairment, whether or not the impairment limits or is perceived to limit a major life activity*)

Low-Income – An individual that meets one of the criteria below (WIOA Section 3[24]):

- Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received:
 - a. assistance through the Supplemental Nutrition Assistance program (SNAP) established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) referred to as Food Stamps;
 - b. assistance through the program of block grants to States for Temporary Assistance to Need Families (TANF) under part A of Title-IV of the Social Security Act (42 U.S.C. 601 et. seq.), or State or local income-based public assistance;
- Is in a family with total family income that does not exceed the higher of:
 - a. the poverty line; or

- b.** 70% of the lower living standard income level (LLSIL) (*Note: LLSIL means that income level, adjusted for regional, metropolitan, urban, and rural differences and family size, determined annually by the USDOL on the most recent lower living family budget issued*)
- Is homeless – Is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)) or homeless children and youths (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434 a (2)).
- Receives, or is eligible to receive, free or reduced priced school lunch (under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).
- Is a foster child on behalf of whom State or Local government payments are made; or
- Is an individual with a disability whose own income meets the income requirements 1 or 2 above, but who is a member of a family whose income does not meet this requirement

Public Assistance –Federal, state, or local government cash payments for which eligibility is determined by a needs or income test (WIOA Section 3[50]).

Questions may be directed to:

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APPENDIX XI—REFERRING VETERANS WITH SIGNIFICANT BARRIERS TO DISABLED VETERAN’S OUTREACH PROGRAM SPECIALISTS



Paul R. LePage

STATE OF MAINE
DEPARTMENT OF LABOR
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Subject of Policy:	Referring Veterans with Significant Barriers to DVOP Specialists	Policy No.	PY15-20
To:	• Local Workforce Development Boards • Title I Program Directors • BES Managers & Directors • BRS Managers & Directors • Adult Education Providers	From:	Richard Freund, Acting Bureau Director and Deputy Commissioner of Labor
Issuance Date	March 08, 2016	Status	ACTIVE
Reference/ Authority:	• VPL 03-14, change 1, change 2 • VPL 04-14 • VPL 08-14		
Definitions of Terms at end of this document			

Purpose:

This policy provides guidance on referring eligible veterans and spouses to Disabled Veteran’s Outreach Program specialists.

Background:

Committed to serving transitioning service members, veterans, and their families by providing resources to assist and prepare them to obtain meaningful careers and maximize their employment opportunities, the Maine Department of Labor (MDOL) continues to provide priority of service to veterans and eligible spouses for all its funded programs. With the release of VPL 03-14 on April 10, 2014 and VPL 03-14 Change-1, on February 11, 2015, the populations eligible to receive services from DVOP specialists were refocused to individuals with “significant barriers to employment” or “SBEs”. This policy reflects the clarifications in the definition of SBEs outlined in VPL 03-14, Change-1 and replaces references to the Workforce Investment Act (WIA) with the Workforce Opportunity and Innovation Act (WIOA), which superseded WIA in 2014.

Policy:

Priority of Service

Veterans and eligible spouses must continue to receive priority of service from among all participants for all programs funded by the Maine Department of Labor (MDOL). This requirement remains the same under WIOA and must still be applied in accordance with guidance in the Maine Department of Labor, Bureau of Employment Services Policy PY15-23.

DVOP Responsibilities

In USDOL employment programs, including Jobs for Veterans’ State Grants (JVSG), Wagner-Peyser (W-P), and WIOA programs, intensive or individualized services are provided to both unemployed participants who require such services to obtain employment and to employed participants who require such services to obtain or retain employment

leading to self-sufficiency. In accordance with 38 U.S.C. 4103A (a), DVOP specialists must provide intensive/individualized career services to eligible veterans and eligible spouses to help address their employment needs, prioritizing services to special disabled and other disabled veterans and to other eligible veterans in accordance with priorities determined by the USDOL. The statute also requires that DVOP specialists place maximum emphasis on assisting veterans who are economically or educationally disadvantaged. To ensure that DVOP specialists are able to fulfill their statutory responsibilities to provide intensive/individualized career services to these categories of veterans, MDOL has developed the following guidance to identify the veterans prioritized and emphasized by the DVOP requirement.

Realignment of DVOP Responsibilities

In order to realign the role of DVOP specialists, MDOL is directing that DVOP specialists must limit their activities to providing services to eligible veterans and eligible spouses who:

- a. Meet the definition of an individual with a Significant Barrier to Employment (SBE) who have self-attested to belonging to at least one of the six criteria below:
 1. Special-disabled or disabled veteran, as defined in 38 U.S.C. §4211(1) & (3), is a veteran who:
 - i. Is entitled to compensation (*or who but for the receipt of military retirement pay would be entitled to compensation*) under the laws administered by the Secretary of Veterans Affairs; or,
 - ii. Was discharged or released from active duty because of a service-connected disability;
 2. Homeless – A homeless person, as defined in Sections 103(a) and (b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 1302 (a) and (b), as amended. This is updated to include paragraph (b) of Section 103 of the McKinney-Vento Homeless Assistance Act, which considers “homeless” to be any individual or family member who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual’s or family’s current housing situation, including where the health and safety of children are jeopardized, and who have no other residence and lack the resources or support networks to obtain other permanent housing.
 3. Recently separated service member means an eligible veteran who during the three-year period beginning on the date of such veteran's discharge or release from active duty has been unemployed for 27 or more weeks in the previous 12 months (*does not have to be 27 consecutive weeks*);
 4. An offender, as defined by WIOA Section 3 (38), refers to any eligible veteran or eligible spouse who is currently incarcerated or has been released from incarceration;
 5. Lacking a high school diploma or equivalent certificate; or
 6. Low-income as defined by WIOA Section 3 (36).
- b. Are members of a veteran population identified by the USDOL under 38 U.S.C. 4103(a) (1) (C) as eligible for DVOP services and detailed in VPL04-14 and VPL 08-14. The current such categories include:
 1. Transitioning service members (TSMs) of the Armed Forces who have been identified as in need of intensive/individualized career services;
 2. Members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units;
 3. The spouses or other family caregivers of such wounded, ill, or injured members; and
 4. Any veteran between the ages of 18-24.

This guidance is meant to limit the number of eligible veterans and eligible spouses served by DVOP specialists. Limiting DVOP specialists to serving only the veterans and eligible spouses who meet the criteria in paragraphs (a) and (b) above will ensure that the DVOP specialists are serving the specific population of eligible veterans and eligible spouses prioritized by 38 U.S.C. 4103A. It will also ensure that DVOP specialists are better able to fulfill their primary responsibility of providing intensive/individualized career services to all the people they serve.

While the DVOP specialists' provision of intensive/individualized services to these veterans and eligible spouses may include some core services, serving a more limited population will allow DVOP specialists enough time to devote a majority of their time to providing intensive or individualized services. The veterans who do not fall into one of the categories that are served by DVOP specialists are eligible to be served by other WIOA and Wagner Peyser CareerCenter staff and are eligible for priority of service.

The SBE categories were developed to implement the priority and maximum emphasis requirements of 38 U.S.C. 4103A (a). As required by that subsection, "special disabled veterans" and "disabled veterans" (as those terms are defined in 38 U.S.C. 4211(1) and (3)) are included in the group of veterans who are given priority because they have a significant barrier to employment. In addition, the SBE categories give priority to the other categories of veterans and eligible spouses identified by the Secretary and give maximum emphasis to serving veterans and eligible spouses who are educationally or economically disadvantaged, such as certain groups of veterans and spouses who have been removed from the workforce for significant periods of time. Additionally, under 38 U.S.C. 4103A (a) (1) (C), USDOL may choose to prioritize additional categories of veterans and eligible spouses who may receive intensive services from DVOP Specialists. Any additional priorities will be set forth in separate guidance.

USDOL will regularly reassess the definition to ensure it reflects the best available data and trends associated with veteran employment and continues to identify those veterans who are to be given priority and maximum emphasis for DVOP services under 38 U.S.C. 4103A (a).

An eligible veteran or eligible spouse who is identified as having a SBE must be immediately referred to a DVOP specialist or, in instances where a DVOP specialist is not available, another CareerCenter provider of intensive/individualized services. For planning purposes, ETA and VETS anticipate that approximately 30 percent of veterans seeking CareerCenter services nationwide will be identified as having an SBE.

Case management continues to be an appropriate service delivery strategy or framework within which intensive services may be delivered, particularly for veterans. Intensive/individualized career services should be delivered following the case management framework in most cases. However, case management itself is a process, not a service, and is therefore not to be reported as a service, intensive/individualized career or otherwise.

Managing the DVOP Caseload

In the event that a DVOP specialist does not have a full case-load of eligible veterans and eligible spouses who meet the criteria in paragraphs **a.** and **b.** above the DVOP specialist may perform additional activities, in the order specified below:

1. Review all open case files of current participants with an SBE or in a priority category and perform case management duties.
2. Conduct relationship building, outreach and recruitment activities with other service providers in the local area, to enroll SBE and priority category veterans.

In addition, W-P, WIOA, and other partner staff will continue to provide services, including intensive/individualized career services, to veterans and eligible spouses as appropriate under the programs the staff administer. This guidance does not limit the ability of non-JVSG staff to provide intensive/individualized career services to veterans who do not have an SBE or are not in a veteran category specified by USDOL. Also, veterans with an SBE or in a specified

category must have access to all appropriate CareerCenter services and are not limited to receiving services only from DVOP specialists. Those veterans not meeting the SBE definition or not within a specified category identified by DOL are to be referred to appropriate non-JVSG CareerCenter staff member(s) to receive core/basic career, intensive/individualized career, and/or training services, on a priority of service basis. MDOL will provide technical assistance to local areas to assist in the coordination of efforts between DVOP specialists and CareerCenter staff to ensure that all veterans are receiving needed services.

Sequence of Priority

USDOL does not interpret the VPL to require priority to be given in the order that these groups are listed in the VPL. Instead, DVOP specialists must provide the same priority to serving special disabled, other disabled and other veterans prioritized by USDOL, including those identified as having Significant Barriers to Employment in this guidance.

Definitions

Eligible Veteran -- A person who: **a)** served on active duty for a period of more than 180 days and was discharged or released with other than a dishonorable discharge; **b)** was discharged or released from active duty because of a service-connected disability; **c)** was a member of a reserve component under an order to active duty, served on active duty during a period of war or in a campaign or expedition for which a campaign badge is authorized and was discharged or released from such duty with other than a dishonorable discharge; or **d)** was discharged or released from active duty by reason of a sole survivorship discharge.

Eligible Spouse --Spouses of any of the following:

- a. Any veteran who died of a services-connected disability;
- b. Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - i. Missing in action;
 - ii. Captured in the line of duty by a hostile force; or
 - iii. Forcibly detained or interned in the line of duty by a foreign government or power; or
- c. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs or any veteran who died while such a disability was in existence."

Family Caregiver—Family caregiver is defined under 38 U.S.C. 1720G (d) as - Assistance and support services for caregivers:

- 1) The term 'caregiver', with respect to an eligible veteran... means an individual who provides personal care services to the veteran.
- 2) The term 'family caregiver', with respect to an eligible veteran... means a family member who is a caregiver of the veteran.
- 3) The term 'family member', with respect to an eligible veteran means an individual who—
 - A. Is a member of the family of the veteran, including—
 - i. A parent;
 - ii. A spouse;
 - iii. A child;
 - iv. A step-family member; and
 - v. An extended family member; or
 - B. Lives with, but is not a member of the family of the veteran.

For the purposes of this policy and U.S.C. Title 38, caregivers support members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units, rather than veterans.

Individuals with significant barriers to employment (SBEs) – Veterans and eligible spouses are defined in Veteran’s Program Letter (VPL) 03-14 as eligible for services from Disabled Veterans’ Outreach Program (DVOP) specialists. The updated list of SMEs as defined in VPL 03-14, change 1, VP VPL 04-14, and VPL 08-14 means a member of one or more of the following populations:

- Special disabled or disabled veterans - a veteran who:
 - a. Is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under the laws administered by the Secretary of Veterans Affairs; or,
 - b. Was discharged or released from active duty because of a service-connected disability;
- Homeless - Individuals who lack a fixed, regular, and adequate nighttime residence as defined in Section 103(a) of the Stewart B. McKinney Homeless Assistance Act 42 U.S.C. 11302 (a). This is updated to include paragraph (b) of Section 103 of the McKinney-Vento Homeless Assistance Act, which considers homeless to be any individual or family member who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual’s or family’s current housing situation, including where the health and safety of children are jeopardized, and who have no other residence and lack the resources or support networks to obtain other permanent housing.
- Recently separated service member means an eligible veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty, and who have been unemployed for 27 or more weeks in the previous 12 months (does not have to be 27 consecutive weeks);
- An offender, as defined by WIOA Section 3 (38), refers to any eligible veteran or eligible spouse who is currently incarcerated or has been released from incarceration;
- Lacking a high school diploma or equivalent certificate; or
- Low-income (as defined by WIOA Section 3 (36)).
- Transitioning service members (TSMs) of the Armed Forces who have been identified as in need of intensive / individualized career services;
- Members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units;
- The spouses or other family caregivers of such wounded, ill or injured members; and
- Any veteran between the ages of 18-24.

Low-Income – An individual that meets one of the criteria below (WIOA Section 3[36]):

- Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received:
 - a. assistance through the Supplemental Nutrition Assistance program (SNAP) established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) referred to as Food Stamps;
 - b. assistance through the program of block grants to States for Temporary Assistance to Need Families (TANF) under part A of Title-IV of the Social Security Act (42 U.S.C. 601 et. seq.), or State or local income-based public assistance;
- Is in a family with total family income that does not exceed the higher of:
 - a. the poverty line; or
 - b. 70% of the lower living standard income level (LLSIL) (*Note: LLSIL means that income level, adjusted for regional, metropolitan, urban, and rural differences and family size, determined annually by the USDOL on the most recent lower living family budget issued*)
- Is homeless (see above definition);
- Receives, or is eligible to receive, free or reduced priced school lunch;

- Is a foster child on behalf of whom State or Local government payments are made; or is an individual with a disability whose own income meets the income requirements **1** or **2** above, but who is a member of a family whose income does not meet this requirement?

Questions may be directed to:

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APPENDIX XII—LOCAL BOARD MEMBERSHIP REQUIREMENTS POLICY



Paul R. LePage

STATE WORKFORCE DEVELOPMENT BOARD
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Garret J. Oswald

DIRECTOR

Subject of Policy	Local Board Membership Criteria	Policy No:	PY15-02
To:	- Local Workforce Development Boards - CEOs	From:	Garret Oswald, Director State Workforce Development Board
Issued On:	July 1, 2015	Status	Active
Authority:	- WIOA Section 107 (b)(1) 20 CFR 679.300-350 <i>proposed</i>		

Purpose:

This policy provides the criteria to be used by Chief Elected Officials (CEOs) in appointing members to Local Workforce Development Boards. Per WIOA Section 107(b) (1), the Governor, in partnership with the State board, shall establish criteria to be used by Chief Elected Officials (CEOs) of each local area in the appointment of members to the local boards in such local areas.

POLICY

Nomination Requirements:

Chief Elected Officials (CEOs) must establish a formal nomination process for the appointment of local board members that ensures:

- Business (employer) members to be appointed to the local board have been nominated by local or business organizations such as a Chambers of Commerce or business trade associations;
- Representatives of labor organizations to be appointed to the local board have been nominated by local labor federations (or, for an area in which no employees are represented by such organizations, other representatives of employees); and
- When there is more than one local area provider of adult education and literacy activities as defined under WIOA Title II, or multiple institutions of higher education providing workforce investment activities described in WIOA 107(b) (2) (C) (i) or (ii), nominations of these members to the board are solicited from among those particular entities; in accordance with WIOA 107(b) (6).

By-Laws Requirement:

The Chief Elected Official(s) in each local area must establish by-laws that identify:

1. The nomination process used to select and appoint members;
2. The term limits and how the term appointments will be staggered to ensure only a portion of board membership expires within any given year;
3. The process the local board will use to notify the chief elected official(s) of a board member vacancy to ensure prompt nomination and appointment of a replacement;
4. The proxy and alternative designee process that will be used when a board member is unable to attend a meeting and assigns a designee; the process must include a provision that confirms that the proxy designee is one with demonstrated experience and expertise and that has optimum policy-making authority.
5. The process used to elect a Chair for the board from among the members representing businesses;
6. The use of technology, such as phone and Web-based meetings, that will be used to promote board member participation;

7. The process to ensure board members actively participate in convening the workforce development system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities; and
8. A description of any other conditions governing appointment or membership on the board as deemed appropriate by the CEO(s).

Local Board Membership Requirements:

CEOs must appoint members to each local board as follows:

- A. A majority of members **must** be representatives in the local area, who:
 - a. Are owners of businesses, chief executives or operating officers of businesses or other business executives or employees with **optimum policymaking or hiring authority**; and
 - b. Represent businesses, including at least two (2) who represent small businesses as defined by the U.S. Small Business Administration (SBA), that provide employment opportunities in in-demand industry sectors or occupations, as these terms are defined in WIOA Section 3 (23);
- B. Twenty Percent (20%) of members must be representatives of workforce, that:
 - a. Must include at least two (2) or more representatives of labor organizations, where such organizations exist in the local area. Where labor organizations do not exist, representatives must be selected from other employee representatives;
 - b. Must include at least one (1) or more representatives of a joint labor-management, or union-affiliated registered apprenticeship program within the area who must be a training director or a member of a labor organization. If no union-affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists;
 - c. May include one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training or educational needs of individuals with barriers to employment, including organizations that serve veterans or provide or support competitive integrated employment for individuals with disabilities; and
 - d. May include one or more representatives of organizations that have demonstrated experience and expertise in addressing the employment, training or education needs of eligible youth, including organizations that serve out-of-school youth.
- C. Local Board membership must include at least one eligible provider administering adult education and literacy activities as defined by WIOA title II in the local area; and
- D. At least one representative from an institution of higher education providing workforce investment activities, including community colleges from the local area; and
- E. At least one representative from each of the following governmental and economic and community development entities:
 - a. Economic and community development;
 - b. State labor exchange office under Wagner Peyser Act (29 USC 49 et sq.) serving the local area; and
 - c. The programs carried out under title I of the Rehabilitation Act of 1973, other than sect 112 or part C of that title.;
- F. The membership of local boards may include individuals or representatives of other appropriate entities, with optimum policy-making authority within the organizations they represent, including:
 - a. Entities administering education and training activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the education or training needs for individuals with barriers to employment;
 - b. Governmental and economic and community development entities who represent transportation, housing and public assistance programs;
 - c. Philanthropic organizations serving the local area;
 - d. Other appropriate individuals as determined by the chief elected official;

Additionally:

- An individual may be appointed as a representative of more than one entity, if the individual meets all the criteria for representation including the criteria in sections B through E above, for each entity.
- All required board members must have voting privilege; the CEO may convey voting privileges to non-required members.
- Local board membership will be certified every two years in accordance with this policy.
- Board membership information, including the required categories each member represents must be kept up-to-date and posted on the Local Board Website.

This policy goes into effect on **July 1, 2015**, local boards that do not have the required membership or CEO By-Laws in place on July 1, 2015, have until **September 30, 2015** to do so.

Inquiries may be addressed to:

Garret Oswald, SWDB Director
120 State House Station
Augusta, Maine 04333-0120
Garret.J.Oswald@maine.gov
207-621-5087

APPENDIX XIII—LOCAL BOARD CERTIFICATION



Paul R. LePage

STATE WORKFORCE INVESTMENT BOARD
120 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0120
SWIB.DOL@MAINE.GOV

Policy Subject	Local Board Certification	Policy No:	PY15-22
To:	- Local Workforce Development Boards - Chief Elected Officials	From:	Garret Oswald, Director State Workforce Investment Board
Issued On:	February 23, 2016	Status	DRAFT
Authority:	- WIOA Sections: 107 (b)(1); 107 (c)(2); 107(c)(3); 107(d) and 116(g)(2) - NPRM 20 CFR 679.300-350 <i>proposed</i>		

Purpose:

This policy identifies requirements for ongoing Local Board Certification.

Background:

The Local Board serves as a strategic leader and convener of local workforce development system stakeholders for the purpose of providing strategic and operational oversight in collaboration with and to help develop a comprehensive and high-quality workforce development system in the local area and planning region. The Local Board assists in achievement of the State's strategic and operational vision and goals as outlined in the State plan and works to improve the quality of services, customer satisfaction, and effectiveness of the services provided.

