

Western Arkansas Workforce Development Board

Meeting Agenda

Ben Geren Safe Room, 7200 Zero St, Fort Smith, AR

March 15, 2022 1:00 PM

Invitees: Greg Aleshire, Tom Bonkofsky, Dana Byrum, John Craig, Brandon Fisher, Reuben Gage, Debbie Faubus-Kendrick, Rachel Mize, Stacy Muntz, Cathy Creekmore, Krystal Thrailkill, Erick Wiggins, Dwayne Young

Call to order

- I. Attendance
- II. Approval of minutes from 12/14/21 meeting – sent for review via email
- III. Committee report on One Stop meeting 3/2/21 – minutes sent for review via email
- IV. WIOA Delivery System quarterly report update
 - One-stop operator - sent for review via email
 - Title I program report - sent for review via email
- V. New Business
 - Board review and approve policies – sent for review via email
 - Board training follow up
 - Save the dates for Student driven job fairs
- VI. Adjournment

**Arkansas Workforce Development Meeting
March 15, 2022 – 1:00 PM
7200 Zero St, Fort Smith, AR
Ben Geren Safe Room**

Please sign in:

[illegible]

[illegible]

**Western Arkansas Workforce
Development Board**

Proxy

Date: 3-7-2022

Due to a conflict in my schedule, I authorize as my proxy on 3-15-2022
(meeting date)

Tony Wilson

(representative name)

of Arkansas Valley Electric
(company)

at the Western Arkansas Workforce Development Board meeting.

☒ My proxy represents our organization or group being represented and is an individual with optimum policymaking or hiring authority within the organization represented.

Print Name: Brandon Fisher

Signature: Brandon K. Fisher

Western AR Workforce Development Board Meeting

December 14, 2021 1:00 PM

7200 Zero St, Fort Smith, AR

Cathy Creekmore called the meeting to order.

Board member attendance: Greg Aleshire, Tom Bonkofsky proxy Vanessa Caldwell, Dana Byrum, John Craig, Debbie Faubus-Kendrick, Brandon Fisher, Rachel Mize, Stacy Muntz, Cathy Creekmore, Kristal Thrailkill, Dwayne Young

Other attendees: Sasha Grist, Shirley McCutchen, Eddie Thomas, Chad Brown, Dennis Williamson

Approval of minutes from 9/21/21 meeting – Cathy stated the board minutes of the 9/21/21 meeting were emailed to the board. She asked for any additions or corrections to them.

Stacy Muntz made a motion to approve the minutes as submitted, Dwayne Young seconded. The board unanimously approved the motion.

Stacy presented her insights on the Youth Symposium just attended in Chicago. She shared that the conference provides a lot of good information for the service providers especially career advisors. She said several presentations spoke on reaching youth through social media and about the approaches being more inclusive of youth input. She recommended that provider staff be sent again next year to pick up new ideas from around the country. Rachel asked that Nanci be available for the next board meeting to present an update on projects initiated from the 2019 conference.

Cathy asked if there were any questions about OSO or Title I report that were provided. Rachel Mize asked if a board member had volunteered to lead a performance metric committee yet. No one had. She volunteered to lead the group. There were no objections, so Cathy accepted Rachel's appointment to chair this team. There were no other questions.

Cathy presented the funds request from the provider to transfer \$130,000 from FY21 DLW to FY21 Adult due to the increased need in the adult program and a low number of available DLW participants. Dwayne Young made a motion to approve the transfer and John Craig seconded the motion. The board voted unanimously to approve the motion.

Cathy stated the monitoring reports for PY19 & PY20 were given to board members to review and asked if there were any questions about either. There were no questions. Cathy brought management concern #1 in PY20 to the attention of the board about establishing an ITA policy. She discussed the suggestion of the state to set ITA limits, but to maximize customer choice and since there have not been issues around limits in the past that the board adopt a motion to continue to support no limits on individual training agreements. Stacy Muntz made the motion and Greg Aleshire seconded it. Cathy

asked if there were objections to this motion. There were no objections, and it was approved unanimously.

Cathy had Dennis provide the board with an in-depth training that included the NAWB board training material covering key roles and responsibilities of WIOA, information on FOIA, the sunshine clause, and the coordination points between the state and local plan. Those present signed off on completing the training.

Cathy presented the 2022 board meeting dates to the board. Stacy Muntz asked that the June meeting date change to 13th and all members agreed.

Workforce board Conflict/disclosure statements were given to members needing to update them.

Cathy asked for a motion to adjourn the meeting. Dwayne Young made the motion and Debbie Faubus seconded. The board unanimously agreed to adjourn.

Cathy Creekmore
Cathy Creekmore, Chair

3-15-2022
Date

One-Stop Committee meeting minutes

1109 S 16th St, Fort Smith, AR on 3/2/22 @ noon

John called the meeting to order, and all committee members present signed in.

A quorum was present.

Committee members in attendance were John Craig, Dana Byrum, Vanessa Caldwell, Theresa Baggett (proxy for Debbie Faubus), and staff were Dennis Williamson and Ashlie Ross.

