

ALABAMA WORKFORCE INVESTMENT SYSTEM

Office of Workforce Development
401 Adams Avenue
Post Office Box 5690
Montgomery, Alabama 36103-5690

GOVERNOR'S WORKFORCE DEVELOPMENT DIRECTIVE NO. PY2004-14

SUBJECT: LWIA PY2005/2006 Local Plan / PY2005 Grant Agreement Package

- Purpose.** To provide Local Workforce Investment Boards with guidance on the development and submission of their respective PY2005/06 WIA local plans and PY2005 WIA grant agreement packages.
- Discussion.** The instructions for local area preparation of PY2004 WIA Adult, Dislocated Worker, and Youth annual grant agreement package submission, provided under GWDD No. PY2003-15, are appropriately updated to accommodate PY2005 grant agreement submission requirements.

Both State and local area-level PY2005 WIA program planning activities must observe a highly compressed time frame. A comprehensive PY2005-2006 local plan is needed. However, at this time, LWIAs need only submit very brief information. Additional guidance regarding LWIA local plan preparation and content will be provided at a later date. A Grant Agreement Package, including Grant Agreement Sheet (WIA-59), fairly detailed assurances/certifications, and a modified WIA Grantee Budget Summary (WIA-60) form is prescribed. This WIA-60 form was previously transmitted to local areas.

- Action.** Each local board shall use the attached guidance when preparing/submitting their respective PY2005/06 local plan and PY2005 Grant Agreement Package.

Grant agreement packages should be received at the Office of Workforce Development by May 1, 2005.

- Contact.** Any questions regarding this Directive may be addressed to Ray Clenney at (334) 242-1421.



Steve Walkley, Division Director
Workforce Development Division

Attachments

Workforce Development Local Plan Program Years 2005-2006

Federal guidance on the Workforce Investment Act and the Wagner-Peyser Act states, “the strategic planning process for workforce investment must be dynamic, fluid, and future oriented.” The goals of the Department of Labor are to streamline, consolidate, and integrate workforce development programs. The desire is to achieve an integrated workforce system better able to respond to the needs of its customers.

In view of the short time frame remaining before the beginning of Program Year 2005, we do not believe time remains for the State to publish detailed planning guidance and then have the resulting plans developed, written, commented upon, approved at the local level, and then submitted to the State in sufficient time for State review and approval. In view of this, we will, at this time, ask only for very brief information to be submitted to Montgomery by May 1, 2005. A more detailed plan will be required not later than September 1, 2005. This should allow time for sufficient dialogue, review and comment at each local area.

The Department of Labor’s planning guidance for states dwells on repeated themes, such as integration, customer needs, demand-driven system, maximum flexibility, quality workforce information, a youth program targeting out-of-school youth, and increased accountability to increase funds going to training investments while reducing administrative costs. Discuss what processes you will employ in order to accomplish each of these. They must be addressed separately and with sufficient detail to give a clear picture of how your area will go about accomplishing these goals.

In addition to the information above, the normal grant agreement documents must be completed and included in the temporary plan package.

1. How will your local area promote integration?
2. What procedures will be put in place to ensure that programs and services are customer-centered?
3. How will your local area workforce development system become a demand-driven system?
4. How will your local area maintain maximum flexibility to tailor service delivery and make strategic investment in workforce development activities to meet the needs of your local economy and labor market?
5. How will you ensure that customers make informed choices based on quality workforce information?

6. How will you implement the new DOL vision for targeting out-of-school youth for quality education and training services?
7. How will your local area increase accountability to increase funds going to training investments while reducing administrative costs?
8. Explain the public notice process used to allow review and secure comment from your workforce investment board and from the public.
9. How will you achieve close coordination with faith-based and community-based organizations?
10. Attach completed Grant Agreement Package and Assurances and Certifications.
11. Performance goals for each local area will be negotiated after the State performance goals have been negotiated with the U.S. Department of Labor.