The certification process reviews the extent to which the local board has ensured that the workforce investment activities carried out in the local area have enabled the local area to meet performance accountability measures and achieve sustained fiscal integrity.

At the onset of WIOA, local boards that met the requirements for initial designation and local board membership were granted initial certification under WIOA on July 1, 2015. Evaluation and granting of subsequent Local Board Certification will occur once every two years from that date, with subsequent certification occurring on July 1, 2017, 2019, and so on.

Policy:

In order for the State Workforce Development Board, on behalf of the Governor, to certify a Local Board for a second or subsequent period the Local Board must ensure that it has:

1. Maintained local board membership requirements as identified in WIOA Section 107(b);
2. Performed successfully by meeting or exceeding negotiated performance measures;
3. Sustained fiscal integrity as defined in WIOA Section 106(e)(2); and
4. Performed the functions required under WIOA Section 107(d).

Process:

On or before July 1, of each biennial certification period (2017, 2019, 2021 and so on) the local board must submit a request for Board Certification and provide documentation and assurances that the above criteria have been met; including:

1. A current list of local board members and the categories they represent;
2. Assurance that the local board has sustained fiscal integrity (citing fiscal reviews and audits as evidence);
3. Assurance, citing reports, that negotiated performance goals have been met for two consecutive years; and
4. A brief report explaining how the local board has carried out required functions.

Decertification:

The State Board, on behalf of the Governor, has the authority to decertify a Local Board (after providing an opportunity for public comment) for the following reasons:

- Fraud or abuse;
- Failure to carry out the functions of the local board as specified in WIOA Section 107(d)
- Failure to meet local performance accountability measures for two consecutive years

Failure to Achieve Certification will result in appointment and certification of a new Local Board for the local area pursuant to the process described in WIOA Section 107(c)(1).

Contact:

Garret Oswald, SWDB Director
120 State House Station
Augusta, Maine 04333-0120
Garret.J.Oswald@maine.gov
207-621-5087

APPENDIX XIV—TRANSFER OF FUNDS POLICY



Paul R. LePage

STATE OF MAINE
DEPARTMENT OF LABOR
BUREAU OF EMPLOYMENT SERVICES
55 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0055

Jeanne S. Paquette
COMMISSIONER

Subject of Policy:	WIOA Transfer of Funds	Policy No.	PY15-04
To:	- Local Workforce Development Boards - Chief Elected Officials - CareerCenter Managers	From:	Richard Freund, Acting Bureau Director and Deputy Commissioner of Labor
Issuance Date	December 18, 2015	Rescinds	Rescinds WIA Policy 06-07
Reference/ Authority:	WIOA Section 133(b)(4)	Status	ACTIVE

Funds Transfer Authority

Upon Governor approval, WIOA Section 133(b)(4) allows a Local Board to transfer up to and including 100 percent of the formula funds allocated to the local area for Adult formula program services, and up to and including 100 percent of funds allocated to the local area for Dislocated Worker formula program activities for **a fiscal year**, between

- A. Adult employment and training activities; and
- B. Dislocated Worker employment and training activities.

Policy:

On behalf of the Governor, the Maine Department of Labor, Bureau of Employment Services (BES) will review and approve requests from a Local Board seeking to transfer funds between the Adult and Dislocated Worker formula programs. Local Areas may not transfer funds to or from the Youth formula program allocation.

Local Boards seeking to transfer funds must submit the request to the BES using the attached form. The request must articulate the benefits of and explain the situation necessitating the need for the transfer. Such rationale should also be supported by the Local Area/Regional Plan and include assurance that the target group from which funds will be taken (Adult or Dislocated Worker) will not suffer negative consequences as a result.

Local Board minutes reflecting that the board has approved the transfer must be attached or referenced as a link.

Transfer of funds **does not require a fiscal amendment** to the service contract **but may require a modification of the participant service implementation plan** of that contract if the number of participants to be served under either program changes by 30% or more.

As funds identified for transfer are used they **must be reported on the FR10** as directed by lines **s** and **t**.

- s. Expenditure of Adult Funds Transferred to DW Program:** Enter expenditures resulting from the transfer of Adult funds to the Dislocated Worker program. Up to 100% of Adult WIOA funds may be transferred per MDOL policy guidelines. Expenditures are also included in line **f** in the Adult program. Line **d** does not get changed as the result of transfers.
 - t. Expenditure of DW Funds Transferred to Adult Program:** Enter expenditures resulting from the transfer of Dislocated Worker funds to the Adult program. Up to 100% of WIOA DW funds may be transferred according to MDOL policy guidelines. Expenditures are also included in line **f** in the Dislocated Worker program. Line **d** does not get changed as the result of transfers.

Please direct questions to:

Carroll, Director, Division Director
 Bureau of Employment Services
 Maine Department of Labor
 SHS 55, Augusta ME 04330
 207-623-7974
Virginia.A.Carroll@maine.gov

FORM TO REQUEST FOR TRANSFER OF WIOA FUNDS

Local Board		Date Requested	
Address		By: Title:	
Program Year	PY2015	Program Year	PY2015
Program Transferred From	DW	Program Transferred To	ADULT
Percent to be Transferred			
Original Amount	\$	Original Amount	\$
Revised Amount	\$	Revised Amount	\$
Expended to Date	\$	Expended to Date:	\$
Original # to be served		Original # to be served	
Revised # to be served		Revised # to be served	

1. Describe the situation necessitating the transfer of funds:
2. Explain how the services from the WIOA allocation you are transferring from will not be negatively impacted:
3. Explain how the services of the WIOA allocation you are transferring to will be positively impacted:

Copy of Local Board meeting minutes attached documenting board approval? Yes____ No ____

Signature: _____ Date: _____

Printed Name/Title: _____

<i>For use by MDOL staff only. A copy of this request/approval must be attached to the contract file.</i>			
Request Approved By		Date	
Contract Number	CT	Total Amount	\$
Contract Start Date:		Contract End Date	

APPENDIX XV—ADULT BASIC EDUCATION AND LITERACY PROGRAMS CERTIFICATIONS AND ASSURANCES

By signing below, the Maine title II Adult Basic Education and Literacy Program certifies the following:

ADULT BASIC EDUCATION AND LITERACY PROGRAMS CERTIFICATIONS AND ASSURANCES

States must provide written and signed certifications that:

1.	The plan is submitted by the State agency that is eligible to submit the plan;
2.	The State agency has authority under State law to perform the functions of the State under the program;
3.	The State legally may carry out each provision of the plan;
4.	All provisions of the plan are consistent with State law;
5.	A State officer, specified by title in the certification, has authority under State law to receive, hold, and disburse Federal funds made available under the plan;
6.	The State officer who is submitting the plan, specified by the title in the certification, has authority to submit the plan;
7.	The agency that is submitting the plan has adopted or otherwise formally approved the plan; and
8.	The plan is the basis for State operation and administration of the program;

The State Plan must include assurances that:

1.	The eligible agency will expend funds appropriated to carry out title II of the Workforce Innovation and Opportunity Act (WIOA) only in a manner consistent with fiscal requirements under section 241(a) of WIOA (regarding supplement and not supplant provisions);
2.	The eligible agency will ensure that there is at least one eligible provider serving each local area, as defined in section 3(32) of WIOA;
3.	The eligible agency will not use any funds made available under title II of WIOA for the purpose of supporting or providing programs, services, or activities for individuals who are not "eligible individuals" within the meaning of section 203(4) of WIOA, unless it is providing programs, services or activities related to family literacy activities, as defined in section 203(9) of WIOA;
4.	The Integrated English Literacy and Civics Education program under section 243(a) of WIOA will be delivered on combination with integrated education and training activities;
5.	The Integrated English Literacy and Civics Education program under section 243(a) of WIOA will be designed to (1) prepare adults who are English language learners for, and place such adults in, unsubsidized employment in in-demand industries and occupations that lead to economic self-sufficiency and (2) integrate with the local workforce development system and

	its functions to carry out the activities of the program; and
6.	Using funds made available under title II of WIOA to carry out a program for criminal offenders within a correctional institution, the eligible agency will give priority to serving individuals who are likely to leave the correctional institution within five years of participation in the program.

Signed: William W. Bearolsky
 Date: 1-20-16

Print: William W. Bearolsky

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

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Standard Form 424B (Rev. 7-97)
Prescribed by OMB Circular A-102

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

Previous Edition Usable

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Standard Form 424B (Rev. 7-97)
Prescribed by OMB Circular A-102

CERTIFICATION REGARDING LOBBYING**Certification for Contracts, Grants, Loans, and Cooperative Agreements**

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

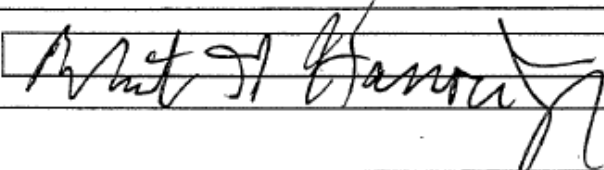
(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* APPLICANT'S ORGANIZATION		
Maine Department of Education		
* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE		
Prefix: Dr	* First Name: Robert	Middle Name:
* Last Name: Hasson	Suffix:	
* Title: Commissioner of Education		
* SIGNATURE: 	* DATE: 28 March 2018	

SECTION 427 OF THE GENERAL EDUCATION PROVISIONS ACT (GEPA)

In response to the U.S. Department of Education's General Education Provisions Act (GEPA), Section 427, Maine Adult Education State Office will take steps to ensure equitable access to, and participation in, federally-assisted programs for students, teachers, and others with special needs. Barriers impeding participation may include: gender, race, national origin, color, disability or age.

The State Adult Education Office will take steps to ensure that documents and webinars released are 504 compliant, meeting venues meet ADA requirements, and well as provide such assistive technologies as interpreters for the hearing impaired, screen readers, braille documents, etc. as needed. Technical assistance related to meeting the requirements of GEPA will be provided by the state office to potential beneficiaries of federal funding.

The State Adult Education Office will require local school districts or other eligible applicants that apply to the State for funding to include a description of how they will address the requirements of GEPA in their application as well as submit a GEPA Sec. 427 Attestation (see Attachment XXVI). The state office will enforce this requirement through monitoring of sub-grantees.

APPENDIX XVI— TRANSFER OF FUNDS (CHANGE/ REVISION)



STATE OF MAINE
DEPARTMENT OF LABOR
BUREAU OF EMPLOYMENT SERVICES
55 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0055

Paul R. LePage

Subject of Policy:	WIOA Transfer of Funds	Policy No.	PY15-04 REVISION 1
To:	- Local WDBs - Chief Elected Officials - Title I CareerCenter Managers - Title I Fiscal Agents	From:	Edward D. Upham, Director Bureau of Employment Services
Original Issuance	December 18, 2015	Re-vised	December 6, 2016
Reference/ Authority:	WIOA Section 133(b)(4) 20 CFR 683.130	Re-scinds	WIA Policy 06-07
		Sta-tus	ACTIVE

Explanation of Revision:

WIOA final regulation 20 CFR 683.130 stipulates that the Governor must establish written policy that identifies criteria that will be used for approving a request to transfer adult or dislocated worker employment and training funds. Local areas must still meet the negotiated performance levels of the program from which the funds are being transferred. This policy-revision identifies the criteria that will be considered in approving a request for transfer of funds.

Funds transferred from one program to another adopt the eligibility requirements of the program into which they are placed; for example, DW funds transferred for use in the Adult program adhere to Adult priority of service and eligibility requirements.

The Bureau requires additional information regarding the amounts of funds being identified for transfer at the service provider level; to accommodate this, the Request for Transfer of Funds Form has been revised.

Funds Transfer Authority

Upon Governor approval, WIOA Section 133(b)(4) allows a Local Board to transfer up to 100 percent of the formula funds allocated to the local area for Adult program services and up to 100 percent of funds allocated to the local area for Dislocated Worker formula program services for a **fiscal year**, between:

- C. Adult employment and training activities; and
- D. Dislocated Worker employment and training activities.

Policy:

On behalf of the Governor, the Maine Department of Labor, Bureau of Employment Services (BES) will review and approve requests from a Local Board seeking to transfer funds between the Adult and Dislocated Worker formula programs. Such requests will be reviewed upon receipt, and unless there are extenuating circumstances, notification of approval will be provided within ten business days or less. Local Areas may not transfer funds to or from the Youth formula program.

Criteria for approval of a local area transfer request:

In order to approve a request for fund transfer the local area must establish they have met one of the following criteria for making the transfer:

- A. The local area has significant discretionary funding targeted to serve one population over the other; for example, ample Trade Act and Dislocated Worker Grant funds are available to serve DWs, but only formula funds are available to serve Adults;
- B. The local area has fully expended funds in one program that still has unmet need, yet has ample unobligated funds in the other program; or
- C. Other: The local board may explain the rationale for the transfer request, identify the situation necessitating the need, and articulate the benefits that will result from the transfer. Such rationale should be supported by the Local/Regional Plan and include assurance that the target group from which funds will be taken will not suffer negative consequences as a result.

Local Boards seeking to transfer funds must submit the request to the Bureau using the form below.

Local Board minutes reflecting board approval of the transfer request must be attached or referenced as a link.

IMPORTANT: Transfer of funds **does not require a fiscal amendment** to the award agreement contract, but may require a modification of the participant service implementation plan of that contract if the number of participants to be served under either program changes by 30% or more. As always, original program funds must be spent prior to expenditure of transferred funds.

As funds identified for transfer are expended they **must be reported on the FR10** as directed by lines **t** and **u**.

- t. Expenditure of Adult Funds Transferred to DW Program:** Enter expenditures resulting from the transfer of Adult funds to the Dislocated Worker program. Up to 100% of Adult WIOA funds may be transferred per MDOL policy guidelines. Expenditures are also included in line **f** in the Adult program. Line **d** does not get changed as the result of transfers.
- u. Expenditure of DW Funds Transferred to Adult Program:** Enter expenditures resulting from the transfer of Dislocated Worker funds to the Adult program. Up to 100% of WIOA DW funds may be transferred according to MDOL policy guidelines. Expenditures are also included in line **f** in the Dislocated Worker program.

Please direct questions to: Ginny Carroll, Director
 Division of Policy & Evaluation
 Bureau of Employment Services
 Maine Department of Labor
 Augusta, ME 04333-0055
 Virginia.A.Carroll@maine.gov
 207-623-7974

REQUEST FOR TRANSFER OF WIOA FUNDS

Please complete this form in full, attach documentation of board approval, sign, date, scan and email to Virginia.A.Carroll@maine.gov and cc: Lisa.A.Baldassini@maine.gov

Local Board: _____

Contract Number: CT: _____ **PY** _____

TRANSFER of DW to ADULT

Total amount of ADULT funds expended to date: \$ _____

Total amount of DW Funds to be transferred to ADULT \$ _____

Amount of funds to be transferred per service provider:

Service Provider Name: _____ Amount: \$ _____

Service Provider Name: _____ Amount: \$ _____

Service Provider Name: _____ Amount: \$ _____

Revised Numbers to be Served: ADULTS _____ DWs _____

TRANSFER of ADULT to DW

Total amount of DW funds expended to date: \$ _____

Total amount of ADULT Funds to be transferred to DW \$ _____

Amount funds to be transferred per Service Provider:

Service Provider Name: _____ Amount: \$ _____

Service Provider Name: _____ Amount: \$ _____

Service Provider Name: _____ Amount: \$ _____

Revised Numbers to be Served: ADULTS _____ DWs _____

Copy of Local Board meeting minutes approving the transfer attached? Yes _____ **No** _____

Criteria necessitating the transfer of funds request:

Board Director Signature: _____

Submitted on: ____/____/____

BES Approval Signature: _____

Approved on:

____/____/____

APPENDIX XVII— MOU PHASE 1



STATE OF MAINE
DEPARTMENT OF LABOR
BUREAU OF EMPLOYMENT SERVICES
55 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0055

Paul R. LePage

MAINE WORKFORCE DEVELOPMENT SYSTEM			
Subject of Policy:	Memoranda of Understanding (MOU)	Policy No.	PY16-01
To:	- State WDB - Local WDBs - Chief Elected Officials - WIOA Required Partners	From:	Edward D. Upham, Director Bureau of Employment Services
Issuance Date:	September 1, 2016	Status:	ACTIVE
Reference/ Authority:	- WIOA §121 - WIOA §512 20 CFR 678.300-320, 678.400-440, 678.500-510, and 680.320(b)		
Definitions	Page 5.		

Purpose: To provide guidance on negotiation and implementation of Memoranda of Understanding (MOUs) developed between Local Workforce Development Boards (LWDBs) and WIOA-required and other workforce partners.

Background: The one-stop delivery system brings together workforce development, educational, and other human resource services in a seamless, customer-focused, service delivery network that enhances access to programs' services and improves the long-term employment outcomes of individuals receiving assistance. One-stop partners administer separately funded programs as a set of integrated streamlined services to customers. The design of the local area one-stop delivery system is to be described in the MOUs executed with each partner. [20 CFR 678.300](#)

The Workforce Innovation and Opportunity Act (WIOA) states that each Local Workforce Development Board (LWDB), with the agreement of the chief elected official, shall develop and enter into a Memorandum of Understanding (MOU) between the local board and one-stop partners concerning the operation of the one-stop delivery system in the local area. There are three LWDBs in Maine, the Northeastern WDB (NWDB) which covers Aroostook, Washington, Penobscot, Piscataquis, and Hancock Counties; the Central Western Maine WDB (CWMWDB) which covers Androscoggin, Franklin, Oxford, Somerset, and Kennebec

Counties, and the Coastal Counties WDB (CCWB) which covers York, Cumberland, Sagadahoc, Lincoln, Knox, and Waldo Counties.

LWDBs are tasked with engaging workforce partners in discussion regarding the coordination and integrated delivery of services in the local area, assurance that all services are accessible to workers and employers and how the costs of the one-stop infrastructure will be shared. Each local area must provide at least one **comprehensive one-stop center** at which the services of **all** required partner programs can be accessed. Local area one-stop systems may also include affiliate sites that provide one or more partner services; however, all sites identified as part of the local one-stop delivery system must be physically and programmatically accessible to individuals with disabilities. [WIOA §188, 29 CFR Part 38](#)

Identification of the Comprehensive One-Stop(s) in the Local Area

The State and LWDBs must take the following into consideration in identifying the comprehensive one-stop center(s) for a local area, to ensure both cost effectiveness and maximum access for residents of the local areas:

- Existing lease agreements
- Number of required partners already co-located in a physical center
- Ease of access to the comprehensive center for all local area residents
- Proximity of the center to other required partner organizations
- Availability and affordability of space within the center for partners wishing to co-locate

WIOA requires that the services of each required partner program be able to be accessed from at least one comprehensive one-stop center in each local area. The term **access** is defined as:

1. Having a program staff member physically present at the comprehensive one-stop;
2. Having a staff member from a different partner program physically present at the comprehensive one-stop appropriately trained to provide information to customers about the programs, services, and activities available through partner programs; **or**
3. Making available a direct linkage through technology to program staff that can provide meaningful information or services.
4. **Direct linkage** means: providing direct connection, within a reasonable amount of time, by phone or through real-time Web-based communication, to a program staff member; direct linkage does not mean only providing a phone number, Website address, or pamphlets and materials. [20 CFR 678.305](#)

Examples of methods of providing “direct linkage” to partner programs may include:

- Designated staff in the center who are trained to connect customers with required partner(s);
- Staff trained to provide information on behalf of the required partner(s);
- Implementing “live chat” capabilities between the center and required partner(s);
- Requesting that the required partner identify a dedicated, on call, staff person able to respond to one-stop customer inquiries; and
- Identifying, with each partner the amount of time that constitutes a “reasonable time frame” in which the one-stop customer gains access to the required partner(s) services.