- John asked if the members had reviewed the monitoring reports for the centers for 2021 and if anyone had any questions. There were none. Ashlie provided that all items of concern noted on the reports have been addressed with some items still being improved further as conditions of the pandemic allow.
- John discussed the extension of the contract to Odle for the one stop operator. He asked if there were any questions about the agreement as written and there were none. The members discussed that the operator was performing well considering the challenges of the pandemic, but the partner members agreed there is still room for improvement particularly in promoting the board policy on referring clients. John stated the contract extension would be for the period of July 1, 2022, through June 30, 2023. Dana made a motion to approve the agreement as written and Theresa seconded the motion. There was no further discussion, and the committee voted unanimously to approve the motion. John said the approval will go to the full board for ratification at the next full board meeting.
- John stated it was time to monitor the one stop centers again. He said they need to select a date for the team to do this for each center. John suggested dates during May between the 9th and 20th. Dennis volunteered to put out a poll to determine the best days to do this.
- John asked for other business and Dennis informed the committee ADWS monitors asked about the recertification of the workforce centers. Dennis suggested doing this when the team monitors the centers. The committee agreed that would work. Dennis will get the paperwork together to provide to the certifying team.
- There was no further business and Dana made a motion to adjourn the meeting with a second from Theresa. The meeting adjourned.

John Craig

John Craig (Mar 3, 2022 11:31 CST)

John Craig, One-Stop Committee Chair

03/03/2022

Date

One-Stop Operator Report

March 2022

Community Partner Meetings:

- 01-24- Meeting with Goodwill and 100 Families, and a meeting with The Salvation Army.
- 01-31- Zoom presentation of Workforce Center services, and partner information.
- 02-14- Meeting with Latoya Maxwell-Harris, DHS-Foster Care Community Liaison.
- 02-15- Chamber Breakfast, Workforce and Partner current programs and Job Fair information.
- 02-15- The Guidance Center, Partner and Workforce Center information.
- 02-16- Poverty Training, The Guidance Center staff, Presentation of Workforce and Partner Resource Flier
- 02-23-Zoom Meeting with Arkansas United.

Cross-Training:

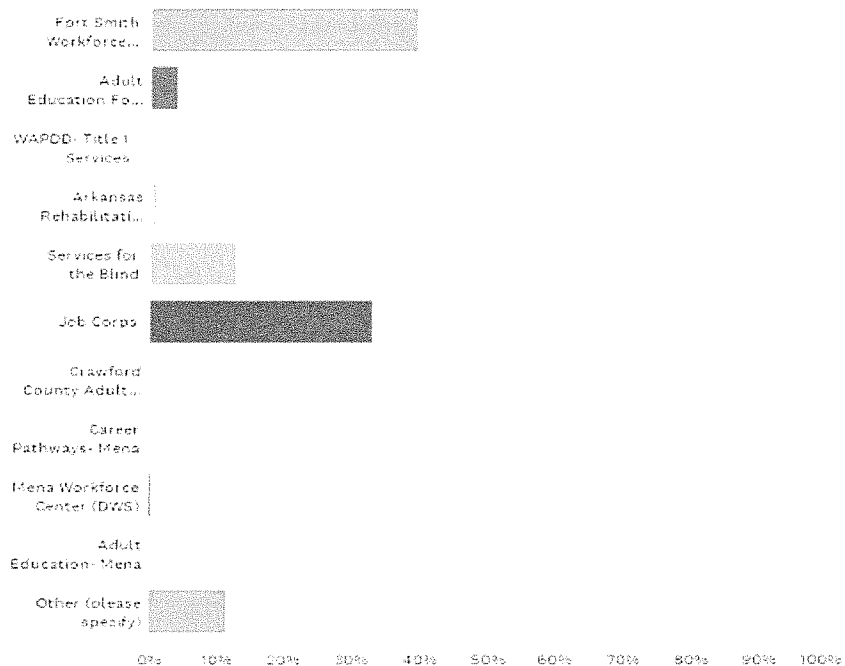
- 01-31- Cross-Training with Title 1, Services for the Blind, Arkansas Rehabilitation Services, Adult Education Fort Smith, CASS Job Corps, and Crawford County Adult Education.
- 02-23- Another one was schedule, but it was snowed out! Currently working on a new date.

Community Connections:

This quarter I started a "Pop Up" Job Fair series at the Workforce Center. With the assistance of Tom Bonkofsky, we have been able to establish a small area at the front of the Center where local business and community organizations are encouraged to set-up a table representing their employer needs, or organization services. We held one on February 14th, and February 28th. I am currently collaborating with Marie Robinson, from the "Zero to Three" project to host a "Felon Friendly" Job Fair, which will be on March 14th. Last month we hosted; SCSEP, Arkansas Rehabilitation Services, and Job Corps. All partners are encouraged to participate in the Job Fair event, or assist with marketing. I send out the Job Fair information the week before to partners, local agencies, and it is also being posted on the Workforce Center Facebook page and WAPDD page. Each week I am adding to my list of contacts that I send Job Fair information to. Hopefully, this will become a very popular event in the future as it seems to go well with the changes that have been made at the Workforce Center.

One-Stop Operator Report March 2022

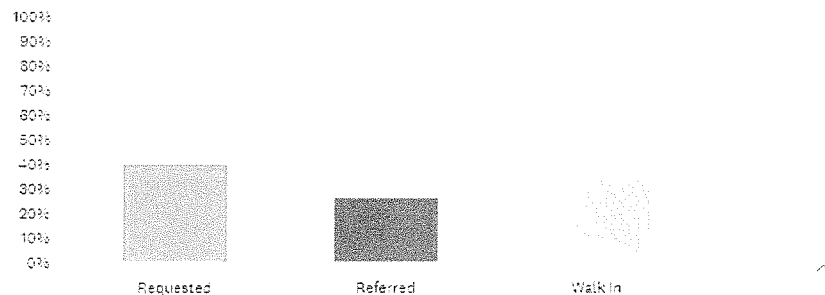
Q2 What Agency are you taking the survey for?