WORKFORCE DEVELOPMENT DIVISION
Alabama Office of Workforce Development (OWD)

WIA GRANT AGREEMENT

| | | | | | | | | |
|---|-------------|-----------------------|------------|---------------------------------|---------------------|------------------|-------------|-----------------------|
| I. WORKFORCE INVESTMENT AREA | | | | | A. Plan No.: | | | |
| B. Action: | | Initial Grant: | | Modification: | | Revision: | | |
| C. Grant Recipient | | | | D. Administration Entity | | | | |
| 1. Name | | | | 1. Name | | | | |
| 2. Organization | | | | 2. Organization | | | | |
| 3. Address | | | | 3. Address | | | | |
| 4. City | | | | 4. City | | | | |
| 5. Zip | | | | 5. Zip | | | | |
| 6. Contact | | | | 6. Contact | | | | |
| 7. Telephone # | | | | 7. Telephone # | | | | |
| 8. E-Mail | | | | 8. E-Mail | | | | |
| E. Proposed Funding | | | | | | | | |
| WIA Funds | | | | | \$ _____ | | | |
| F. Grant Period | | Start: | | | End: | | | Effective Date |
| | Year | Month | Day | Year | Month | Day | | |
| | | | | | | | | |
| II. ASSURANCES AND CERTIFICATIONS: Assurances/Certifications on page 2 are part of this Grant Agreement. | | | | | | | | |
| III. LOCAL AREA SUBMISSION (Attach any comments on a separate sheet) | | | | | | | | |
| Name/Title | | | | Signature | | | Date | |
| Grant Recipient | | | | | | | | |
| LWIB Chair | | | | | | | | |
| Chief Local Elected Official | | | | | | | | |
| Governor's Designee | | | | | | | | |
| Governor's Designee | | | | | | | | |

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Revised 3/05

WORKFORCE DEVELOPMENT DIVISION
Alabama Office of Workforce Development (OWD)

WIA GRANT AGREEMENT

Assurances and Certifications

- A. Signatories assure this Grant Agreement will be executed in accordance with the Workforce Investment Act of 1998 applicable federal regulations, State law, and Governor's Directives, pursuant to WIA , as published and amended.
- B. Liability for funds under this grant rests with the local workforce investment area grant recipient/signatory.
- C. Modifications to this initial grant become effective only after approval by the Governor's Designee. Plan modifications must adhere to advance publication requirements and be submitted according to directive procedures. Funding is contingent on actual appropriations by Congress.
- D. This grant is comprised of planned performance/ payment systems narrative and a grantee budget summary.
- E. The ADECA Workforce Development Division, acting for the Governor, will monitor for performance and require such reports as may be necessary to carry out this responsibility.
- F. Parties to this agreement certify to the best of their knowledge and belief that information contained in the attached plan/modification is a reasonably accurate depiction of WIA-funded planned activities. Signatories to the Agreement further attest that the LWIA and the LWIB will comply with the WIA Assurances and Certifications attached to the LWIA 5 Year Plan.
- G. Comply with the WDD Procurement policy (includes all subrecipient/contractor levels).
- H. Comply with the ADECA Audit Policy, and with OMB Circular A-133.
 - I. Certify that systems and procedures are in effect which parallel those described within the local area plan.
 - J. Comply with other applicable statutes as related to workforce development programs.
- K. It is agreed that the terms and commitments contained herein shall not be constituted as a a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment No. 26. It is further agreed that if any provision of this grant shall contravene any statute or Constitutional provision or amendment, either now in effect or which may, during the course of this grant, be enacted, then that conflicting provision in the grant shall be deemed null and void. The grant's sole remedy for the settlement of any and all disputes arising under the terms of this grant shall be limited to the filing of a claim with the Board of Adjustments for the State of Alabama.