Required Partners:

The Required Partner is the entity that is the grant recipient/administrative entity responsible for administering the program grant funds. The term “entity” does not include service providers that contract with, or are subrecipients of, the administrative entity. [20 CFR 678.415](#)

The following are the partners identified under WIOA that each LWDB is required to enter into an MOU with:

Programs	Required Partner
Adult, Dislocated Worker, Youth Formula Programs	Local Workforce Development Boards
Adult Education & Family Literacy	ME Dept. of Education
CTE Carl Perkins Act –Post-Secondary	ME Dept. of Education or Maine Community Colleges
Community Services Block Grant E & T Activities	Maine Dept. of Health & Human Services
Job Corps	Loring Job Corps & Penobscot Job Corps
Jobs for Veterans State Grant	ME Dept. of Labor
Migrant & Seasonal Farmworker Programs	Eastern Maine Development Corp. NFJP grantee
Housing & Urban Development E & T Activities	HUD
Native American Programs	Penobscot Indian Nation (NWDB only)
Second Chance Act E & T Programs	ME Dept. of Corrections
Senior Community Service Employment (SCSEP)	Associates for Training and Development (A4TD)
Temporary Assistance for Needy Families (TANF)	ME Dept. of Health & Human Services
Trade Adjustment Act	ME Dept. of Labor
Unemployment Compensation / Reemployment	ME Dept. of Labor
Vocational Rehabilitation Programs	ME Dept. of Labor
Wagner Peyser Act Employment Service	ME Dept. of Labor
YouthBuild	Learning Works (with CCWB only)
Chamber of Commerce (SWDB Required Partner)	State or Local Chamber

MOUs may be developed with additional partners that play a role in the state or local one-stop system such as the Maine Apprenticeship Program, the Competitive Skills Scholarship Program, New Ventures, Ticket-to-Work, the Small Business Association, the Maine Development Foundation, Maine Public Libraries, CAP Agencies, Economic Development Districts/Entities and others. [20 CFR 678.400-410](#)

Partner Roles and Responsibilities: Each required partner must:

1. Provide access, through the one-stop delivery system, to its programs and activities, including making available the applicable Career Services identified in the definitions section below;
2. Use a portion of its funds available for the program activities to maintain the one-stop delivery system, including payment of the infrastructure costs in accordance with WIOA § 121(h) and State Policy PY16-02;
3. Work collaboratively with the State and local boards to establish and maintain the one-stop delivery system.
4. Enter into a local MOU with the local board, relating to the operation of the one-stop system;
5. Participate in the operation of the one-stop system, consistent with the terms of the MOU, the requirements of WIOA and Federal regulations and other applicable legal requirements; and
6. Provide representation on the State and Local Boards as required under WIOA. [WIOA§121\(b\)\(1\)\(A\)](#)

Each required partner is responsible for identifying the career services that are relevant to their programs and making those services able to be accessed through the comprehensive one-stop center in each local area and any affiliate site as agreed upon. Partners must ensure that individuals have access to these services on regular business days at a minimum. Local areas are encouraged to find creative ways to expand the hours that services are available to ensure that services are universally accessible; ability to offer services during non-traditional hours are one of the evaluation components for one-stop certification.

Development of the Memoranda of Understanding:

The MOU is the product of discussion and negotiation between the required partner program and the Local Workforce Development Board and its Chief Elected Officials (CEO). LWDBs can develop a blanket MOU with all or some partners or single MOUs with individual partners. LWDBs must document the negotiations process in the MOU. In the event the LWDB is unable to execute an MOU or is at an impasse regarding shared costs, the LWDB must inform the MDOL. Technical assistance will be provided as necessary. [20 CFR 678.505-510](#)

The MOU is used by program service providers as a as a blueprint of the design for delivery of local workforce services. The MOU addresses shared services to shared customers and shared costs. Partners of the local one-stop system will be evaluated on the coordination and integration of delivery of services and by how well they adhere to the components agreed to in the MOUs.

Local boards must begin the MOU development process with required partners immediately. The requirement for an MOU with required partners has been in place since the onset of the Workforce Investment Act of 1998 and is carried over by WIOA. Local boards must have current MOUs in place to be compliant with the Act. Final regulations for WIOA provide additional time for local boards to negotiate the WIOA-prescribed infrastructure cost-sharing portion of the MOU. In order to accommodate the required deadline, local boards must have final infrastructure cost-sharing agreements in place by March 31, 2017.

The MOU must include: [20 CFR 678.500](#)

1. A description of the services to be provided and the manner in which the services will be coordinated and delivered through the system;
2. Agreement on funding the costs of the services and the operating costs of the system – including infrastructure costs of the one-stop centers and funding of the shared services and operating costs of the one-stop delivery system;
3. Methods for referring individuals between the one-stop partners for appropriate services and activities;
4. Methods to ensure that the needs of workers, youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in providing access to services, including access to technology and materials that are available through the one-stop delivery system;
5. The duration of the MOU and the procedures for amending it;
6. Assurances that each MOU will be reviewed, and if substantial changes have occurred, renewed, not less than once every 3-year period to ensure appropriate funding and delivery of services. *Note: the MOU may contain any other provisions agreed to by the parties, consistent with the Act and authorizing statutes of each partner program;*
7. The signatures of the Local WDB Chair and Director, the Local Area chief elected official, and the one-stop partner; and
8. The time period during which the agreement is effective.

Note: as stated above the MOU must be updated not less than once every three years to reflect any changes to the signatory officials or the infrastructure cost-sharing agreement. The infrastructure cost-sharing agreement portion of the MOU may be updated more frequently, such as on an annual basis as deemed appropriate by the LWDB and required partner. Specific guidance on negotiating infrastructure cost-sharing agreements is provided under policy 16-02.

MOU Development Guide
Services to be provided and the manner in which they are coordinated • Define the purpose, mission, values and goals of the system • Identify the partners included in the MOU (both required and optional). • Describe the system design • Describe the system services, that are applicable to each partner, including career services, and those identified in the Maine Unified Plan • Identify the system customers and describe shared customers • Describe the responsibilities of the partners, including joint planning and staff development/professional development
Describe the initial plan for Phase II funding of services and operating costs. • A commitment to sharing system operating costs • An assurance that costs will be based on proportionate use and agreed upon methodology • An assurance that a cost sharing agreement will be completed during Phase II of the MOU process (See PY16-02 for more guidance)
Describe method for referring individuals between the partners • Describe the one-stop system referral process • Describe the commitment to ensuring a high-quality, customer-centered focus

Identify how the one-stop system will provide direct access to partners in person and through real-time technology
Describe methods to ensure the needs of workers, youth, individuals with barriers to employment and individuals with disabilities are addressed in provision of necessary services and appropriate access, including access to technology and materials made available through the system. - Attach a system map that identifies the location of each comprehensive and affiliate center in the local area - Define individuals with barriers to employment and describe how the system will ensure access to and priority of services to individuals with barriers to employment - Include a commitment by the partner(s) to work together to share data and technology - Identify measures and internal controls to be applied to ensure system security - Include a commitment to comply with the confidentiality provisions of the respective statutes of the partners - Describe how the system will provide measures to promote nondiscrimination and equal opportunity. - Describe the system grievance procedures - Include a commitment that the partner will comply with the American's with Disabilities Act Amendment of 2008 - Include a commitment that the partner(s) will promote capacity building and professional development for staff in order to increase awareness and understanding of service individuals with barriers to employment and individuals with disabilities
Describe the duration of the MOU and procedures for amending it. - Identify the effective dates of the MOU - Include an assurance to review the MOU at least once every three years - Describe the procedure established to revise the MOU - Describe the procedures established to terminate the MOU
Recommended Provision: Describe how the system partners will handle dispute resolution

Definitions:

Affiliate Sites – or affiliate one-stop centers, are sites that makes available to job seeker and employer customers one or more of the one-stop partners' programs, services, and activities. An affiliate site does not need to provide access to every required one-stop partner program. Affiliate sites are access points in addition to the comprehensive one-stop center(s) in the local area. Affiliate sites can also be specialized centers that address specific needs of a target population or key industry sector or cluster. [20 CFR 678.310](#)

Business Services – Labor exchange activities and labor market information must be provided to employers through the local one-stop system. Customized services, tailored to specific employers may also be provided, including:

1. Customized screening and referral of qualified participants in training services to employers;
2. Customized services to employers, employer associations, or other such organizations on employment-related issues;
3. Customized recruitment events and related services, such as targeted job fairs;
4. Human resource consulting services, including but not limited to assistance with:
 - o Writing/Reviewing job descriptions and employee handbooks;
 - o Developing performance evaluation and personnel policies;
 - o Creating orientation sessions for new workers;

- o Honing job interview techniques for efficiency and compliance;
 - o Analyzing employee turnover;
 - o Creating job accommodations and using assistive technologies; or
 - o Explaining labor and employment laws to help employers comply with discrimination, wage/hour, and safety/health regulations;
5. Customized labor market information for specific employers, sectors, or industries or clusters; and
 6. Other similar customized services.

Career Services- Career Services consist of three types, Basic, Individualized, and Follow-Up.

1. Basic Career Services must be made available in the comprehensive one-stop center and must include:
 - a. Determination of eligibility for the Title I formula-funded Adult, Dislocated Worker or Youth programs;
 - b. Outreach, intake and orientation to information and services available through the one-stop system, including an opportunity for individuals to initiate an application for TANF assistance through the provision of a paper application form or Web-link;
 - c. Initial assessment of skill levels including: literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skill gaps), and supportive service needs;
 - d. Labor Exchange Services, including: job search and placement assistance, and when needed individual career counseling, including provision of information on:
 - In-demand industry sectors and occupations;
 - Non-traditional employment;
 - Appropriate recruitment and other business services to employers, including referrals to specialized business services other than those traditionally offered through the one-stop delivery system;
 - e. Provision of referrals to and coordination of activities with one-stop partner programs and services;
 - f. Assistance establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA;
 - g. Provision of information (in understandable formats and languages) on:
 - workforce and labor market employment statistics information for local, regional, and national labor market areas;
 - Job vacancy listings in those labor market areas;
 - Job skills necessary to obtain the vacant jobs listed;
 - Local occupations in demand and the earnings, skill requirements, and opportunities for advancement in those jobs.
 - Performance and cost information on programs offered by eligible training providers of education, training and workforce services, by program and type of provider;
 - Local area performance accountability measures;
 - The availability of supportive services or assistance and appropriate referrals to those services, such as childcare, child support, medical or child health care assistance, SNAP, EITC, and TANF and other services as appropriate;
 - Filing an unemployment insurance claim;
2. Individualized Career Services which are to be provided based on participant need, include:
 - a. Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers;
 - b. Development of an individual employment plan to identify goals, objectives and appropriate combination of services for the participant to achieve his/her employment goals;
 - c. Group counseling;
 - d. Individual counseling;
 - e. Career planning;
 - f. Short-term pre-vocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare individuals for unsubsidized employment;
 - g. Internships and Work Experiences that are linked to careers;

- h. Workforce preparation activities;
- i. Financial Literacy services;
- j. Out-of-area job search and relocation assistance; and
- k. English language acquisition and integrated education and training programs.

3. **Follow-Up Services:** are services provided to participants for up to 12 months after they exit the program to support their success in unsubsidized employment and may include: workplace counseling and guidance. *TANF agencies must identify employment services and related supports being provided through the TANF program that may also qualify as Career Services.*

Comprehensive One-Stop Center – is a physical location where job seeker and employer customers can access **all** of the relevant programs, services, and activities of the required one-stop partners. At least one comprehensive one-stop center must be located in each local area. Each comprehensive center must have at least one Title I formula-program staff person physically present. The comprehensive center must provide:

- Access to all WIOA Career Services;
- Access to permissible Training Services and activities;
- Access to the Employment and Training Activities offered by the required and other one-stop partners; and
- Access to Workforce and Labor Market Information [20 CFR 678.305](#)

Individuals with Barriers to Employment –Individuals with barriers to employment include:

1. Displaced homemakers;
2. Low income individuals;
3. Indians, Alaskan Natives, and Native Hawaiians;
4. Individuals with disabilities;
5. Older individuals, i.e.: those age 55 or over;
6. Ex-Offenders;
7. Homeless individuals;
8. Youth who are in or have aged out of the foster care system;
9. Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers;
10. Eligible migrant and seasonal farmworkers, defined in WIOA §167(i);
11. Individuals within 2 years of exhausting eligibility under TANF (part A of title IV of the Social Security Act);
12. Single parents, including single pregnant women;
13. Long-term unemployed individuals (unemployed 26 weeks or more); and
14. Other groups determined to have barriers to employment. [20 CFR 680.320\(b\)](#)

Infrastructure Costs –nonpersonnel costs necessary for the general operation of the one-stop center, including:

- Rental of facilities;
- Utilities and Maintenance;
- Equipment (including assessment-related products and assistive technology for individuals with disabilities)
- Technology to facilitate access to the one-stop center, including technology used for the center’s planning and outreach activities
- Common identifier costs;

APPENDIX XVIII—YOUTH SERVICE PROVIDER CRITERIA



STATE WORKFORCE DEVELOPMENT BOARD

120 STATE HOUSE STATION

AUGUSTA, MAINE 04333-0120

www.maine.gov/swb/

Paul R. LePage

MAINE WORKFORCE DEVELOPMENT SYSTEM			
Policy Subject	Youth Service Provider Criteria	Policy No:	PY16-03
To:	• State WDB • Local WDBs • Chief Elected Officials • Youth Committees	From:	Garret J. Oswald, Director State Workforce Board
Issued On:	• September 30, 2016	Status	ACTIVE
Authority:	• WIOA §129 • 20 CFR 681.400-510		

Purpose: To provide guidance to local areas and local youth committees regarding criteria that must be considered in the procurement of youth service providers for WIOA Title I youth services.

Background: In addition to the requirements delineated under WIOA Section 129 and Final Regulations 20 CFR 681.400-510, the State Workforce Development Board has identified the following criteria that must be considered in the procurement of Title I youth services:

- A.** For the purpose of identifying appropriate youth service elements and career pathways for each youth participant, the youth provider must be able to **conduct an objective assessment of each youth that includes an evaluation of:**
- a. Academic and literacy levels, including English language proficiency;
 - b. Pre-employment competencies and employability skills;
 - c. Prior work experience and transferrable skills;
 - d. Occupational skills, aptitudes (including occupational interests, work preferences, and aptitude for and interest in non-traditional occupations);
 - e. Developmental needs;
 - f. Supportive services necessary to successfully participate in all aspects of the youth program;
 - g. Barriers to transition to employment or post-secondary education.
 - h. Need for each of the fourteen youth service elements;
 - i. Need for comprehensive counseling and coordinated referrals to programs and services such as:
 - i. Mental health services
 - ii. Substance abuse counseling

- iii. Temporary Assistance for Needy Families (TANF)
 - iv. Supplemental Nutrition Assistance Program (SNAP)
 - v. Housing and homeless assistance programs
 - vi. Programs that address juvenile recidivism
 - vii. Programs providing assistance to individuals with disabilities
 - viii. Parenting and childcare programs
 - ix. Programs that provide guidance to youth whose parent/guardian is incarcerated or affected by addiction or mental illness.

- B.** Must show evidence of ability to provide services that are age-, needs-, and ability-appropriate, including provision of suitable accommodations for individuals with disabilities.

- C.** In partnership with the youth participant, development of youth employment plans articulate goals, benchmarks, activities, and service elements that will launch the youth on a defined career pathway and that will result in the youth meeting or exceeding locally negotiated performance measures. Such plans must include identification of short and long term goals, including goals for measurable skill gains, credential attainment, employment, and/or transition to post-secondary training or education.

- D.** Document active involvement of family members, community service members, and others who play a critical in the youths' success, as part of program service design.

- E.** Demonstrate how opportunities for youth to practice leadership and citizenship skills, including providing peer mentoring, project leadership, and community service activities are provided.

- F.** Demonstrate strong business/employer involvement including specific examples of long-term relationships with employers who provide:
 - a. Work experience opportunities that include regular assessment of work readiness and employment competency skills;
 - b. Opportunities for job shadowing or informational interviewing;
 - c. Occupationally specific internships or On-the-Job Training opportunities;
 - d. Practice employment interviews that result in constructive feedback for youth;
 - e. Adult mentoring;
 - f. Actual employment opportunities;
 - g. Apprenticeship and pre-apprenticeship opportunities;
 - h. Participation in youth career exploration events and job fairs;
 - i. Participation in youth committees and other youth advisory boards.

- G.** Demonstrate an atmosphere of inclusion, appreciation of diversity, and commitment to youth advocacy through examples and anecdotal evidence of such.

- H.** Demonstrate significant relationships with, and ability to package the services of, a variety of community organizations that serve at-risk youth through formal memoranda of understanding, contracts or

other formal agreements that provide evidence of such relationships, including relationships with Adult Education, Vocational Rehabilitation, the juvenile justice system, DHHS, post-secondary education providers, financial aid providers, employer organizations, and others.

- I. Demonstrate the ability to offer work-based learning experiences that stress the connection between academic knowledge and work activities, through provision of examples of work-site agreements.
- J. Provide evidence accessible facilities, programs, technology, and ability to provide appropriate accommodations for youth with special needs.
- K. Demonstrate ways in which the youth program establishes high expectations for youth participants, including evidence showing the majority of youth participants who enter the program - participate in and complete the activities identified on the youth employment plan, and showing the program meets identified performance measures.
- L. Documentation of ability to connect youth participants with all fourteen required youth service elements, either through direct provision or through partnerships, MOUs, or other methods, to include provision of:
 - a. Tutoring and/or Study Skills;
 - b. Access to drop out recovery programs or alternative education;
 - c. Work-based learning;
 - d. Occupational Skills Training;
 - e. Education offered concurrently with and in the same context as occupational training;
 - f. Leadership development;
 - g. Adult Mentoring;
 - h. Support Services;
 - i. Follow-up Services;
 - j. Comprehensive guidance and counseling;
 - k. Financial Literacy;
 - l. Entrepreneurial Skills/ Training;
 - m. Career guidance and counseling, including provision of local and state labor market information and information about how to prepare to enter occupations that are in demand in the local area and in Maine; and
 - n. Activities that prepare youth for entry into post-secondary education.
- M. Evidence of employment of professional staff, including requisite credentials and experience and demonstration of a commitment to staff development that prepares staff to deliver the services identified above.

Contact:

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APPENDIX XIX—ONE STOP CERTIFICATION CRITERIA



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Paul R. LePage

MAINE WORKFORCE DEVELOPMENT SYSTEM			
Policy Subject	One-Stop Certification Criteria	Policy No:	PY16-04
To:	• State WDB • Local WDBs • Chief Elected Officials • One-Stop Partners	From:	Garret J. Oswald, Director State Workforce Development Board
Issued On:	September 30, 2016	Status	ACTIVE
Authority:	• WIOA Sections 101(d)(6)(A) and 121(g) • 20 CFR 678.800 , 678.130(f)(1) and 679.370(q)		

Purpose: To provide guidance to Local Boards, CEOs, and one-stop system partners regarding the criteria to be used to evaluate and certify one-stop centers.

Background:

The certification process is important to setting a minimum level of quality and consistency of services in one-stop centers across State. The certification criteria allow the State to set standard expectations for customer-focused, seamless services from a network of partners that help individuals overcome barriers to becoming and staying employed.

In order to be eligible to receive infrastructure funding, one-stop centers must be assessed and certified by the local board at least once every three years using criteria established under WIOA Section 121(g) and identified by the State Workforce Development Board (SWDB) in consultation with the chief elected officials (CEOs) and local boards, as outlined in this policy.

The SWDB, in consultation with CEOs and local boards, will review the one-stop certification criteria at least once every two years and will update it as necessary to assure continuous improvement of the system.

The SWDB will ensure that one-stop certification criteria is in alignment with the State Unified Plan and that any revisions to the certification criteria will be formalized in a policy issuance and included as a modification to the State Unified Plan.

When a Local Board acts as a One-Stop Operator:

When the local board also acts as the one-stop operator the SWDB will be the entity that evaluates and certifies the one-stops in that local area.

WIOA Mandated Criteria:

The criteria identified in this guidance will be used to evaluate one-stop centers for effectiveness, customer satisfaction, physical and programmatic accessibility, alignment and integration of resources for the purpose of continuous improvement.