Survey Date from our survey system. We are slowly making progress with our survey collection process. As of May 8th, 2022, **234** total survey have been taken.

Did you request a specific agency to meet with, or were you referred? (ex. Job Services, WAPDD, Job Corps, Adult Education, Veteran Services, AARP, etc.)

Answered: 214 Skipped: 20



Note: Most of the clients seeking services requested assistance, followed by our walk-in clients, and then referred.

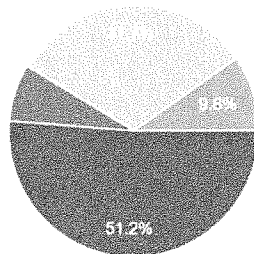
One-Stop Operator Report

March 2022

Referrals since January 1st

Agency that is making the referral:

41 responses

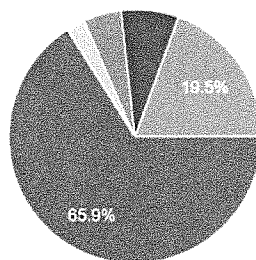


- Title 1
- Vocational Rehabilitation
- Adult Education Crawford County
- Fort Smith DWS
- AARP-SCSEP
- Job Corps
- Arkansas Tech University-Ozark Cam...
- Adult Education Sebastian County

1/2 ▼

Reason for Referral:

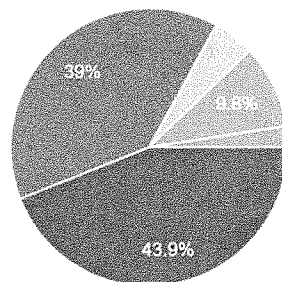
41 responses



- Financial Assistance for Training
- Job Readiness Workshops
- Employment Placement
- Youth Services 14-24 years of age
- Educational Advancement
- Testing
- SSI

Referrals Made to:

41 responses



- Title 1
- Vocational Rehabilitation
- Adult Education-Crawford County
- Fort Smith DWS
- AARP-SCSEP
- Job Corps
- Arkansas Tech University-Ozark Cam...
- Adult Education Fort Smith

1/2 ▼

Referral Process is a work in progress. I have been working on continued cross-trainings to keep new staff and partners aware of services. This quarter has been a little challenging with COVID and snowy days.

Workforce Funding vs Expenditure Monthly Report

Total Grant
Awarded

Funds Expended as of January 31, 2022 :

		Current Mth	Total Admin	Total Program	Grant Total	FUR %
\$387,444	Adult FY21	15,990.25	27,349.50	226,393.50	\$253,743.00	65%
\$66,901	Adult PY21	0.00	0.00	0.00	\$0.00	0%
\$315,312	Adult FY22	0.00	0.00	0.00	\$0.00	0%
\$167,350	DLW FY21	6,698.44	11,791.32	80,560.48	\$92,351.80	55%
\$50,409	DLW PY21	0.00	0.00	0.00	\$0.00	0%
\$214,491	DLW FY22	0.00	0.00	0.00	\$0.00	0%
\$322,072	Youth PY20	0.00	0.00	0.00	\$0.00	0%
\$376,468	Youth PY21	32,946.83	21,263.79	176,406.70	\$197,670.49	53%
\$316,310	TANF Pre-APP	4,669.94	2,387.51	3,832.68	\$6,220.19	2%
		0.00			\$0.00	0%
\$2,216,757	Total	\$60,305.46	\$62,792.12	\$487,193.36	\$549,985.48	

Funds Remaining as of January 31, 2022:

	Admin	Program	Total
Adult FY21	\$11,394.50	\$122,306.50	\$133,701.00
Adult PY21	\$6,690.00	\$60,211.00	\$66,901.00
Adult FY22	\$31,531.00	\$283,781.00	\$315,312.00
DLW FY21	\$4,943.68	\$70,054.52	\$74,998.20
DLW PY21	\$5,040.00	\$45,369.00	\$50,409.00
DLW FY22	\$21,449.00	\$193,042.00	\$214,491.00
Youth PY20	\$0.00	\$0.00	\$0.00
Youth PY21	\$16,382.21	\$162,415.30	\$178,797.51
TANF Pre-APP	\$14,847.49	\$295,242.32	\$310,089.81
	\$0.00	\$0.00	\$0.00
Total	\$112,277.88	\$1,232,421.64	\$1,344,699.52

PY20 Youth YTD % - Expended:

	Youth PY20	
ISY	\$112,238.37	38.72%
OSY	\$177,626.63	61.28%
Total	\$289,865.00	

PY20 Youth Work Experience % - Expended:

ISY	\$49,654.02	
OSY	\$54,378.53	
Total	\$104,032.55	35.89%

Youth PY20 (40% IS)-vs-(60% OS):

\$322,072.00	Total Youth Grant
\$32,207.00	Admin Budget
\$289,865.00	Total Program Budget
\$115,946.00	40% Max In-School Budget
\$173,919.00	60% Max Out of School Budget
\$289,865.00	Total Program Budget

\$3,707.63 Remaining In-School Funds

-\$3,707.63 Remaining Out of School Funds

\$0.00 Total Remaining Program Funds

PY21 Youth YTD % - Expended:

ISY	\$53,744.89	30.47%	25% Max.
OSY	\$122,661.81	69.53%	75% Max
Total	\$176,406.70		

PY21 Youth Work Experience % - Expended:

ISY	\$17,400.82	
OSY	\$29,297.19	
Total	\$46,698.01	26.47% 20% Min.