For any and all disputes arising under the terms of this grant, the parties hereto agree, in compliance with the recommendations of the Governor and the Attorney General, when considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation by and through the Attorney General's Office of Administrative Hearings or where appropriate, private mediato

WIA GRANT AGREEMENT

Minor Modification, Revised Funding

| | |
|--|----------|
| E. Proposed Funding WIA Funds | \$ _____ |
|--|----------|

Grant Recipient

Date

Division Director,
Workforce Development Division

Date

ASSURANCES AND CERTIFICATIONS

The purpose of distinguishing the following assurances is to highlight specific requirements and does not limit local area responsibilities in any way. Local areas are required to ensure that the local area and its subrecipients are held accountable to all state and federal laws, regulations, and policies. By signing the Grant Summary Information and Signatory Authorization Form and the Statement on Compliance with the Act form, and including the following assurances in the Grant Narrative, the local area assures the state that the local area and all of its subrecipients will abide by the following requirements:

- The Grantee assures that it will establish, in accordance with section 184 of the Workforce Investment Act (WIA), procedures that ensure compliance with the uniform administrative requirements for grants and agreements applicable to the type of entity receiving funds.
- The Grantee assures that it will comply with the confidentiality requirements of section 136(f)(3).
- The Grantee assures that it will comply with the nondiscrimination provisions of section 188.
- The Grantee assures that it will collect and maintain data (Section 185) necessary to show compliance with the nondiscrimination provisions of section 188.
- The Grantee assures that it will comply with section 504 of the Rehabilitation Act of 1973 (29 USC 794) and the Americans With Disabilities Act of 1990 (42 USC 12101 et seq.).
- The Grantee assures that it will retain financial and program records, books of account, and other documents related to the grant agreement for a period of six years (ADECA requirement). If prior to the expiration of the six-year retention period, any litigation or an audit has begun, the records, books of account, and documents relating to the grant agreement will be retained until the litigation is complete and audit findings are resolved.
- The Grantee assures that it will comply with the grant procedures prescribed by the Governor that are necessary to enter into grant agreements. The procedures and agreements will be provided by the Governor and will specify the required terms, conditions, assurances, and certifications, including, but not limited to, the following:
 - General, Fiscal, Administrative Requirements:

| | |
|---|---|
| -29 CFR Part 97 or 29 CFR Part 95 (As applicable) | Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments or Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations. |
|---|---|

(4) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
(5) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The grant applicant also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIA Title I B financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIA Title IB financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

-29 CFR Part 93

Certification Regarding Lobbying

-29 CFR Part 98

Drug Free Workplace Certification

-29 CFR Part 98

Certification Regarding Debarment and Suspension

➤ Special Clause/Provisions:

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

- The Grantee will maintain accurate and timely participant and financial records as required by WIA and submit complete, accurate, and timely reports as specified by the Governor.
- The Grantee assures that it will give the U.S. Department of Labor or its representatives the access to, and the right to, examine all documents related to grant agreement.
- The Grantee assures that it will fully comply with all Grantor instructions relating to the administration of the grant funds.
- The Grantee assures that it has adequate administrative and fiscal systems necessary to promote effective use of grant funds.
- The Grantee assures that it will comply with federal, state, or local laws governing applicable licensing, taxation, and insurance requirements.