Evaluation Criteria must include assessment of how well the one-stop center:

- Integrates available services for participants and businesses in a way that is tied to locally negotiated performance goals;
- Meets the workforce development needs of participants through provision of services and leverage of resources;
- Meets the employment needs of local employers;
- Operates in a cost-efficient manner;
- Coordinates services among and between one-stop programs in a way that is seamless to the customer and eliminates duplication of services;
- Provides access to partner program services to the maximum extent possible; including providing services outside of regular business hours where and when there is a workforce need identified by the local board.
- Ensures equal opportunity for all individuals, including individuals with barriers to employment, to participate in or benefit from one-stop center services;
- Takes action to comply with disability-related regulations implementing WIOA Section 188, set forth in 29 CFR 38, including:
 - Making reasonable accommodations for individuals with disabilities;

- Making reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination against individuals with disabilities;
 - Administering programs in the most integrated setting appropriate;
 - Communicating with persons with disabilities as effectively as with others;
 - Providing appropriate auxiliary aids and services, including assistive technology devices and services to afford individuals with disabilities equal opportunity to participate in, and enjoy the benefits of, program activities; and
 - Providing for the physical and programmatic accessibility of the one-stop center to individuals with disabilities.
- Achieves or exceeds State negotiated levels of performance and other performance measures established by the local board for the local area;
 - Has a process for identifying and responding to technical assistance needs of staff and partners;
 - Has a system of ensuring professional staff have the requisite abilities, knowledge and skills required to administer services, including a system for provision of continuing professional development activities on behalf of professional staff, as necessary;
 - Has a system in place to capture and respond to customer feedback and to ensure customer-centric service delivery and customer satisfaction (workers, seekers and employers); and
 - Has a system in place to assess itself in regard to these requirements and to implement continuous improvements.

State Criteria per the State Workforce Development Board, local boards must also evaluate one-stop centers on the effectiveness of outreach strategies and efforts, including:

- Outreach to employers to provide information about the types of services, information and sector initiatives offered by and through the system;
- Outreach to individuals who cannot easily access the services at the physical one-stop centers, including:
 - Individuals in remote areas;
 - Individuals with disabilities;
 - Individuals with limited English proficiency or literacy; and
 - Individuals who are currently incarcerated and preparing for release.

Procedures and Methods of Evaluation Local Boards may adopt locally identified methods of assessment which may include:

- Assessment through a recognized certification mechanism, like the Malcolm Baldrige Award, that incorporates the above criteria;
- Assessment using a specific evaluation tool designed to review and evaluate the above criteria; or
- Assessment using a combination of both of the above or other method as determined by the local board.

Local Board Requirements and Deadlines:

- A draft of the local area process and evaluation instruments to be used must be submitted to the Bureau of Employment Services, on or before September 29, 2017.

- Local boards must ensure local one-stop system service providers and partners have been made aware of the process and evaluation instruments that will be used to evaluate and certify one-stops, by or before January 26, 2018.
- All local area one-stops must be evaluated and certified by or before September 30, 2019 and must be evaluated at least once every three years thereafter.
- Documentation of certification of each one-stop must be provided to the Bureau of Employment Services on or before September 29, 2017.

Local Area Criteria Local boards may identify criteria in addition to that identified in this guidance. They must inform local system partners of the additional criteria via dissemination of formal policy or guidance and must include the additional criteria as part of the local /regional plan.

In addition, local areas that have identified additional criteria must formally review its criteria at least once every two years.

One-Stop Criteria Review:

The State Workforce Development Board will review the criteria identified in this guidance by September 30, 2018 and every two years thereafter.

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APPENDIX XX—YOUTH REQUIRES ADDITIONAL ASSISTANCE CRITERIA



STATE OF MAINE
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Paul R. LePage

MAINE WORKFORCE DEVELOPMENT SYSTEM			
Subject of Policy:	Youth Requires Additional Assistance	Policy No.	PY16-05
To:	- Local WDBs - Chief Elected Officials - WIOA Service Providers	From:	Edward D. Upham, Director Bureau Employment Services
Issuance Date:	October 25, 2016	Status:	ACTIVE
Reference:	- WIOA §129(a)(1)(B) (iii)(VIII); 129(a)(1)(C)(iii)(VII); and 129(a)(3)(B) 20 CFR 681.210(c)(8); 681.300; and 681.310	Rescinds:	<i>PY13-10</i>

Purpose: To provide guidance to Local Boards regarding youth eligibility under the Youth barrier for a “Low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.” §681.210(c)(8)

Background: Under the Workforce Investment Act (WIA) local boards implemented policy defining additional barriers for “youth who requires additional assistance,” for youth eligibility purposes. Local Board policy identified significant barriers to youth employment that were prevalent in the local and identified the documents required to validate the specific youth barrier(s) defined.

The Workforce Innovation and Opportunity Act (WIOA), identifies multiple youth barriers for eligibility purposes for both In-school (ISY) and Out-of-School (OSY) Youth. WIOA requires the State or Local Boards to establish definitions for additional youth barriers pertaining to youth most-in-need and places a limitation on the percent of In-School-Youth eligibility using the locally-defined barrier not to exceed five percent (5%) of all ISY enrollments.

For In-School-Youth the barrier must pertain to low-income students who require additional assistance to complete an educational program. [§681.310](#)

For Out-of-School-Youth the barrier must pertain to low-income youth who require additional assistance to enter or complete an educational program, *or* to secure and hold employment. [§681.300](#)

To accommodate WIOA changes Local Boards must:

1. Rescind and/or revise the old policy to create a new policy for “Low-Income Youth requires additional assistance...” ensuring that the local definition does not duplicate any youth barriers already identified under WIOA and that it identifies barriers faced by youth in the local area;
2. Title the policy “**Local Definition of Youth Requires Additional Assistance**” and not the “sixth barrier” as it is no longer the sixth barrier;
3. Clearly define the specific barrier(s) and list the documentation to be used to validate the barrier;
4. Clearly articulate that the local barrier can only be used as an eligibility barrier for up to 5% of all In-School Youth (ISY);
5. Establish a method for tracking ISY enrollments under this barrier to ensure that the 5% limitation is not exceeded;
6. Provide a copy of the new policy to the Maine Department of Labor Bureau once it has been reviewed and approved by the Local Board; and
7. Provide evidence that local area Youth Service Provider staff have been made aware of the new/revised policy, that they understand the limitation on its use for eligibility for In-School-Youth, and they are able to implement it accordingly.

Contact:

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Maine Department of Labor

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APPENDIX XXI—COMMON IDENTIFIER CRITERIA



STATE OF MAINE
DEPARTMENT OF LABOR
BUREAU OF EMPLOYMENT SERVICES
55 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0055

Paul R. LePage

MAINE WORKFORCE DEVELOPMENT SYSTEM			
Subject of Policy:	Common Identifier for One-Stop System	Policy No.	PY16-06
To:	- Local WDBs - Chief Elected Officials - One-Stop Operators - WIOA Service Providers and Partners	From:	Edward D. Upham, Director Bureau Employment Services
Issuance Date:	November 17, 2016	Status:	ACTIVE
Reference:	- WIOA §121(e)(4) 20 CFR 678.900 34 CFR 361.900 and 463.900 - TEGL 36-11		

Purpose: This policy explains requirements pertaining to the use of the American Job Center (AJC) tagline **“A proud partner of the American Job Center network.”**

Background: WIOA §121 (e) (4) and 20 CFR 678.900 require partners of the one-stop delivery system to utilize a common identifier, Maine requires that one-stop partners utilize the tag-line identified in bold above. Having a common identifier provides continuity across Maine’s workforce systems and enables businesses and individuals to easily identify and connect with workforce resources and the various agencies and professionals that provide workforce services and make up the one-stop system. A common identifier will reassure individuals and businesses that they will receive the same, high-quality services from any comprehensive or satellite one-stop location.

Requirement: All one-stop partners must adopt and prominently display the common identifier **“A proud partner of the American Job Center network”** in accordance with the terms of use for the American Job Center Logo Trademark established by the U.S. Department of Labor Employment and Training Administration and the U.S. Department of Education. The terms of use of the trademark logo can be found at <https://www.dol.gov/ajc/> which clarifies the terms and establishes permissions for usage.

By or before November 17, 2016 all primary electronic resources used by the one-stop delivery system must contain the tagline, this includes websites and desktop logos, and any informational materials purchased or printed after this date must also contain the tagline. Existing printed materials may continue to be used until they are depleted.

By or before July 1, 2017, every existing one-stop center or satellite must clearly and prominently display a sticker or poster containing the tagline. Existing signage may continue to be used as long as a sticker or poster containing the tagline is clearly and prominently displayed in entryways and windows of the one-stop center or satellite center in a way that it can be easily viewed from the building exterior. Any new signage created going forward must include the tagline.

One-stop partners may use additional identifiers on their products, programs, activities, services, facilities and related property or materials. An outreach toolkit created by the U.S. Department of Labor provides logo templates that can be downloaded for use in electronic and/or printed materials at <https://www.dol.gov/ajc/>

Refer to TEGl 36-11 for more information at: https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7695

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APPENDIX XXII—LOCAL PLAN REQUIREMENTS



STATE OF MAINE

DEPARTMENT OF LABOR

BUREAU OF EMPLOYMENT SERVICES

55 STATE HOUSE STATION

Paul R. LePage

GOVERNOR

AUGUSTA, MAINE 04333-0055

MAINE WORKFORCE DEVELOPMENT SYSTEM			
Policy Subject:	Local /Regional Plan Requirements	Policy No.	PY16-07
To:	- State WDB - Local WDBs - Chief Elected Officials - WIOA Core & Required Partners	From:	Edward D. Upham, Director Bureau of Employment Services
Issuance Date:	September 9, 2016	Status:	ACTIVE
References	- WIOA Section 108 20 CFR 679.500 – 679.580		

Purpose: to provide guidance to Local Workforce Development Boards, Chief Elected Officials, and One-Stop Partners regarding the development and submission of Local /Regional Workforce Development Plans.

Background: As required under WIOA, Maine has identified three workforce regions (Northeastern, Central Western, and Coastal Counties); each region has one Local Workforce Development Board (Local Board); as such, the terms Local Plan and Regional Plan shall be interchangeable for the purpose of this guidance and plan submittal requirements.

Local plans must align with the State's Unified Plan and must also address the specific provisions set forth in WIOA Section 108 which requires each Local Board to develop and submit a comprehensive 4-year Plan and to review such plans at the end of the first two years of the four year period. The four year planning period covers workforce activities conducted between July 1, 2016 and June 30, 2020.

Local Plans must be submitted to both the Director of the State Workforce Development Board and the Commissioner of the Maine Department of Labor. Local Plans will be reviewed on the requirements set forth in this guidance and a recommendation will be made to the Governor regarding the approval of each plan.

Submission Requirements: Prior to submission, the Local Board, must:

1. Make copies of the proposed plan available to the public through electronic and other means for a period of 30 days;
2. Encourage members of the public, including representatives of business, labor, education, and other workforce stakeholders, to review and comment on the plan. To promote public response and support accessibility Local Boards must ensure that comments can be submitted in a variety of methods including: U.S. Mail, Courier, by Hand, or through Fax or Email;
3. Include copies of *all* public comments received, including copies of comments that represent disagreement with the Local Plan. Copies of comments received may be scanned into one document for this purpose;
4. The Local Plan must be submitted electronically in both Word (.doc) and Adobe (.pdf) format to: Garret.J.Oswald@maine.gov and John.Butera@maine.gov;
5. The submission must Identify the Local Board, and include the name, title, phone number and email address of the individual contact person;
6. **Local Plans must be submitted on or before December 19, 2016;**
7. Plans will be reviewed upon receipt.
8. Local Boards will receive a notification regarding approval status of the Local Plan within 90 days of submittal.

LOCAL PLAN CONTENTS:

Section 1: Strategic Planning / Regional Analysis

This section must include Local Area strategic planning elements consisting of:

- A. An analysis of: the regional economic conditions, including existing and emerging in-demand industry sectors and occupations, the employment needs of businesses in in-demand industry sectors, and identification of Local Area priority-industries identified via employer and stakeholder input and other data tools and methods. Describe the data tools and methods used to attain the information used in this analysis;
- B. An analysis of the knowledge and skills workers need to meet the employment needs of businesses in the Local Area, including those of businesses that make up in-demand industry sectors in the Local Area. Describe the data tools and methods used to identify in-demand industry sector knowledge and skill requirements;
- C. An analysis of the workforce in the Local Area, including current labor force employment and unemployment data; information on labor market trends and the educational and skill levels of the workforce in the Local Area, including individuals with barriers to employment. Please describe the data tools and methods used to obtain such information;

- D. An analysis of the workforce development activities (including education and training) in the Local Area, including an assessment of the strengths and weaknesses of such activities and services and an explanation of any limitations in capacity to provide activities and services necessary to address the skill and employment needs of the workforce in the Local Area;
- E. A description of the Local Board's strategic vision and goals for preparing an educated and skilled workforce (including preparing youth and individuals with barriers to employment) in order to support regional growth and economic self-sufficiency. Outline goals that support achievement of performance accountability measures identified in Section 116(b)(2)(A) of WIOA.
- F. Taking into account the analyses described in A-D above, explain how the Local Board will align the resources of and engage the entities that carry out the core programs in the Local Area in achieving the strategic vision and goals identified in E above.

Section 2: Local Workforce Development System *This section should include:*

- A. A description of the workforce development system in the Local Area identifying all of the programs that are included in the system and how the Local Board will work with each program entity in carrying out local workforce development initiatives. The description must explain how the Local Board will work to align and integrate programs to provide services to customers. The description should also include how the Local Board will work with Community Colleges as required under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);
- B. A description of how the Local Board, working with the entities that provide the programs identified above, will expand access to employment, training, education, and supportive services for eligible individuals, particularly eligible individuals with barriers to employment, including how the Local Board will facilitate the development of career pathways and co-enrollment, as appropriate, and improve access to activities leading to a recognized postsecondary credential (including a credential that is an industry-recognized certificate or certification, and/or that is portable and stackable);
- C. A description of the steps taken by the Local Board to engage entities in the formulation of the local plan. Describe the processes the Local Board (*and any of its subcommittees*) used to convene workforce system stakeholders to assist in development of the Local Plan. Explain how business and industry, education, social service, economic development; required partners and other workforce system stakeholders participated in and contributed to the development of the strategic vision for the region and the Local Plan strategies and objectives. You may attach copies of meeting agendas, attendee names, and meeting minutes of each planning session.

- D.** A description of the strategies and services that will be used in the Local Area to:
 - a. Facilitate engagement of businesses, including small businesses and businesses in in-demand industry sectors and occupations, in workforce development programs
 - b. Support a local workforce development system that meets the needs of businesses in the Local Area
 - c. Better coordinate workforce development programs and economic development
 - d. Strengthen linkages between the one-stop delivery system and unemployment insurance programs

- E.** A description regarding how the Local Area will utilize work-based learning approaches through such programs as Registered Apprenticeship, On-the-Job Training, Customized Training, Industry and Sector Strategies, Integrated Education and Training strategies, Career Pathways initiatives, utilization of business intermediaries, and other business services and strategies designed to meet the needs of businesses ;

- F.** A description of how the Local Board will coordinate workforce development activities carried out in the Local Area with economic development activities carried out in the Local Area to promote entrepreneurial skills training and microenterprise services and training and placement of participants;

- G.** A description of how the Local Board will leverage and coordinate supportive services in the delivery of workforce development activities carried out in the Local Area, including how the Local Board will work with other providers to deliver supportive services to job seekers;

- H.** A description of how the Local Board intends to promote a greater business voice in the delivery of workforce development activities carried out in the Local Area. This description should include how the board will engage businesses on decisions regarding the type and content of training activities required of the local workforce;

- I.** A description of how the Local Board will promote and cultivate industry-led partnerships and career pathways in delivery of workforce training opportunities;

- J.** A description of the role of faith-based or community-based organizations in the local one-stop system.

Section 3: Local One-Stop Delivery System

This section must include a description of the local one-stop delivery system, including:

- A. A list of all the one-stop centers in the Local Area, indicating those that are comprehensive and affiliated;
- B. A description of the customer flow process used in the Local Area. This description should include eligibility determination, assessment, individualized employment plans, training plans and case management;
- C. A description of how the Local Board will ensure meaningful access to all customers;
- D. A description of the process the Local Board will use to solicit and competitively select a One-Stop Operator as required under Section 107 of WIOA;
- E. A description of how the Local Board will ensure the continuous improvement of eligible providers of services through the system and ensure that such providers meet the employment needs of local businesses, workers and job seekers;
- F. A description of how the Local Board will facilitate access to services for those who live in rural and remote areas through the use of technology and other means;
- G. A description of how entities that make up the one-stop system, including one-stop operators and partners, will comply with Section 188 of WIOA, and the applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding the physical and programmatic accessibility of facilities, programs and services, technology, and materials, for individuals with disabilities, including providing staff training and support for addressing the needs of individuals with disabilities;
- H. A description of the roles and proposed resource contributions of the one-stop system partners;
- I. A description of how the board will use Individualized Training Accounts (ITAs) based on high-demand, difficult to fill, positions identified within local priority industries as stated under Section A;
- J. A description of how the Local Board will provide priority of service that conforms to the State plan. This should include a description of any additional local requirements or discretionary priorities including data to support the need and how the local requirement or priority will be documented and implemented for the Adult program;
- K. A description of how the Local Board will utilize funding to create incumbent worker training opportunities to avert layoffs or assist employees to retain jobs; and
- L. A description of how the Local Board will train and equip staff to provide excellent, customer-centric, WIOA-compliant, customer service.

Section 4: Title I - Adult, Dislocated Worker, and Youth Program Services *This section should include:*

- A.** A description and assessment of the type and availability of adult and dislocated worker employment and training activities in the Local Area;
- B.** A description of how the Local Board will mobilize workforce development activities carried out in the local in response to layoffs and in conjunction with rapid response activities, as described in WIOA Section 134(a)(2)(A);
- C.** A description and assessment of the type and availability of youth workforce development activities in the Local Area, including activities for youth who are individuals with disabilities, which description and assessment must include an identification of successful models of Local Area youth workforce investment activities;
- D.** A description of how the Local Board will coordinate education and workforce development activities carried out in the Local Area with relevant secondary and postsecondary education programs and activities to coordinate strategies, enhance services, and avoid duplication of services;
- E.** A description of how the Local Board will coordinate workforce development activities carried out under this title in the Local Areas with the provision of transportation, including public transportation, and other appropriate supportive services in the Local Area;
- F.** A description how the Local Board will utilize Adult funding , based on priority groups as identified in the State plan;
- G.** A description of how the Local Board will utilize Dislocated Worker Funding;
- H.** A description of how the Local Board defines “self-sufficiency” for employed Adult and Dislocated Worker participants;
- I.** A description of the Local Boards definition of “unlikely to return to previous industry or occupation” when required for eligibility for Dislocated Worker services;
- J.** A description of how the Local Board will interpret and document eligibility criteria for youth “requires additional assistance to complete an educational program or secure and hold employment” for both in-school and out-of-school youth, as set forth in WIOA Sections 129(a)(1)(B)(iii)(VII) and (a)(1)(C)(iv)(VII);
- K.** A description of the documentation required to demonstrate a need for training;
- L.** A description of how the Local Board will, assess the need for, and provide the fourteen required program elements for youth program design;

- M.** A description of the steps the Local Board will take to ensure 20% of Youth funds are used for work-based training activities;
- N.** A description of how the board will prioritize out-of-school youth and identify specific steps to ensure that 75% of youth funds are dedicated to out-of-school youth.
- O.** If the Local Area has contracted with youth service providers, provide a list and description of those providers and the specific service elements they provide;
- P.** Describe how the Local Board will ensure that basic and individualized career services, including follow-up, will be provided to Adults and Dislocated workers and how such services will be coordinated across programs with required partners;
- Q.** Explain the Local Board's "follow-up" policy for Adults and Youth, including follow-up requirements, frequency of contact, and required documentation.

Section 5: Wagner Peyser Services *This section should include:*

- A.** Describe the plans, strategies, and assurances regarding maximizing coordination of services provided by the State Employment Service under the Wagner Peyser Act (29 U.S.C. 49 et seq.) and services provided in the Local Area one-stop system to improve service delivery and avoid duplication of services to workers, job seekers and employers;
- B.** Describe how the Local Board will utilize the Wagner Peyser program to provide access to local workforce development services for unemployment insurance claimants;
- C.** Describe how services will be provided to migrant and seasonal farm workers in the Local Area;

Section 6: Title II – Adult Education and Literacy Programs *This section should include:*

- A.** A description of how the Local Board will coordinate workforce development activities in the Local Area with the provision of Adult Education and literacy activities under Title II of WIOA, including implementation of the career pathways model. The description should explain how the Local Board will comply with the requirement to review local applications submitted under Title II to the Office of Adult Education and Literacy Services and once the review has been conducted, how the Local Board will submit documentation of the review and any recommendations for increased alignment to the applicant for Title II services, in a timely manner;
- B.** A description of how the Local Board will coordinate efforts with Title II providers to align basic skills and English language assessments. Such coordination efforts should include:

- An outline of the agreed upon steps that will be taken to align basic education skills and English language assessments within the Local Area, including, but not limited to, any Memoranda of Understanding entered into;
 - An identification of how assessment scores will be shared among WIOA Title I and Title II providers (*Consideration must be given to the Federal Education Rights and Privacy Act (FERPA)*);
 - An identification of who will conduct which of the approved assessments (*including for Trade Participants*) and when such assessments will be conducted, consistent with State and Local policy;
 - An outline of how the Local Area will coordinate testing between workforce development and Adult Education providers; and,
 - An outline of how the Local Area will ensure that test administrators are trained in accordance with specific assessment test administration requirements;
- C. A description of how the Local Board will ensure that the individual appointed to represent Title II services on the Board will communicate with the State AEFLA Grant recipient and coordinate with all Title II Adult Education service providers in the Local Area in a uniform, regular, and consistent manner.
- D. A description of how Adult Education services will be provided in the American Job Center system within the Local Area.