Youth PY21 (25% IS)-vs-(75% OS):

\$376,468.00	Total Youth Grant
\$37,646.00	Admin Budget
\$338,822.00	Total Program Budget
\$84,720.00	25% Max In-School Budget
\$254,102.00	75% Max Out of School Budget
\$338,822.00	Total Program Budget

\$84,720.00 Remaining In-School Funds

\$254,102.00 Remaining Out of School Funds

\$338,822.00 Total Remaining Program Funds

Funding	Remaining	20% Carry Over	Adjusted Total	%	Average per Month	Months Remaining Based on Avg per
Adult FY21	\$133,701.00	\$0.00	\$133,701.00	15.67%	\$23,953.84	6
Adult PY21	\$66,901.00	\$0.00	\$66,901.00	7.84%	\$23,953.84	3
Adult FY22	\$315,312.00	\$63,062.40	\$252,249.60	29.56%	\$23,953.84	11
DLW FY21	\$74,998.20	\$0.00	\$74,998.20	8.79%	\$14,699.80	5
DLW PY21	\$50,409.00	\$0.00	\$50,409.00	5.91%	\$14,699.80	3
DLW FY22	\$214,491.00	\$42,898.20	\$171,592.80	20.11%	\$14,699.80	12
Youth PY20	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0
Youth PY21	\$178,797.51	\$75,293.60	\$103,503.91	12.13%	\$35,156.57	3
	\$1,034,609.71	\$181,254.20	\$853,355.51	100.00%		

Western Arkansas Workforce Development Area Policies and Procedures

TITLE	Supportive Services
NUMBER	P0001-22
TYPE	Policy – Programmatic
APPROVING AUTHORITY	Western Arkansas Workforce Development Board
EFFECTIVE DATE	3/15/22
NEW/REPLACED	Replaces P0005-21

1. The Workforce Innovation and Opportunity Act (WIOA) requires Western Arkansas Workforce Development Board to develop a policy regarding supportive services for Title I participants.
2. Based on individual assessment and availability of funds, supportive services may be awarded to eligible Workforce Innovation and Opportunity Act Title I participants.
3. Supportive service awards are intended to enable an individual to participate in workforce-funded programs and activities to secure and retain employment.
4. In Western Arkansas, supportive services are provided based on need as determined by the service provider.
5. Basic guidelines for awarding supportive services:
 - a. Individual is enrolled in a Workforce Innovation and Opportunity Act Title I Program and participating in a basic career service, individualized career service, or training activity; and,
 - b. Individual is unable to obtain supportive services through other sources, or the need is urgent and time constraints do not allow for seeking other sources; and,
 - c. Supportive service is necessary to enable the individual to participate in the Title I activity; and,
 - d. Awarded on a case-by-case basis and provided when determined necessary and reasonable; and,
 - e. Funding is available to provide supportive services.
 - f. The Title I participant must meet attendance and case contact requirements.
 - g. Adult and dislocated worker participants may not receive supportive services during follow-up and after exit.
6. Allowable supportive services:
 - a. Transportation
 - b. Work-related clothing and supplies
 - c. Physical exams, immunizations, and vaccinations required for employment
 - d. Drug screening
 - e. Background check

Western Arkansas Workforce Development Area Policies and Procedures

- f. Fees for employment and training-related applications, tests and certifications
 - g. Books, school fees and supplies related to post-secondary or technical training
 - h. License fees (examples: CDL, GED/high school equivalency fees, stackable credential fees as required for work)
 - i. Day care, Including elder care
 - j. Housing support
 - k. Security clearance charges aligned to Federal regulations
7. Transportation Supportive Services are to assist participants to and from training and employment activities including job search.
- a. Round trip travel over five miles per day will be paid as determined using Transportation Assistance form and will not exceed the Federal allowable rate.
 - b. Participants must provide completed travel forms with attendance verified by instructor or supervisor for proof of Title I activity.
 - c. Bus passes are available to Title I participants whose schedule and childcare arrangements can be accommodated by public transportation.
 - d. Where other forms of transportation are not readily available for Title I participants to successfully complete eligible training or work-related program prearrangements may be made with participating cab companies.
 - e. Transportation may be paid up to the second paycheck of a Title I participant who starts unsubsidized employment. In the event this supportive service is approved, the Title I participant will not be exited until after the final supportive service payment.
8. Childcare Supportive Services
- a. Childcare may be paid only if the individual is not eligible to receive childcare assistance through TANF or another funding source.
 - b. An individual may receive assistance not to exceed a weekly rate set by WAPDD.
 - c. Rates will be assessed and set quarterly based on a reasonable number of local childcare provider weekly rates.
 - d. Rates will be established for the cost of one (1) child and two (2) children.
 - e. Payments will be made directly to the childcare provider.
 - f. Childcare payments will not be made unless there is an actual cost to the Title I participant.
 - g. Service providers will make agreements and utilize vouchers with licensed childcare providers.

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9. Work-Related Clothing and Supplies

- a. Uniforms, tools, shoes, and other occupational specific equipment may be provided when such items are required for training or is a condition of training related employment.
- b. A limit of three sets of uniforms, one set of tools, one pair of work shoes, or other occupational specific items will be paid on an invoice basis.
- c. Costs of \$500 or more requires three written quotes.
- d. The lowest bid meeting work requirements will be accepted.
- e. Receipts are required on all purchases.
- f. Participants will sign an acknowledgement requiring these items be returned if they drop from a program prior to completion of training or leave before their employment term.