- The Grantee assures that it will comply with federal, state, and local procedures for grievances and complaints from participants and employees under the WIA program.
- The Grantee shall enforce standards and procedures to ensure against fraud and abuse, including standards and procedures against nepotism, conflicts of interest, lobbying, kickbacks, drug-free workplace and provisions which govern debarment, suspension, and other responsibility matters.
- The Grantee will comply with the provisions of the Hatch Act (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.
- The Grantee has developed this plan in consultation with the local elected officials, local Workforce Investment Boards, the business community, labor organizations, and other partners.
- The Grantee assures that funds will be spent in accordance with the Workforce Investment Act and the Wagner-Peyser Act legislation, written U.S. Department of Labor guidelines, and all other applicable federal and state laws.
- The financial management system satisfactory accounts for and documents the receipt and disbursement of all WIA funds.
- Information pertaining to subgrants and contract awards, obligations, unobligated balances, assets, expenditures, and income will be maintained.
- Effective internal controls in place will safeguard assets and assure their proper use (including property location and usage).
- All source documentation will be maintained to support accounting records that will permit the tracking of funds to a level of expenditure adequate to establish that funds have not been used in a violation of the applicable restrictions on the use of such funds.
- The local area's financial system will permit the tracking of program income, potential stand-in costs, and other funds that are allowable.
- The local area will maintain a comparison of actual expenditures with budgeted amounts for each subgrant and contract, and that this comparison will be used to assess program progress and success.
- All persons and/or subrecipients who are authorized to receive or deposit WIA funds, or to issue financial documents, checks, or other instruments of payments for WIA program costs, will be bonded in accordance with federal and state regulatory requirements for protection against loss.

- No excess cash will be kept on hand, and that procedures exist for maintaining and monitoring the minimum amount of cash on hand necessary to efficiently improve the timing and control of disbursements.
- Operating programs funded wholly, or in part, with state and/or federal funds will maintain financial and program records with all supporting documents for at least six years from the date of submission of the closeout reports for each program.
- Assurances that the local area will maintain an audit resolution file documenting the disposition of reported questioned costs and corrective actions taken for all findings.
- WIA training shall be provided only for those occupations for which there is a demand in the area served or in another area to which the customer is willing to relocate. Such demand shall be documented with supporting labor market data or justified by local labor market needs.
- The process used by the local elected officials to solicit and select members of the local Workforce Investment Board will comply with the WIA and state criteria.
- The local WIB will provide direction-setting leadership for the regional and local Workforce Development system.
- The local WIB assures the local area workforce investment system will comply with non-discrimination and equal opportunity requirements.
- The local WIB assures that the public, including individuals with disabilities, has access to local WIB meetings and information regarding local WIB activities, including membership and meeting minutes.
- The WIB will participate in regional planning.

Signed:

Chief Local Elected Official

Date

Chair, Local Workforce Investment Board

Date

**INSTRUCTIONS FOR COMPLETING THE ALABAMA WIA
GRANTEE BUDGET SUMMARY FOR ADULT, DISLOCATED WORKER, AND YOUTH
LOCAL AREA PLANS
(WIA-60)**

LWIA Adult, Dislocated Worker, and Youth program budgeting information will be consolidated on a single WIA-60 form. Each executed WIA-60 will remain a valid budget document for the full grant period.

1. **a.-d. Grant Recipient:** This should be the same as reported on the Grant Agreement Sheet; the contact person should be able to answer any questions regarding information contained in this form.
2. **Effective Date of Action:** Leave blank. WDD will enter.
- a. **USDOL Grant Number:** The USDOL Grant Number can be found on the Notice of Obligation (NOO) issued by USDOL to ADECA WDD. Copies of all NOO's will be provided to local areas as Attachments to the Allocation GWDD.
- b. **Year of Funds:** Enter the PY number corresponding to the year grant funds were first made available. The number should be consistent with the USDOL Notice of Obligation (NOO).
- c. **Grant Period:** Enter the start date and end date of the grant period, as shown on the WIA-59.