Section 7: Cooperative Agreements *This Section should include –*

- A. A description of any cooperative agreements between the Local Board or other local entities and as described in section 101(a)(11)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)(B)) and the designated State agency administering programs carried out under title I of such Act (29 U.S.C. 720 et seq.) with respect to efforts that will enhance the provision of services to individuals with disabilities and to other individuals, such as cross-training of staff, provision of technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination to ensure access to programs and services for individuals with disabilities;
- B. A description of how individuals with disabilities will be served through the American Job Center system in the Local Area.

Section 8: Jobs for Veterans State Grants *This Section should include –*

- A. A description of how the Local Board will provide priority of service to veterans and their eligible spouses;
- B. A description of how the Local Board will engage Local Veterans Employment Representatives in connecting with and providing services to local businesses.

Section 9: Fiscal, Performance and Other Functions *This Section should include --*

- A. Identification of the entity responsible for the disbursement of grant funds described in section 107(d)(12)(B)(i)(III), as determined by the chief elected official or the Governor under section 107(d)(12)(B)(i)'
- B. A description of the financial sustainability of one-stop services with current funding levels, and a description of the ability to make adjustments should funding levels change;
- C. A description of the competitive process to be used to award subgrants and contracts in the Local Area for activities carried out under this title, including describing risk assessment factors reviewed about potential subgrantees and contractors;
- D. A description of the local levels of performance negotiated with the Governor and chief elected official pursuant to section 116(c), to be used to measure the performance of the Local Area and to be used by the Local Board for measuring the performance of the local fiscal agent (where appropriate), eligible providers under subtitle B, and the one-stop delivery system, in the Local Area;
- E. A description of the actions the Local Board will take toward becoming, or remaining, a high-performing board, and consistent with the factors developed by the State board pursuant to Section 101(d)(6) a description of the process used by the Local Board to review and evaluate performance of local one-stop centers;
- F. A description, including a copy of, of the Local Area's Individual Training Account policy. The description should include information such as staff-assisted selection processes, dollar limits, duration, etc.;
- G. A description of how training services under chapter 3 of subtitle B will be provided in accordance with Section 134(c)(3)(G), including, if contracts for the training services will be used, how the use of such contracts will be coordinated with the use of Individual Training Accounts under that chapter and how the Local Board will ensure informed customer choice in the selection of training programs regardless of how the training services are to be provided;
- H. A description of how core partners are working toward transition to an integrated, technology-enabled, common intake and case management system for programs carried out under WIOA by one-stop partners;
- I. A description of the Local Board's procedures for conducting oversight and monitoring of its WIOA activities and those of its subgrantee and contractors. The monitoring plan should address the monitoring scope and frequency and shall include the following:
 - The roles and responsibility of staff in facilitating this procedure;
 - A requirement that all subgrantee agreements and contracts be monitored at least annually;
 - Procedures for determining that expenditures have been made against the cost categories and within the cost limitations specified in the Act and WIOA regulations;

- Procedures for determining compliance with other provisions of the Act and regulations and other applicable laws and regulations, including the method of monitoring to be used for subgrantees and contractors;
 - Provisions for the recording of findings identified during monitoring and how such findings will be explained to the subgrantee or contractor for response and the recording of all corrective actions;
 - Provisions of technical assistance as necessary and appropriate; and
 - Specific local policies developed by the Local Board for oversight of youth activities and employment and training activities under Title I of WIOA;
- J.** A description of the Local Board's policy and procedures regarding the handling of personally identifiable and confidential information;
- K.** A description of the Local Board's procedures for handling grievances and complaints from participants and other interested parties affected by the local one-stop system, including partners and service providers;
- L.** Provide a separate description of the process for each of the following :
- Complaints alleging discrimination on the ground of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in any WIOA Title I – financially assisted program or activity;
 - Complaints and grievances not alleging illegal forms of discrimination. This includes grievances from individuals alleging labor standards violations.
 - Remedies that may be imposed for a violation of any requirement under WIOA Title I, limited to, suspension or termination of payments under the title; prohibition of placement of a participant with an employer that has violated any requirement under WIOA Title I; reinstatement of an employee, payment of lost wages and benefits, and reestablishment of other relevant terms, conditions, and privileges of employment (where applicable); and other equitable relief as appropriate;
- M.** A description of the Local Board's policy and procedures with regard to provision of aid, benefits, services, training, and employment services, including assurance that you will provide reasonable accommodation to qualified individuals with disabilities unless providing the accommodation would cause undue hardship;
- N.** A description of how the Local Board will comply with the Americans with Disabilities Act. The description should include how the Local Board will provide reasonable accommodations regarding materials, technology, and physical and programmatic accessibility of facilities. The description should also include how the Local Board will provide staff training and support for addressing the needs of individuals with disabilities;
- O.** A description of the Local Board's policy and procedures in place to ensure that communications with individuals with disabilities, including individuals with visual or hearing impairments, are as effective as communications with others;

- P. A description of the steps the Local Board will take to meet the language needs of limited English speaking individuals who seek services or information. The description should include how the Local Board proposes that information will be disseminated to limited-English speaking individuals;
- Q. A description of the Local Board's procurement system, including a statement of assurance that the procedures conform to the standards in DOL regulations set forth in 29 CFR Part 95, Part 97 and 2 CFR 200;
- R. A description of any documentation to demonstrate that the acquisition, management, and disposition of property adhere to Property Management Procedures identified in 29 CFR 95;
- S. A description of any policies or procedures the Local Board adopted to avoid conflicts of interest or the appearance of such conflicts in the exercise of their responsibilities, particularly those related to the awarding of contracts;
- T. A description of the Local Board or fiscal agent's accounting procedures, including the procedures used in preparing reports to the State. In addition to the requirement that all financial transactions be conducted in compliance with Generally Accepted Accounting Principles (GAAP), the fiscal management system must include the following in the accounting procedures. This description must address how the fiscal system;
 - Tracks funding types, funding amounts, obligations, expenditures and assets;
 - Permits the tracking of program income, stand-in costs, and leveraged funds;
 - Is adequate to prepare financial reports required by the State;
- U. A description of how the Local Board's (or fiscal agent's) financial system will permit tracing of funds to a level adequate to establish that funds have not been used in violation of WIOA standards or DOL regulations;
- V. A description of the Local Board's (or fiscal agent's) cash management system, providing assurance that no excess cash will be kept on hand, and that procedures are in place to monitor cash;
- W. A description of the Local Board's cost allocation procedures including:
 - Identification of different cost pools;
 - Procedures for distribution of staff costs between cost categories (Administrative cost, program cost and indirect cost);
 - Procedures used for distribution of funds from each cost pool;
 - Description of funds included in each cost pool;
 - Description of cost allocation plans for one-stop centers;
- X. A description of the Local Board's (or fiscal agent's) procedure for collecting debts involving WIOA funds.

Section 10: Performance Accountability *This section should explain:*

1. How performance information on workforce development programs informs local strategic planning;
2. How Local Boards will use the Statistical Adjustment Model to negotiate local area performance goals;
3. How performance information is used to oversee WIOA title I programs and inform continuous quality improvements in the day to day management of Title I programs;
4. How Local Area performance information is used to conduct performance-based intervention;
5. How the Local Board will make local area performance information available to the public on a quarterly basis

Section 11: Local Board Assurances

Please complete and submit the assurances identified in Attachment A.

Contact:

Ginny Carroll, Director

Division of Policy & Evaluation

Bureau of Employment Services – Maine Department of Labor

207-623-7974 Virginia.A.Carroll@maine.gov

APPENDIX XXIII—NONDISCRIMINATION -ACCESSIBILITY



STATE WORKFORCE BOARD
120 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0120
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Paul R. LePage

MAINE WORKFORCE DEVELOPMENT SYSTEM			
Policy Subject	ACCESSIBILITY, EQUAL OPPORTUNITY, AND NONDISCRIMINATION	Policy No:	PY17-01
To:	- Local Workforce Boards - Chief Elected Officials - One-Stop Operators, Managers, Staff - Eligible Training Providers - Required One-Stop System Partners	From:	Garret J. Oswald, Director State Workforce Development Board
Issued On:	September 29, 2017	Status	ACTIVE
Authority:	- Workforce Innovation and Opportunity Act (WIOA) §121(b) - WIOA § 188 - Code of Federal Regulations 29 CFR 38 - Training and Employment Letters (TEGLs) 26-02, 10-14, 11-14, 31-11, 37-14 - Training and Employment Notice (TEN) 1-15 - Section 188 Checklist - See Appendix C for additional references related to this policy		

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INTRODUCTION

Purpose: To provide guidance to recipients and required partners in Maine’s one-stop workforce development system on the implementation of equal opportunity, nondiscrimination, and physical and programmatic accessibility provisions in the Workforce Innovation and Opportunity Act (WIOA) and related statutes, regulations, and guidance.

Background: WIOA assigns responsibilities at the local, state and federal levels to ensure a one-stop delivery system that prohibits discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief. The act also prohibits discrimination on the basis of the status as any beneficiary of/applicant to/participant in WIOA programs or on the basis of the individual’s citizenship status in any WIOA programs or activity.

WIOA also addresses physical and programmatic accessibility, including the use of assistive technology, to ensure access to information and workforce services. The State Unified Plan calls for universal access, with emphasis on improved access and engagement of under-served and under-employed people.

Applicability: This policy applies to all core and required partners, and eligible training providers in Maine’s one-stop system. It is designed to guide Maine’s one-stop system in complying with section 188, 29 CFR 38, and other state and federal equal opportunity, nondiscrimination, and physical and programmatic accessibility requirements. See Training and Guidance Letters noted above.

Recipients and required partners must ensure that their staff people are familiar with this policy and how to implement it.

DEFINITIONS

Accessibility/Access People with disabilities or limited English proficiency are afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use. (*Adapted from U.S. Department of Justice Resolution Agreement. 11-11-6002*)

Accessibility/access may require a reasonable accommodation.

Applicant An individual who is interested in being considered for any WIOA aid, benefit, service, or training by a recipient, and who has signified that interest by submitting personal information in response to a request by the recipient.

Assistive (or Adaptive) Equipment/Technology (AT or AE) Assistive Technology (AT) is any device, piece of equipment or product that makes it easier for someone with a disability to live more independently and safely, work at a job, learn in school, get about their community, or pursue play and leisure. In this context, AT makes it possible for individuals to benefit from, and fully participate in, employment, programs, services, activities, and training.

Beneficiary(ies) The individual or individuals intended by Congress to receive aid, benefits, services, or training from the recipient or required partners.

Digital accessibility The ability of persons with disabilities to access electronic resources such as the internet, software, mobile devices, e-readers, etc.

Disability The ADA defines “disability” as follows: With respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual, a record of such impairment, or being regarded as having such impairment.

Eligible/Eligibility Meeting the requirements for receiving services.

Hidden (or invisible) disabilities Disabilities that are not immediately apparent. Some common hidden disabilities are diabetes, post-traumatic stress, traumatic brain injury, cancer, anxiety disorders, heart disease, and arthritis.

Limited English Proficient (LEP) individual An individual whose primary language for communications is not English and who has a limited ability to read, speak, write, and/or understand English. LEP individuals may be competent in English for certain types of communication (e.g.; speaking or understanding), but still may be LEP for other purposes (e.g.; reading or writing).

Nondiscrimination Fairness in treating people without prejudice. The absence or avoidance of discrimination.

One-stop partner An entity described in WIOA section 121(b)(1) and an entity described in WIOA section 121(b)(2) that is participating, with the approval of the local workforce development board and chief elected official, in the operation of the one-stop delivery system. See Appendix B for a list of these entities.

One-stop system The network of entities described in WIOA sections 121(b)(1) and (2). See Appendix B.

Participant An individual who has been determined eligible to participate in and who is receiving any aid, benefit, service, or training under a program or activity financially assisted in whole or part under Title I of WIOA. “Participant” includes, but is not limited to, individuals receiving any service(s) under State Employment Service programs and claimants receiving any service(s) or benefits under State Employment Insurance programs.

Physical accessibility Buildings, grounds, and facilities that are easy to find, reach, enter, use. Physical accessibility includes, but is not limited to, offices that are easy to reach via public transportation, alternative locations of service, training and education facilities, events, work spaces, meeting and interview rooms, bathrooms, computers/computer equipment, office equipment, and reading material. Electronic documents must be readable by software designed for blind and visually impaired individuals.

Programmatic accessibility Policies, practices, and procedures providing effective and meaningful opportunity for persons with disabilities, limited English proficiency, and religious practices that require accommodation to participate in or benefit from employment opportunities, aid, benefits, services, and training. Programmatic accessibility includes, but is not limited to, providing reasonable accommodations, making reasonable modifications to policies, practices, and procedures, administering programs in the most integrated setting appropriate, communicating with persons with disabilities or limited English proficiency as

effectively as with others, and providing appropriate auxiliary aids or services, including assistive technology devices and services, where necessary to afford individuals an equal opportunity to participate in and enjoy the benefits of the program or activity.

Recipient Any agency or entity that receives financial assistance under WIOA, including but not limited to state agencies, state and local workforce boards, WIOA discretionary grant recipients, one-stop operators, service providers-including eligible training providers, on-the-job training (OJT) employers, Job Corp operators, and others. As outlined in the *Federal Register* Volume 81, Number 232, December 2, 2016, “The term ‘recipient’ includes every one-stop partner listed in WIOA Section 121(b), whenever the partner operates or conducts programs or activities that are part of the one-stop delivery system.” See Appendix B for list of required partners under WIOA Section 121(b).

Required partner An entity described in WIOA section 121(b)(2) that is participating, with the approval of the local workforce development board and chief elected official, in the operation of the one-stop delivery system. See **One-stop partner** above and Appendix B for a list of these entities.

Qualified individual A person who has been determined eligible to receive certain services that require participants to meet specific qualifications. (This is not the same as “qualified individual with a disability.”)

Qualified individual with a disability With respect to employment, an individual who satisfies the requisite skill, experience, education, and other job-related requirements of the employment position such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position. With respect to aid, benefits, services, or training, an individual who, with or without auxiliary aids and services, reasonable accommodations, and/or reasonable modifications in policies, practices and procedures, meets the essential eligibility requirements for the receipt of such aid, benefits, services, or training. 29 CFR 38.4(ww)

Service animal/service dog Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. 29 CFR 38.4(fff) and 38.16 See appendix A.

NOTE: The miniature horse is not included in the definition of service animal, which is limited to dogs. However, the new ADA regulations contain a specific provision which covers miniature horses. Businesses must make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. 28 CFR 35.136(i) See Appendix A.

Subrecipient Any non-federal entity that receives a subaward from a pass-through entity. A subrecipient also may be a recipient of other federal awards directly from a federal awarding agency.

Universal access The concept that an environment (building, product, service, information, etc) can be found, reached, understood and used to the greatest extent possible. Universal access intends to meet the needs of all people who wish to use that environment. Universal access means that anyone can reach

and use the one-stop system to the degree they are qualified or eligible. It does not mean that people who are not qualified or not eligible must be granted access to services. See "Universal design" below.

According to the US Department of Labor's Office of Disability Employment Policy (ODEP), universal access includes performance of the following functions:

- Understanding local needs;
- Marketing and outreach;
- Involving community groups and schools;
- Effecting collaboration, including partnerships and linkages;
- Staff training;
- Intake, registration and orientation;
- Assessments and screenings; and
- Service delivery.

See the publication *Promising Practices In Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide* <https://www.dol.gov/oasam/programs/crc/188Guide.htm>

Universal design Also known as "inclusive design" and "design for all," this is a strategy for making products, environments, operational systems, and services welcoming and useable to the most diverse range of people possible. The key principles of universal design are simplicity, flexibility, ease of access, and efficiency.

Web accessibility Website design and practices that afford the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use. (*Adapted from USDOJ Resolution Agreement. 11-11-6002*)

EQUAL OPPORTUNITY and NONDISCRIMINATION

I. Discrimination prohibited

No individual is to be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of, or in connection with any program or activity funded in whole or in part under WIOA because of their race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only - citizenship or participation status.

II. Discriminatory actions prohibited:

When providing employment, aid, benefits, or services under WIOA, recipients and required partners must not,

- A. Directly or through contractual licensing or other arrangements, on the grounds of race, color, religion, sex, sexual orientation, national origin, age, political affiliation or belief, disability status, or for beneficiaries - citizenship or participant status:
 1. Deny an individual any aid, benefits, services or training;
 2. Provide an individual with employment or any aid, benefits, services or training that is different, or is provided in a different manner, from that provided to others;

3. Subject an individual to segregation or separate treatment in any matter related to his or her employment or receipt of aid, benefits, services or training;
 4. Restrict an individual in any way from enjoying any advantage or privilege enjoyed by others employed or receiving aid, benefits, services or training;
 5. Treat an individual differently from others in determining whether she or he satisfies any admission, enrollment, eligibility, membership or other requirement or condition for employment or any aid, benefits, services or training;
 6. Deny or limit an individual with respect to any opportunity to participate in a WIOA Title I program or activity, or afford him or her an opportunity to do so that is different from the opportunity afforded others under such program;
 7. Deny an individual the opportunity to participate as a member of a planning or advisory body that is an integral part of a WIOA program or activity;
 8. Otherwise limit on a prohibited ground an individual from enjoying any right, privilege, advantage or opportunity enjoyed by others receiving WIOA-related employment, aid, benefits, services or training.
- B. Aid or perpetuate discrimination by providing significant assistance to an agency, organization, or person that discriminates on a prohibited ground in providing employment, aid, benefits, services, or training to registrants, applicants or participants in a WIOA program or activity.
- C. Refuse to accommodate an individual's religious practices or beliefs, unless to do so would result in undue hardship, as defined in 29 CFR 38.4.
- D. Refer a person to another program, agency, or service before that individual has received the same greeting, orientation, initial assessment and triage that all individuals are required to receive when they access the system.

NOTE: Section A.2. above does not provide a rationale for refusing to provide an accommodation. It means that with a reasonable accommodation or modification, a person can access the same services as others. See the section on **Reasonable Modifications of Policies, Practices, and Procedures** on page 7.

III. **Discrimination on the grounds of citizenship prohibited**

Denial of participation in WIOA programs or activities on the basis of the participant's status as citizen or national of the United States who are lawfully admitted resident non-citizens, refugees, asylees, parolees (See Appendix A: "Non-citizens authorized to accept employment: 8 CFR 274A.12") or other immigrants authorized by the federal government to work in the United States.

IV. **Discrimination on the basis of disability prohibited**

WIOA recipients and required partners are obligated to provide physical and programmatic accessibility and reasonable accommodation/modification as required under section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended, and Section 188 of WIOA. Individuals with disabilities must not be treated differently from any other individual attempting to access information, aid, benefits, services or training, except for providing accommodations as needed. See 29 CFR 38.4 and Appendix C.