10. Housing Support

- a. Rent and utility assistance may be paid as determined necessary and appropriate for up to \$500 on a one-time basis.

11. Supportive services documentation:

- a. Participant Status Change (PSC) form.
- b. The Individual Employment Plan (IEP) or Individual Service Strategy (ISS) shall document the need and award of supportive services.
- c. Case notes shall document detail related to the need and award of supportive services including attempts to find other sources of funding.
- d. Documentation of denial from other available community resources referred to by service provider.
- e. Travel assistance form for verification of daily transportation to and from Title I activity, if applicable.
- f. Verification of need and necessity for work-related clothing and/or supplies.
- g. Receipts of purchases

Approval Signature:

Cathy Creekmore, Board Chair

Western Arkansas Workforce Development Area Policies and Procedures

TITLE	Grievance & Complaint
NUMBER	P0002-22
TYPE	Policy – Operations
APPROVING AUTHORITY	Western Arkansas Workforce Development Board
EFFECTIVE DATE	3-15-22
NEW/REPLACED	Replaced P#0010-18

PURPOSE: The purpose of this policy is to describe and to detail the regulations concerning the Title I-B grievance and complaint procedures as they apply to the local level, in accordance with the rules and regulations of Workforce Innovation and Opportunity Act of 2014 (WIOA), the WIOA Final Rule, Training and Employment Guidance Letters (TEGLs) published by the Employment and Training Administration of the U.S. Department of Labor (ETA), and policies of the Arkansas Workforce Development Board (AWDB). **REFERENCE:** WIOA § 181(c)(1), WIOA 20 CFR 683.600

POLICY: The procedure for filing a grievance or complaint is made available to each person seeking to apply for services. Reasonable efforts will be made to assure the information contained herein is understood by affected participants and other individuals, including youth and those who are limited-English speakers per 20 CFR 683.600(b).

The Local Board Grievance and Complaint Procedure includes the opportunity for the grievance or complaint to be appealed to the State if conditions in 20 CFR 683.600(c)(4) are not met. The Arkansas State Grievance and Complaint Procedure will include the process for resolving appeals from the local level, for remanding to the local area complaints and grievances that have not been through the local process, and for appealing to the Secretary of Labor if appropriate.

EQUAL OPPORTUNITY IS THE LAW

It is against the law for this recipient of Federal financial assistance to discriminate on the following basis:

Against any individual in the United States, on the basis of race, color, religion, sex, (including pregnancy, childbirth, and related medical conditions, sex stereotyping, and gender identity) national origin(including limited English proficiency), age, disability, 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 (WIOA), 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 make 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

Western Arkansas Workforce Development Area Policies and Procedures

If you think you have been subjected to discrimination under 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 (or the person whom the recipient has designated for this purpose); or
- the Director, Civil Rights Center (CRC), US. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, D.C. 20210 or electronically as directed on the CRC website 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.

Inquiries May Be Addressed To:

Local Level

Angie Oliver
EEO Officer
WAPDD
Fort Smith Workforce Center
616 Garrison Ave.
Fort Smith, AR 72901
(479) 785-2651
TDD: (800) 825-1311

State Level

Gloria D. Johnson
Department of Workforce Services
Equal Opportunity Manager
WIOA EO Officer
P.O. Box 2981
Little Rock, AR 72203
(501) 682-3106
ARS: (800) 285-1131

Federal Level

Director
Civil Rights Center
U.S Department of Labor
200 Constitution Ave. NW
Room N-4123
Washington D.C. 20210
(202) 693-6500

Auxiliary aids and services available upon request for individuals with disabilities.

GUIDE TO FILING A COMPLAINT UNDER THE GRIEVANCE/COMPLAINT RESOLUTION PROCEDURE

An employee complaint resolution system is available to you as a fair and effective means of resolving work related complaints and problems. You can use the complaint resolution procedures' series of progressive steps when you feel a work-related decision is discriminatory, unfair, or inconsistent with established agency policies and practices.

Complaints or grievances may include such things as discipline transfer, job posting harassment, unfair assignment, overtime, vacation or holiday time, personal request denied, etc. You cannot use the complaint procedure to appeal the decision related to the agency's responsibility to determine program direction or strategy or operating decisions, such as the assignment of employees, establishment or rules of conduct determinations or the hours and days of work, starting and quitting time wages and benefits.

The complaint resolution system revolves a series of four steps:

Step 1: Discuss the complaint with your immediate supervisor as soon as possible. If you are not satisfied with the response, take your complaint to step 2.

Western Arkansas Workforce Development Area Policies and Procedures

- Step 2: Contact your Case Manager and discuss the complaint with him/her. He/she will try to resolve your complaint. If the complaint is not mutually resolved, take your complaint to step 3.
- Step 3: Submit your complaint in writing to the EEO Officer he/she will provide you with a copy of the Grievance Procedure Complaint Information Form. The EEO Officer may assist in completing the form.

Angie Oliver, EEO Officer
Fort Smith Workforce Center
616 Garrison Ave.
Fort Smith, AR 72901
(479) 785-2651
TDD: (800) 825-1311

Once you have completed your written complaint in the required manner, the EEO Officer will proceed to investigate your complaint and seek a mutually acceptable resolution. If you are still dissatisfied, take your complaint to step 4.

- Step 4: If after you have pursued your complaint with assistance from the EEO Officer and you are still dissatisfied you may contact the State EEO office.