LWIA Identifying Grant Numbering Methodology

LWIA programs have four separate fund categories. LWIA expenditures must be separately tracked against each grant type. Identifying grant numbers are prescribed according to the table below:

| <u>Local Area Number</u> | <u>Fund Source</u> |
|--------------------------|------------------------------|
| AWIA - 1 | A – Governor’s Reserve Funds |
| Jefferson - 2 | B - Adult |
| Mobile - 3 | C - Dislocated Worker |
| | D -Youth |

3. **Program:**
 - a. **Catalog of Federal Domestic Assistance (CFDA) Number:** This information is provided by ADECA WDD. No LWIA entry is necessary.
 - b. **Identifying Grant Number:** By column, enter the LWIA identifying grant numbers (see above methodology) corresponding to Governor’s Reserve (incentive), Adult, Dislocated Worker, and Youth funds awarded, e.g., 1A for AWIA Governor’s Reserve funds, 1B for AWIA Adult funds, 3C for Mobile Dislocated Worker funds, etc.
 - c. **Fund Allocation/Grant Amount:** By column, enter the amount of any Governor’s Reserve funds awarded the LWIA, and the amounts of Adult, Dislocated Worker, and Youth funds granted the LWIA. Amounts entered should incorporate any additional (or reductions in) funds due to reallocations. Additional detail regarding the break down of LWIA allocation amounts is found on the Notice of Governor’s Action accompanying the completed Grant Agreement package.

4. **Cost Category/ Budget:** Enter the total amount of grant funds budgeted for expenditure by cost category.
- a. **Administration Funds:** Enter, by column, the amount of any LWIA Governor's Reserve, Adult, Dislocated Worker, and Youth funds reserved for administration. Enter the total of LWIA funds available for program administration expenditures. Include any additions to (or reductions in) Administration funds due to reallocations. Not more than 10 percent of Adult, Dislocated Worker, and Youth grant funds may be budgeted/expended for purposes of administration.
 - b. **Program Funds:** Enter, by column, the amount of any LWIA Governor's Reserve, Adult, Dislocated Worker, Youth, and the total of LWIA funds which may be expended for program costs. Include any additions to (or reductions in) program funds due to reallocations.
 - c. **Program Fund Transfers:** By column, enter any amount of LWIA Adult **Program Funds** the LWIA seeks to transfer to its Dislocated Worker program and/or the amount of any LWIA Dislocated Worker **Program Funds** the LWIA seeks to transfer to its Adult program. For PY 2005/FY 2006, and subject to a pending USDOL Waiver Request, up to 30 percent of the formula allocated Adult funds and/or Dislocated Worker funds may be transferred between the two programs.
 - d. **Adjusted Program Funds:** Enter, by column, the amount of available LWIA Adult and Dislocated Worker funds, and the total of LWIA funds, adjusted for any above-indicated Adult-Dislocated Worker Program Funds transfer activity.
 - e. **Total Funds:** By column, enter the sum of available LWIA **Administration** and **Program** Governor's 15%, Adult, Dislocated Worker, Youth, and Total funds. Entries on this line must agree with corresponding entries on line 3.c.

Remarks: Provide necessary detail regarding information recorded on this WIA-60 Grantee Budget Agreement document.

State of Alabama
Alabama Office of Workforce Development
Workforce Development Division

Grantee Budget Summary

| | | | | | |
|-------------------------------------|---------------------------------|------------------------|------------------------|------------------------------------|-----------------------------|
| 1. Grant Recipient | | | | | |
| a. Address: | | | | | |
| b. Contact Person/Title: | | | | | |
| c. Telephone/FAX Number: | | | | | |
| d. E- Mail Address: | | | | | |
| 2. Effective Date of Action: | | | | | |
| a. USDOL Grant Number: | | | c. Grant Period: | | |
| b. Year of Funds: | | | | | |
| 3. Program: | Governor's 15% Funds | Adult Funds | Youth Funds | Dislocated Worker Funds | Total LWIA Funds |
| a. CFDA Number | | 17.258 | 17.259 | 17.260 | |
| b. Local Area Grant Number | | | | | |
| c. Full Allocation/Grant Amount | | | | | |
| 4. Cost Categories/Budget: | | | | | |
| a. Administration Funds | | | | | |
| b. Program Funds | | | | | |
| c. Program Fund Transfers | | | | | |
| d. Adjusted Program Funds | | | | | |
| e. Total Funds | | | | | |
| Remarks: | | | | | |