- A. When providing employment, aid, benefits or services under WIOA, a recipient/required partner must not directly, through contractual licensing, or through other arrangements, on the ground of disability:
 - 1. Deny a qualified individual the opportunity to participate in or benefit from the aid, benefits, services or training;
 - 2. Afford a qualified individual with a disability employment opportunities or an opportunity to participate in or benefit from the information, aid, benefits, services or training that is not equal to that same opportunity afforded to others;
 - 3. Provide a qualified individual with a disability with employment opportunities or an aid, benefit, service or training that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit or to reach the same level of achievement as that provided to others;
 - 4. Provide different, segregated, or separate information, aid, benefits, services, or training to individuals with disabilities, or to any class of individuals with disabilities, unless such action is necessary to provide qualified individuals with disabilities with employment opportunities, information, aid, benefits, services or training that are as effective as those provided to others;
 - 5. Deny a qualified individual with a disability the opportunity to participate as a member of planning or advisory boards; or
 - 6. Otherwise limit a qualified individual with a disability in enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving such employment opportunities, information, aid, benefit, service or training.
- B. Recipients and required partners must not deny a qualified individual with a disability the opportunity to participate in any WIOA programs or activities despite the existence of separate or different programs or activities. For example, a person with a disability cannot be denied labor exchange services or formula funded training services because they could be served by Bureau of Rehabilitation Services or any other program targeted to serve individuals with disabilities specifically. 29 CFR 38.12(c)
- C. Individuals with disabilities cannot be referred directly to Vocational Rehabilitation Services before that individual has received the same greeting, orientation, initial assessment, and triage that all individuals receive when they access the system.

V. Reasonable modifications of policies, practices, and procedures

- A. Recipients and required partners must make reasonable modifications to their policies, practices, and procedures unless they can demonstrate that making modifications would fundamentally alter the nature of the service, program, or activity.
- B. Recipients and required partners must have a written procedure for handling a request for a modification.
- C. To provide the best customer service, to document who we serve, and to accurately reflect our services to people with barriers to employment, our system encourages people to disclose their disability, but disclosure is not required unless an individual is requesting an accommodation.

- D. Recipients and required partners must maintain in operable condition those features of facilities and equipment that are required to be readily accessible to and useable by persons with disabilities. This section does not prohibit isolated or temporary interruptions in service or access due to maintenance and repairs.
- E. Denying services solely because a person needs an accommodation is considered discriminatory. Automatically referring people with disabilities to agencies specializing in services for such individuals, such as VR, without determining if they could benefit from your services is considered discriminatory.
- F. Recipients and required partners should be prepared and willing to initiate an interactive process with a person in need of accommodation. The conversation may be informal. People with a disability need not formally request an accommodation. They may simply indicate that they are not able to participate under the current physical or procedural circumstances. The conversation should include adequate information about the person's condition and potential reasonable accommodations to overcome those circumstances. See Appendix A for resources regarding accommodations. 29 CFR 38.4 (yy) (1) and (2)

VI. Notice and communication (29 CFR §38.34)

- A. Recipients and required partners must provide initial and continuing notice that they do not discriminate on any prohibited ground, to:
 - Registrants, applicants, and eligible registrants/applicants;
 - Participants;
 - Applicants for employment and employees;
 - Unions or professional organizations that hold collective bargaining or professional agreements with the recipient/required partner;
 - Subrecipients; and
 - Members of the public, including those with impaired vision or hearing and those with limited English proficiency.
- B. To meet the requirement for initial and continuing notice, recipients and required partners must indicate that the WIOA program or activity is "an equal opportunity employer/program," and that "auxiliary aids and services are available upon request to individuals with disabilities" in recruitment brochures and other materials that are ordinarily distributed to or communicated in written or oral form, electronically and/or on paper, to staff, clients, or the public at large. When such materials indicate that the recipient/required partner may be reached by telephone the materials must state the TDD/TTY number or relay service used by the recipient/required partner.
- C. Recipients and required partners must take steps to ensure that communications with individuals with disabilities are as effective as communications with others. 29 CFR 38.15
- D. Recipients and required partners must take reasonable steps to ensure meaningful access for individuals with limited English proficiency served or encountered to effectively inform them about and/or participate in programs and activities. 29 CFR 38.9(b)
 - 1. Orientations: During each presentation to orient new participants, new employees, and/or the general public to its WIOA program or activity, in person or by technology, recipients and

required partners must include a discussion of the rights and responsibilities under WIOA's nondiscrimination and equal opportunity provisions, including the right to file a complaint. The information must be communicated in appropriate languages and formats. (29 CFR §§ 38.15, 38.39, and 38.9)

2. Affirmative Outreach: Recipients and required partners must make reasonable efforts to include members of the various groups protected by 29 CFR §38. Such efforts can include:
 - Advertising in media specifically targeting these populations;
 - Sending notices about openings in the recipient's or required partner's programs and its activities to agencies, schools, and community service groups that serve these populations,
 - Consulting with appropriate community service groups on ways to improve the recipient's/required partner's outreach and services to these populations. (29 CFR §38.40)
- E. Notices in publications, broadcasts, news media and other communications: 29 CFR 38.35 through 38.40
1. Recipients and required partners must provide the Equal Opportunity Statement, *Equal Opportunity Is The Law*, to each participant and must document such in each participant's file. See Appendix D and <https://www.dol.gov/oasam/programs/crc/EOPosters.htm>
 2. Recipients and required partners must ensure that this notice is provided in appropriate languages to ensure meaningful access for limited English proficient (LEP) individuals. 29 CFR 38.9, 38.15 and 38.34 (b)
 3. If both paper and electronic files are maintained, documentation that the participant acknowledged receiving the statement must be recorded in both the electronic and paper files.
 4. Recipients and required partners should inform participants about the procedure outlined in the Equal Opportunity Statement when filing a discrimination complaint under WIOA. The required wording of the statement is found at 29 CFR 38.35. See Appendix D.
 5. Recipients and required partners must indicate that the program or activity is "an equal opportunity employer/program," and "auxiliary aids and services are available upon request to individuals with disabilities" in recruitment brochures and other materials that are ordinarily distributed to or communicated in written or oral form, electronically and/or on paper, to staff, clients, or the public at large. When such materials indicate that the recipient or required partner may be reached by telephone, the materials must state the TDD/TTY number or relay service used by the recipient.
 6. Recipients and required partners must communicate equal opportunity and nondiscrimination provisions to those signing up for or attending orientation sessions and other events open to the public and to participants.
- F. Responsibility to provide services and information in languages other than English:

Populations eligible to be served or directly affected by a WIOA program or activity may need services or information in a language other than English in order to be effectively informed about or to be able to participate in the program or activity.

Recipients and required partners should make reasonable efforts to meet the particular language needs of limited-English-speaking individuals seeking WIOA-funded services. See 29 CFR 38.39 See Appendix B for Language Resources for interpreter and translation services, including such services for people with hearing loss.

Where a significant number or proportion of people with limited English proficiency exists, a recipient/required partner must take the following actions:

1. Consider:
 - i. The scope of the program or activity; and
 - ii. The size and concentration of the population that needs services or information in a language other than English; and
2. Based on those considerations, take reasonable steps to provide services and information in appropriate languages; including initial and continuing notice of equal opportunity requirements.

VII. Complaints

Equal opportunity and nondiscrimination complaints must be addressed according to the process outlined in the Equal Opportunity Statement, *Equal Opportunity Is The Law*. See Appendix D.

PHYSICAL and PROGRAMMATIC ACCESSIBILITY

I. Purpose

This part of the policy:

- Establishes requirements to ensure that all members of the public can access information and, as appropriate, career and training services provided through Maine's one-stop system,
- Promotes client-centered approaches in the design and delivery of the system of services, information, policies, and procedures, and
- Encourages one-stop system recipients and required partners to practice continuous improvement in accessibility.

II. Universal Access

Universal access is full availability of services, products, environments, systems, and communications by all qualified or eligible individuals. When combined with client-centered design, the one-stop system is welcoming and usable by the most diverse range of people possible.

In order to provide inclusive access to the one-stop system, the system's partners should pay attention to the various functions they perform, including strategic planning, marketing and outreach, consultation

with community groups and schools, operational collaboration among the partners, training, registration, intake, assessment, orientation, events, supportive services, referrals, and service delivery.

It is the policy of Maine's one-stop system that programs, services, aid, and benefits are designed to be accessible to all qualified/eligible users. Physical space, hours of service, web-based communications and services, and events are included. A policy or procedure should be modified if it presents a barrier to access. Modification in order to provide access might not require a permanent change, but it may indicate a need for revision or redesign to improve access for all.

Every reasonable action shall be taken to ensure that all persons are given maximum opportunity as:

- Applicants and participants of employment and training programs provided by the Maine one-stop system;
- Members of councils and boards formed in association with WIOA and other employment and training programs;
- Applicants for employment and employees in the administration and operation of the services provided by the one-stop system required partners; and
- Recipients of procurement contracts for the purchase of goods and services.

III. Auxiliary aids, services and assistive technology

- A. In order to guarantee that individuals with disabilities are provided an equal opportunity to participate in and enjoy the benefits of WIOA Title I funded programs and activities, recipients and required partners must furnish appropriate auxiliary aids or services as necessary and must give primary consideration to the requests of the individual with the disability. Primary consideration means honoring the choice of auxiliary aid selected by the individual (unless the agency can demonstrate that another equally effective means of communication is available or that using the means selected by the individual would result in a fundamental alteration in the service, program, or activity or place undue financial and administrative burden on the entity).
- B. This obligation does not require recipients and required partners to provide personal devices, such as wheelchairs; prescribed devices, such as prescription eyeglasses or hearing aids; readers for personal use or study; or services of a personal nature. 29 CFR 38.12(n)
- C. Auxiliary aids and services include:
 - Qualified interpreters, note-takers, transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDDs/TTYs), videotext displays, or other effective means of making aurally delivered materials available to individuals with hearing impairments;
 - Qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective means of making visually delivered materials available to individuals with hearing impairments.
 - Acquisition of modification equipment or devices; and
 - Other similar services and actions.
- D. A recipient/required partner must not place a surcharge on a particular individual with a disability, or any group of individuals with disabilities, to cover the costs of

measures associated with providing auxiliary aids, services, or assistive technology that are required to provide that individual or group with the nondiscriminatory treatment required by WIOA. 29 CFR 38.12(k)

IV. Facility Accessibility

A. Specific information on ADA accessibility guidelines for buildings and facilities is provided on the internet at <http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards>

Areas requiring attention include, but are not limited to:

- Signage
- Parking
- Accessible counters, restrooms, and workstations
- Automatic and power-assisted doors and obstacle-free entrances
- Space in waiting rooms for people using wheelchairs
- Reducing distractions through adjusted lighting and sound levels
- Doorways and aisles in public spaces that are wide enough for easy navigation
- Digital and web accessibility, both within the agency and for the public

B. Upon request, a private space other than a bathroom or closet must be made available for a nursing mother who needs to express breast milk.

C. Recipients and required partners cannot deny access to a person with a service animal. See Definitions section and Appendix A for more information on service animals.

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. If employees or customers are afraid of service animals, a solution may be to allow enough space for that person to avoid getting close to the service animal.

Most allergies to animals are caused by direct contact with the animal. A separate space might be adequate to avoid allergic reactions.

If a person is at risk of a significant allergic reaction to an animal, the recipient or required partner is responsible for finding a way to accommodate both the individual using the service animal and the individual with the allergy. See: <https://adata.org/publication/service-animals-booklet> Section VI. Reaction/Response of Others

V. Document Accessibility

Documents must follow accessibility requirements outlined in Section 508 of the Rehabilitation Act of 1973, as amended. See **Document and Digital Accessibility** section of Appendix A on page 16-17 for resources on Section 508 requirements.

VI. Internet and Technology Accessibility

A. Access to information and services through websites is and will continue to be an integral component of Maine's one-stop system.

Section 508 of the Rehabilitation Act, as amended, requires that individuals with disabilities who are members of the public seeking information or services from a federal department or agency have access to and use of information and data that is comparable to that provided to the public who are not individuals with disabilities.

See Appendix A and Appendix C for Maine State Government *Web Accessibility and Usability Policy* and *Accessibility Policy on Effective Electronic Communications*.

- B. This policy extends this web/internet and technology accessibility to people who have limited English proficiency.

For further information:

Garret Oswald

Director

Maine State Workforce Board

54 State House Station

Augusta ME 04333-0054

Phone: 207.621.5087

Fax: 207.287.5292

TTY/TDD: Maine Relay 711

APPENDICIES

APPENDIX A: ONE-STOP SYSTEM AND WIOA RESOURCES

- Promising Practices in Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide <https://www.dol.gov/oasam/programs/crc/Section188Guide.pdf>
- US Department of Labor WIOA Section 188 Disability Checklist <https://www.dol.gov/oasam/programs/crc/section188.htm>
- Maine Bureau of Rehabilitation Services (BRS) Accessibility Guide http://www.maine.gov/rehab/accessibility_guide
- Non-citizens authorized to accept employment: 8 CFR 274A.12 <https://www.law.cornell.edu/cfr/text/8/274a.12>
- Equal Opportunity (EO) Notice *Equal Opportunity Is The Law* (also see Appendix D) <https://www.dol.gov/oasam/programs/crc/EOPosters.htm>
- *Access for All* A resource manual for meeting the needs of one-stop customers <https://www.communityinclusion.org/onestop/onestopmanual.html>
- *At Your Service: Welcoming Customers With Disabilities* web-based course, free of charge, offers education credits and certificate of completion <http://www.wiawebcourse.org/>

- *American Job Centers and Digital Access: A Guide to Accessible ICT* <http://www.peat-works.org/content/american-job-centers-and-digital-access-guide-accessible-ict>
- *Disability Inquiries in the Workforce Development System*
PDF http://www.ncwd-youth.info/sites/default/files/page/2009/02/infobrief_issue9.pdf
WORD http://www.ncwd-youth.info/sites/default/files/page/2009/02/infobrief_issue9.doc
- National Center on Workforce and Disability <http://www.onestops.info/>
- Evaluating the Accessibility of American Job Centers for People with Disabilities
<http://www.impaqint.com/sites/default/files/project-reports/AJC-Accessibility-Study.pdf>

Language resources

For people with limited English proficiency

- Limited English Proficiency
<https://www.lep.gov>
- Language Identification Card
Word: http://www.maine.gov/dhhs/documents/Language_ID_Card.doc
PDF: http://www.maine.gov/dhhs/documents/Language_ID_Card.pdf
- Interpretation Services for the general public
<https://211maine.communityos.org/zf/profile/search?keyword=interpreter&dosearch=1>
- Best Practices, Partnership Models, and Resources for Serving English Language Learners, Immigrants, Refugees, and New Americans
https://wdr.doleta.gov/directives/attach/TEN/TEN_28-16_Change_2_acc.pdf

For Deaf and Hard of Hearing people

- **For services delivered by Maine state agencies**, American Sign Language interpreters and other interpreters for Deaf, hard of hearing, and late-deafened individuals can be identified and accessed through the state Division of Purchases
<http://www.maine.gov/purchase/contracts/americansignlang.shtml>
- Interpreter services recommended by Bureau of Rehabilitation Services
http://www.maine.gov/rehab/dod/resource_guide/interpreting.shtml

Other one-stop system partners may use interpreters of their choice. Deaf, hard of hearing, and late deafened language resources:

- Division for the Deaf, Hard of Hearing & Late Deafened http://www.maine.gov/rehab/dod/re-source_guide/
- Deaf Services, Disability Rights Maine
<http://drme.org/deaf-services>
- Maine CART & Captioning Service (a speech to text translation service): <http://maine-cartservice.com./>

General Information and assistance on accommodations and nondiscrimination

- **State ADA Accessibility Coordinator**
Eric Dibner

Eric.dibner@maine.gov

207-623-7950 TTY Users: Call Maine Relay 711
- **Maine Bureau of Rehabilitation Services Accessibility Guide** http://www.maine.gov/rehab/accessibility_guide
- **Maine CITE** (assistive technology, resources, and training)
iweb@mainecite.org

207-621-3195 TTY Users call Maine Relay 711

www.mainecite.org
- **AlphaOne** (resources for independent living)
<http://www.alphaonenow.com/>

Portland: 800-640-7200

Bangor: 800-300-6016

Presque Isle: 800-974-6466

- **Disability Rights Maine** (information, referrals, advocacy, legal representation, education and training)
advocate@drme.org

800-452-1948 (V/TTY)

<http://www.drme.org/>

Disability Rights Maine Deaf Services:

deafservices@drme.org

800-639-3884 (V/TTY)

207-766-7111 (VP)
- **Maine Human Rights Commission** (handles discrimination complaints under the Maine Human Rights Act)
207-624-6290 Maine Relay 711

<http://www.maine.gov/mhrc/>
- **Job Accommodations Network** (database of accommodations, includes assistance by phone, email, and live chat. Focuses on workplace accommodations, and provides useful guidance for accommodations in general)
800-526-7234 TTY: 877-781-9403

<https://askjan.org/index.html>
- **ADA information** www.ada.gov
- **ADA Technical Assistance National Network** <https://adata.org/>

Disability Awareness, Etiquette, Hidden Disabilities

- [Disability Etiquette](https://www.unitedspinal.org/disability-etiquette/) downloadable, free of charge: <https://www.unitedspinal.org/disability-etiquette/> This website includes an version that is screen reader accessible
- [Watch Your Language](#) from National Center on Workforce and Disability
- *Basic Etiquette: People with Mental Illness* http://www.onestops.info/article.php?article_id=38
- *Hidden Disabilities Quick Reference Guide*

PDF [http://www.ncwd-youth.info/assets/guides/quick reference guides/hidden disabilities.pdf](http://www.ncwd-youth.info/assets/guides/quick%20reference%20guides/hidden%20disabilities.pdf)

WORD [http://www.ncwd-youth.info/assets/guides/quick reference guides/hidden disabilities.doc](http://www.ncwd-youth.info/assets/guides/quick%20reference%20guides/hidden%20disabilities.doc)

- ADA Technical Assistance National Network <https://adata.org/>

Document and Digital Accessibility

- Create Accessible Electronic Documents <https://www.section508.gov/content/build/create-accessible-documents>
- Creating Accessible Documents in Microsoft Word <http://www.washington.edu/accessibility/documents/word>
- *How to Meet Web Content Accessibility Guidelines (WCAG) 2.0* <https://www.w3.org/WAI/WCAG20/quickref/>
- *American Job Centers and Digital Access: A Guide to Accessible ICT* <http://www.peatworks.org/content/american-job-centers-and-digital-access-guide-accessible-ict>
- Partnership on Employment and Accessible Technology (PEAT) <http://www.peatworks.org/>
- *Accessibility of Office Documents and Office Applications* <http://aoda.nipissingu.ca/>
- Maine State Government Web Accessibility and Usability Policy <http://www.maine.gov/oit/policies/WebAccessibilityUsabilityPolicy.pdf>
- Maine State Government Accessibility Policy on Effective Electronic Communications <http://www.maine.gov/oit/policies/ADA-effective-communication-policy.pdf>

Social Media

- Social Media Accessibility Tips <https://www.dol.gov/odep/topics/ndeam/resources.htm#SocialMediaTips>
- Social Media Accessibility Toolkit for Public Service <https://www.digitalgov.gov/resources/federal-social-media-accessibility-toolkit-hackpad/>

Accessible facilities, workshops, meetings, and events

- *Tips for Planning an Accessible Job Fair* <http://calworkforce.org/wp-content/uploads/2017/05/Tips-for-Planning-an-Accessible-Job-WorkCon-2017.pdf>
- *A Planning Guide for Making Temporary Events Accessible to People With Disabilities* <https://adata.org/publication/temporary-events-guide>
- *Planning Accessible Meetings and Conferences* [https://ccids.umaine.edu/wp-content/uploads/sites/26/2017/06/CCIDS SUFU Planning Accessible Meetings Final-fillable 022515.pdf](https://ccids.umaine.edu/wp-content/uploads/sites/26/2017/06/CCIDS%20SUFU%20Planning%20Accessible%20Meetings%20Final-fillable%20022515.pdf)
- *Planning Accessible Meetings and Events: A Toolkit* [https://www.americanbar.org/content/dam/aba/administrative/mental physical disability/Accessible Meetings Toolkit.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/administrative/mental_physical_disability/Accessible_Meetings_Toolkit.authcheckdam.pdf)
- *Accessible Events* [http://www.meetingsevents.com.au/downloads/Accessible Events Guide.pdf](http://www.meetingsevents.com.au/downloads/Accessible%20Events%20Guide.pdf)
- *Design for Accessibility: A Cultural Administrator's Handbook* <https://www.arts.gov/sites/default/files/Design-for-Accessibility.pdf>

Service animals

- Maine Human Rights Act <http://legislature.maine.gov/statutes/5/title5sec4553.html>
- Americans with Disabilities Act regulations
https://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=28:1.0.1.1.36#se28.1.35_1136
- https://www.ada.gov/service_animals_2010.htm
- Frequently asked questions https://www.ada.gov/regs2010/service_animal_qa.html
- <https://adata.org/publication/service-animals-booklet>

Miniature horses

- 28 CFR 35.136(i)
https://www.ecfr.gov/cgi-bin/text-idx?SID=4484f0e26c14fac711aa9c1eff1a3b90&mc=true&node=se28.1.35_1136&rgn=div8
- <https://adata.org/faq/i-heard-miniature-horses-are-considered-be-service-animals-ada-true>

APPENDIX B: PROGRAMS COVERED BY THIS POLICY

Title I programs and all programs identified under WIOA Section 121(b) whenever they participate as part of the WIOA one-stop system are covered by this policy. See 29 CFR 38 Preamble Page 87138 Federal Register December 2, 2016, which further explains 20 CFR 38.2.