Equal Employment Opportunity Section
Arkansas Department of Workforce Services
P.O. Box 2981
Little Rock, Arkansas 72203-0981
(501) 6820389
TDD: (800) 825-1311

Once you have brought a complaint to the agency's attention, an investigation will be made. The managers and supervisors in the agency want to ensure that there is no discrimination in your workplace. Every one of them has pledged to help with the informal resolution complaints, where it is possible to resolve the matter in question.

It is not always possible for the agency to grant employees what they would like to have, but if this is the case, the agency position will be explained to you. By bringing it to the attention of the agency's staff, you are giving the agency a chance to work things out and we appreciate it. Whether or not the agency resolves your complaint to your satisfaction, it would be against the law for anyone to retaliate against you.

DISCRIMINATION COMPLAINT PROCEDURE

Purpose

To establish procedures for all staff of the Grant recipient, The Local Workforce Investment Board, and subcontractors for handling discrimination complaints and establish the policies and standard procedures for accepting, handling and processing resolution or complaints of discrimination filed by any applicant for participation, employment, or funding or by any participant or employee of any WIOA Title I funded entity against any entity receiving financial assistance under WIOA.

Background

Section 188 of the Workforce Innovation and Opportunity Act 1998 prohibits any individual from being excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in any organization or program receiving financial assistance on the basis of race, color, sex religion, national origin, age, disability, political affiliation or belief and, for beneficiaries only, citizenship or participation in WIOA.

Scope

This policy and the procedures issued hereunder apply to applicants for funding, participation, or employment or to participants or employees of any WIOA-funded entity (hereinafter "covered individual") who wish to file discrimination complaints against any entity receiving financial assistance under WIOA.

Western Arkansas Workforce Development Area Policies and Procedures

Policy

It is the policy of the recipient to assure nondiscrimination and equal opportunity in the operation and administration of all programs, services, and activities funded in whole or in part with federal funds. The Equal Opportunity Office is designated as the responsible individual for affecting compliance with this part. Any individual who believes that he/she has been discriminated against has the right to file a complaint within 180 days of the alleged discriminatory act(s) in accordance with the procedures described below.

Under 29 CFR 37, an individual has the option of filing a complaint either with the recipient of WIOA Title I funds or directly with the Directorate of Civil Rights (DCR)

1. Should the complainant opt to file with the recipient, the recipient shall process the complaint within sixty (60) days.

Recipient is defined for equal opportunity purposes as any entity to which federal financial assistance under a WIOA Title I funded program is extended, either directly through the Governor or through another recipient (including any successor, assignee, or transferee of a recipient), but excluding the ultimate beneficiaries of the WIOA funded program or activity and the Governor. Recipient includes, but is not limited to Job Corps Center operators (excluding federally operated Job Corps Centers), Arkansas Division of Workforce Services, State-level agencies that administer WIOA funds, grant recipients and service providers, as well as National Program recipients.

Within the 60 days, the recipient shall offer a resolution of the complaint to the complainant. If by the end of 60 days, the recipient has not completed the processing of the complaint or has failed to notify the complainant of the resolution, the complainant or his/her representative may, within 30 days of the expiration of the 60-day period or upon notification of resolution, file with DCR.

2. Should the complainant opt to file directly with DCR, recipient staff shall assist the complainant (if requested) in completing the Complaint Information Form for those individuals not requesting assistance, but needing forms, addresses, etc., recipient staff shall provide the necessary Complaint Information Form.

NOTE: Complainants will be notified by the recipient that filing time for all complaints initiated more than 180 days from the date of the alleged discrimination may be extended for good cause by the director of DCR.

Complaint and Investigation

1. Upon receipt of a complaint or information alleging discrimination, the EO officer/Director of the entity receiving WIOA Title I funds shall:
 - a. Promptly log and initiate a review or investigation of the complaint.
 - b. Provide notice to all parties of the specific charges.
 - c. Inform both parties of their right to representation.
 - d. Inform both parties of right to present evidence.
 - e. Inform both parties of their right to rebut evidence presented by others.
 - f. Provide for a decision made strictly on the documented evidence.
2. The name of the complainant shall be kept confidential, to the extent possible when consent has been provided for the release of complainant's identity, disclosure should be under the conditions which will promote continued receipt of confidential information.
3. No person, organization or agency may discharge or in any manner retaliate against any person because that person has filed a complaint, instituted any proceeding related to the Act, testified, or is about to testify, in any proceeding or investigation, or has provided information or assisted in an investigation.
4. The funded entity's EO officer shall review the complaint for accuracy and completeness. From the date of receipt, the EO officer has 30 days to attempt to resolve the complaint.

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Who May File

Any person may file who believes that he/she or any specific class or group of individuals has been or is being subjected to discrimination based on race, color, national origin, religion, sex, age, disability, political affiliation or belief and, for beneficiaries only, citizenship or participation in WIOA may file a complaint. The complaint must be in writing and filed by the complainant or by an authorized representative.

Where to File

The complainant may file a complaint with the recipient of WIOA funds or the Arkansas Division of Workforce Services Equal Opportunity Manager or the Civil Rights Center listed above.

When to File

A complaint must be filed within 180 days of any alleged discrimination. Only the Director of DCR, for good cause shown, may extend the filing time.