This includes the following entities who participate in the one-stop system:

- Title I – Formula Funded service providers of Adult, Dislocated Worker and Youth Services and National Dislocated Worker Grant which include:
 - Aroostook County Action Program (ACAP) in Aroostook County
 - Eastern Maine Development Corp. in Penobscot, Piscataquis and Hancock Counties
 - Western Maine Community Action in Androscoggin, Franklin, and Oxford Counties
 - Goodwill Industries in Cumberland, Lincoln, Knox, Sagadahoc, Waldo, and York Counties
 - Bureau of Employment Services Direct Delivery in Kennebec, Somerset and Washington Counties
- Title I – Job Corps Programs in Penobscot and Aroostook Counties – statewide services
- Title I – Penobscot Indian Nation (Native American Programs) Penobscot County
- Title I – Migrant & Seasonal Farmworker Programs (MSFW) - statewide services
 - Bureau of Employment Services for MSFW administration
 - Eastern Maine Development Corporation for National Farmworker Jobs Program (NFJP)
- Title I – Youthbuild Programs in Cumberland County
- Title II – Adult Education providers of AEFLA multiple sites statewide
- Title III – Wagner Peyser Act - Bureau of Employment Services Labor Exchange Services all 16 counties
- Title IV – Bureau of Rehabilitation Services and Subcontracted service

- WIOA Required Partners as follows:
 - Senior Community Service Employment Program (SCSEP) currently administered by Maine DHHS and provided by Associates for Training and Development (A4TD)
 - Carl Perkins Act Post-Secondary Programs currently administered by Maine Department of Education and provided by the seven campuses of the Maine Community College System
 - Trade Assistance Act – administered and provided by Bureau of Employment Services
 - Jobs for State Veteran’s Grants (JSVG) – administered and provided by Bureau of Employment Services
 - Community Services Block Grant – administered by Maine Department of Health and Human Services and provided through various agencies, including most Community Action Programs;
 - Employment & Training Grants of Housing & Urban Development (HUD) administered by HUD and delivered by a variety of agencies including Housing Authorities, CAP agencies and others
 - Unemployment Compensation & RESEA administered by Bureau of Unemployment Compensation and provided by BUC and BES
 - Second Chance Act – Employment & Training Funds for individuals leaving the Corrections System, currently administered by Maine Department of Corrections and services provided by a variety of agencies, including some listed above
 - Eligible Training Providers approved for WIOA training purposes, includes over 300 providers of occupational or educational training services, including community colleges, trade schools, adult education, universities, apprenticeship programs and more
 - Employers that provide Work Experience, On-the-Job Training, Transitional Jobs Training, Customized Training, or Incumbent Worker Training funded by WIOA.

APPENDIX C: OTHER RELATED STATUTES, RULES AND POLICIES

- Americans with Disabilities Act of 1990, as amended (ADA)
- Sections 503 and 504 of the Rehabilitation Act of 1973, as amended
- Section 508 of the Rehabilitation Act (29 U.S.C. 794d), as amended
- Age Discrimination Act of 1975, as amended 34 CFR 110
- Age Discrimination in Employment Act of 1967, as amended
- Title VII of the Civil Rights Act of 1964, as amended
- Title IX of the Education Amendments of 1972, as amended
- Individuals with Disabilities Education Act (IDEA)
- Affirmative action provisions of the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended
- Anti-discrimination provision of the Immigration and Nationality Act, as amended
- Equal Pay Act of 1963, as amended
- Federal Executive Order 11246, as amended
- Federal Executive order 13160
- MRSA 5 Chapter 337 Maine Human Rights Act
- Maine Department of Labor Policy No. 001 *Policy and Procedure for Processing Requests from Employees and Applicants for Reasonable Accommodation*
- Maine Department of Labor Policy No. 013 *Universal Access*
- Maine Department of Labor Policy No. 014 *Equal Employment Opportunity/Affirmative Action*

- Maine Department of Labor Administrative Rules *Non-Discrimination Policy and Grievance Procedure* 12-168, Chapter 50
- Maine State Government Web Accessibility and Usability Policy
- Maine State Government Accessibility Policy on Effective Electronic Communications

APPENDIX D: EQUAL OPPORTUNITY STATEMENT

Equal Opportunity Is the Law

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases: Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity;
- providing opportunities in, or treating any person with regard to, such a program or activity; or
- making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

What To Do If You Believe You Have Experienced Discrimination

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

The recipient's Equal Opportunity Officer **NAME and FULL CONTACT INFORMATION** (or the person whom the recipient has designated for this purpose); or

The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW., Room N-4123, Washington, DC 20210 or electronically as directed on the CRC Web site at www.dol.gov/crc.

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

APPENDIX XXIV—INFRASTRUCTURE COST SHARING (DRAFT)



STATE WORKFORCE DEVELOPMENT BOARD

120 STATE HOUSE STATION

AUGUSTA, MAINE 04333-0120

www.maine.gov/swb/

Paul R. LePage

MAINE WORKFORCE DEVELOPMENT SYSTEM			
Subject:	Infrastructure Funding Agreement MOU Phase II	Policy No:	PY17-02
To:	• State WDB • Local WDBs • Chief Elected Officials • WIOA Required Partners	From:	Garret Oswald, Director State Workforce Board
Issuance Date:	TBD	Status:	DRAFT
Authority:	• WIOA (Pub. L. 113-128) Sections:121(b)(1)(B); 121(b)(2)(B); 121(h) • 20 CFR 678.400, 678.700 thru 678.760; 34 CFR 361.400, 361.700 thru 361.760; 34 CFR 463.400. 463.700 thru 463.760 • TEGL 17-16; PM-OCTAE 17-03; RSA-TAC 17-03 • Infrastructure Cost Sharing FAQs		
Key:	CEO = Chief Elected Official, IFA = Infrastructure Funding Agreement; IFM = Infrastructure Funding Mechanism; LB = Local Board; PM = Program Memorandum; RP = Required Partner; SFM = State Funding Mechanism; TAC = Technical Assistance Circular; TEGL = Training and Employment Guidance Letter		

Purpose

To provide guidance to Local Boards (**LBs**), Chief Elected Officials (**CEOs**) and Required Partners (**RPs**) regarding development and implementation of a local Infrastructure Funding Agreement (**IFA**). An IFA identifies how one-stop infrastructure costs, jointly benefitting required partner programs, will be equitably shared. This guidance also identifies: roles and responsibilities; timelines by which components of the cost-sharing negotiations process must be completed; requirements for documenting the negotiations process; and an overview of cost allocation methodologies based on proportionate use and relative benefit received.

Background

WIOA requires that each entity that carries out a program or activities in a local one-stop center use a portion of its funds available to establish and maintain the one-stop infrastructure. All required partners must provide access to their services from at least one comprehensive one-stop in each local area. With the agreement of Chief Elected Officials, WIOA directs local boards and required partners to work together to design and implement a streamlined, customer-centric, integrated system of services.

In collaboration, required partners, CEOs and LBs identify the types of centers that will make up the one-stop delivery system (comprehensive, affiliate, and specialized) and the partner services that will be made available through each. Once the service delivery design phase is complete, a second phase commences in which local boards and one-stop partners identify and determine how infrastructure and other costs will be shared, this phase is referred to as the **Infrastructure Funding Agreement (IFA)**. The infrastructure funding agreement portion of the overall MOU must be reviewed and renegotiated annually.

Timelines

- **XX/XX/XX** - date local area must provide a notice of failure to reach agreement to MDOL
- **XX/XX/XX** – date local area must have a completed, signed IFA in place using either the LFM or SFM
- **01/01/18** – date US Departments of Labor and Education require IFAs be in place in each local area.

Required Partners

- A. WIOA title I programs (29 U.S.C. chapter 32):
 - o Adult, Dislocated Worker, and Youth formula programs;
 - o Job Corps;
 - o YouthBuild;
 - o Native American Programs;
 - o National Farmworker Jobs Program
- B. Employment Services authorized by the Wagner-Peyser Act (29 U.S.C. 49 et seq.) as amended by WIOA title III
- C. Senior Community Service Employment Program, authorized under title V of Older Americans Act of 1965;
- D. Trade Adjustment Assistance (TAA), authorized under chapter 2 of the title II of the Trade Act of 1974;
- E. Unemployment Compensation (UC) programs;
- F. Jobs for Veteran's State Grants (JSVG) programs, authorized under chapter 41 of title 38, U.S.C.; and
- G. Reentry Employment Opportunities (REO) programs, authorized under sec. 212 of the Second Chance Act of 2007 (42 U.S.C. 17532) and WIOA sec. 169;
- H. Adult Education and Family Literacy Act (AEFLA) program, authorized under WIOA title II;
- I. Career and technical education programs at the postsecondary level, authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV); and
- J. The State Vocational Rehabilitation (VR) Services program, authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), as amended by WIOA Title IV;
- K. Employment and Training Programs funded through the Department of Housing and Urban Development

- L.** Employment and training activities carried out under the Community Services Block Grant (CSBG) programs (42 U.S.C. 9901 et seq.); and
- M.** Temporary Assistance for Needy Families (TANF) program, authorized under part A of Title IV of the Social Security Act (42 U.S.C. 601 et seq.), unless exempted by the Governor under 20 CFR 678.405(b), 34 CFR 361.405(b), and 34 CFR 463.405(b);

Roles and Responsibilities

The Governor, through the **State Workforce Board** is responsible for creating the framework for infrastructure cost sharing that required partners and local boards must follow.

The **State Workforce Agency (MDOL)** is responsible for monitoring local area fiscal operations and ensuring the conditions of the MOU and IFA are implemented according to these requirements.

Local Boards and CEOs are responsible for:

- Working to achieve consensus on cost sharing between one-stop partners;
- Negotiating the IFA and/or implementing the SFM if unable to achieve consensus;
- Ensuring required partners adhere to the IFA/SFM guidelines;
- Providing technical assistance to partners to ensure they understand MOU/IFA requirements;
- Ensuring one-stop infrastructure costs are paid according to the provisions of the MOU/IFA; and
- Consulting with appropriate parties as directed under WIOA.

Required Partner Programs must provide access to their services through the comprehensive one-stop in each local area and must use a portion of its funds to maintain the one-stop delivery system, including payment of infrastructure costs. Required partners must work collaboratively and in good faith with LBs and CEOs to: enter into a memorandum of agreement that identifies the services to be provided in the local one-stop system; identify one-stop centers in the local area, including comprehensive, affiliate and if applicable specialized one-stops; and agree to methods of calculating the amounts each partner will contribute toward one-stop infrastructure costs.

Local Funding Mechanism (LFM)

The LFM provides partners with the most flexibility in how they can leverage their resources and come to consensus on an Infrastructure Funding Agreement (IFA); consensus on the infrastructure budget and partner contributions must be reached by all partners for the local funding mechanism to work. If consensus cannot be reached, the State Funding Mechanism is triggered. Under the LFM, LBs, CEOs and required partners negotiate and agree to the methods to be used and the amounts each partner will contribute to one-stop infrastructure costs. The sharing and allocation of infrastructure costs are governed by WIOA sec. 121(h), its implementing regulations, and the Federal cost principles contained in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal awards at 2 CFR part 200 and DOL CFR Chapter 2 part 2900. WIOA requires that one-stop partner programs contribute to infrastructure and certain additional costs based on their

proportionate use and relative benefit received. Partner contributions must be allowable, reasonable, necessary and allocable to the partner program, consistent with Federal cost principles set forth in the Uniform Guidance.

Under the LFM, there are no specific caps on the amount or percent of overall funding a partner may contribute, except that administrative costs may not exceed the amount available under each partner's authorizing statute. Cash, non-cash, and third-party in-kind contributions may be provided by one-stop partners, or by other agencies on behalf of one-stop partners, to cover their proportionate share of cost.

State Funding Mechanism (SFM)

In the event the LB, CEOs and RPs in a local area do not reach agreement on methods of sufficiently funding infrastructure costs for a program year, the SFM will be used for that local area. Under the SFM, the Governor determines partner contributions and calculates the statewide caps by considering total partner program funding against the statutory caps specified in WIOA. Each required partner must provide information on the total amount of funding they receive for the SFM calculation to be figured. **The SFM is outlined in more detail in SWB policy PY17-03.**

Required Elements of an Infrastructure Funding Agreement (IFA)

The IFA is a mandatory component of the local MOU, the IFA must include the following elements:

- A.** The timeframe the IFA is in effect, which may differ from the timeframe the overall MOU is in effect;
- B.** Identification of an infrastructure and shared services budget, which will be periodically reviewed and accordingly adjusted to ensure it reflects a cost allocation methodology that appropriately charges costs to each partner in proportion to their use of the one-stop center and the relative benefit received by their program; it is a component of the overall one-stop operating budget;
- C.** Identification of all one-stop partners, CEOs, and LBs participating in the IFA, including signatures of the individuals with the authority to bind the agreement;
- D.** Documentation of steps the LB, CEOs and RPs used to reach consensus, and if unable to reach consensus, assurance the local area has followed the SFM process;
- E.** A description of the process to be used by partners to resolve issues related to infrastructure funding during the IFA duration period; and
- F.** A description of the periodic modification and review process to be implemented to ensure equitable benefit among one-stop partners.

Steps for Developing an Infrastructure Funding Agreement

- 1.** Identify full cost of operating the one-stop system, including infrastructure costs and additional costs;
- 2.** Create the one-stop operating budget that includes the infrastructure and additional costs budgets;
- 3.** Develop reasonable cost allocation methodologies, including the identification of cost pools and allocation bases and select those that are to be applied;
- 4.** Determine estimated partner contributions;

5. Allocate costs by each partner's proportionate use and relative benefit received and determine the method each partner will use to cover their cost;
6. Prepare and agree to the IFA(s) (Note: you may want a single IFA for the comprehensive one-stop center and separate IFAs for affiliate centers);
7. Identify how and how often (at least quarterly) a reconciliation will be conducted to be sure costs are allocated appropriately; and
8. Document and evaluate the negotiations process.

One-Stop Operating Budget

To provide a starting point for negotiating cost sharing, each local area must identify the total cost of operating the local one-stop and the resources that will support those costs. The one-stop operating budget acts as the master budget that contains sets of individual budgets for infrastructure costs, the cost of providing career services, shared operating costs, shared services costs, and additional costs related to the operation of the one-stop. The one-stop operating budget must be included in the IFA.

Infrastructure Cost Budget

Infrastructure costs are the nonpersonnel costs necessary for the general operation of the one-stop center and which may include: facilities rental costs; utilities and maintenance; equipment (including assessment-related and assistive technology for individuals with disabilities); and technology to facilitate access to the one-stop center, including technology used for the center's planning and outreach activities. It may also include common identifier costs and the cost of supplies to support the general operation of the one-stop center. Nonpersonnel costs are all costs that are not compensation for program partner personnel. For example, technology related services performed by outside vendors or contractors are non-personnel costs and may be identified as infrastructure costs. Such costs would include service contracts with vendor or contractors of equipment and supplies.

Personnel costs include salaries, wages, and fringe benefits of employees of partner programs or their subrecipients, for example costs of partner program staff who use MIS systems to identify common performance and reporting outcomes would be personnel costs. The cost of a shared receptionist is a personnel expense and would not be included in the cost budget for SFM purposes, but may be included in the local area IFA if partners agree to include shared services costs.

Infrastructure costs may be funded through cash and fairly-evaluated non-cash and third-party in-kind partner contributions. Partners' share of costs must be based on reasonable cost allocation methodologies that ensure costs are charged to each partner program in proportion to its use of the one-stop center and relative to its benefits received. Such costs must be allowable, reasonable, necessary and allocable.

The requirements that govern infrastructure costs apply to each one-stop center in the local delivery system, whether the center is a comprehensive, affiliate, or specialized center. Required partners must provide access to their services through at least one comprehensive one-stop center in each local area and as such must contribute to the infrastructure costs of the comprehensive center. Only those partners that participate in affiliate centers are required to contribute toward the infrastructure costs of those centers.

Types of Contributions		
Cash	Non-Cash	Third-Party / In-kind
Funds provided to the LB or its designee by one-stop partners, either directly or by interagency transfer or by third party.	Expenditures incurred by one-stop partners on behalf of the one-stop center; and Non-cash contributions of goods or services contributed by a partner program and used by the one-stop center.	Contributions of space, equipment, technology, non-personnel services or other like items to support the infrastructure costs associated with one-stop operations by a non-one-stop partner to: • Support the one-stop in general • Support the proportionate share of a specific partner
	Must be valued consistent with 2 CFR 200.306 to ensure they are fairly evaluated and meet the partners' proportionate share. Partners must fairly value contributions on a periodic and annual basis.	
Examples of the above can be found in the guidance documents issued by US Departments of Labor and Education via the links in the Reference section of this document.		

Funding Limitations

Partner contributions are subject to that partner programs' administrative cost limitations and restrictions:

- Native American programs may contribute to infrastructure costs, but are not required to;
- Job Corps may only use program funds toward shared infrastructure costs;
- Adult Education and Postsecondary Carl Perkins recipients may only use admin funds toward such costs;
- Wagner Peyser, Unemployment Compensation, Jobs for Veteran's State Grant and Vocational Rehabilitation programs do not distinguish between program and admin funds; and
- Title IB, YouthBuild, National Farmworker Jobs Program, Senior Community Service Employment Program, Trade Assistance Act, and REO programs may use either admin or program funds to support shared infrastructure costs.
- Other partners carrying out employment and training activities with their funds (HUD, CSBG, etc.) must consult their authorizing documents;
- The Governor has excluded TANF from this requirement.
- Additional partners whose services are accessed through a one-stop must also participate in infrastructure cost sharing of the IFA, but will not be subject to the State Funding Mechanism if it is triggered.

Proportionate Use

“Proportionate use” refers to a partner program contributing its fair share of the costs proportionate to:

1. The use of the one stop center by customers that may include reportable individuals and participants in its program at that center;
2. The amount of square footage occupied by the partner program in that center; or
3. Another allocation base consistent with Uniform guidance.

Relative Benefit

The “relative benefit” received from participating in the one-stop delivery system is another step in the cost allocation process. Determining relative benefit does not require partners to conduct an exact or absolute measurable benefit, but rather to measure a partner’s benefit using reasonable methods that are agreed to by all partners.

Cost Allocation

Prior to determining the method of cost allocation, it is necessary to determine if the costs are direct or indirect. **Direct costs** are costs that are identified specifically with a cost objective and charged directly to that objective. Direct costs may be classified as assignable or shared. **Shared direct costs** cannot be readily assigned to a final cost objective, but are directly charged to an intermediate cost objective or cost pool and subsequently allocated to final cost objectives. These costs are incurred for a common or joint purpose benefiting more than one funding stream. **Indirect costs** are costs that have been incurred for a common or joint purpose and cannot be readily identified with a final cost objective. A method of allocation must be used to distribute the indirect costs to the various direct activities that benefited. To distribute indirect costs equitably and consistently, a cost allocation plan must be developed. A cost may not be allocated as an indirect cost if that cost or any other cost incurred in the same circumstance and for the same purpose has already been assigned to the program as a direct cost.

Measuring benefit is the critical requirement and central task to be performed in allocating costs. Costs are allocable to a cost objective based on the benefits received by that cost objective. When the direct measurement of benefit cannot be done efficiently and effectively, then it is appropriate to pool the costs for later distribution. The allocation base is the mechanism used to allocate the pooled costs to final cost objectives. Care should be taken to ensure that the basis chosen does not distort the results.

Allocability: For a cost to be allocable to a cost objective, it must be treated consistently with other costs incurred for the same purpose in like circumstances. Any cost allocable to a particular grant or other cost objective under these principles may not be shifted to other Federal grants to overcome funding deficiencies, to avoid restrictions imposed by law or grant agreement, or for other reasons. Costs that are prohibited by a funding source may not be paid or used as offsets under a pooled cost agreement.

Allowability: To be allowable, a cost must be necessary and reasonable for the proper and efficient administration of the program. To reduce the risk of accumulating and being held accountable for disallowed costs, program operators should carefully review anticipated program expenditures, the terms and conditions of the award, and applicable regulations before any program costs are incurred.

Reasonableness: For a cost to be reasonable under an award, it cannot exceed that which would be incurred by a prudent person under the same circumstances. In determining the reasonableness of a given cost, consideration should be given to:

- Whether the cost is a type generally recognized as ordinary and necessary for the operation of the organization or the performance of the award.
- The restraints or requirements imposed by such factors as generally accepted sound business practices, arms-length bargaining, Federal and state laws and regulations, and terms and conditions of the award.
- Whether individuals concerned acted with prudence in the circumstances considering the responsibilities to the organization, its members, employees and clients, the public at large, and the government.
- Significant deviations from the established practices of the organization that may have unjustifiably increased the award's costs.

Cost Allocation Plan (CAP) Once pooled costs to be shared among partners are identified, a basis of allocation must be agreed upon that is: fair to benefiting programs, measurable, consistent, and supported by ongoing data collection. Different bases may allocate different pools. A cost allocation plan is required to document the allocation process and is to include at least the following elements:

- Organization chart that identifies all partners, types of services provided, and staff functions.
- A description of the type of services and programs provided by the One-Stop system.
- A copy of the official budget that includes all costs of the system.
- The methods used in allocating the expenses to benefiting cost objectives. This requires identifying the basis for allocating each type of pooled cost, and the documentation for supporting each basis of allocation.

Cost Allocation Parameters

- Each partner must pay or offset its portion of pooled costs in addition to paying its own direct costs.
- The One-Stop system cannot deviate from existing federal, state, or local regulations. Costs that are prohibited by a funding source (federal, state, or local) may not be paid or used as offsets under a pooled cost agreement.
- Components of the cost pool are limited to costs incurred during the period of operation.
- Offsets are based on cost. In the case of staff, use actual salary and benefit costs in calculations, not number of staff and function performed. If different individuals will perform the function, then an average of their actual salaries and benefits may be used. Square footage will generally become the allocation basis for space. The cost per square foot becomes a pooled cost that is a direct charge to the partners.

Common costs must be divided up so that partners pay the share that is attributable to their program. Such costs must be allocated only to those programs that benefit and partners must agree to a method to divide up the common costs. Costs may be allocated using any methodology agreed upon by the partners and which reflect the best method of benefit received by the partner programs. Costs may be allocated:

- **In the aggregate.** A big picture based methodology where the common costs of the center are totaled and each partner pays their fair share of the total of all common costs. For example, all shared costs of the one-stop center are pooled and allocated using a cost per hour of operation basis.
- **On an activity basis.** Using this approach, the costs associated with a common activity are pooled (such as common intake) and the partners pay their fair share of the cost of that activity. The costs for each activity being allocated would be added together for the total shared costs by partner. For example, the costs of a combined intake and eligibility determination system could be pooled and allocated on the basis of data bytes on common forms attributable to each program.
- **On an item of cost basis.** Using this methodology, each item of cost is allocated to the benefitting partner program using a separate allocation methodology. For example, using rent as a cost and allocating it among partners based on square footage.
- **On a combination basis.** Partners may also allocate costs on a combination of above bases by allocating some costs on an activity basis and other shared costs on an individual item of cost basis.

Whatever cost allocation methodology is used, it must be consistent with: the GAAP, applicable OMB Cost Principles, applicable administrative requirements, be accepted by each partner's auditors and be supported by actual cost data. Cost allocation must not shift costs to a program that are not allocable to that program and/or do not benefit that program.

Periodic Review and Reconciliation

Partner shares must be periodically reviewed and reconciled against actual costs incurred and adjusted to be sure actual costs charged to any one-stop partner are proportionate to the use of the one-stop center and relative to the benefit received by the one-stop partner, their programs or activities.

Documenting the IFA negotiations process

Local areas must document the process they used to reach agreement on infrastructure cost sharing; such documentation may include: meeting agendas and minutes showing who attended and what transpired; tools or forms created to facilitate the process and activities undertaken to reach agreement on infrastructure cost sharing so that the process is transparent to all involved parties.

Shared Costs:

Local areas may decide to include joint funding of other shared costs in the local IFA. In such cases, partners must identify what the shared costs are, the dollar values they represent, and how they will be funded by each

partner. Centers with co-located partners that collaborate to provide up-front services, such as intake, orientation, assessment and service referral, may share the cost of staff providing those services on behalf of all co-located partners.

Sample Cost Pools and Allocation Bases

Cost Pools	Allocation Bases
Facilities: building rent, maintenance costs, utilities, tenant improvements, or any other similar costs related to the physical structure or housing the one-stop center.	Square footage occupied by each partner agency as compared to the total space, workstation usage by partners as compared to total workstations.
Telecommunications: monthly telephone costs, telephone system equipment, data lines etc.	Dedicated telephone units as compared to all units. Equal access to Internet for data costs.
Information Technology: shared equipment, software, IT maintenance costs, Internet access, and other costs.	Number of dedicated computers (including all necessary equipment) as compared to total.
Resource Center: costs of shared equipment, displays, computer learning, specialized software for computer learning, furniture, copier, fax machine, may also include related staff costs.	Equal access by customers of all programs results in equal costs for each partner. Customer attributable by partner program. Number of customers receiving services within the resource center.
Common Intake System: cost of developing common intake data formats, preparation and interview of customers and similar costs.	Use of common data formats and bytes of information for each program. Time study to determine amount of time required for specific program data compared to the time needed to complete the process for an individual.
One-Stop Center Management: cost of center director, receptionist, staff of the resource center.	Number of customers eligible for or receiving specific program services. Direct costs by partner. Total costs by partner as compared with total of all partners.
Shared Equipment and Supplies: staff copier, fax, associated supplies, furniture.	Usage by staff of each partner program. Occupancy (square footage) basis; numbers of work stations.
Common Basic Services: Staff and benefit costs	Time distribution (time sheets). Number of clients eligible for specific program. Weighted participant numbers.

Sample Budget Sheets

Cost Item	Cost Basis	Monthly Cost	Yearly Cost
Facilities			
Rent	Actual	\$5,000	\$60,000
Utilities (electric, gas, water, sewer)			

Building Maintenance			
Building Security			
Operations			
Telephone			
Data / Communications			
IT Maintenance			
Shared Equipment (assistive tech, assessment tech)			
Copiers			
Fax Machines			
Computers			
Other equipment used to serve all center customers.			
Equipment Maintenance			
Resource Center			
New AJC Signage			
Supplies			
Software			
Hardware			
Printed Materials			
Other (List each cost)			
Common Staff (position)			

Summary of Total Infrastructure Costs to be Shared by Colocated Partners	
Cost Category	Total Cost
Subtotal: Rental Costs	
Subtotal: Utilities & Maintenance Costs	
Subtotal: Equipment Costs	

Subtotal: Technology to Facilitate Access Costs	
Subtotal: Common Identifier Costs	
Total Infrastructure Costs for this AJC Network	

Proportionate Share: Infrastructure Costs this AJC Network				
Partner	Compute Methodology	Partner Program Share in Cost	Source by Cash	Source by In-Kind
#1		\$	\$	\$
#2		\$	\$	\$
# 3		\$	\$	\$
Total Budget		\$	\$	\$

Sample Share of Other Costs

SERVICES Optional partner agreement to share other AJC costs: initial intake, assessment of needs, appraisal of basic skills, identification of appropriate services to meet needs, and referrals to other AJC partners. This may include costs of personnel, technology, and tools that increase integrated service delivery through sharing of information and service delivery processes.

Line Item	Budget Detail	Cost
		\$
		\$
Total Budget:		\$
Agreed upon cost allocation methodology to share these costs:		

Proportionate Share: Initial Intake, Assessment, Basic Skills Appraisal, Services, Referrals, etc.				
Partner	Compute Methodology	Partner Share	Source by Cash	Source by In-Kind
Adult		\$	\$	\$
Dislocated Worker		\$	\$	\$
Youth		\$	\$	\$
Job Corps		\$	\$	\$
YouthBuild		\$	\$	\$

Wagner Peyser		\$	\$	\$
Adult Education		\$	\$	\$
Vocational Rehab		\$	\$	\$
DBVI		\$	\$	\$
SCSEP		\$	\$	\$
TAA		\$	\$	\$
JSVG		\$	\$	\$
UI		\$	\$	\$

BUSINESS SERVICES Optional partner agreement to share other AJC costs: Business Services, which may include costs related to a local or system business services team that has one or more partners or has delegated one partner to provide these services on behalf of the other partners.

Line Item	Budget Detail	Cost
Total Budget:		\$
Agreed upon cost allocation methodology to share these costs:		

Proportionate Share: Initial Intake, Assessment, Basic Skills Appraisal, Services, Referrals, etc.				
Partner	Compute Methodology	Partner Share	Source by Cash	Source by In-Kind
Adult		\$	\$	\$
Dislocated Worker		\$	\$	\$
Youth		\$	\$	\$
Job Corps		\$	\$	\$
YouthBuild		\$	\$	\$
Wagner Peyser		\$	\$	\$
Adult Education		\$	\$	\$
Vocational Rehab		\$	\$	\$

DBVI		\$	\$	\$
SCSEP		\$	\$	\$
TAA		\$	\$	\$
JSVG		\$	\$	\$
UI		\$	\$	\$

Please note: the one-stop financial management technical assistance guide offers several other budget sheets, tools, and example allocation bases and scenarios; links to this and other good resources are printed below.

Resource Links:

- FAQs Infrastructure Cost Sharing - USDOL: <https://www.doleta.gov/wioa/docs/FAQs-Infrastructure-Funding-Guidance-Dec-27-2016.pdf> ;
- FAQs Infrastructure Cost Sharing - USDE: <https://www2.ed.gov/about/offices/list/os-ers/rsa/wioa/one-stop-costs-faq.html>
- One-Stop Comprehensive Financial Management Technical Assistance Guide Part I (2002) https://www.doleta.gov/grants/pdf/FinalTAG_August_02.pdf
- One-Stop Comprehensive Financial Management Technical Assistance Guide Part II (2011) https://www.doleta.gov/grants/pdf/TAG_PartII_July2011.pdf
- PM OCTAE 17-3: <https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/octae-program-memo-17-3.pdf>
- PY16-01 Change 1: MOU Policy:
- PY17-03 SFM Policy:
- Resource Sharing for WIA One-Stop Centers: Methodologies for Paying or Funding Each Partner Program's fair Share of Allocable Costs: <https://www.gpo.gov/fdsys/pkg/FR-2001-05-31/pdf/01-13426.pdf>
- RSA TAC – 17-03: <https://www2.ed.gov/policy/speced/guid/rsa/subregulatory/tac-17-03.pdf>
- Sample Infrastructure Cost Tool Kit: https://ion.workforcegps.org/resources/2017/03/23/13/30/Sample_MOU_Infrastructure_Costs_Toolkit

- TEGl 17-16 Infrastructure Cost Sharing: https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4968

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APPENDIX XXV— MINIMUM TRAINING EXPENDITURE REQUIREMENT



STATE WORKFORCE BOARD
120 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0120
www.maine.gov/swb/

Paul R. LePage

MAINE WORKFORCE DEVELOPMENT SYSTEM			
Policy Subject	• Minimum Training Expenditure	Policy No:	PY17-04
To:	• State WDB • Local WDBs • Chief Elected Officials • WIOA Service Providers	From:	Garret J. Oswald, Director State Workforce Development Board
Issued On:	• February 15, 2018	Status	Active
Authority:	• WIOA; Title 1, Chapter 1, Section 101, (d) (6) (c)		

Subject: Minimum Training Expenditure Requirement for Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker Funding

Background: This policy describes the requirement of a Minimum Training Expenditure by Local Workforce Development Areas for Title I of WIOA. It defines what is included in the calculation of the Training expenditure, and how it will be implemented. The rationale for the Policy include;

- Training is fundamental to the purpose of WIOA
- Training services are needed to improve employment and earning potential
- WIOA funds are a significant source of Training investment that should support the State's workforce and economic development goals.

Policy: Starting on July 1, 2018, a 70% minimum Training expenditure will be required for WIOA Adult and Dislocated Worker programs, in each Local Workforce Development Area. It will not be applied to WIOA Youth funds, because of the different goals and program requirements.

Training expenditures for the purposes of this policy will include the following;

- Adult Education and Literacy offered in conjunction with Occupational Training
- Customized Training
- Entrepreneurial Training
- Incumbent Worker Classroom Training
- Job Readiness Training when combined with Occupational Training
- Occupational Training
- On the Job Training
- Transitional Jobs
- Work Experience
- Workplace Training with related instruction
- Support Services related to participants in the Training activities listed above

Definitions:

Adult Education and Literacy offered in conjunction with Occupational Training means academic instruction and education services below the postsecondary level that increase an individual's ability to read, write, and speak English, perform mathematics or other activities necessary for the attainment of a secondary school diploma or its recognized equivalent; or to transition to postsecondary education and training, or to obtain employment, concurrently or in combination with occupational training (classroom, OJT, etc.).

Customized Training is training that is designed to meet the special requirements of an employer or group of employers and that is conducted through a contract with and a commitment by the employer to employ the trainee participant upon successful completion of the training and for which the employer pays for a significant cost of the training taking into consideration the size of the employer, the number of participants being trained, the wage and benefit level of participants upon completion of training, advancement opportunities and other such factors.

Entrepreneurial Training is training that provides the basics of starting and operating a small business. Such training must develop the skills associated with entrepreneurship, such as identifying business opportunities, developing budgets and forecasting resource needs, understanding how to acquire capital, communicating effectively in order to market oneself and one's ideas, how to develop a business plan, how to access small grants, how to research competitors, how to research product and service pricing norms, and more.

Incumbent Worker Classroom Training is designed to meet the special requirements of an employer to retain a skilled workforce or avert the need to lay off employees, by assisting those employees to obtain necessary skills to retain employment. Such training must increase the competitiveness of the employee or employer and is conducted via a contract with and commitment by the employer to retain or avert the layoffs of the incumbent workers trained. No more than 20% of combined Adult and Dislocated Worker funding can be applied to Incumbent Worker Training. The characteristics of the individuals in the program, the relationship of the training to competitiveness of the individual and the em-

ployer, and other factors deemed appropriate, including number of employees trained, wages and benefits, post-training increases, and the existence of other training opportunities provided by the employer may be taken into consideration for determining which employers are deemed eligible to receive incumbent worker training funds. Employers are required to pay the non-federal share of the cost of providing the training. Incumbent worker trainees do not have to meet WIOA eligibility requirements. Although WIOA trainees are not included in WIOA Performance measures demographic and other data pertaining to the incumbent workers being trained must be captured in MJL.

Job Readiness Training when combined with Occupational Training includes short-term prevocational services including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct services to prepare individuals for unsubsidized employment in conjunction with occupational training (classroom, OJT, etc.).

Occupational Training is an organized program of study that provides specific vocational skills that lead to proficiency in performing tasks and technical functions required for an occupational field and that preferably leads to a recognized diploma, credential or employment. It is generally delivered through a classroom method that involves student/instructor interaction and which can be in-person or via technology. WIOA requires that occupational training be funded through an Individual Training Account (ITA) for which the trainee can choose from a number of approved training providers and programs. Only programs and courses listed as approved on the Eligible Training Provider List (ETPL) may be funded with WIOA funds.

On-the-Job Training (OJT) is training provided under a contract with an employer in the public, private non-profit, or private for-profit sectors. The training is provided by the employer and delivered via a hands-on learning methodology. OJT contracts are limited to the amount of time required for the participant to become proficient in the occupation for which the training is being provided. OJT requires that the employer provide continued long-term employment of the participant and offer wages, employee benefits and working conditions at the same level and extent as other employees working a similar length of time doing the same type of work. OJT employers are reimbursed between 50-75% of the wage rate being paid to the participant. Such reimbursements are deemed to be for the extraordinary costs of providing the training and supervision and any resulting lower productivity during the training period.

Transitional Jobs are time limited work experience, that is wage paid and subsidized by the program and that may take place in the public, private or non-profit sectors for those individuals with barriers to employment who are chronically unemployed or have inconsistent work history, as determined by the LWDB. Transitional jobs are designed to enable an individual to establish a work history, demonstrate work success in an employee-employer relationship, and develop the skills that lead to unsubsidized employment. Local Areas may use up to 10% of combined Adult and DW funds. Transitional Jobs **must** be combined with comprehensive career services (*basic, individualized and follow-up*) and supportive services.

Work Experience is a planned, structured, occupational learning experience that takes place in a workplace for a limited amount of time. Internships and other work experiences may be paid or unpaid as appropriate and consistent with other laws, such as the Fair Labor Standards Act (FLSA). A work experience may take place in the public, private or non-profit sectors. Labor standards apply in any work experience setting where an employee/employer relationship, as defined by the FLSA, exists.

Workplace Training combined with Related Instruction is a blend of occupational on-the-job learning and formal classroom instruction. It is a model that promotes applied learning whereby the trainee can apply what is learned in the classroom during the on-the-job learning; existing examples include registered apprenticeship and cooperative education.

Supportive Services that enable Adults and Dislocated Workers to participate in any of the above training categories and include cost assistance for:

- Transportation;
- Child or dependent care;
- Fees for training-related testing, educational testing; applications, exams and certifications
- Reasonable accommodations for individuals with disabilities;
- Tools, instruments, protective gear required for training; and
- Books, fees, and required supplies

Methodology: The methodology for calculating the Training Expenditure rate is as follows;

Using data reported quarterly by each Local Workforce Development Board (LWDB) on the FR-50 (attached), the Training Sub-Total plus the Support Services Sub-Total divided by the Total One Year Availability amount equals the Training Expenditure rate, expressed as a percentage.

Training Sub-Total + Support Services Sub-Total = Training Expenditure Rate (%)

Total One Year Availability Award Amount

Requirements: Starting on July 1, 2018, the Minimum Training Expenditure goal (statewide average) will be 70% in PY18 and PY19.

Failure by an LWDB to meet the desired 70% Minimum Training Expenditure percentage will result in a corrective action plan to address the performance deficiency. Failure by an LWDB to meet the required Minimum Training Expenditure Percentage performance goal two years in a row will result in corrective action or decertification of that Local Board.

LWDBs that do not meet the Training Expenditure percentage goal for a program year can submit a waiver request related to the requirements of the Policy. The waiver request shall include a description of the programmatic activity undertaken to achieve the goal, the individuals impacted by non-compliance and any appropriate documentation to corroborate the statements made in the waiver request. Waivers will be reviewed and analyzed and data will be gathered from and or confirmed by the Local Workforce Board as well as support agencies including the Bureau of Employment Services (BES) and the Security and Employment Service Center. The State Workforce Board, will approve or deny the waiver request based on information supplied or gathered.

Key criteria to consider for waiver approval will be;

- Would the ability to provide required WIOA services be in jeopardy?
- Would the ability to maintain a full-service Career Center be in jeopardy?
- The training expenditure requirement is detrimental in another manner that has not been considered above.

Upon receipt of a waiver the LWDB will work with BES to develop an agreed upon plan of action to ensure the performance failure does not occur again in the following program year (i.e.: leverage from partners, diversify funding streams, ...).

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APPENDIX XXVI— GENERAL EDUCATION PROVISIONS ACT (GEPA) SEC.
427 ATTESTATION

GENERAL EDUCATION PROVISIONS ACT (GEPA) Sec. 427 Attestation –

WORKFORCE INVESTMENT ACT, TITLE II – ADULT EDUCATION AND FAMILY LITERACY

This attestation outlines the steps that (Applicant name)_____ will ensure the following steps will be taken should the Adult Education application be funded.

The purpose of this requirement is to assist the United States Department of Education in implementing its mission to ensure equal access to education and to promote educational excellence.

If funded, the following steps will be taken to ensure equitable access to and equitable participation in the project or activity to be conducted with federal adult education assistance by addressing the access needs of students, teachers, and other program beneficiaries in order to overcome barriers to equitable participation, including barriers based on gender, race, color, national origin, disability and age.

The Act highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, determine whether these or other barriers may prevent students, teachers, etc., from such access or participation in the federally-funded project or activity. Please describe the steps to be taken to comply with the GEPA requirements.

Project Director: (Name and Title)_____

Signature of Project Director: _____ Date: _____