Contents of a Complaint

Each complaint shall be in writing and shall:

- 1) Be signed by the complainant or his/her authorized representative.
- 2) Contain the complainant's name and address (or specify another means of contacting him/her);
- 3) Identify the respondent; or
- 4) Describe the complainant's allegations in sufficient detail to allow the recipient to determine whether the complaint:
 - falls under the recipient's jurisdiction
 - was timely filed, and
 - has apparent merit

This information may be provided by completing DCR's Complaint Information Form.

Right to Representation

The recipient's complaint-handling process should provide for

- notice to all parties of the specific charges and responses of those involved.
- the right of both parties to representation,
- the right of each party to present evidence
- the right of each party to rebut evidence presented by others, and
- a decision made strictly on the documented evidence.

Election of Recipient Level

Coverage and Provision: This policy sets forth a three-level system, which allows any person or organization to file complaint at either the local level with the One Stop Delivery System EO Officer; the State EO Officer, or federal Director of the CRC.

If the complainant elects to file with CRC rather than with the recipient, the recipient can assist the complainant in filling out CRC's complaint information form and forward it to CRC.

If the complainant elects to file at the State level, the complaint will be referred to the proper contact.

If the complainant elects to file a complaint at the local level one stop, the one stop EO Officer shall review the complaint for accuracy and completeness and send a copy to the State EO officer. From the date of receipt, the EO officer has 30 days to attempt to resolve the complaint.

All complaints alleging discrimination shall remain with the sub recipient for a period not to exceed 30 days. During this period, the sub recipient shall make every effort to resolve the complaint. Should the sub recipient fail to conciliate the complaint, it shall be forwarded to the State EO Officer by the end of the thirtieth day after the date of filing.

The State will investigate in accordance with State WIOA policy. The State will render a decision within 30 days.

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If the complainant elects the federal process, the complaint is immediately forwarded to DCR.

Notification of No Jurisdiction

The recipient shall notify the complainant in writing immediately upon determining that it does not have jurisdiction over a complaint that alleges a violation of the nondiscrimination and equal opportunity provisions of WIOA.

NON-CRIMINAL COMPLAINT PROCEDURES

Who May File a Non-Criminal Complaint and When to File:

Any person or organization alleging a violation of the Act, regulations, grant agreement or other agreement regarding the administration of WIOA Programs may file a non-criminal complaint. A complaint must be filed within 90 days (180 days if it is a discrimination complaint) of alleged violation with the following agency:

Director of Workforce Development
WAPDD, Inc.
1109 S 16th St
Fort Smith, AR 72901

Any person or organization alleging a violation of the nondiscrimination and equal opportunity provisions of WIOA Section 188.29 CFR Part 37 or the One Stop Delivery System may file a non-criminal complaint. The complaint must be filed with the following agency:

WIOA Title I Program Manager
WAPDD, Inc.
1109 S 16th St
Fort Smith, AR 72901

How to File a Non-Criminal Complaint:

Each Complaint must be in writing and signed by the complainant or his/her representative. The complainant's name and address must be included, or another means of contact specified.

Each complaint must include a statement disclosing whether proceedings involving the subject of the request have been commenced or concluded before any federal, state, or local authority, and if so, the date of the commencement or conclusion; the name and address of the authority and the style of the case; and the provisions of the Act, regulations, grant, or other agreements under the Act believed to have been violated.

Upon receipt of a grievance, the appropriate respondent representative shall send acknowledgement of receipt of the grievance to all parties by certified mail, return receipt requested. The acknowledgment of receipt of the grievance shall outline the steps to be taken to resolve the matter, notify all parties of the right to request a hearing, advise of attempt to reach an informal resolution, and provide a synopsis of issues to be decided.

Administrative Investigation:

If a hearing is not requested, the appropriate official shall conduct an administrative fact-finding investigation. The investigation shall include opportunities for all parties to submit an in-depth position statement, including documentary supportive data and/or records, access to a review of appropriate official records, interview of principal parties, and an opportunity for all parties to offer rebuttal to information received, and written decision. Written decisions, resulting either from a hearing or an administrative fact-finding investigation, shall be issued within 60 days from the date the complaint was received by the respondent representative.

Written decisions shall be sent by certified mail, return receipt requested, and must contain the following: a statement assuring all steps included in the grievance procedure have been adhered to in accordance with provisions of the Act, remedies being offered, if appropriate; summary; and advisement of the right to appeal the decision, by request, for review and/or hearing by the state, as appropriate.

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Hearing Procedures:

The following hearing procedures shall apply to grievances at local level. The administrative hearing shall be informal. Technical rules of evidence shall not apply to hearings conducted pursuant to these procedures. Hearsay evidence shall be admissible at the discretion of the hearing officer.

Hearings shall be held at a time and place determined by the hearing officers, upon reasonable notice to the parties and the witnesses in selecting a place for the hearing.

The party requesting the hearing shall have the burden of establishing the facts and the entitlement to relief requested. The hearing procedures shall include written notice of the date, time and place of the hearing; the manner in which it will be conducted and the issues to be decided; opportunity to be represented by an attorney or other representative of the complainant's choice; opportunity to bring witnesses and documentary evidence.

The appropriate respondent representative shall cooperate in making available any persons under their control or employ to testify if these persons are requested to testify by the complainant to release requested documents relevant to the issue; allow opportunity to question any witness of parties; ensure the rights to an impartial hearing examiner; keep a verbatim record of the proceeding; and issue a written decision by the hearing examiner.

This system provides that a hearing shall be conducted within 60 days of receipt of a grievance if requested by the grievant.

The remedies that may be imposed for a violation for any requirement may include suspension or termination of payments under WIOA Title I; prohibition of placement of a participant with an employer that has violated any requirement under WIOA Title I; where applicable, reinstatement of other relevant terms, conditions, and privileges of employment; and where appropriate other equitable relief.

If the grievant does not receive a decision at the local level within 60 days or receives a decision, which is unsatisfactory, the grievant has a right to request a review of his or her grievance by the state. Appeals must follow the Grievance and Appeals Procedure of the Arkansas Workforce Development Board available at any Arkansas Workforce center or at the Arkansas Division of Workforce Services website at www.dws.arkansas.gov/src/files/Arkansas_Griev_Comp_and_Appeal_Procedures_for_WIOA_Title_I_Activities_6.1_Change_2_.pdf.

Certain grievances and complaints may be filed directly with the Arkansas Workforce Development board or with the U.S. Department of Labor. Information concerning these circumstances is also available in the state Grievance and Appeals Procedure.

Notification of No Jurisdiction:

The recipient of the complaint shall notify the complainant in writing immediately upon determining that it does not have the jurisdiction over a complaint that alleges a violation of the non-discrimination equal opportunity provision of WIOA. Complaints of discrimination will be handled in accordance with the WIOA 188 (b), and the Department of Labor's nondiscrimination regulations implementing that section.

Questions about or complaints alleging violation of the nondiscrimination provisions of WIOA 188 may be mailed to the Director, Civil Rights Center, U.S. Department of Labor, Room N4123, 200 Constitution Avenue, NW, Washington, DC 20210. Nothing in this procedure precludes a grievant or complainant from pursuing a remedy authorized under another Federal, State, or local law.

Approval Signature:

Cathy Creekmore, Board Chair

**Western Arkansas Workforce Development Area
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TITLE	Self-Sufficiency
NUMBER	P0003-22
TYPE	Policy – Programmatic
APPROVING AUTHORITY	Western Arkansas Workforce Development Board
EFFECTIVE DATE	3/15/22
NEW/REPLACED	Replaced P#0002-18

Purpose: To define self-sufficiency for unemployed and employed adult and dislocated worker for the region as referenced in WIOA §680.210, ADWS WIOA I-B 1.2, change 1

Policy:

The local Workforce Development Board has defined self-sufficiency for unemployed and employed adult and dislocated worker as:

- Attainment of employment which will provide cash resources necessary for a family to meet its financial needs. The local area has determined that employment which pays 200% (or more) above the Lower Living Standard Income Level (LLSIL), based upon family size, is considered self-sufficient.
- A basic skill level of at least 9 in English, reading, writing or math as assessed by TABE or another applicable test.
- Adequate transportation for job seeking activities and retention of employment.

Approval Signature:

Cathy Creekmore, Board Chair

**Western Arkansas Workforce Development Area
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TITLE	Follow Up
NUMBER	P0004-22
TYPE	Policy – Programmatic
APPROVING AUTHORITY	Western Arkansas Workforce Development Board
EFFECTIVE DATE	3/15/2022
NEW/REPLACED	Replaced P0001-21

Referenced 20 CFR 678.430(c), 680.150(c), 681.460(a)(9), 681.580, TEGL 19-16, ADWS policy I-B 3.1 and 3.2.

Follow-up services are available to Adult and Dislocated Workers that entered unsubsidized employment and are required for all Youth participants for not less than 12 months after completion of program participation.

- Follow-up includes counseling, assistance and gathering information regarding performance measure requirements.
- Youth in follow up will be contacted at least monthly for one (1) year following exit.
 - a. Youth should be informed at the time of enrollment that follow-up services will be provided for 12 months following exit.
 - b. Follow-up services may begin immediately following the last expected date of service in the programs included in the Common Exit date when no future services are scheduled.
 - c. Once 90 days of no services, other than follow-up services, self-service, and information-only services and activities has elapsed, and the participant has an official exit date applied retroactively to the last date of service, the program continues to provide follow-up services for the remaining 275 days of the 12-month follow-up requirement.
 - d. Follow up contact may be in person, by email, or phone documented in the youth's case file and in AJL.
 - e. When services are given as follow-up services (after the expected exit date), they should be coded in AJL as follow-up services.
 - f. If during follow up interactions, a youth needs additional services steps will be taken to assist.
 - g. Follow up services do not have to be provided if the participant declines to receive services or if the participant cannot be located or contacted.
 - 1) Documentation must be placed in the case file if a youth requests not to receive or continue follow-up services.
 - 2) When possible obtain a statement from the youth declining services in written form, printed email, or text message to be placed in the participant file.
 - 3) At least three (3) attempts will be made to contact a youth before determining that a youth cannot be located or contacted for follow-up services.

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- 4) When a participant cannot be located or contacted the file will contain record of the phone number disconnected, reassigned, no voicemail, if the client has moved out of the area and left no forwarding address or telephone number.
- Adults and Dislocated Workers clients will be contacted at least monthly for one (1) year following exit.
 - a. Follow-up services do not extend the date of participation.
 - b. Follow-up services will include referral to partners for assistance, counseling regarding the workplace, retention services, and referrals to community resources.
 - c. Contacts will be documented in the client's case file and in AJL.
 - d. Services and contact will be documented in case files for 12 months after the first day of unsubsidized employment, as appropriate.
 - e. If during follow up interactions a need for additional services is identified steps will be taken to assist.
 - f. If the participant declines to receive services or if the participant cannot be located or contacted a case note should be put in the file and in AJL.
 - g. No less than 3 attempts should be made and documented.

Approval Signature:

Cathy Creekmore, Board Chair
